

Office of the Executive Officer

TO BE DELIVERED AGENDA MATERIAL

Meeting Date: May 23, 2006

Item Number: 2

Item Description: Monthly Status Update on Berkeley Housing Authority



Office of the Executive Officer

INFORMATION CALENDAR
May 23, 2006

To: Honorable Chairperson and
Members of the Housing Authority

From: *PK* Phil Kamlarz, Executive Officer

Submitted by: Stephen Barton, Housing Director

Subject: Monthly Status Update on Berkeley Housing Authority

INTRODUCTION

This report provides an update on the ongoing actions that the Berkeley Housing Authority (BHA) is taking to increase its rating under the Section 8 Management Assessment Program to eliminate the BHA's troubled status. In addition, this report serves as a status report to the HUD regional office. City and BHA management are meeting monthly with HUD to review progress. ***Only comments that are bold and italicized are new for this reporting period.***

FISCAL IMPACTS OF THIS REPORT

Approximately \$25,000 has been spent to date in recovery efforts. It is estimated that a total of \$80,000 will be spent by June 30, 2006, in staff and contract costs, to be paid out of the previously projected \$100,000 surplus in FY 2006 BHA funds (Fund 205).

- Inspections contract \$20,000;
- Sacramento Sr. Homes waiting list process \$3,000;
- Section 8 waiting list annual update process \$2,000;
- Utility cost analysis contract, \$5,000;
- Security system, \$19,475;
- Temporary staff and overtime \$30,000.

CURRENT SITUATION AND ITS EFFECT

Attached is an updated action plan outlining actions taken, procedures implemented, and actions planned to achieve the minimum SEMAP goal of 60%. This update is based on the activities detailed in the status report provided to the Board on January 17, 2006. In addition, HUD has issued new, reduced Fair Market Rents (FMRs) for the East Bay and this report describes the difficulties that this change will cause and what staff is doing to mitigate these effects.

- *Automation Upgrade* – The transition to the new software was completed on March 6, 2006. The successful transition to the new software is in large part to the dedication and hard work of the City's IT staff. BHA staff are working with the City's IT and Finance departments, as well as the vendor, to resolve the few problems that have come up as part of the data

conversion process. Data clean up, waitlist purging, and other transition functions have to be performed manually.

- *Quality Control* – The HUD quality control requirement for a housing authority of our size is a sample of 35 client files. In order to address the pervasive problems plaguing the BHA, management has implemented a quality control process with the Finance Department that will review a random sample of 25% of the active client files for accuracy of rental calculations and for file completeness. The files reviewed to date indicate a significant percentage of error or incompleteness. ***Staff is correcting the files, as applicable. The Acting Manager has arranged for a respected outside firm to conduct training on May 23-25, 2006, to target the most common errors dealing with computing adjusted income.***
- *New Staff Hires and Overtime Commitments* – A temporary OS II has been hired to assist with basic clerical duties such as filing, telephone and front desk assistance. The temporary Housing Authority Representative (HAR) reported last month is assisting with reviewing files for completed annual re-certifications and inspections. One of the existing HARs has been promoted to Associate Management Analyst to track reports to HUD, as required in the Memorandum of Agreement, establish and maintain a tracking system for deliverables to HUD, process contracts, maintaining the Administrative Plan and the Admissions and Continued Occupancy Policy, monitor the PIC and MTCS reports, and assist the Manager with other administrative functions. The cost of the additional temporary staff is estimated at \$45,000, which will be offset by the projected surplus for this fiscal year.
- *Improved Security and Internal Communication* – BHA has identified several areas that can be improved upon to address the draft findings.
 1. Physical Security – ***A new security system, similar to the one in the Civic Center Building, was installed and implemented. The new system requires a key card to enter the building and identifies and records individual staff entering the building.***
 2. Computer Security – Staff have changed their passwords to the City’s intranet system. The new housing software requires that each employee have a separate password that will track individual transactions. All of these procedures have been implemented to make the data and transactions as secure as possible. Staff has been informed that they are not to share or provide access to their passwords.
 3. Procedures – The Acting Manager holds weekly “All Staff” meetings and uses that time to discuss and reinforce City and BHA procedures. As situations arise, the Acting Manager uses them as teaching opportunities for staff. ***In addition, BHA has contracted with Nan McKay and Associates to come in and train all case managers on rent calculation requirements and processes. The training is scheduled for May 23 –25, 2006.***
- *Fair Market Rents* – HUD has released new Fair Market Rent standards (FMRs) for Alameda and Contra Costa Counties that are 4% to 10% below last year’s FMRs, depending on the number of bedrooms in the unit, and were in effect as of March 1, 2006. This change has serious consequences for both current BHA-assisted tenants and affordable housing projects that are either under construction or proposed that include Section 8 commitments. The

BHA currently sets rents at or close to 110% of the FMR, the maximum level allowed under HUD regulations without additional authorization from HUD. As a result, even using 110% of FMR in the future, the BHA payment standard will go down, reducing the maximum allowable subsidy to a household. For tenants where the current rent is at or near the maximum, the subsidy will be reduced and they will be faced with the choice of paying the difference or moving to less costly housing, unless the landlord would be willing to reduce the rent accordingly. Analysis of current Section 8 participants indicates that nearly half of the participants will be negatively affected by this reduction in FMRs.

However, based on HUD regulations (24 CFR 982.503(f)), if the BHA qualifies for the deconcentration bonus under SEMAP criteria, it can request a waiver to allow it to use the 50th percentile rents instead of the 40th percentile rents under the new FMR (see Attachment 2). BHA staff submitted a request for a waiver under this provision on April 5, 2006. ***On May 5, 2006, HUD denied the request to continue using our established rents (Attachment 3). There is no appeal process for this denial and, therefore, BHA Staff sent out a notice to landlords regarding the new payment standards (Attachment 4). HUD denied the request because the BHA had not previously requested the deconcentration bonus points under SEMAP even though the BHA was eligible to do so. BHA has requested these points for the current fiscal year, which should make the BHA eligible for the waiver in the next fiscal year, effective as early as July 1, 2006 (Attachment 5). The reduced payment standard does not require BHA to begin to reduce housing assistance payments to landlords of current tenants in the Section 8 program until April 1, 2007, so the most drastic effects of the reduction can be avoided if the waiver is successfully obtained in the next fiscal year.***

- ***SEMAP Indicators*** – This section provides a detail of the current status of the 14 performance indicators and the actions taken to improve or maintain the current score. It must be stressed that while receiving a passing score under SEMAP will result in moving the BHA out of troubled status, there are still severe internal problems at the BHA that will remain. Achieving the “standard performer” status is essential in order to gain additional time in which to make the necessary system improvements and will require a sustained effort over the following year and may require additional City support to the agency.

1. SEMAP Indicator 1: Selection From Waiting List

Goal: Achieve a 98% compliance rating in selecting applications from the Section 8 waiting list for admission, in accordance with the Administrative Plan.

Current Efforts: Staff is reviewing the files to make sure that proper documentation exists to support the voucher awards, as required by HUD. In addition, staff is working to clean up and purge the waiting list. Only 42 applicants have been selected for Section 8 enrollment in FY06 – 17 from the existing Section 8 waitlist and 25 for Hurricane Katrina victims, which were given preference over existing Section 8 applicants based upon a BHA Board action approving such preference.

In addition, a new site-based waiting list was opened from March 15, 2006 through April 7, 2006 for the Sacramento Senior Housing project, which will be managed by

Affordable Housing Associates. The BHA outsourced the waiting list process to a firm that has past experience creating and processing public housing and Section 8 waiting lists. ***Roughly 200 applications were received and placed on this new list. Affordable Housing Associates (AHA) is performing the initial eligibility review. The BHA will maintain the official waiting list and confirm that AHA is providing Section 8 vouchers in the appropriate order of date/time submission and in compliance with HUD requirements.***

2. SEMAP Indicator 2: Reasonable Rent

Goal: Achieve a 98% compliance rate in determining reasonable rents based on current rents for comparable unassisted units at the time of initial leasing and before any increase in rent to owner.

