



Boulder County Housing Authority (BCHA) CO061
2025 Annual Plan and Attachments

Contact:

Kelly Gonzalez, Housing Choice Voucher Program Manager,
Boulder County Housing Authority PHA Code: CO061
515 Coffman Street, Longmont CO 80501
kegonzalez@bouldercounty.gov, 303/441-4944

**Streamlined Annual
PHA Plan
(HCV Only PHAs)**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0226
Expires 03/31/2024

Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																														
A.1	<p>PHA Name: <u>Boulder County Housing Authority</u> PHA Code: <u>CO061</u></p> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>01/2025</u></p> <p>PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)</p> <p>Number of Housing Choice Vouchers (HCVs) 917 + 34 EHV and 40 MS = 991</p> <p>PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Participating PHAs</th> <th style="width: 10%;">PHA Code</th> <th style="width: 25%;">Program(s) in the Consortia</th> <th style="width: 20%;">Program(s) not in the Consortia</th> <th style="width: 20%;">No. of Units in Each Program</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	Lead HA:																								
Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program																											
Lead HA:																															

B.	Plan Elements.
B.1	<p>Revision of Existing PHA Plan Elements.</p> <p>a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Informal Review and Hearing Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification.</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element(s):</p> <ul style="list-style-type: none"> • Per 24 CFR § 903.2(b)(2)(i), a deconcentration policy is not required since BCHA does not have 100 or more units of public housing. Please see attachment A for BCHA’s Selection and Admissions policy for the HCV program. Attachment B for BCHA’s rent determination policy, Attachment C for BCHA’s Informal Review and hearing Procedures. Attachment D for BCHA’s policy on substantial deviation and significant amendment/modification.
B.2	New Activities. – Not Applicable

DRAFT

B.3

Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income, very low-income, and extremely low-income families for the next five years.

Goal 1: Expand supply of assisted housing through the HCV program

Strategies:

- ❖ Apply for additional rental vouchers as NOFA's are announced and when appropriate (e.g., additional FUP, VASH, FSS, Mainstream etc.)
- ❖ If available, expand the Project Based Voucher program through processes stated in BCHAs Administrative Plan. Selection preferences shall be determined by BCHAs staff per the needs of the community as well as the project and or new development, and will adhere to BCHAs Administrative Plan.
- ❖ Execute MTW agreement with HUD and roll out first set of initiatives as detailed in the attached MTW supplement.
- ❖ Comply with HOTMA regulations going into effect January 1, 2025.

Goal 2: Organize and deliver services more effectively, improve the way we work

Strategies:

- ❖ Further staff and Board of Commissioners training and development by providing pertinent training opportunities through external programs (e.g., NAHRO, Nan McKay, HUD, US Housing Consultants, etc.) and through internal programs for staff (e.g. customer service, Trauma Informed Care, de-escalation, etc.).
- ❖ Improve BCHAs website by posting resources, documents, information for landlords and the general public, and forms for clients
- ❖ Keep stakeholders informed about BCHAs news through website announcements, public notices, and annual reports.
- ❖ Increase BCHAs exposure/presence in the community via social media, news releases, events, etc.
- ❖ Seek ways to foster relationships within the community (i.e., City Council, congressional staff, City and County entities, etc.) to better accomplish BCHAs mission

Goal 3: Continue to support the vision of the Boulder County Housing Department, to provide housing and wide-ranging supports for stability and moves toward self-sufficiency.

Strategies:

- ❖ Support residents with human services and life skills training through the Family Self-Sufficiency (FSS) program, a 5-year academic, employment and savings initiative program designed to help families with low-income gain education and career skills.

Goal 4: Increase availability of secure and affordable housing:

Strategies:

- ❖ Add affordable housing units to the market
- ❖ Prioritize housing that accommodates families by actively seeking opportunities for land and funding sources
- ❖ Add inventory through special limited partnerships by working with for and non-profit multifamily developers that are creating affordable housing in Boulder County
- ❖ Support private property managers and owners who are willing to provide affordable, quality housing by providing them with education and resources on how the HCV program works and what the property manager's or owner's role is.
- ❖ Continue to administer a housing stabilization plan (i.e., eviction prevention) to help reduce evictions for cost burdened households that are eligible for the assistance.

Goal 5: Improve community quality of life and economic vitality

Strategies:

- ❖ Identify and recruit service providers that can serve the families and seniors at BCHA owned properties through activities, events, presentations, etc.
- ❖ Advocate for families and seniors so they have access to the programs they need in the community.
- ❖ Remove lead-based paint hazards and other health risks from homes by inspections and by providing education and outreach to clients and landlords
- ❖ Assist eligible residents with avoiding eviction by continuing on with the implementation of the Housing Stabilization Policy and Procedures
- ❖ Increase accountability for residents that live at BCHA properties by enforcing lease provisions, educating residents on lease requirements, and monitoring activity that is not in compliance with lease provisions
- ❖ Preserve the affordability of existing housing stock by balancing risks. BCHA has prioritized its 5-year proposed Capital Improvement efforts with the following criteria.
 - Health and safety/risk exposure
 - Infrastructure Protection
 - Impacts on operating budgets and ongoing maintenance needs.
 - Economic development
 - External requirements
 - Population served.
 - Ability to reduce greenhouse gas emissions and support the County's action plan.
 - Community/commission support
 - Cost/benefit
 - Financing availability
- ❖ Identify various alternative revenue funding sources to support additional projects.
- ❖ Work with partners to leverage additional local funds.
- ❖ Identify grant resources and tax rebate funding sources.
- ❖ BCHA has identified seven projects that will meet properties' immediate capital needs.
- ❖ While the seven projects are underway BCHA will be working on a longer-term Capital improvement plan to include property disposition while addressing the economic scale of the portfolio.

