

AMHERST HOUSING AUTHORITY
BOARD OF COMMISSIONERS
REGULAR MEETING
THURSDAY APRIL 4, 2013
ANN WHALEN COMMUNITY ROOM
33 KELLOGG AVE., AMHERST, MA

Members of the Amherst Housing Authority met in regular session on Thursday April 4, 2013 in the fifth floor conference room of Ann Whalen Apartments, 33 Kellogg Ave. Amherst, MA. The chair, Constance Kruger, called the meeting to order at 4:38 p.m.

PRESENT: Constance Kruger, Judy Brooks, Laura Quinn, Peter Jessop
Paul Bobrowski, arrived at 4:40

ABSENT: None

ALSO PRESENT: Denise LeDuc; Gary DePace; Santa Barbara Pabón; Nancy Dubin; Tracylee Boutilier; Melissa Stratton; Gariné Roubinian- Family Outreach

AGENDA ADOPTION/CHANGES: Upon motion of J. Brooks, seconded by P. Bobrowski, it was voted to adopt the agenda as follows:

AHA Tenant Concerns; Contract approval for Formula Funding/Capital Improvement Work Plan; Capital Improvement Plan; Contract for Health & Safety Initiative; Change order for JE; LHA Operating Subsidy Agreement; FY '13 Budget Revision; FY '14 Budget; Director's Report; Section 8 Administrative Plan; Cost Savings Measures; Subsidy Standards. The following items will be tabled: Minutes of February 25, 2013, Accounts Payable Warrant; Public Housing Reform; Chair's Report (Unanimous)

TENANT CONCERNS: There were no AHA tenant concerns

CONTRACT APPROVAL FOR FORMULA FUNDING: The amendment is for a combination of Formula Funding money of \$330,097.00 and the award of \$12,920.00 for an application of Health & Safety Initiative funds. Upon a motion of J. Brooks, seconded by P. Jessop it was voted to approve the Formula Funding Contract/Capital Improvement Work Plan, where the amendment is in the amount of \$343,017.00 with a Maximum Obligation for the duration of the Contract is amended to \$1,005,271.00 with an end date of June 30, 2015. Roll call vote: Kruger- Aye; Jessop- Aye; Quinn- Aye; Bobrowski- Aye; Brooks- Aye.

CAPITAL IMPROVEMENT PLAN: Discussion occurred around the changing of priorities in the plan and moving up some of the modifications needed, along with adding the \$168,000 into the plan for potential cost overruns for the 705 Phase II modifications that are currently in process. Upon a motion of J. Brooks, seconded by L. Quinn it was voted to approve the Capital Improvement Plan and authorize the Executive Director to submit same to DHCD. (Unanimous)

CONTRACT APPROVAL FOR HEALTH & SAFETY INITIATIVE AWARD: A proposal was submitted to DHCD for several Health and & Safety issues at a few of the AHA properties. The AHA was notified that it was awarded \$12,920 for the trip and fall hazard at Jean Elder where the pickup and drop off areas is located. The sidewalk and curb are safety impediments. This money will need to be spent by June 30, 2013. Upon a motion of P. Jessop, seconded by L. Quinn it was voted to accept the Health & Safety Initiative award. (Unanimous)

CHANGE ORDER – GARLAND CONSTRUCTION JE WINDOWS : Upon motion of J. Brooks, seconded by P. Jessop, it was voted to accept the change order not to exceed \$3,712 and authorize the Executive Director to sign the change order. (Unanimous)

LHA OPERATING SUBSIDY: Upon motion of P. Bobrowski, seconded by J. Brooks, it was voted to authorize the Executive Director to sign the LHA Operating Subsidy Agreement which will provide up to 25% of the anticipated Operating Subsidy to be paid on or about July 1, 2013 with a total of 10 payments through June 30, 2014. (Unanimous)

BUDGET REVISION FOR FY '13: G. DePace, Fee Accountant reviewed the budget revision that was being presented and the reasons for it.

400-1 PROGRAM FOR FYE 3/31/2013 Upon a motion J. Brooks, seconded by L. Quinn- to amend the Operating Budget for State-Aided Chapter 667,705 Housing, of the Amherst Housing Authority, Program Number 400-1 for fiscal year ending 3/31/13 showing Total Revenue of \$491,219.00 and Total Expenses of \$697,655.00 thereby requesting a subsidy of \$203,936.00 be submitted to the Department of Housing and Community Development for its review and approval.