Current Efforts: The BHA is conducting a quality control file review to ensure complete documentation to support rent comparability. Of the files review to date, the BHA can demonstrate that it has implemented a written method to determine and document reasonable rent for each unit. The written method used by the BHA is the Rent Board's current market rent database, and differs *slightly* from the method written included in the BHA's current Administrative Plan. ***The Acting Manager has prepared a contract with Nan McKay & Associates, a respected consulting firm, to purchase the GoSection8 software that maintains a database of available units in the Berkeley area. This database will not only allow landlords to list vacant units over the web, and prospective tenants to access them, it will also provide detailed comparative data establishing a more comprehensive process for determining comparable rents. Language for the new rent comparability process will be brought to the Board for incorporation in the BHA Administrative Plan once the GoSection8 program is underway.***

3. SEMAP Indicator 3: Determination of Adjusted Income

Goal: Achieve a minimum 90% compliance rate in calculating tenant-adjusted incomes, while conforming to third-party verification, expense and utility allowance regulations and standards.

Current Efforts: The BHA completed an initial review of a sample of files (35 to meet minimum requirements), which resulted in approximately 75% accuracy in calculations. Staff is in the process of correcting the outstanding findings. The Finance Department will continue to review a random sample of 450 (25%) Section 8 files to identify errors and areas of weakness. ***At the end of the fiscal year (approximately June 1, 2006), the Acting Manager will select at least 35 files as part of a random sample to determine if the agency has met the requirement that 90% of the tenant files have complete and accurately adjusted income. This is a critical indicator for the BHA, as success in improving performance on this indicator may determine whether or not the BHA improves its score sufficiently to move out of troubled status.***

4. SEMAP Indicator 4: Utility Allowance Schedule

Goal: Update the utility allowance schedule and have it adopted by the BHA Board to be effective no later than June 30, 2006.

Current Efforts: **The Utility Allowance Schedule was adopted on April 18, 2006, and is effective as of June 30, 2006. The BHA has satisfied the requirements for this indicator.**

5. SEMAP Indicator 5: HQS Quality Control Inspections

Goal: Conduct quality control re-inspections on a minimum sample of 35 units that were inspected for HQS by Housing Authority Representatives.

Current Efforts: The Senior Housing Assistance Supervisor and the Acting BHA Manager have completed the quality control inspections and have satisfied the requirements for this indicator.

6. SEMAP Indicator 6: HQS Enforcement

Goal: Any cited life-threatening HQS deficiencies are corrected within 24 hours from the inspection and within 30 days for all other deficiencies. In order to receive points for this indicator, a quality control sample of case files with failed HQS inspections (at least 35) must show that 100% of the life-threatening deficiencies were corrected within 24 hours and 98% of all other deficiencies were corrected within 30 days. If deficiencies were not corrected during the applicable time frame, the BHA must show that it stopped housing assistance payments beginning no later than the first of the month following the correction period.

Current Efforts: The BHA is addressing this indicator with vigorous follow-up to failed inspections. Unfortunately, due to lack of follow through during the first half of the year, the BHA cannot meet the requirements and, therefore, cannot claim the point value associated with the indicator.

7. SEMAP Indicator 7: Expanding Housing Opportunities

Goal: Adopt and implement a written policy to encourage participation by owners of units outside areas of poverty or minority concentration, prepare maps and informational materials to assist owners and tenants with program participation, and analyze and follow up on difficulties that voucher holders have regarding finding housing in areas outside areas of poverty or minority concentration.

Current Efforts: The BHA has a policy in its annual and five-year plans and it authorizes Housing Assistance Payments at up to 110% of the Fair Market Rent (FMR), which provides tenants with a wider range of rental possibilities. In addition, the City's inclusionary zoning ordinance opens up rentals in newly constructed rental buildings. Housing Department staff has completed the requirements for this indicator.

Deconcentration Bonus

Goal: Demonstrate that the agency meets or exceeds the requirements for the Deconcentration Bonus, as detailed in 24 CFR 985.3(h)(1)(i), (ii) or (iii).

Current Efforts: The BHA has compiled relevant data supporting its claim that at least half of all Section 8 families with children assisted by the BHA in its principal operating area at the end of FY05 reside census tracts with a lower than average poverty rate. In addition to claiming the 5 points, satisfying this section of the SEMAP allows the BHA to request a waiver of the new FMRs. ***HUD has denied the request for a waiver for this year. However, this denial should not affect the BHA's ability to claim the points under this indicator for this year and request a waiver for next year.***

8. SEMAP Indicator 8: Fair Market Rent Limits and Payment Standards

Goal: Ensure that the BHA-adopted payment standards comply with the current Fair Market Rent and HUD-approved exception rent limits and that staff assign rents within the established limits.

Current Efforts: ***The BHA has implemented the reduced payment standards, effective March 1, 2006, based on the new FMRs published on February 14, 2006.***

9. SEMAP Indicator 9: Annual Re-Examinations

Goal: Conduct 90% of re-examinations within 12 months of previous re-examination date.

Current Efforts: The BHA has not met the requirements for this indicator. Approximately 15% (325) of all files are delinquent or in process at this time. Staff is currently conducting scheduling for delinquent re-examinations, sending out notices of non-compliance to participants, and making every effort to eliminate the backlog.

10. SEMAP Indicator 10: Correct Tenant Rent Calculations

Goal: 98% of tenant rent calculations are computed correctly, as reflected in the electronic submissions to HUD.

Current Efforts: The BHA utilizes the MTCS online system to identify errors in the tenant rent calculation submissions to HUD. In addition, Finance staff is conducting a quality control review of at least 25% of the files to verify completeness and accuracy of calculations.

11. SEMAP Indicator 11: Pre-Contract HQS Inspection

Goal: Ensure that at least 98% of newly leased units pass HQS inspections on or before the beginning date of the assisted lease and HAP contract.

Current Efforts: The BHA is in compliance with the requirements to inspect and pass housing units before the beginning date of the lease. A review of the data demonstrates that the BHA meets the 98% threshold for this indicator and can claim the appropriate points.

12. SEMAP Indicator 12: Annual HQS Inspections

Goal: Complete 90% of annual inspections within 12 months of previous inspection date.

Current Efforts: The BHA is currently behind by approximately 400 units. BHA has initiated a contract with an outside vendor to assist with the delinquent inspections backlog. The contractor has committed to performing 300 inspections per month. However, given the current rate of failing units and no-show appointments, at this time, the BHA cannot meet the requirements for this indicator.

BHA staff will continue to reconcile the electronic report with tenant files to ensure that the delinquency is not due to an error in transmission. Files that have been confirmed to be delinquent will be given to the contractor to perform the inspections. The new software will improve the BHA's ability to schedule and track inspections from this point forward.

13. SEMAP Indicator 13: Lease-Up

Goal: Achieve 98% of lease-up or fund utilization for the Section 8 Housing Choice Voucher Program through June 30, 2006.

Current Efforts: The BHA has submitted notices to absorb 33 vouchers from other housing authorities where the tenant is living within the BHA's jurisdiction. By doing so, it will no longer have to bill the other agencies for the administrative fee and will fully assume the HAP for these vouchers. As a result, the BHA will commit enough of its budget to meet the 98% target. The BHA fiscal unit staff will continue to monitor the lease-up and expenditure of funds to ensure that it does not fall below the minimum 98% requirement.

14. SEMAP Indicator 14: Family Self-Sufficiency

Goal: Increase enrollment of families in the FSS program to 30 or more and at least 15 of the participating families with escrow accounts.

Current Efforts: The mandatory number of FSS Program slots for the BHA is 49. In order to meet the requirements for this indicator, the BHA must show an enrollment of at least 30 families and 15 families with escrow accounts. To date, the BHA can verify enrollment of 24 families in the program and 6 families with escrow balances. At this time, the BHA cannot meet the requirements for this indicator.

15. Non-SEMAP Indicator: Correction of MTCS/PIC Data Errors and Omissions

Goal: Ensure that 100% of 50058 forms are reported to MTCS through PIC with a 5% or less error rate.

Current Efforts: One BHA staff person has been assigned to correct errors on all 50058 submissions in order to meet the requirements. Review of the most recent information indicates that we have achieved approximately **84%** reporting rate. The new software system helps with this process because it checks for the same errors that the HUD system checks and warns when there is data that is not in the correct format.

Failure to maintain 100% reporting compliance with at least 95% accuracy could result in the loss of points for indicators 9, 10, 11, 12 and 14.

In summary, while the BHA is making substantial progress, it has not yet reached the thresholds necessary for standard performance and it is not yet certain that it will do so.