Goal 6: Ensure equal opportunity and affirmatively further fair housing

Strategies:

- ❖ Improve housing literacy/information on Fair Housing: provide reliable, ongoing information source for tenants and voucher holders, post information on the BCHA website, social media pages about fair housing
- ❖ Continue to implement, update Language Assistance Plan as needed and review what languages need to be covered by aligning with any local City of County plans and/or by resident/tenant surveys demonstrating specific need as related to BCHA.
- ❖ Continue contract with Language Line or a similar provider for translation services and interpretation.
- ❖ Provide renters' rights information on website and review and update renters' rights information distributed at HCV orientations.
- ❖ Address barriers to access opportunities in education, employment, and transportation by building developments and/or partnering with developers through special limited partnerships focusing on higher opportunity areas.
- ❖ Promote healthy communities by developing new properties near resources such as parks, recreation centers, healthy food sources, etc.

Goal 7: Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability

Strategies:

- ❖ Continue conducting unit inspections to insure health and safety for all assisted housing participants.
- ❖ Provide ongoing training for all property management and maintenance staff in fair housing.

	<ul style="list-style-type: none"> ❖ Perform reviews within different BCHA departments to identify and develop best practices around fair housing. ❖ Address concerns immediately and assure that procedures are in place to address these concerns for the resident’s well-being. <p>Goal 8: Increase accessible, adaptable/visitable housing</p> <p>Strategies:</p> <ul style="list-style-type: none"> ❖ Comply with required regulations for new BCHA developments and existing developments ❖ Continue addressing issues so that all existing BCHA properties are in compliance with Section 504 and ADA requirements. ❖ Continue to implement and update reasonable accommodation policy and procedures as needed ❖ Provide ADA resources on the website
B.4	Capital Improvements. – Not Applicable
B.5	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N N/A <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>
C.	Other Document and/or Certification Requirements.
C.1	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <ul style="list-style-type: none"> • RAB attendance, agenda and comments can be found in Attachment H to this plan.
C.2	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.3	<p>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.4	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>
D.	Affirmatively Furthering Fair Housing (AFFH).
D.1	<p>Affirmatively Furthering Fair Housing (AFFH).</p> <p>Provide a statement of the PHA’s strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair</p>

housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

Adjust to market conditions. BCHA will evaluate marketing efforts by comparing the self-reported race and ethnicity applicant and tenant data with the local census information to ensure that pool of applicants and tenants accurately represents the populations that reside in Boulder County. BCHA will then adjust marketing efforts as needed to ensure additional marketing occurs for any underrepresented groups. Evaluations will be made to see if the outreach efforts are sufficient of, if marketing activities need to be modified to attract the group(s) least likely to apply.

Ensure equal opportunity and affirmatively further fair housing
Strategies:

- ❖ Improve housing literacy/information on Fair Housing: provide reliable, ongoing information source for tenants and voucher holders, post information on the BCHA website, social media pages about fair housing
- ❖ Continue to implement, update Language Assistance Plan as needed and review what languages need to be covered by aligning with any local City of County plans and/or by resident/tenant surveys demonstrating specific need as related to BCHA.
- ❖ Continue contract with Language Line or a similar provider for translation services and interpretation.
- ❖ Provide renters' rights information on website and review and update renters' rights information distributed at HCV orientations.
- ❖ Address barriers to access opportunities in education, employment, and transportation by building developments and/or partnering with developers through special limited partnerships focusing on higher opportunity areas.
- ❖ Promote healthy communities by developing new properties near resources such as parks, recreation centers, healthy food sources, etc.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

Require staff training. BCHA receives instruction on the AFHMP and the Fair Housing Act from investors, including our HUD Fair Housing and Equal Opportunity representative at least every few years. Our goal is to offer a Fair Housing training to all staff at least biennially either in person or via a webinar.

Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability
Strategies:

- ❖ Continue conducting unit inspections to insure health and safety for all assisted housing participants.
- ❖ Provide ongoing training for all property management and maintenance staff in fair housing.
- ❖ Perform reviews within different BCHA departments to identify and develop best practices around fair housing.

- ❖ Address concerns immediately and assure that procedures are in place to address these concerns for the resident's well-being.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

Continue to partner with area agencies that serve diverse groups of residents within and surrounding Boulder County. BCHA, under the County's Housing Department, has good working relationships with several community organizations serving varied groups of residents, and distributes information regarding program and property opportunities to this group of more than 50 organizations/contacts.

