

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

DATE: February 7, 2013
To: CDA Board and Subcommittee
From: Agustin Olvera
Subject: Revised Admissions and Continued Occupancy (ACOP)

CDA staff have worked for several months reviewing and editing the ACOP document which governs policies and procedures for the Low Rent Public Housing program. The document comes as a draft document prepared by Nan Mc Kay and Associates, a well respected consulting service. It is broken down into manageable chapters and includes relevant HUD rules and regulations which must be followed. This is the majority of the document. It also includes some notations outlining areas of "flexibility or policy choice". Below I will outline significant changes or address policy concerns that have been brought up previously.

In this ACOP staff are recommending continuation of the preference for City of Madison Residents, who are Elderly, Disabled or who are Families with Children. However we are also recommending the deletion of the Homeless and Domestic Violence preference. Both of these preferences have little value in serving the homeless or victims of domestic violence. The CDA's wait list is now over two years even for those individuals who have the homeless and domestic violence preference. The latter preference is rarely used while many ask for the homeless preference. In either case it does not help those who are in need of immediate assistance.

In addition the use of these preferences actually slows down CDA staffs ability to process people for housing. In verifying the homeless or domestic violence preference the CDA must work with the client in verifying the preference claim. The claim is usually undocumented, and more often the documentation submitted is not adequate which requires the CDA to work more with the client to get the proper documentation. This takes additional time which could be better used processing applicants and getting them into housing. This is especially important now that HUD's occupancy standard is 98%. The extra effort made to verify the preferences, in particular the homeless preference, provides no real immediate benefit to those in desperate situations.

Another change I would like to note is a clarification of disposition. Previously CDA staff included the payment of fines and court costs as part of disposition. We have had a few cases of old, smaller fines and court cost charges, holding up or disqualifying an applicant. Staff is recommending that disposition not include the payment of court costs or fines. This issue was previously brought up by a Housing Subcommittee member.

One policy the CDA is choosing to retain is the ability to exercise discretion in eviction cases where the offending household member is removed from the household. Previously a Housing Subcommittee member asked that the CDA drop eviction proceedings if the offending household member was removed. The CDA feels it must review these matters on a case by case basis and needs the ability to exercise its discretion if it is in the best interest of public housing, other city residents and the integrity of the program.

The CDA has just received many suggestions for changes from Heidi Wegleitner in her role as an attorney working for Legal Action of Wisconsin. Legal Action has acted as the attorney for many program participants who have violated program rules and/or gotten involved in the criminal justice system and so are facing adverse actions by the CDA. Some of the many proposals she has made

will make it easier for Legal Action to defend their clients and make it more difficult or slow down CDA's process in taking action against program participants who have violated program requirements. The CDA is in the business of housing low income families, however, the CDA is not the housing of last resort and takes every reasonable opportunity to work with residents to assist them in retaining their housing. We take very seriously our responsibility to keep our public housing and City of Madison residents safe and to be good landlords and neighbors. We also take very seriously our responsibility to maintain program integrity. Rules established by HUD must be followed and where we have flexibility we try to be reasonable. CDA staff understand the role of Legal Action in our systems of checks and balances. We will look closely at Legal Actions suggestions to see if they make sense for the CDA to adopt. Discussion regarding ACOP we anticipate to take place at the February Housing Operations Subcommittee. A resolution adopting the proposed ACOP can be presented to the Board in March unless further discussion is warranted.