POSSIBLE FUTURE ACTION

Updates will be presented to the BHA Board each month on the actions taken and the impact on the individual SEMAP indicators as well as overall management of the BHA. The Acting Manager will continue to evaluate the situation at the agency and provide ongoing assessments of the improvements made to the organizational structure, performance and finances of the BHA.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Additional funds may be needed to cover the cost of temporary staff, contracts, training, and other resources needed to achieve a passing SEMAP score for FY06 and beyond. Needs will be assessed on an on-going basis and presented as appropriate.

CONTACT PERSON

Beverli A. Marshall, Acting BHA Manager, (510) 981-5471

Attachments:

- 1: SEMAP Indicators Update
- 2: Memorandum of Agreement Status Report.
- 3: Request of Waiver to Use 50th Percentile Rents, dated April 5, 2006
- 4: Response for Request of Waiver to Use 50th Percentile Rents, dated May 6, 2006
- 5: Notification Letter: New Payment Standards
- 6: Request for Accelerated Review of SEMAP Deconcentration Bonus Point Eligibility, dated April 5, 2006

ATTACHMENT 1

	SEMAP INDICATOR	TARGET	CURRENT % STATUS (2/28/06)	MAX SEMAP POINTS	BHA SEMAP POINT GOAL	POINT STATUS as of 12/31/05	CURRENT POINT STATUS	
1	Selection from Waiting List	98% Compliance Rate	98%	15	15	15	15	
2	Reasonable Rent (leases-5%-increases)	98% Compliance Rate	98%	20	20	15	20	
3	Adjusted Income	80-89% Compliance Rate	75%	20	15	0	0	
4	Utility Allowance Schedule	Update Allowance Schedule by June 30, 2006	100%	5	5	0	5	
5	HQS Quality Control Inspections	100% of 35 units Inspected	100%	5	5	0	5	
6	HQS Enforcement	100% of life-threatening deficiencies corrected in 24 hours; 98% of all other deficiencies in 30 days	0%	10	0	0	0	
7	Expanding Housing Opportunities	100% Compliance to all requirements	100%	5	5	0	5	
	Deconcentration Bonus		100%	-	5	0	5	
8	FMR Limits and Payment Standards	98% Compliance Rate	100%	5	5	5	5	
9	Annual Re-certifications	90-95% Compliance Rate	85%	10	0	0	0	
10	Correct Tenant Rent Calculations	98% Compliance Rate	98%	5	5	5	5	
11	Pre-Contract HQS Inspections	98% Compliance Rate	98%	5	5	0	5	
12	Annual HQS Inspections	90% Compliance Rate	68%	10	0	0	0	
13	Lease-Up/Budget Expended	98% Compliance Rate	98%	20	20	15	20	
14	Family Self-Sufficiency Enrollment	60% of Mandatory Enrollment 30% of Families with Escrow Balances	49% 12%	10	0	3	0	
TOTAL					145	105	58	85
%					100%	75%	41%	58%
	Misc: MTCS/PIC Corrections	100% Completed - 50058 Forms Submitted		N/A	N/A		84%	
		95% Compliance - Error Free		N/A	N/A		81%	

**Memorandum of Agreement (MOA) Part B
Performance Targets and Strategies Revision 1
Monthly Progress Report**

US Department of Housing and Urban Development

San Francisco Regional Official Office – Region IX

Office of Public Housing

PHA Name: Berkeley Housing Authority

PHA FYE: June 30

MOA Term: 11/ 1/ 2004 to 06/30/2006

Monthly Progress Report

for

Reporting period ending

(04/30/2006)

I certify that

all of the information in this report is true and accurate, to the best of my knowledge;
this information has been/will be shared with the Board.

Typed name: BEVERLI MARSHALL
Typed title: ACTING BHA MANAGER

Date

Targets and Strategies	Final Performance Target	Estimated & Actual Completion Dates	Comments
1.1 Establish appropriate oversight and monitoring of BHA Low Rent Public Housing (LRPH) operations by the Board of Commissioners [Reference: 24 CFR 811.105; State Law, 1937 Act as amended]	Knowledgeable, effective Board	5/31/2005 <i>On-Going</i>	BHA Board meets regularly to discuss Public Housing operations, budget and administration.
A. Provide training to the Board to increase the overall knowledge of its roles and oversight responsibilities of LRPH requirements.	Board members trained	5/31/05 <i>On-Going</i>	BHA will schedule training specifically for the Board members.
B. Develop and submit monthly status/progress reports to Board and HUD on BHA LRPH operations in all functional areas: vacancies, unit turnaround times, rent uncollected, work order completed, unit and system inspection data, income and expense statements for the low rent public housing, current status of Capital Fund program, and progress reports on meeting the terms of the MOA.	Monthly status/progress reports in place and submitted	12/30/04 <i>On-Going</i>	MOA progress report through March 2005 submitted to BHA Board on April 19, 2005.
1.2 Monitor implementation of the MOA [Reference 24 CFR 902.75 a]	Plan in place & implemented	1/31/2005 <i>On-Going</i>	
A. Develop a process for reviewing MOA progress.	Process in place & implemented	12/31/04	BHA is in the process of establishing a database for performance report deliverables with the on-going input from the agency's property management firm.
B. Submit monthly report to HUD by the 15 th of the following month	Monthly report submitted regularly	1/15/05 <i>On-Going</i>	
1.3 Establish short and long-term goals and objectives for the PHA [Reference : 24 CFR 903.1, Public Housing Reform Act of 1998, PIH Notices 99-51 & 99-33]	2005 Plan submitted on time	4/15/2005 <i>Completed 9/2005</i>	BHA Board adopted 5-year and annual plan on September 20, 2005 per Resolution 713.

A. Develop 2005 Annual Plan that states BHA's views and objectives in compliance with HUD Public Housing Reform Act of 1998. Review, revise, adopt as necessary.	2005 Annual Plan in place and in compliance	2/28/05 <i>Completed</i> 9/2005	
B. Coordinate with local jurisdictions and obtain public comments as required.	Coordinated	3/15/05 <i>Completed</i> 9/2005	
C. Obtain Board of Commissioners Approval/ Resolution	Board Approval/ Resolution obtained	3/31/05 <i>Completed</i> 9/2005	BHA Board adopted 5-year and annual plan on September 20, 2005 per Resolution 713.
D. Submit PHA plan to HUD via internet	Plan submitted seventy five days prior to end of fiscal year	4/15/05 <i>Completed</i>	

Targets and Strategies	Final Performance Target	Estimated & Actual Completion Dates	Comments
2.1 Develop operational policies and procedure manual concerning LRPH program BHA departments [Reference: HUD Guidebooks 7401.1 & 7401.7; Public Reform Act of 1998]	Operational policies and procedure manual in place & implemented	6/30/2005 Completed 7/19/2005	ACOP revised by BHA Board on July 19,2005 per Resolution No. 712. Additional revision to ACOP is under consideration.
A. Develop operational policies and procedure manual concerning LRPH program for all BHA departments (Occupancy, Maintenance, Finance	Operational policies and procedure manual In place	4/30//05	Additional revision to ACOP is under considerations.
B. Obtain Board of Commissioners Approval/Resolution	Board Approval/ Resolution obtained	5/31/05	Subsequent revisions to ACOP will be submitted to the BHA Board for approval and adoption.
C. Submit to HUD for comments, if necessary.	Submission made to HUD	6/30/05	Subsequent revision to ACOP will be submitted to HUD for comments.
2.2 Develop a training plan for staff on all BHA program administration [Reference: HUD guidebook 7401.7]	Plan in place & implemented	10/31/2005	BHA plan for training includes discussing specific public housing topics/issues with property management firm.
A. Develop a training plan based on approved Operational policies and procedure manual. Consider recommendations from HUD assessment	Training plan in place and implemented	7/31/05	
B. Identify estimated costs and funding sources. Procure vendor(s) for training plan.	Funding sources identified and vendor(s) procured	8/31/05	Training to be performed by in-house staff.

C. Obtain Board of Commissioners Approval/Resolution	Board Approval/Resolution obtained	9/30/05	As necessary.
D. Submit training plan to HUD for comments, if necessary	Submission made	10/31/05	As necessary.