Increase accessible, adaptable/visitable housing

Strategies:

- ❖ Comply with required regulations for new BCHA developments and existing developments
- ❖ Continue addressing issues so that all existing BCHA properties are in compliance with Section 504 and ADA requirements.
- ❖ Continue to implement and update reasonable accommodation policy and procedures as needed
- ❖ Provide ADA resources on the website

Instructions for Preparation of Form HUD-50075-HCV Annual PHA Plan for HCV-Only PHAs

A. PHA Information. All PHAs must complete this section. (24 CFR §903.4)

A.1 Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **Number of Housing Choice Vouchers (HCVs)**, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. ([24 CFR §943.128\(a\)](#))

B. Plan Elements. All PHAs must complete this section. ([24 CFR §903.11\(c\)\(3\)](#))

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

Statement of Housing Needs and Strategy for Addressing Housing Needs. Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR 5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR § 903.7(a)).

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. ([24 CFR §903.7\(a\)\(2\)\(i\)](#)) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA’s reasons for choosing its strategy. ([24 CFR §903.7\(a\)\(2\)\(ii\)](#))

Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. ([24 CFR §903.7\(b\)](#))

Financial Resources. A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. ([24 CFR §903.7\(c\)](#))

Rent Determination. A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. ([24 CFR §903.7\(d\)](#))

Operation and Management. A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. ([24 CFR §903.7\(e\)](#)).

Informal Review and Hearing Procedures. A description of the informal hearing and review procedures that the PHA makes available to its applicants. ([24 CFR §903.7\(f\)](#))

Homeownership Programs. A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. ([24 CFR §903.7\(k\)](#))

Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements. A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA’s partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA’s partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program’s size (including required and actual size of the FSS program) and means of allocating assistance to households. ([24 CFR §903.7\(l\)\(i\)](#)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. ([24 CFR §903.7\(l\)\(iii\)](#)).

Substantial Deviation. PHA must provide its criteria for determining a “substantial deviation” to its 5-Year Plan. ([24 CFR §903.7\(r\)\(2\)\(i\)](#))

Significant Amendment/Modification. PHA must provide its criteria for determining a “Significant Amendment or Modification” to its 5-Year and Annual Plan.

If any boxes are marked “yes”, describe the revision(s) to those element(s) in the space provided.

- B.2 New Activities.** This section refers to new capital activities which is not applicable for HCV-Only PHAs.
- B.3 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year PHA Plan. ([24 CFR §903.11\(c\)\(3\)](#), [24 CFR §903.7\(r\)\(1\)](#))
- B.4 Capital Improvements.** This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs
- B.5 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark “yes” and describe those findings in the space provided. ([24 CFR §903.7\(p\)](#))

C. Other Document and/or Certification Requirements.

- C.1 Resident Advisory Board (RAB) comments.** If the RAB had comments on the annual plan, mark “yes,” submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA’s decision made on these recommendations. ([24 CFR §903.13\(c\)](#), [24 CFR §903.19](#))
- C.2 Certification by State of Local Officials.** Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. ([24 CFR §903.15](#)). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.
- C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.** Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations. impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction’s initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. ([24 CFR §903.7\(o\)](#)).
- C.4 Challenged Elements.** If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: “To implement goals and priorities in an AFH, strategies and actions shall be included in program participants’ ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing” Use the chart provided to specify each fair housing goal from the PHA’s AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the PHA’s involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 6.02 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

**Attachment A -
BCHA's Selection and Admissions policy for the HCV program**

DRAFT

PART III: SELECTION FOR HCV ASSISTANCE

4-III.A. OVERVIEW

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families are selected from the waiting list depends on the selection method chosen by the PHA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

The PHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the PHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

4-III.B. SELECTION AND HCV FUNDING SOURCES

Special Admissions [24 CFR 982.203]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, the PHA may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list. These families are considered non-waiting list selections. The PHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award a PHA funding for a specified category of families on the waiting list. The PHA must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, the PHA may skip families that do not qualify within the targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

BCHA Policy

BCHA administers the following types of targeted funding:

- Family Unification Program (FUP)
 - 92 total vouchers
- Veterans Affairs & Supportive Housing (VASH)
 - 67 total vouchers
- Mainstream Vouchers
 - 40 total vouchers
- Non-Elderly Disabled (NED)
 - 35 total vouchers

Regular HCV Funding

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

4-III.C. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

BCHA Policy

For all subsidized waiting lists not using a lottery system applicants will be placed on the waiting list according to any preference(s) for which they qualify, and the date and time their complete application is received by BCHA.

For the HCV lottery list applicants will be placed on the waiting list using a lottery system. Once each application has been randomly assigned a number, the applications will be placed on the waiting list in order of the assigned numbers.

Subject to HUD-awarded funding for special admissions, a household that qualifies as a local preference-holder will be admitted prior to those who do not have a local preference.

