

COMMUNITY DEVELOPMENT AUTHORITY
OF THE CITY OF MADISON, WISCONSIN

Resolution No. 4474

Authorizing the submission of the amended
2022 PHA Annual Plan

Presented December 9, 2021
Referred _____
Reported Back _____
Adopted _____
Placed on File _____
Moved By _____
Seconded By _____
Yeas _____ Nays _____ Absent _____
Rules Suspended _____
Legistar File Number _____

RESOLUTION

WHEREAS, The U.S. Housing Act of 1937 [Section 9 and Section 511 of the Quality Housing and Work Responsibility Act (QHWRA)] established a Public Housing Authority (PHA) Annual Plan requirement; and

WHEREAS, The PHA Annual Plan is a comprehensive guide to PHA policies, programs, operations, and strategies for meeting local housing needs and goals; and

WHEREAS, The Community Development Authority (CDA) of the City of Madison approved the 2022 PHA Annual Plan on October 14, 2021; and

WHEREAS, The CDA has amended the 2022 PHA Annual Plan to include corrections and updates to the Public Housing Admissions and Continued Occupancy Policy (ACOP) and Section 8 Administrative Plan as outlined in Attachment A; and

WHEREAS, the draft amended 2022 PHA Annual Plan is posted on the CDA website, <https://www.cityofmadison.com/dpced/housing/annual-plans/465/>; and

WHEREAS, The CDA has engaged in a process to seek resident and public comments on the amended 2022 PHA Annual Plan; and

WHEREAS, The CDA Resident Advisory Board (RAB) has reviewed the amended 2022 PHA Annual Plan.

NOW, THEREFORE, BE IT RESOLVED, the CDA Board of Commissioners authorizes CDA Staff to submit the amended 2022 PHA Annual Plan to the U.S. Department of Housing and Urban Development (HUD).

CDA Resolution No. 4474

ATTACHMENT A

Amendments to 2022 PHA Annual Plan

1. Public Housing Admissions and Continue Occupancy Policy (ACOP) and Section 8 Administrative Plan - Equal Access Rule

The Equal Access Rule provides that eligibility for HUD programs must be determined regardless of sexual orientation, gender identity, or marital status. It also prohibits inquiries as to sexual orientation or gender identity for purposes of determining eligibility or making housing available. The rule does not prohibit all inquiries as to an applicant's sex, including inquiries necessary to determine the number of bedrooms for which a family may qualify. However, Public Housing Authorities (PHAs) are prohibited from inquiring about an applicant's or participant's sexual orientation or gender identity for the purpose of determining eligibility or otherwise making housing available. Upon receipt of a complaint from an applicant or participant alleging a violation of the equal access rule, a PHA must determine if a program violation occurred and implement appropriate corrective action. The PHA must keep records of all complaints, investigations, notices and corrective actions consistent with its current record-keeping obligations.

The CDA's 2022 PHA Plan included a Public Housing and Section 8 policy for complaints, investigations, corrective actions, notices, and records. However, the new policy was missing reference to the Equal Access Rule. The Amendment to the 2022 PHA Plan provides language to clarify the policy is for the Equal Access Rule.

2. Section 8 Administrative Plan - Involuntarily Displaced Preference

Public Housing Authorities are permitted to establish local preferences, which give priority to serving families that meet those criteria. The CDA is adding a Section 8 *Involuntarily Displaced* preference for those who, due to no fault of their own, are forced to move from their home, as a result of a federally declared natural disaster, such as a fire or flood.

Involuntarily Displaced

An applicant may receive the *Involuntarily Displaced* preference when the applicant can verify that the applicant family has been involuntarily displaced within the last six (6) months, the displacement is due to extensive damages or a destroyed unit, and the un-inhabitability of the unit is a result of a federally declared natural disaster, such as a fire or flood. In order to verify that an application should receive the *Involuntarily Displaced* preference, the CDA will require one of the following:

- Verification from Red Cross or Federal Emergency Management (FEMA)
- Certification from a unit or agency of government that the family has been or will be displaced due to un-inhabitability due to a federally declared natural disaster

For income verification purposes, the CDA will accept self-certification when verifying the income of involuntarily displaced applicants.