PHAS Performance Targets		Previous Quarter Actual	Current quarter target	1 st month (01/05) actual	2 nd month (02/05) actual	3 rd month (03/05) actual
Indicator #:	Name:					
2-1	Current ratio					
2-2	Expendable Fund Balance					
2-3	Tenant Receivable/Outstanding					
2-5	Expense Management/Utilities					
2-6	Net Income/Loss Divided by the Expendable Fund Balance					
Targets and Strategies		Final Performance Target	Estimated & Actual Completion Dates	Comments		
3.1 Reduce Tenant Receivables Outstanding (Average number of days tenant receivable are outstanding. The gross tenant accounts receivable at year end divided by the total tenant revenue/365). [Reference: 24 CFR 902, Subpart C]		Procedure/process in place and implemented by reducing tenant receivables	3/31/2005 <i>Completed 6/30/05</i>	Procedure/process in place and implemented. Tenant gross Account Receivable has been reduced from \$71,187 (as of 6/30/04) to \$58,368 (as of 01/30/05).		
A. Develop tracking method for tenant receivables.		Procedure/process in place and implemented	1/31/05 <i>Completed 1/31/05</i>	BHA developed a worksheet to monitor the tenant receivables on a monthly basis.		
B. Report monthly with progress report to Board/HUD		Monthly report submitted regularly	3/31/05 <i>Completed 1/31/05</i>	<i>Monthly/quarterly reports to the Board include the tenant receivables worksheet.</i>		

<p>C. Assure the rent collection policies include the following and are uniformly applied:</p> <ol style="list-style-type: none"> 1) Timely evictions 2) Effective write-off policies 3) Use of Collection Agency 4) Home visits 5) Repayment Agreements 	<p>Procedure/process in place and implemented</p>	<p>3/31/05</p> <p><i>Completed 3/2005</i></p>	<p>Policies in place with agency's property management firm.</p>
<p>3.2. Expense Management/Utilities. Review and adjust or reduce expenses as appropriate. (The expense per unit/month for key expenses, including: administration, general (PILOT), tenant services, protective services, maintenance and operations and utility expenses as adjusted for PHA size and geographical area). [Reference 24 CFR 902, Subpart C]</p>	<p>PHAS performance targets (Expense Management/Utilities) tracked</p>	<p>5/31/2005</p> <p><i>On-Going</i></p>	<p>BHA has developed a worksheet to review and monitor the monthly expenditures vs. budget. As a result, there has been a drop in the expense area of administration, operation and maintenance.</p>
<p>A. Develop tracking method for expenses and utilities</p>	<p>Tracking system in place, implemented and documented</p>	<p>2/28/05</p> <p><i>Completed 1/31/05</i></p>	<p>BHA developed a worksheet to review and monitor the monthly and year-to-date of all expenditures vs. budget.</p>
<p>B. Analyze spending patterns and develop recommendation for cost-cutting strategies.</p>	<p>Analysis of spending patterns in place and recommendation for cost-cutting strategies implemented</p>	<p>3/31/05</p> <p><i>Completed 2/28/05</i></p>	<p>Based on the monthly report of budget vs. actual, spending patterns have been analyzed and action has been taken to reduce expenditures in the area of administration, utilities and maintenance.</p>
<p>C. Verify that costs are correctly classified and allocated.</p>	<p>Classification of costs in place and properly allocated</p>	<p>4/30/05</p> <p><i>Completed 1/31/05</i></p>	<p>Costs are property allocated and monitored on a monthly basis from the reports and related back-up documents.</p>

D. Report monthly with progress report to Board and HUD	Monthly report submitted regularly	5/31/05 <i>Completed</i> 1/31/05	The monthly reports to the Board includes the monthly and year-to-date budget vs. actual.
3.3 Improve the BHA income [Reference: 24 CFR 902, Subpart C]	Plan in place & implemented	3/31/2005 <i>Completed</i> 1/31/2005	Plan in place and implemented. The one area of improvement is the investment.
A. Review other sources of income, i.e. investments of excess funds.	Excess funds invested	1/31/05 <i>Completed</i> 1/31/05	BHA changed the checking and money market accounts to increase the interest income, effective 12/1/04.
B. Analyze potential for increasing investment income.	Potential for increasing investment income analyzed	2/28/05 <i>Completed</i> 1/31/05	BHA completed an analysis of bank accounts, which resulted in the change of interest rates and increased interest income.
C. Report monthly with status report to the Board and HUD.	Monthly report submitted regularly	3/31/05 <i>Completed</i> 1/31/05	The BHA Board status reports include monthly and year-to-date interest income of all programs.
77.1 Execute/update General Depository Agreement. [Reference: Annual Contributions Contract; HUD Guidebook 7410.0]	General Depository Agreement in place and implemented	2/28/2005 <i>Completed</i> 1/31/05	The General Depository Agreements are executed with Union Bank of California and Wells Fargo Bank.
3.5 Review and allocate costs accurately for the contract with the property management company, Affordable Housing Associates (AHA), for the period from January 1 to December 31, 2004.	Allocation of costs with contractor in place, implemented and reconciled.	3/31/2005 <i>Completed</i> 2/28/05	The costs allocation has been reviewed and discussed with AHA. As a result, changes have occurred and CY 05 budget expenses have been reduced to address this issue.
A. Develop/update the cost allocation plan	Cost allocation plan developed/ updated	1/31/05 <i>Completed</i> 1/31/05	The cost allocation plan is developed and in place, effective 1/01/05.
B. Evaluate the impact and accuracy of the cost allocation	Evaluation plan in place and implemented	2/28/05 <i>Completed</i> 2/28/05	The cost allocation is evaluated and adjustments are incorporated in the CY 05 budget.

C. Assure expenses are in compliance with the latest approved contract and reconciled total costs incurred with AHA	Expenses complied with contract and total costs reconciled	2/28/05 <i>Completed</i> 2/28/05	The monthly budget vs. actual monitoring system provides a tool to monitor and reconcile the costs incurred by AHA.
D. Report monthly with status report to the Board and HUD	Monthly report submitted regularly	3/31/05 <i>Completed</i> 2/28/05	Reports to the BHA Board includes a summary of budget vs. actual.
3.6 Provide PHA Technical Assistance and/or Training in Financial Planning and improve timely submission of reports to HUD [Reference: HUD Guidebooks 7510.1 & 7475.1, OIG Issues]	Technical assistance/training in Financial Planning provided	9/30/05 <i>Completed</i> 7/2005	
A. Budgeting (PHA-wide, program specific and departmental)	Technical assistance/training in Budgeting provided	6/30/05 <i>Completed</i> 7/2005	
<u>B. Financial Management</u> <u>1) Include bookkeeping (formal) and cash management/</u> internal controls for Finance Staff. 2) Basic financial training for non-financial staff and Board.	Technical assistance/training in Financial Management provided	7/31/05 <i>Completed</i> 7/2005	
C. Performance Funding System (PFS).	Technical assistance/training in Performance Funding System provided	8/31/05 <i>Completed</i> 7/2005	

<p><u>D. Financial Management Policies.</u></p> <p>1) Disposition policy 2) Capitalization policy 3) Collection Losses/Charge-off policy 4) Check Writing Authorization policy 5) Cash Overages/Shortages policy 6) Investments policy 7) Cash Management</p>	<p>Technical assistance/training in Financial Management Policies provided</p>	<p>9/15/05</p> <p><i>Completed</i> 7/2005</p>	
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<p>E. Identify estimated costs and funding sources. Procure vendor(s) for training plan.</p>	<p>Budget proposed and funding source identified</p>	<p>9/15/05</p> <p><i>Completed</i> 7/2005</p>	
<p>F. Report monthly with progress report to Board/HUD</p>	<p>Monthly report submitted regularly</p>	<p>9/30/05</p> <p><i>On-Going</i></p>	<p>Reports will be prepared and submitted at least quarterly.</p>
<p>3.7 Improve PHA procurement practices. [Reference: 24 CFR 85.36; HUD Guidebook 7460.8]</p>	<p>BHA procurement practices conformed and updated in place & implemented</p>	<p>10/31/2005</p> <p><i>On-Going</i></p>	<p>Integrated with the City of Berkeley procurement practices.</p>
<p>A. Develop, adopt and implement BHA-wide Procurement Policy and Contract Administration Procedures to include, the most stringent/restrictive procurement requirements, HUD, U.S. Office Management Budget and California requirements. Ensure procurement is done in accordance with Procurement Policy and CFR 85.36</p>	<p>BHA-wide Procurement Policy and Contract Administration Procedures conformed and implemented</p>	<p>7/31/05</p> <p><i>Completed</i></p>	
<p>B. Train staff on newly adopted Procurement Policy and Contract Administration Procedures</p>	<p>Staff trained on newly adopted Procurement Policy and Contract Administration Procedures</p>	<p>8/31/05</p> <p><i>Completed</i></p>	
<p>C. Conduct cost analysis and estimate for all</p>	<p>Cost analysis and</p>	<p>9/30/05</p>	

procurement actions	estimate in place and implemented	<i>On-Going</i>	
D. Identify and define types of contracts for construction, supplies, professional services & non profit entities	Procedure/process in place and implemented	9/30/05 <i>On-Going</i>	
E. Identify and define competitive and non-competitive methods and requirements including small purchases, petty cash, sealed bids, request for proposals (RFP), minority business enterprises, women business enterprises, and Section 3.	Procedure/process in place and implemented	9/30/05 <i>Completed</i>	
F. Establish a policy to respond to protests and disputes.	Procedure/process in place and implemented	9/30/05 <i>Completed</i>	
G. Advertise RFP and select reasonable/responsible/reliable (3 R) bidder subject to HUD review and approval	RFP advertised, 3 R bidder recommended for selection and documented for HUD review and concurrence.	On a needed basis <i>On-Going</i>	
H. Report monthly progress report on LHRP procurement activity to Board/HUD	Monthly report submitted regularly	10/31/05 On-Going or As Needed	