Applicants will receive 5 preference points where one or more of the following are true:

- the HH or spouse is elderly (age 62+)
- the HH or spouse is an individual with disabilities
- the household contains children under the age of 18

The following are the selection criteria for specific programs administered by BCHA:

- **Family Self-Sufficiency (FSS) Program Families:** Families on the PBV waiting list that are interested in and have been deemed eligible for the FSS Program by FSS staff will receive a preference ranking of twelve (12) points. FSS staff will conduct an assessment of the prospective applicant based on its Procedures Manual and Federal Regulation 24 CFR 984. This preference is limited to no more than 104 families at any one time.
- **Homeless Family Admissions:** In October 2018, BCHA received Board Approval to provide preference for up to 50 additional families into BCHA's Housing Choice Voucher Program that at initial screening, met the McKinney-Vento Homeless Assistance Act definition and/or revised definition of homeless as defined by the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act). This local preference will be limited to applicants referred in through Boulder County's Community Housing Resource Panel and may include families transitioning from a Rapid Rehousing Program. Applicants qualifying for this local preference will receive ten (10) points on the Housing Choice Voucher waiting list.
- **Homeless Set Asides:** In May of 2019 BCHA received Board Approval for allocating 20% of

prior year turnover Housing Choice Vouchers to clients coming through Homeless Solutions of Boulder County (HSBC). These set aside vouchers will be limited to single individuals and couples over the age of 18 referred in through HSBC clients as defined as clients who have completed HSBC screening, are currently enrolled in a Boulder County Permanent Supportive Housing or Rapid Rehousing Program, and/or who are on the HSBC high frequency utilizer list who are literally homeless as defined by HUD. Applicants qualifying for these vouchers will receive ten (10) points on the Housing Choice Voucher waiting list. BCHA may institute a cap on the total number of vouchers under this selection criteria to not exceed 35 total vouchers.

- **Disaster Preference:** On September 21, 2010, BCHA may give a preference for up to 25 total households who were affected by local disasters in or near Boulder County as allowed by HUD and approved by the BCHA Board. These households will receive preference over the applicants who are on the current waiting list or in the lottery pool in the following order: First, those households who are currently on the waitlist or in the lottery pool and second, those households who were affected by a local natural disaster and not on a waiting list or in the lottery pool. Each household shall receive 25 points as preference.

Prior to receiving a Disaster Preference, a household must apply for and exhaust any special funding first, including but not limited to, funds from the Federal Emergency Management Agency (FEMA) and any other State or local funding awards.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during the PHA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30 percent of the area median income, whichever number is higher. To ensure this requirement is met, a PHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low-income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

BCHA Policy

BCHA will monitor progress in meeting the income targeting requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

Order of Selection

The PHA system of preferences may select families based on local preferences according to the date and time of application or by a random selection process (lottery) [24 CFR 982.207(c)]. If a PHA does not have enough funding to assist the family at the top of the waiting list, it is not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

BCHA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with BCHA's hierarchy of preferences, if applicable. Within each targeted funding or preference category, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by BCHA. Documentation will be maintained by BCHA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that BCHA does not have to ask higher placed families each time targeted selections are made.

Applicants in the lottery pool will be selected randomly and placed on a list in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waitlist. Lottery applicants will be screened in accordance with BCHA's preference policy. Families in the lottery that qualify for a specified category of program funding (targeted funding) may be selected from the waiting list ahead of higher placed families that do not qualify for the targeted funding. However, within any targeted funding category, applicants will be selected in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waiting list.

4-III.D. NOTIFICATION OF SELECTION

When a family has been selected from the waiting list, the PHA must notify the family [24 CFR 982.554(a)].

BCHA Policy

BCHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview, how to register for an interview if multiple days and times are offered. Options to reschedule the interview will not be provided if BCHA is offering two or more opportunities to register for an application interview.

Intake interviews will be conducted in-person, phone and/or virtual meetings may be conducted as a part of a request for a reasonable accommodation.

Who is required to attend the interview.

All documents that must be provided at the interview, including information about what constitutes acceptable documentation.

Alternatively, BCHA may choose to notify the family that they were selected from the waiting list and request the family to first return a completed applicant questionnaire and signed release of information in order to complete a criminal background check first prior to scheduling an intake interview.

If a notification letter is returned to BCHA with no forwarding address, the family will be removed from the waiting list. No further notices of removal will be sent to the family.

4-III.E. THE APPLICATION INTERVIEW

HUD recommends that the PHA obtain the information and documentation needed to make an eligibility determination through a face-to-face interview with a PHA representative [HCV GB, pg. 4-16]. Being invited to attend an interview does not constitute admission to the program.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if the PHA determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period of time determined by the PHA [Notice PIH 2018-24].

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability.

BCHA Policy

Families selected from the waiting list are required to participate in an eligibility interview.

The head of household and the spouse/cohead will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/cohead may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to BCHA.

The head of household or spouse/cohead must provide acceptable documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity.) If the family representative does not provide the required documentation at the time of the interview, they will be required to provide it within a deadline set by BCHA between 10 business days up to 30 calendar days.

Pending disclosure and documentation of social security numbers (SSN), staff will allow the family to retain its place on the waiting list or in the lottery pool for 30 days.

The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, staff will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

Interviews will be conducted in English and Spanish as requested. For limited English proficient (LEP) applicants, BCHA will provide translation services in accordance with its Administrative Plan, as stated in Chapter 2.

If the family is unable to attend a scheduled interview, the family should contact BCHA staff in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, staff will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without prior approval will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3. Good cause for rescheduling a missed briefing is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule an intake interview must be made orally or in writing prior to the intake interview date. At its discretion, BCHA may request documentation of the "good cause" prior to rescheduling the appointment.

4-III.F. COMPLETING THE APPLICATION PROCESS

The PHA must verify all information provided by the family (see Chapter 7). Based on verified information, the PHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted funding admission, or selection preference that affected the order in which the family was selected from the waiting list.