Roll call vote: Jessop- Aye; Quinn- Aye; Kruger- Aye; Brooks-Aye; Bobrowski-Aye

400-9 PROGRAM FOR FYE 3/31/2013: Upon a motion by J. Brooks, seconded by P. Bobrowski- to amend the Operating Budget for State-Aided Chapter 667 Housing, of the Amherst Housing Authority, Program Number 400-9 for fiscal year ending 3/31/13 showing Total Revenue of \$223,656.00 and Total Expenses of \$251,638.00 thereby requesting a subsidy of \$0 be submitted to the Department of Housing and Community Development for its review and approval.

Roll call vote: Jessop- Aye; Quinn- Aye; Kruger- Aye; Brooks-Aye; Bobrowski-Aye

689-A PROGRAM FOR FYE 3/31/2013: Upon a motion by P. Jessop, seconded by L. Quinn- to amend the Operating Budget for State-Aided Chapter elderly Housing, of the Amherst Housing Authority, Program Number 689-2 for fiscal year ending 3/31/13 showing Total Revenue of \$37,790.00 and Total Expenses of \$39,639.00 thereby requesting a subsidy of \$0 be submitted to the Department of Housing and Community Development for its review and approval.

Roll call vote: Jessop- Aye; Quinn- Aye; Kruger- Aye; Brooks-Aye; Bobrowski-Aye

MRVP PROGRAM FOR FYE 3/31/2013: Upon a motion by P. Jessop, seconded by J. Brooks- to amend the Operating Budget for State-Aided Chapter Family Housing, of the Amherst Housing Authority, Program Number MRVP for fiscal year ending 3/31/13 showing Total Revenue of \$1,565.00 and Total Expenses of \$38,831.00 thereby requesting a subsidy of \$37,000.00 be submitted to the Department of Housing and Community Development for its review and approval.

Roll call vote: Jessop- Aye; Quinn- Aye; Kruger- Aye; Brooks-Aye; Bobrowski-Aye

BUDGET FOR FY '14: G. DePace explained each budget and answered questions posed on various line items.

400-1 PROGRAM FOR FYE 3/31/2014 Upon a motion by J. Brooks, seconded by P. Bobrowski- to accept the Proposed Operating Budget for State-Aided Chapter 667,705 Housing, of the Amherst Housing Authority, Program Number 400-1 for fiscal year ending 3/31/14 showing Total Revenue of \$515,600.00 and Total Expenses of \$691,977.00 thereby requesting a subsidy of \$171,377.00 be submitted to the Department of Housing and Community Development for its review and approval.
Roll call vote: Bobrowski-Aye; Brooks- Aye; Kruger-Aye; Quinn-Aye; Jessop-Aye

400-9 PROGRAM FOR FYE 3/31/2014: Upon a motion by P. Jessop, seconded by J. Brooks- to accept the Proposed Operating Budget for State-Aided Chapter 667 Housing, of the Amherst Housing Authority, Program Number 400-9 for fiscal year ending 3/31/14 showing Total Revenue of \$223,656.00 and Total Expenses of \$232,457.00 thereby requesting a subsidy of \$0 be submitted to the Department of Housing and Community Development for its review and approval.
Roll call vote: Jessop- Aye; Quinn- Aye; Kruger- Aye; Brooks-Aye; Bobrowski-Aye

689-A PROGRAM FOR FYE 3/31/2014: Upon a motion by P. Bobrowski, seconded by L. Quinn- to accept the Proposed Operating Budget for State-Aided Chapter elderly Housing, of the Amherst Housing Authority, Program Number 689-A for fiscal year ending 3/31/14 showing Total Revenue of \$40,173.00 and Total Expenses of \$60,423.00 thereby requesting a subsidy of \$0 be submitted to the Department of Housing and Community Development for its review and approval.
Roll call vote: Jessop- Aye; Quinn- Aye; Kruger- Aye; Brooks-Aye; Bobrowski-Aye