Operational Area:

4. HOUSING MANAGEMENT

PHAS Performance Targets		Previous Quarter Actual	Current quarter target	1 st month (01/05) actual	2 nd month (02/05) actual	3 rd month (03/05) actual
Indicator #:	Name:					
3-1	Vacant Unit Turnaround Time					
2-4	Occupancy Loss					
Targets and Strategies		Final Performance Target	Estimated & Actual Completion Dates	Comments		
4.1 Comply with current requirements regarding admission and occupancy of Public Housing. [Reference: 24 CFR 960.205; Public Housing Reform Act of 1998, Section 578; HUD guidebook 7465.1, Chapter 5]		Admission & Occupancy of Public Housing in place and in compliance	09/30/2005 <i>Completed 7/19/2005</i>	ACOP revised by BHA Board on July 19, 2005 per Resolution No. 712.		

<p>A. Review, and revise as necessary, the BHA Public Housing Management and Admissions and Occupancy policies to comply with current requirements of the Public Housing Reform Act of 1998. Include as a minimum:</p> <ul style="list-style-type: none"> 1) One strike Policy. <ul style="list-style-type: none"> a) Establish the One Strike screening criteria. b) Develop screening methods that prohibit admission of any household that includes a member who the housing authority determines is: illegally using a controlled substance or alcohol; subject to a lifetime registration under a State sex offender registration program; or whose behavior would adversely affect other housing tenants in accordance with the One-Strike screening criteria. 1) Revise tenant selection and admission procedures (including interview process, home visit of previous dwelling, enforcement of lease) to eliminate outdated requirements and local preferences. 3) Current Income Limits 4) Resident Charges List 5) Utility Allowances 6) Security Deposit 7) Rent Collection Policy, including procedures for rent collection, penalties for 	<p>Admission and Occupancy of Public Housing requirements in place and in compliance</p>	<p>06/30/05</p> <p><i>Completed 7/19/2005</i></p>	<p>ACOP revised by BHA Board on July 19, 2005 per Resolution No. 712.</p>
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late payment, and non-payment of rent, evictions and terminations for non-payment of rent. 8) Grievance policy 9) Pet policy 10) Flat Rent based on market rent charged for comparable units in the private unassisted rental market [Reference 24 CFR 960.253] 11) Establish a contingency plan to allow overhousing when units would otherwise remain vacant. 12) Transfer policy.			
B. Post revised policies for 30-day comment period	Revised policies posted	07/31/2005 <i>Completed</i>	
C. Obtain Board of Commissioners Approval/Resolution	Board Approval Resolution obtained	08/15/05 <i>Completed</i>	
D. Submit revised policies to HUD for comments, if necessary, and provide training on revised policies to staff	Training provided to staff	09/15/05 <i>Completed</i>	
E. Communicate with residents regarding the impact of revised policies	Communication with residents made	09/30/05 <i>Completed</i>	
4.2 Reduce vacant unit turnaround time. [Reference: 24 CFR 901.10 & 902.43 (a)(1)]	Plan in place & Implemented	09/30/2005	
A. Develop the repair plan and schedule identified in Section 7.	Repair plan and schedule identified	06/30/05 <i>Completed</i> 2/1/06	AHA, as supervised by Linda Salas, Assistant Architect, Housing Department
B. Identify units that will be excluded from VUT for modernization activities (108-funded repairs	Units identified for exclusion from VUT	07/31/05 <i>Completed</i> 2/1/06	1603 Ward Street
C. Develop a plan with specific tasks and due dates for filling non-deferred units, and submit to HUD for comment.	Plan developed	08/31/05 <i>Completed</i> 2/1/06	

D. Implement the plan as finally adopted.	Plan in place & implemented	09/15/05 <i>Completed</i> 2/1/06	
E. Report monthly to Board and HUD on progress with the plan for filling units for 3 months.	Monthly report to Board and HUD submitted	09/30/05 <i>On-Going</i>	
4.3 Conduct annual Re-exams in a timely manner. [Reference: 24 CFR 960.209, 990.113]	Annual Re-exams conducted in a timely manner	06/30/2005 <i>Completed</i> 01/01/06	The BHA plan includes auditing tenant files on a random basis.
A. Develop tracking register for annual re-exams and inspections	Tracking register developed	03/31/05 <i>Completed</i>	
B. Develop formal letter to include date and time of resident interviews, documentation required, date and time of annual inspection. Notify residents of interview time slots assigned.	Formal letter in place and implemented	04/15/05 <i>Completed</i> <i>On-Going</i>	
C. Conduct interviews and review documentation submitted by residents and obtain “release of information”, form HUD-9886.	Procedure/process in place and implemented	05/15/05 <i>On-Going</i>	
D. Mail form HUD-9886 and log receipt of income verification forms and other documentation (i.e. assets, deductions) for each resident.	Procedure/process in place and implemented	05/31/05 <i>On-Going</i>	
E. Complete calculation of income, assets, deductions, prepare lease addendum, HUD 50058s. Execute required documents, as applicable.	Procedure/process in place and implemented	06/15/05 <i>On-Going</i>	
F. Provide 30-day notice of rent change	Procedure/process in place and implemented	06/30/05 <i>On-Going</i>	

PHAS Performance Targets		Previous Quarter Actual	Current quarter target	1 st month (01/05) actual	2 nd month (02/05) actual	3 rd month (03/05) actual
Indicator #:	Name:					
1	Physical Conditions					
3-3a	Emergency WOs					
3-3b	Non-emergency WOs					
3-4a	Unit inspections					
3-4b	System inspections					
Targets and Strategies		Final Performance Target	Estimated & Actual Completion Dates	Comments		
5.1 Improve Work Order(WO) Reporting Performance [Reference: 24 CFR 901.25, 902.43(a)(4)]		Plan in place and implemented	1/31/2005 <i>On-Going</i>	The BHA plan includes auditing tenant files on a random basis.		
A. Correct or abate emergency WOs within 24 hours or less. Complete all Non-Emergency WOs within an average of 30 days or less.		Emergency WOs corrected or abated within 24 hours or less. Non-Emergency WOs completed 30 days or less	12/31/04 <i>On-Going</i>			
B. Complete all Vacancy Preparation WOs's completed within an average of 21 days or less and ensure that UPCS or more stringent local standards are met.		All vacancy preparation WOs completed within an average of 21 days or less completed	12/31/04 <i>On-Going</i>			

	and UPCS or more stringent local standards were met		
C. Determine existing performance and establish standards of productivity for maintenance performance.	Existing performance determined and standards of productivity established	1/31/05 <i>On-Going</i>	
D. Develop and implement an effective quality control system for all aspects of maintenance: 1. Draft policies and procedures to include a report format and submit to HUD for review and approval. 2. Distribute policies and procedures. 3. Train supervisory staff in policies and procedures	Quality control system for maintenance in place and implemented	1/31/05 <i>Pending</i>	
E. Develop tracking log/system capable of tracking completed and open WOs.	Tracking/log system in place and implemented	12/31/04 <i>Completed</i>	
F. Submit updated Work Order Summary Log monthly to Board and HUD	Monthly Work Order Log submitted regularly	1/31/05 <i>On-Going or As Necessary</i>	