BCHA Policy

If BCHA determines that the family is ineligible, staff will send written notification of the ineligibility determination within 10 business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (Chapter 16)

If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list or lottery pool (e.g. targeted funding, extremely low-income), the family will be returned to the waiting list or lottery pool, taking into account any change in their preference status. BCHA will notify the family in writing that it has been returned to the waiting list or lottery pool, and will specify the reasons for it.

If staff determine that the family is eligible to receive assistance, they will invite the family to attend a briefing in accordance with the policies in Chapter 5.

DRAFT

**Attachment B -
Financial Resources**

DRAFT

Total BCHA Income Statement for the year ending December 31, 2024 (Year-to-date March 31, 2024)

Categories	Jan-24	Feb-24	Mar-24	Year-to-Date Actual	Year-To-Date Prior Year	Variance	%	Year-To-Date Budget	Variance
INCOME – OPERATING INCOME, REVENUE, GROSS POTENTIAL RENT									
Tenant Rental Income	269,823	269,939	278,393	18,155	760,539	57,615	2%	1,290,990	(472,836)
Subsidies	141,161	138,252	140,870	420,282	463,447	(43,165)	-2%	-	420,282
TOTAL GROSS POTENTIAL RENT	410,984	408,190	419,263	1,238,437	1,223,987	14,450	0%	1,290,990	(52,553)
ADJUSTMENT TO RENTAL INCOME									
Vacancy Loss	(29,456)	(32,410)	(33,504)	(95,370)	(84,599)	(10,771)	3%	(80,608)	(14,762)
TOTAL ADJUSTMENT TO RENTAL INCOME	(29,456)	(32,410)	(33,504)	(95,370)	(84,599)	(10,771)	3%	(80,608)	(14,762)
OTHER INCOME									
Other Revenue	127,915	132,101	227,455	487,471	2,604,369	(2,116,897)	-20%	570,945	(83,474)
Section 8 Revenue	1,437,671	1,377,341	2,841,397	5,656,409	3,769,631	1,886,778	13%	3,791,674	1,864,736
Tenant Late Fees	705	735	585	2,025	6,300	(4,275)	-17%	1,812	213
Insufficient Fund Fees	60	90	95	245	3,533	(3,288)	-23%	263	(18)
Work Order Charges	600	536	1,808	2,944	7,710	(4,766)	-15%	6,634	(3,690)
Tenant Nonrefundable Pet Fees	-	300	-	300	525	(225)	-11%	541	(241)
Other Tenant Misc Revenue	-	912	1,797	2,710	6,764	(4,055)	-15%	3,045	(335)
TOTAL OTHER INCOME	1,566,951	1,512,014	3,073,138	6,152,104	6,398,832	(246,728)	-1%	4,374,912	1,777,191
TOTAL REVENUE	1,948,479	1,887,794	3,458,897	7,295,171	7,538,220	(243,049)	-1%	5,585,295	1,709,876
OPERATING EXPENSES									
PAYROLL EXPENSES									
Administrative Salaries	310,765	310,765	310,765	932,295	696,482	235,813	8%	932,295	-
Administrative Benefits	116,628	116,628	116,628	349,884	261,110	88,775	8%	349,884	-
Maintenance Salaries	126,873	126,873	126,873	380,618	272,648	107,970	10%	380,618	-
Maintenance Benefits	43,660	43,660	43,660	130,981	93,895	37,086	10%	130,981	-