MRVP PROGRAM FOR FYE 3/31/2014: Upon a motion by P. Bobrowski, seconded by J. Brooks - to accept the Proposed Operating Budget for State-Aided Chapter Family Housing, of the Amherst Housing Authority, Program Number MRVP for fiscal year ending 3/31/14 showing Total Revenue of \$2,535.00 and Total Expenses of \$39,356.00 thereby requesting a subsidy of \$37,000.00 be submitted to the Department of Housing and Community Development for its review and approval.
Roll call vote: Jessop- Aye; Quinn- Aye; Kruger- Aye; Brooks-Aye; Bobrowski-Aye

85-1 WATSON FARMS FOR FYE 3/31/2014: Upon a motion by J. Brooks, seconded by P. Jessop -To approve the operating budget for Federal-Aided Program 85-1 Watson Farms Apartments for fiscal year ending 3/31/14.
Roll call vote: Jessop- Aye; Quinn- Aye; Kruger- Aye; Brooks-Aye; Bobrowski-Aye

SECTION 8 OPERATIONAL BUDGET: G. DePace explained that the AHA does not yet know what the administrative fees that will be earned for the year, and stated that there was a good possibility that the AHA would have to dip into the administrative fee reserves in order to balance this year's budget; based on the current info we could expect to see approximately 69% of the allotted fee as revenue. Upon a motion by J. Brooks, seconded by P. Jessop -To approve the operating budget for the Section 8 program as presented. (Unanimous)

After providing the financial information to the board for their vote, Fee Accountant Gary DePace provided a letter to the Executive Director and the board stating that he would not be renewing his contract with the AHA after providing services to us for the past 25 years. The board thanked Mr. DePace for his years of service.

DIRECTOR'S REPORT: D. LeDuc explained that the AHA had purchased a model Section 8 Administrative Plan last fall from Nan McKay & Associates who are the leaders in the housing industry, and the AHA has been working on modifying said plan to address where the AHA has flexibility in the plan. The current Section 8 Administrative plan is approximately 40 pages, and does not address the regulations, but just how the AHA will deal with areas where it has flexibility. The push to move forward on revising the Section 8 plan is two-fold, in the current plan does not provide sufficient guidance for the AHA or program participants, and secondly to address the concerns that the AHA will be required to have in place due to sequestration. Ms. LeDuc also explained the sequestration and what this will mean for the AHA, e.g. not enough money to house all 413 participants on the program. Ms. LeDuc also advised the board of commissioners that HUD has been in contact with the AHA and that a meeting was scheduled for April 8 to discuss the shortfall that we were facing. It was HUD's expectation that the AHA would have language in an approved Section 8 Administrative Plan that would address insufficient funding issues. Since the AHA did not have such an area in its current plan and the proposed Section 8 Administrative Plan did, it was the opportunity to adopt a new comprehensive plan. Ms. LeDuc also went over the PIH Notice 2011-28 Cost Saving Measures and identified the items that the AHA has previously implemented and addressed the items that the AHA will need to consider implementing, along with a strategy on how the AHA will deal with funding shortfalls.

SECTION 8 ADMINISTRATIVE PLAN: There were a few individuals from the public that attended the meeting specifically to address the proposed Section 8 Administrative Plan. The board determined that there was too much in the plan to be able to accept the entire plan as submitted, but would be willing to consider looking at a couple of areas, that were needed for the HUD conference call. A letter was received prior to the board meeting from Fair Housing requesting that the board provide an extension of 30-60 for additional review time before considering a vote. Ms. Santa Barbara Pabón who was unable to stay until this item provided a written document voicing her concern over the subsidy standards and having a 2 yr. old and a 13 yr. old of the same sex sharing a room.