5.2 Improve Maintenance Operations [Reference: PIH Notice 97-36, 64 FR33708 dated 6/23/99]	Maintenance Operations Plan in place and implemented	3/31/2005 <i>Completed</i>	The BHA plan includes auditing maintenance records on a random basis.
A. Develop a Maintenance Plan to include the following: 1) Schedule for Inspections of units, sites, and systems 2) Vacancy Preparation 3) Schedule Preventive Maintenance 4) Annual Maintenance Budget	Maintenance plan in place and implemented	2/28/05 <i>Completed</i>	
B. Implement, assess, and adjust as needed the Maintenance Plan	Maintenance Plan implemented, assessed, and adjusted	03/31/05 <i>On-Going</i>	
5.3 Inspect all buildings/sites and systems annually [Reference: 24 CFR 901.30, 902.23, 902.43(a)(5)]	Annual inspections made	12/31/2004 <i>On-Going</i>	The BHA plan includes periodic review of the property management firm's inspection log.
A. Identify all scattered buildings/sites, and systems to be inspected according to the PHA's Maintenance Plan	Identification of all buildings/sites and systems to be inspected made	12/31/04 <i>Completed</i>	
B. Develop a systems inspection schedule	Inspection schedule in place and implemented	12/31/04 <i>Completed</i>	

C. Complete the inspection according to schedule and document it.	Inspection and documentation completed	12/31/04 <i>On-Going</i>	
D. Submit monthly report summary of progress to Board/HUD	Monthly report submitted regularly	12/31/04 <i>On-Going or As Needed</i>	
5.4 Ensure that all 61 BHA Low Rent dwelling units are inspected annually using UPCS and/or more stringent local code. [Reference: 24 CFR 901.30,902.23, 902.43 (a)(5)]	All dwelling unit inspections made using UPCS and/or more stringent local code	12/31/2004 <i>On-Going</i>	The BHA plan includes quality control inspections of public housing units.
A. Conduct an analysis and determine the most stringent inspection code (Federal [UPCS], state or local housing or occupancy code)	Analysis conducted with most stringent code	12/31/04 <i>Pending</i>	
B. Ensure that quality control inspections are completed	Quality control inspections in place and implemented	12/31/04 <i>On-Going</i>	
C. Ensure that work identified by the inspections are entered on the Work Order tracking log/system	Inspections entered on WO tracking log/system	12/31/04 <i>On-Going</i>	
D. Submit monthly report of progress to Board/HUD	Monthly report submitted regularly	12/31/04 <i>On-Going or As Needed</i>	

Operational Area:

6. RESIDENT SATISFACTION

PHAS Performance Targets		Previous Quarter Actual	Current quarter target	1 st month (01/05) actual	2 nd month (02/05) actual	3 rd month (03/05) actual
Indicator #:	Name:					
4	Resident satisfaction					
3-6	Economic uplift & self sufficiency					
Targets and Strategies		Final Performance Target	Estimated & Actual Completion Dates	Comments		
6.1 Improve BHA building and unit data in the PIH Information Center (PIC) database		PIC data and form HUD 50058 data matched	3/31/2005 <i>Completed 2/2006</i>			
A. Compare the current data in PIC with the BHA submitted HUD 50058 data.		PIC data and form HUD 50058 data matched	03/31/05			
B. Develop a follow-up plan to address identified weaknesses and build on strengths. Ensure the Plan includes the areas of: Maintenance and Repairs; Communication; Safety; Services; Development Appearance; and Overall Satisfaction. Seek input from resident leadership & resident groups. Include a data collection process for on-going measurement of the level of customer satisfaction		Follow-up plan in place and implemented	04/30/05 <i>Completed 2/2006</i>			
C. Implement the follow-up plan		Follow-Up Plan in place and implemented	05/31/05 <i>Completed 2/2006</i>			
D. Prepare for and promote the next annual REAC Customer Satisfaction Survey		Proc./process in place & implemented	06/30/05 <i>Completed 2/2006</i>			

6.3 Develop and implement a plan to encourage activities that promote economic development/self-sufficiency	Provide a variety of opportunities to residents. Program is understood, options presented for evaluation	09/30/2005	Plan to be obtained from property management firm for next month's update.
6.4 Hold an official election of officers for the Resident Council	Resident Council officers elected	01/31/2005 <i>Completed 2/2005</i>	Details of election contained in informational item to BHA Board for its meeting on March 15, 2005.

PHAS Performance Targets		Previous Quarter Actual	Current quarter target	1 st month (01/05) actual	2 nd month (02/05) actual	3 rd month (03/05) actual
Indicator #:	Name:					
3-2a	Funds unexpended					
3-2b	Funds unobligated					
3-2c	Quality of work					
3-2d	Contract administration					
3-2e	Budget controls					
Targets and Strategies		Final Performance Target	Estimated & Actual Completion Dates	Comments		
7.1 Improve the timely obligation of capital funds. [Reference: 24 CFR 901.15(b)]		Timely obligation of capital funds improved	3/31/2005 <i>Completed</i> 3/15/05	A plan has been developed by BHA, Housing Dept and AHA to obligate capital funds for major rehab work on public housing units.		
A. Obligate funds within approved Implementation Schedules.		Funds obligated within approved Implementation Schedules	3/31/05 <i>Pending</i>			
7.2 Improve the timely expenditure of capital funds [Reference: 24 CFR 901.15(a)]		Timely expenditure of capital funds improved	3/31/2005 <i>Pending</i>			
A. Expend funds within approved Implementation Schedules		Funds expended within approved Implementation Schedules	3/31/05 <i>Pending</i>			

B. Update obligations/expenditures monthly in LOCCS	Obligations/ expenditures updated monthly in LOCCS	3/31/05 <i>Pending</i>	
7.3 Improve the Quality of Physical Work. [Reference: 24 CFR 85.36	Quality of Physical Work improved	03/31/2005 <i>On-Going</i>	Linda Salas of the Housing Dept. is assigned to oversee the capital improvement work.
A. Establish quality control to insure compliance with Construction Contract documents to include contract monitoring and periodic construction inspections	Quality control in place and implemented	03/31/05 <i>Completed</i>	
B. Establish periodic (weekly, monthly, etc.) progress meetings with Contractor and A/E.	Periodic progress meetings in place and implemented	03/31/05 <i>On-Going</i>	The plan includes periodic progress meetings with contractor and AHA.
7.4 Improve effectiveness of construction contract administration procedures. [Reference: 24 CFR 968.135]	Effectiveness of construc- tion contract administrati on procedu- res improved	01/31/2005 <i>Completed</i>	Contract administration and procurement practices are integrated with the City of Berkeley. Linda Salas of the Housing Dept is assigned to oversee the capital improvement work.
A. Develop a system to schedule pre-construction conferences, notice to proceed, and contract work.	System in place and implemented	01/31/05 <i>Completed</i>	
B. Complete procurement in accordance with Procurement Policy and 24 CFR 85.36.	Procurement in place and implemented	01/31/05 <i>Completed</i>	
C. Comply with Davis Bacon requirements and/or prevailing wage rate requirements.	Compliance with Davis Bacon and prevailing requirements	01/31/05 <i>On-Going</i>	

D. Submit proper close-out documentation for construction contracts.	Proper close-out documentation submitted	01/31/05 <i>On-Going</i>	
E. Maintain all contract files in an orderly and retrievable manner.	All contract files properly maintained and retrieved	01/31/05 <i>On-Going</i>	
7.5 Establish more effective budget controls and capital fund tracking procedures. [Reference: 968.320, 902.43 (a)(2)]	Budget controls and capital fund tracking procedures in place and effectively implemented	01/31/2005 <i>Pending</i>	
A. Assure proper authorization and training of personnel accessing LOCCS	Proper authorization and training of personnel accessing LOCCS in place	01/31/05 <i>Pending</i>	
B. Develop an effective capital fund tracking procedure	Capital fund tracking procedure in place and effectively implemented	01/31/05 <i>Pending</i>	
C. Submit Performance & Evaluation (P&E)/semi-annual progress reports on a timely basis.	P&E/semi-annual progress reports timely submitted	01/31/05 <i>Pending</i>	