TOTAL PAYROLL EXPENSES	597,926	597,926	597,926	1,793,779	1,324,134	469,644	9%	1,793,779	-
ADMINISTRATIVE EXPENSES									
Legal Expenses	-	3,470	7,971	11,441	7,113	4,328	15%	7,824	3,617
Staff Training	-	1,269	235	1,504	5,187	(3,683)	-18%	6,091	(4,587)
Audit Fees	5,000	-	-	5,000	18,916	(13,916)	-18%	20,808	(15,808)
Office Supplies	577	4,700	3,103	8,380	10,994	(2,613)	-6%	16,439	(8,059)
Advertising and Marketing	88	110	-	199	313	(114)	-9%	322	(124)
Phone Expense	5,691	1,651	5,790	13,132	18,311	(5,179)	-7%	20,170	(7,038)
Bank Fees	1,229	1,147	1,319	3,695	9,366	(5,671)	-15%	11,794	(8,100)
Management Fees/Indirect Cost	150	1,419	-	1,569	29,240	(27,671)	-24%	33,933	(32,364)
HOA Fees	3,250	7,250	3,625	14,125	19,688	(5,563)	-7%	21,657	(7,532)
Admin Contracts	1,905	15,398	11,194	28,497	37,272	(8,775)	-6%	60,991	(32,494)
Other Admin Expense	6,296	3,439	2,373	12,108	88,551	(76,443)	-22%	97,685	(85,577)
Insurance	42,931	42,931	42,931	128,794	121,436	7,358	2%	133,577	(4,783)
Bad Debt	-	(1,188)	-	(1,188)	8,817	(10,005)	-28%	11,393	(12,581)
Section 8 Expense	1,421,593	1,403,508	1,420,732	4,245,833	3,767,370	478,464	3%	3,791,674	454,160
Tenant Services	348,764	384,471	359,710	1,092,945	1,465,224	(372,279)	-6%	355,410	737,535
TOTAL ADMINISTRATIVE EXPENSES	1,837,474	1,869,576	1,858,983	5,566,033	5,607,797	(41,764)	0%	4,589,769	976,264
UTILITIES									
Water	7,715	10,911	5,745	24,370	30,071	(5,700)	-5%	33,078	(8,707)
Electricity	2,437	4,742	5,547	12,725	17,349	(4,624)	-7%	19,084	(6,359)
Gas	5,630	3,398	11,108	20,136	19,773	363	0%	21,751	(1,614)
Sewer	9,375	11,206	7,202	27,783	24,788	2,995	3%	27,267	516
Other Utilities	2,936	3,265	2,226	8,427	9,712	(1,285)	-3%	10,683	(2,256)
TOTAL UTILITIES	28,092	33,522	31,827	93,442	101,693	(8,251)	-2%	111,862	(18,420)
MAINTENANCE EXPENSES									
Maint Supplies	8,501	15,764	24,682	48,947	74,169	(25,222)	-9%	81,586	(32,639)
Maint Contract Other	9,218	23,367	16,759	49,345	48,865	479	0%	53,752	(4,408)
Maint Contract Cleaning	2,352	3,947	5,486	11,785	10,788	997	2%	11,866	(81)
Maint Contract Electrical	-	1,163	-	1,163	1,133	30	1%	1,246	(83)
Maint Contract Flooring	321	10,480	14,728	25,529	25,596	(67)	0%	28,156	(2,627)
Maint Contract HVAC	275	2,238	2,375	4,888	12,172	(7,284)	-15%	13,389	(8,502)
Maint Contract Grounds	3,670	5,705	65	9,440	51,310	(41,870)	-20%	56,441	(47,001)
Maint Contract Painting	-	-	-	-	2,216	(2,216)	-25%	2,438	(2,438)

Maint Contract Pest Control	683	358	560	1,601	1,501	100	2%	1,651	(50)
Maint Contract Plumbing	1,699	265	1,263	3,227	4,507	(1,280)	-7%	4,957	(1,730)
Maint Contract Snow Removal	18,534	37,129	38,843	94,506	75,380	19,126	6%	82,918	11,588
Maint Contract Elevator	219	-	1,615	1,834	2,272	(437)	-5%	2,499	(664)
Maint Contract Trash Removal	1,108	8,601	9,929	19,638	24,342	(4,704)	-5%	26,776	(7,138)
TOTAL MAINTENANCE EXPENSES	46,580	109,018	116,305	271,903	334,250	(62,348)	-5%	367,675	(95,773)
TOTAL OPERATING EXPENSES	2,510,073	2,610,042	2,605,041	7,725,156	7,367,874	357,282	1%	6,863,085	862,071
NET OPERATING INCOME	(561,594)	(722,247)	853,856	(429,985)	170,346	(600,331)	-88%	(1,277,790)	847,805
NON-OPERATING REVENUES (EXPENSES)									
Depreciation Expense	(112,940)	(112,940)	(112,940)	(338,820)	(340,241)	1,421	0%	(342,390)	3,570
Amortization Expense	-	-	-	-	-	-	0%	-	-
Interest Expense - Hard Debt	(20,932)	-	-	(20,932)	(117,848)	96,915	-21%	(117,848)	96,915
Interest Expense - Soft Debt	-	-	-	-	-	-	0%	-	-
Interest Income	75,095	75,093	75,092	225,280	449,555	(224,275)	-12%	438,613	(213,333)
Asset Management Fee Expense	-	-	-	-	-	-	0%	-	-
Investor Service Fee/Admin Service Fee	-	-	-	-	-	-	0%	-	-
Extraordinary Maintenance Expense	(23,287)	(62,129)	(43,899)	(129,315)	(59,137)	(70,178)	30%	(73,109)	(56,206)
Damage Mitigation Funding	-	-	-	-	-	-	0%	-	-
Other Non-Operating Income (Expense)	2,201,500	42,919	-	2,244,419	6,683,601	(4,439,182)	-17%	1,271,624	972,795
TOTAL NON-OPERATING REVENUES (EXPENSES)	2,119,435	(57,058)	(81,747)	1,980,631	6,615,930	(4,635,299)	-18%	1,176,890	803,740
NET INCOME (LOSS)	1,557,841	(779,305)	772,109	1,550,645	6,786,276	(5,235,630)	-19%	(100,900)	1,651,545

**Attachment C -
Rent Determination Policies**

DRAFT

Rent Determination:

On October 10, 2023, Resolution 2023-13 was approved revising the HCV payment standards for 2024 at an average of 100% of the 2024 HUD Fair Market Rents (FMRs) for Boulder County. This change went into effect January 1, 2024. BCHA's 2023 Payment Standards were set at an average of 110% of the 2022 Fair Market Rents; and HUD's published 2024 Fair Market Rents increased by an average of 13% across bedroom sizes from 2023. BCHA set the 2024 Payment Standards at 100% of the Fair Market Rents for 2024, in order to match the trends in the current rental market which resulted in an increase of 6% across the 2023 payment standards, allowing Housing Choice Voucher participants the opportunity to competitively access decent, safe and affordable housing.