Upon a motion by P. Bobrowski and seconded by J. Brooks, it was voted to adopt the following insufficient funding policy and add this to the existing Section 8 Administrative Plan:

1. AHA will inform family of its policy regarding moves denied to insufficient funding in a letter to the family at the time the move is denied.
2. The AHA will request HAP payment reductions from landlords on every household program wide by at least 5%
3. The AHA will pursue and consider other options that may arise to mitigate the impact of steps 4 through 6
4. The AHA will lower payment standards to 90-95% of the published FMR for AHA extended area of Hadley, Belchertown, Granby and South Hadley.
5. The AHA will lower payment standards of the published/current FMR for all participants residing in the town of Amherst
6. The AHA will reduce the number of families participating in the AHA HCV program if combined monthly HAP payments exceed HUD's monthly HAP allocation. Any families who are terminated from the program for insufficient funding will be placed back on a separate waiting list and will be reissued vouchers as soon as funding becomes available, this voucher issuance will take precedence over taking people off the standard centralized waiting list. The last program participants to be placed on the program will be the first to

be taken off due to insufficient funding, and will be reissued a voucher in the same manner.

(Unanimous)

It was also recommended that the tenant subcommittee of the board have a meeting to help address additional outreach for the Proposed Section 8 Administrative Plan.

Upon a motion by J. Brooks and seconded by P. Bobrowski it was voted to accept the subsidy standards that are in the Proposed Section 8 Administrative Plan and add these to the existing Section 8 Administrative Plan. (Unanimous)

5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]

For each family, the PHA determines the appropriate number of bedrooms under the PHA subsidy standards and enters the family unit size on the voucher that is issued to the family. The family unit size does not dictate the size of unit the family must actually lease, nor does it determine who within a household will share a bedroom/sleeping room.

The following requirements apply when the PHA determines family unit size:

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.
- The subsidy standards must be consistent with space requirements under the housing quality standards.
- The subsidy standards must be applied consistently for all families of like size and composition.
- A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size.
- A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family.
- Any live-in aide (approved by the PHA to reside in the unit to care for a family member who is disabled or is at least 50 years of age) must be counted in determining the family unit size;
- Unless a live-in-aide resides with a family, the family unit size for any family consisting of a single person must be either a zero- or one-bedroom unit, as determined under the AHA subsidy standards.

AHA Policy

For purposes of determining subsidy standards, an adult is 21 years of age or older, a child is under 21 years of age.

The AHA will assign one bedroom for each two persons within the household, except in the following circumstances

Persons of the opposite sex (other than spouses, partners or other interdependent relationships and children under age 5) will be allocated separate bedrooms.

An adult will not be required to share a room with a child.

Single person families will be allocated one bedroom.

Two children of the same gender with an age difference less than 10 years will share one bedroom this includes children of blended families who have different parents.

Two children of the same gender with an age difference 10 years or more will be allocated separate bedrooms.

Two children of the opposite gender over the age of 5 will be allocated separate bedrooms.

Persons of different generations will be allocated separate bedrooms.

A parenting minor will not be allocated a separate bedroom for a child under the age of 5.

Live-in aides will be allocated a separate bedroom (as recorded in 24 CFR Section 5.403)

Foster children will be included in determining unit size only if they have been in the unit for more than 12 months and will become a permanent member of the household.

The AHA will reference the following chart in determining the appropriate voucher size for a family:

Voucher Size	Persons in Household (Minimum – Maximum)
1 Bedroom	1-2
2 Bedrooms	2-4
3 Bedrooms	3-6
4 Bedrooms	4-8
5 Bedrooms	6-10

Insufficient Funding [24 CFR 982.454]

The PHA may terminate HAP contracts if the PHA determines, in accordance with HUD requirements, that funding under the consolidated ACC is insufficient to support continued assistance for families in the program.

AHA Policy

The AHA will deny a family permission to move on grounds that the AHA does not have sufficient funding for continued assistance if (a) the move is initiated by the family, not the owner or the AHA; (b) the AHA can demonstrate that the move will, in fact, result in higher subsidy costs; and (c) the AHA can demonstrate, in accordance with the policies in Part VIII of Chapter 16, that it does not have sufficient funding in its annual budget to accommodate the higher subsidy costs.

The AHA may deny requests for increased voucher size to move to a larger unit for additional members added to household unless the increased number of persons in the unit violates the HQS space standards in accordance with 24 CFR 982.403.

ADJOURN: Upon the motion of P. Bobrowski, and seconded by C. Kruger, it was voted to adjourn until the next regular meeting on Monday, April 29, 2013 at 4:30 p.m. in the community room at Ann Whalen Apartments, 33 Kellogg Ave., Amherst, MA. Meeting adjourned at 7:40 p.m. (Unanimous)