7.6 Address and clear all administrative problems involving Section 108 loan with City of Berkeley Director of Housing	All section 108 loan administrative problem addressed and cleared	3/31/05 <i>Pending</i>	
A. Secure HUD approval to use 50% of CFP portion to repay Section 108 loan	HUD approval to use CFP portion received	1/31/05 <i>Pending</i>	
B. Negotiate with City officials to use other funding sources in the event HUD HQS Staff rejects the City of Berkeley proposal to use 50% of CFP portion to repay the Section 108 loan.	Only 30% of CFP funds allowed plus other funding sources to repay Section 108 loan	2/28/05 <i>Completed</i> 2/28/05	City has provided funding from the CDBG fund, annually. In case of shortfall, the agency will use a small portion of capital fund to make the annual payments.
C. Submit a copy of revised amortization schedule reflecting the use of only 30% CFP funds to HUD	Revised amortization schedule submitted to HUD	3/31/05 <i>Completed</i> 2/28/05	
7.7 Address and clear all performance problems involving Section 108 loan	All section 108 loan performance problems addressed and cleared	10/31/2005 <i>Completed</i> 12/31/04	Problems involved with the Section 108 loan have been cleared.
A. Provide documentation/records of \$600,000 expenses advanced by City officials and deducted from Section 108 loan to HUD	Documentation/ records involving money advances provided	12/31/04 <i>Completed</i> 12/31/04	

B. Perform physical needs assessment of all properties and submit to HUD	Physical needs assessment in place and submitted	1/31/05 <i>Completed</i> 3/15/04	Physical needs assessment completed 3/19/04. Hardcopy submitted to HUD on 3/15/05.
C. Develop a schedule/plan to use the remaining balance of Section 108 loan for work items and submit to HUD	Schedule/plan to use the remaining balance of Section 108 loan in place and submitted to HUD	2/28/05 <i>Completed</i> 12/31/04	Plan has been developed, including completion of file wall and windows in all applicable unit.
D. Solicit bids/proposals for work items in new schedule/plan and submit to HUD	Work items in new schedule/plan in place, implemented and submitted to HUD	3/31/05 <i>Completed</i> 3/31/05	
E. Complete all new work items funded by Section 108 loan and report status in monthly status/progress reports to HUD.	All new work items funded by Section 108 loan completed and submitted to HUD	10/31/05 <i>Pending</i>	

PHAS Performance Targets		Previous Quarter Actual	Current quarter target	1 st month (01/05) actual	2 nd month (02/05) actual	3 rd month (03/05) actual
Indicator #:	Name:					
3-6a	Reporting and tracking crime					
3-6b	Applicant screening					
3-6c	Lease enforcement					
3-6d	Grant management					
Targets and Strategies		Final performance Target	Estimated & Actual Completion Dates	Comments		
8.1 Establish and maintain awareness of security issues [Reference: Public Housing Reform Act of 1998]		To improve residents' perceptions of security and possibly reduce crimes.	6/30/2005			
A. Develop a system of communication which will enable the BHA to be aware of all law enforcement services active in its communities.		System in place and implemented	4/30/05			
B. Board to adopt resolution for tracking crime and crime related problems.		Board Approval/ Resolution obtained	5/31/05			
C. Develop system for tracking and reporting crime.		System in place and implemented	6/30/05	City of Berkeley Police Department sends daily log of criminal activity in and around public housing buildings.		

Targets and Strategies	Final Performance Target	Estimated & Actual Completion Dates	Comments
9.1 Resolve problems with existing Management Information Systems (MIS)	Needs identified, plan in place	8/31/2005 <i>On-Going</i>	
A. Develop a “sole source” documentation to justify the procurement of an upgraded software application using Windows operating system to meet current HUD public housing requirements with the current existing software vendor.	“Sole source” procurement documentation fully developed and implemented	3/31/05 <i>Completed</i>	
B. Submit the “sole source” documentation for procurement with the current existing software vendor to HUD for review and approval.	Sole source” documentation in place and submitted to HUD for review and approval.	4/30/05	
C. Estimate funds needed for new system and determine funding source to include in appropriate budget process	Budget proposed and funding source identified.	5/31/05 <i>Completed</i>	
D. Install new system and train staff	New system installed and trained staff in place.	7/31/05 <i>Pending</i>	Section 8 module installed; LIPH module to be installed June 2006.

E. Begin reporting monthly to Board and HUD on problems and successes with new system for 3 months	Monthly report submitted to Board and HUD	8/31/05 <i>Pending</i>	
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Implementation of Cooperative Agreements

Grant # Date	Activity	Award Amount	Planned Obligation	Actual Obligation	Planned Expense	Actual Expense

Comments:

Attachment 3



Housing Department
Office of the Director

April 5, 2006

Mr. Stephen Schneller, Director
Office of Public Housing
U.S. Department of Housing and Urban Development
San Francisco Regional Office
600 Harrison Street, 3rd Floor
San Francisco, CA 94107-1387

**RE: Request for a Waiver to Use 50th Percentile Rents as Provided Under
24 CFR 982.503(f)**

Dear Mr. Schneller:

The Berkeley Housing Authority (BHA) submits this request for a waiver to use 50th percentile rents instead of 40th percentile rents as provided under 24 CFR 982.503(f), Payment standard protection for PHAs that meet deconcentration objectives. Under 24 CFR 982.503(f)(1), "a PHA may obtain HUD Field Office approval of a payment standard amount based on the 50th percentile rent if the PHA scored the maximum number of points on the deconcentration bonus indicator in Section 985.3(h) in the prior year, or in two of the last three years."

The Berkeley Housing Authority has met the deconcentration requirements set forth in Section 985.3(h)(1)(i), which notes, "...bonus points will be awarded if (i) half or more of all Section 8 families with children assisted by the PHA in its principal operating area at the end of the last completed PHA fiscal year reside in low poverty census tracts." Table 1 below shows the number of Section 8 Families with Children who live in low poverty areas for fiscal years 2004 and 2005.

	FY 2004	FY 2005	Percent Change
Number of Section 8 Families	536	670	25.0%
Families in Low Poverty Census Tracts	309	401	29.8%
Percent of Low Poverty Families of Total Families	57.6%	59.9%	2.2%

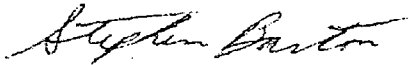
Source: Berkeley Housing Authority.

In Fiscal Year 2005, the table shows of the 670 Section 8 Families with Children, a total of 401, or 59.9%, live in low poverty census tracts. This data is consistent with previous years findings in that more than half of Section 8 families assisted by the BHA live in low poverty areas as demonstrated by the 2004 data, which shows 57.6% of all Section 8 families live in low poverty areas.

Although we are providing data for program years 2004 and 2005 and BHA did not claim the deconcentration bonus points this program year, the data shows the BHA has met the deconcentration bonus requirements for the last two of the three years and thus is eligible to request the waiver. If HUD determines the BHA meets the requirements for the deconcentration bonus points per the 24 CFR 982.503(f)(1), we request the waiver to be effective on July 1, 2006. We also request permission to maintain our current rent levels between now and July 1, 2006, since it would be very disruptive to change the payment standard for only a few months. Allowing us to use the 50th percentile rents and to maintain our current rent levels would prevent severe problems for the City's Section 8 Housing Choice Voucher program, as well as several Project-based Section 8 projects under construction.

Thank you for considering our request for a waiver to use 50th percentile rents. We have attached for your review a table showing the dispersal of Section 8 Housing Opportunities for Families with Children by Census Tract. If you have any questions or need additional information, please do not hesitate to call me at (510) 981-5401.

Sincerely,



Stephen Barton
Housing Director

Cc: Andrew Nguyen, HUD - Office of Public Housing
Beverli Marshall, Berkeley Housing Authority

Section 8 Families with Children Living in Low Poverty Berkeley Census Tracts, FY 2004 and 2005

Census Tract	Fiscal Year 2004			Fiscal Year 2005			Census Tract Poverty Rate in 1999
	Total Families	Section 8 HCVP Addresses in Not Low Poverty Census Tracts, 2006	Families in Low Poverty Census Tracts	Total Families	Section 8 HCVP Addresses in Not Low Poverty Census Tracts, 2006	Families in Low Poverty Census Tracts	
4216	1	0	1	1	0	1	7.7%
4217	0	0	0	1	0	1	10.6%
4218	1	0	1	2	0	2	7.7%
4219	10	0	10	10	0	10	8.0%
4220	3	0	3	3	0	3	13.1%
4221	35	0	35	44	0	44	16.8%
4222	17	0	17	29	0	29	16.1%
4223	7	0	7	9	0	9	14.7%
4224	5	37	0	6	37	0	30.1%
4228	2	6	0	2	6	0	62.1%
4229	8	66	0	11	66	0	42.3%
4230	26	0	26	34	0	34	15.3%
4231	25	0	25	39	0	39	11.4%
4232	63	0	63	79	0	79	18.6%
4233	52	0	52	62	0	62	18.4%
4234	59	0	59	74	0	74	19.4%
4235	15	51	0	17	51	0	27.3%
4236.01	2	0	2	4	0	4	16.8%
4236.02	1	16	0	2	16	0	47.6%
4239.01	8	0	8	10	0	10	16.9%
4240.01	124	287	0	141	287	0	21.4%
4240.02	72	169	0	90	169	0	28.0%
Total for Berkeley	536	632	309	670	632	401	20.0%
	Percent of Total Families, FY 2004		57.6%	Percent of Total Families, FY 2005		59.9%	

Source: Berkeley Housing Authority; U.S. Census Bureau, 2000. Census tract data in **bold** show tracts for which poverty rate is lower than citywide average poverty rate of 20 percent in 1999.