In November of 2023 BCHA adopted a separate payment standard for the Veterans Affairs Supportive Housing Program (VASH) and modified the 2023 payment standard to adopt a higher payment standard for the remainder of the year to allow veterans out searching for housing more opportunity to competitively access decent, safe, and affordable housing. BCHA adopted a payment standard within the allowable range by HUD that continued to serve the VASH voucher participants appropriately and was supported by our partners at the department of Veterans Affairs. BCHA's existing 2023 Payment Standards were set at an average of 110% of the 2023 Fair Market Rents and at the time BCHA did not have a separate payment standard for the VASH program; and set the 2024 Payment Standards at 100% of the fair market rents for 2024 in October. Resolution 2023-15 was passed by the Board of County Commissioners on November 7, 2024, to increase the 2023 payment standard for VASH participants at 120% of the 2023 FMRs for the remainder of 2023 and then adopt 120% of the 2024 FMRs as the payment standard for 2024.

Payment Standards:

BCHA Payment Standards for full HCV Program

Year	Studio	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
2023	\$1,467	\$1,736	\$2,102	\$2,795	\$3,155
2024	\$1,585	\$1,823	\$2,217	\$2,898	\$3,394

BCHA Payment Standards for VASH Vouchers:

Year	Studio	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
2023	\$1,676	\$1,894	\$2,293	\$3,049	\$3,606
2024	\$1,902	\$2,188	\$2,660	\$3,478	\$4,073

HUD Fair Market Rents Final 2024 & Final 2023 FMRs By Unit Bedrooms:

Year	Studio	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
2023	\$1,397	\$1,578	\$1,911	\$2,541	\$3,005
2024	\$1,585	\$1,823	\$2,217	\$2,898	\$3,394

**Attachment D -
Operation and Management**

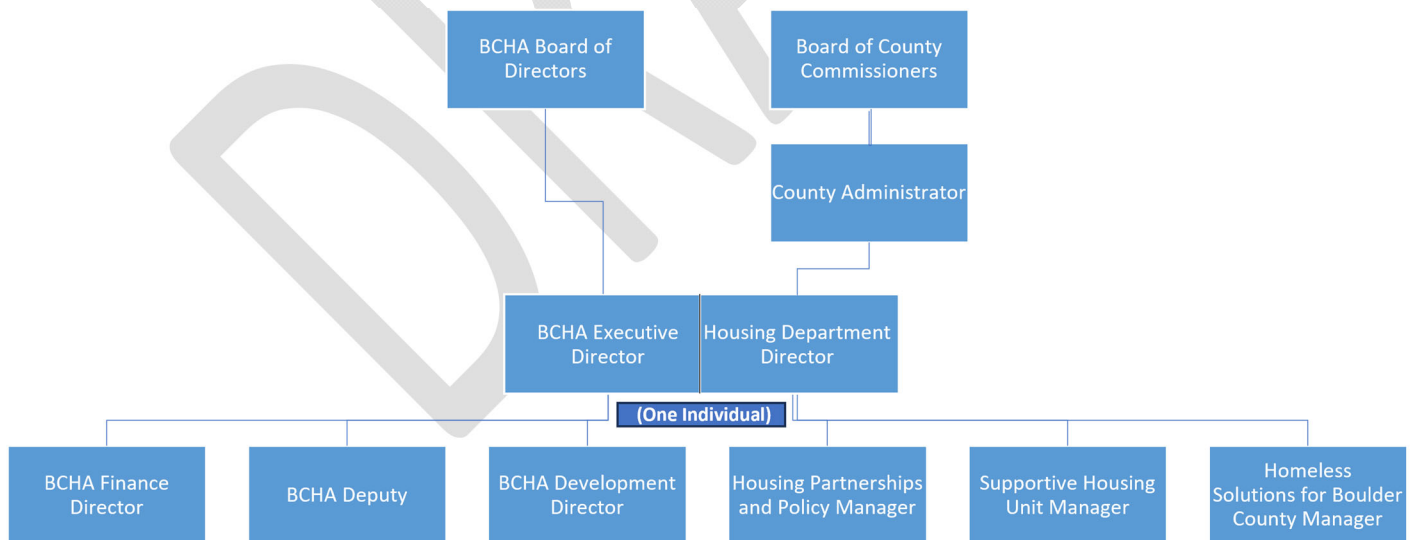
DRAFT

Boulder County Housing Authority does not own or operate any public housing properties as of 2016 and therefore is not subject to the requirements listed in 24 CFR 903.7(e)(1) and (2)

Please see the current organization chart for reference of the PHA management. On April 2, 2024 the Board of County Commissioners gave direction to bring together all of the county’s housing and homelessness-related initiatives under the same leadership, which included the housing authority and a new Housing Department made up of the following teams:

- Supportive Housing Services
- The Housing Policy and Partnership Manager
- The Mobile Homes Program Manager
- Homeless Solutions for Boulder County
- Housing Operations –
 - Housing Choice Voucher Program up to 991 HCV vouchers that includes:
 - 88 Project Based Vouchers (PBV)
 - 92 Family Unification Program (FUP)
 - 80 Veterans Affairs Supportive Housing (VASH)
 - 35 Non-Elderly Disabled (NED) vouchers
 - 40 Mainstream vouchers
 - 34 Emergency Housing Vouchers (EHV)
 - Property Management Operations 908 rental properties that include:
 - 50 HUD Multifamily units
 - 208 Affordable units
 - 513 Low Income Housing Tax Credit units
 - 88 Project Based Units
 - 50 USDA Rural Development units

The new leadership for this housing department will be a dual role of Executive Director of BCHA and Director of the new Housing Department and Susana Lopez-Baker was hired and appointed this role on 4/30/2024.