U.S. Department of Housing and Urban Development
 San Francisco Regional Office - Region IX
 600 Harrison Street
 San Francisco, California 94107-1387
 www.hud.gov
 espanol.hud.gov

MAY 05 2006

Mr. Stephen Barton
 Director of Housing
 City of Berkeley Housing
 Department
 2180 Milvia Street-2nd Floor
 Berkeley, CA 94704

Dear Mr. Barton:

SUBJECT: Request for a Waiver to Use 50th Percentile Rents as Provided Under
 24 CFR 982.503(f)

2006 MAY -8 PM 2:10
 CITY OF BERKELEY
 HOUSING AUTHORITY

This responds to your letters dated April 5, 2006, and April 17, 2006, requesting a waiver to use 50th percentile rents as provided under 24 CFR 982.503(f), payment standard protection for PHAs that meet deconcentration objectives.

Under 24 CFR 982.503(f)(1), "a PHA may obtain HUD Field Office approval of a payment standard amount based on the 50th percentile rent if the PHA scored the maximum number of points on the deconcentration bonus indicator in §985.3(h) in the prior year, or in two of the last three years." Our office has also consulted with HUD Headquarters Office of Public Housing that the specific requirement of the above-cited regulation must be adhered to in order to use a payment standard amount based on the 50th percentile rent.

The Housing Authority of the City of Berkeley (BHA) has not scored any points for the indicator 15, Deconcentration Bonus, over the past four years. In other words, the BHA responded "NO" on its annual SEMAP certification and provided no documentation that would have generated points for this indicator. The BHA only recently submitted data with this waiver request to support a claim that the Authority has met the requirements of SEMAP Indicator 15 to be eligible for 50th percentile rents. This is inconsistent with the CFR requirements. Therefore, we regret to inform you that the BHA's request to use 50th percentile rent is hereby denied.

The new fair market rents for the BHA's jurisdiction were effective March 1, 2006. All new Housing Assistance Payment (HAP) contracts executed on or after March 1, 2006, must utilize payment standards in the allowable range based on the 40th percentile rents, as published in the Federal Register dated February 14, 2006. The new payment standards will be effective for families who were already under a HAP contract and do not move on the effective date of the family's second annual reexamination. Moreover, for projects under project-based voucher HAP contracts, the payment standards based on the 40th percentile will be effective on the first anniversary date of the HAP contract after March 1, 2006.

If you have any questions, please contact Andrew Nguyen, Public Housing Revitalization Specialist, at (415) 489-6443 or via e-mail.

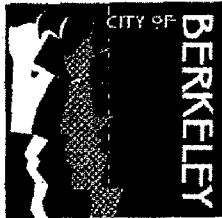
Sincerely,



Stephen Schneller
Director
Office of Public Housing

cc: Ms. Lisa Caronna
Deputy City Manager
2180 Milvia Street, 2nd Floor
Berkeley, CA 94704

Ms. Beverli Marshall
Acting Housing Manager
Housing Authority of the City of Berkeley
1901 Fairview Street
Berkeley, CA 94703



BERKELEY HOUSING AUTHORITY

**NOTIFICATION LETTER
NEW PAYMENT STANDARDS**

May 9, 2006

Dear Landlord/Owner:

Please be advised that on February 14, 2006, the US Department of Housing and Urban Development (HUD) established new Fair Market Rents for the jurisdiction in which the Berkeley Housing Authority operates. The BHA must adjust its Payment Standards based on the new Fair Market Rents (see attached).

The new Payment Standards become effective as of March 1, 2006 for all new contracts. For contracts in effect prior to March 1, 2006, the new Payment Standards will be implemented as of the next annual re-certification after March 1, 2007.

Regarding pending requests for rent increases, each request will be evaluated based on the new Payment Standards and the required rent comparability assessment. ***If the requested unit rent exceeds the new Payment Standards, the request for rent increase is automatically denied.***

If you have any questions regarding the new Payment Standards, please contact the appropriate housing authority staff based on the tenant's last name.

Tilda Barnes	A - D
Yolanda Nasseripourtowski	E - K
Wanda Drouillard	L - R
Murlene Grant	S - Z
Marge Curtis	Moderate Rehab

Sincerely,

A handwritten signature in black ink that reads "Beverli A. Marshall".

Beverli A. Marshall
Acting Manager

**BERKELEY HOUSING AUTHORITY
PAYMENT STANDARD
HOUSING CHOICE VOUCHER PROGRAM
EFFECTIVE MARCH 1, 2006
(Based on 110% of FMR Published on 2/14/2006)**

0BR	1BR	2BR	3BR	4BR	5BR	6BR
\$952	\$1,150	\$1,362	\$1,847	\$2,287	\$2,630	\$3,025



Housing Department
Office of the Director

Attachment 6

May 18, 2006

Mr. Stephen Schneller, Director
Office of Public Housing
Department of Housing and Urban Development
San Francisco Regional Office, Region IX
600 Harrison Street, 3rd Floor
San Francisco, CA 94107-1387

Subject: Request for Accelerated Review of SEMAP Deconcentration Bonus Point Eligibility.

Dear Mr. Schneller:

I received your letter of May 5, 2006 explaining that HUD will not grant the Berkeley Housing Authority (BHA) a waiver to use 50th percentile rents as the basis for its payment standard during the current fiscal year because we did not request the SEMAP Deconcentration bonus points in previous years, even if we qualified for those points.

In light of that interpretation of the requirements, and since we have now presented evidence that BHA should be awarded the Deconcentration bonus points under SEMAP for the current fiscal year, our understanding is that we would be eligible for the waiver in the next fiscal year that starts on July 1, 2006. Under the normal process for review and finalization of SEMAP scores we would submit our scores as of June 30, 2006 and HUD would review our submission and give us a determination on whether we qualify for the bonus points in September or October of 2006. Since the data on which we base our determination that we qualify for the Deconcentration bonus points will not change between now and June 30, 2006, we request that your office review and verify the evidence that we have presented prior to July 1, 2006 so that we could begin use of the 50th percentile rents as the basis for our payment standard on July 1, 2006.

I understand that this request asks that your office to take this matter up out of the usual order and I would not make this request if it did not have important consequences for our affordable housing programs. We have a new senior housing development, Sacramento Senior Homes, which is going to begin leasing its project-based Section 8 voucher units during the month of July. The project was built using financial projections based on a payment standard at the 50th

Mr. Stephen Schneller
May 18, 2006
Page 2 of 2

percentile, and the lower rents will create a financial problem for the non-profit developer. Another rehabilitation project will come on line shortly afterwards with similar financial issues. If we are able to reinstate use of rents based on the 50th percentile on July 1, 2006 this impact will be avoided. In addition, the BHA payment standard is applied to our Shelter Plus Care program, which has a much higher rate of turnover than does the Section 8 Housing Choice Voucher program. The most recent allocation of S+C to Berkeley is a program for housing chronically homeless individuals. The reduction in allowable rents will have serious consequences on our ability to house these people, and the sooner we are able to go back to rents that are genuinely competitive in the Berkeley market, the sooner we will be able to make progress in getting more homeless and mostly disabled people off the streets and out of the parks of Berkeley.

In the meanwhile, we have notified Berkeley property owners who rent through the Section 8 program that all requests for new tenancies and for changes in rent will be subject to the new payment standard based on the 40th percentile rent and that this is effective March 1, 2006 as stated in your letter. We hope to have this matter resolved well before the second annual reexamination after March 1, 2006 comes up for the families and individuals currently in the program.

Thank you very much for your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Stephen Barton".

Stephen Barton, PhD
Housing Director