- Housing Authority Organization Structure:
 - BCHA Board of Directors
 - BCHA Executive Director
 - BCHA Finance Director
 - BCHA Deputy
 - BCHA Development Director
 - Housing Partnerships and Policy Manager
 - Supportive housing Unit Manager

- Homeless Solutions for Boulder County Manager
- Housing Department Organization Structure
 - Board of County Commissioners
 - County Administrator
 - Housing Department Director (same person as BCHA Executive Director)
 - BCHA Finance Director
 - BCHA Deputy
 - BCHA Development Director
 - Housing Partnerships and Policy Manager
 - Supportive housing Unit Manager
 - Homeless Solutions for Boulder County Manager

DRAFT

**Attachment E -
Informal Review and Hearing Procedures**

DRAFT

PART III: INFORMAL REVIEWS AND HEARINGS

16-III.A. OVERVIEW

Both applicants and participants have the right to disagree with, and appeal, certain decisions of the PHA that may adversely affect them. PHA decisions that may be appealed by applicants and participants are discussed in this section.

The process for applicant appeals of PHA decisions is called the “informal review.” For participants (or applicants denied admission because of citizenship issues), the appeal process is called an “informal hearing.” PHAs are required to include informal review procedures for applicants and informal hearing procedures for participants in their administrative plans [24 CFR 982.54(d)(12) and (13)].

16-III.B. INFORMAL REVIEWS

Informal reviews are provided for program applicants. An applicant is someone who has applied for admission to the program, but is not yet a participant in the program. Informal reviews are intended to provide a “minimum hearing requirement” [24 CFR 982.554], and need not be as elaborate as the informal hearing requirements [*Federal Register* 60, no. 127 (3 July 1995): 34690].

Decisions Subject to Informal Review [24 CFR 982.554(a) and (c)]

The PHA must give an applicant the opportunity for an informal review of a decision denying assistance [24 CFR 982.554(a)]. Denial of assistance may include any or all of the following [24 CFR 982.552(a)(2)]:

- Denying listing on the PHA waiting list
 - Denying or withdrawing a voucher
 - Refusing to enter into a HAP contract or approve a lease
 - Refusing to process or provide assistance under portability procedures
- Informal reviews are *not* required for the following reasons [24 CFR 982.554(c)]:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- A determination of the family unit size under the PHA subsidy standards
- A PHA determination not to approve an extension of a voucher term
- A PHA determination not to grant approval of the tenancy
- A PHA determination that the unit is not in compliance with the HQS
- A PHA determination that the unit is not in accordance with the HQS due to family size or composition

BCHA Policy

BCHA will only offer an informal review to applicants for whom assistance is being denied. Denial of assistance includes: denying listing on a BCHA waiting list; denying or withdrawing a voucher; refusing to enter into a HAP contract or approve a lease; refusing to process or provide assistance under portability procedures.

Notice to the Applicant [24 CFR 982.554(a)]

The PHA must give an applicant prompt notice of a decision denying assistance. The notice must contain a brief statement of the reasons for the PHA decision, and must also state that the applicant may request an informal review of the decision. The notice must describe how to obtain the informal review.

Scheduling an Informal Review

BCHA Policy

A request for an informal review must be made in writing and delivered to BCHA either in person or by first class mail, by the close of the business day, no later than 10 business days from the date of BCHA's denial of assistance.

BCHA must schedule and send written notice of the informal review within 10 business days of the family's request.

If the informal review will be conducted remotely, at the time BCHA notifies the family of the informal review, the family will be informed:

Regarding the processes to conduct a remote informal review;

That, if needed, BCHA will provide technical assistance prior to and during the informal review; and

That if the family or any individual witness has any technological, resource, or accessibility barriers preventing them from fully accessing the remote informal review, the family may inform BCHA and BCHA will assist the family in either resolving the issues or allow the family to participate in an in-person informal review, as appropriate.

Informal Review Procedures [24 CFR 982.554(b)]

The informal review must be conducted by a person other than the one who made or approved the decision under review, or a subordinate of this person.

The applicant must be provided an opportunity to present written or oral objections to the decision of the PHA.

Remote Informal Reviews [Notice PIH 2020-32]

There is no requirement that informal reviews be conducted in-person and, as such, HUD allows PHAs to conduct all or a portion of their informal review remotely either over the phone, via video conferencing, or through other virtual platforms. If the PHA chooses to conduct remote informal reviews, applicants may still request an in-person informal review, as applicable.

BCHA Policy

BCHA has the sole discretion to require that informal reviews be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster.

In addition, BCHA will conduct an informal review remotely upon request of the applicant as a reasonable accommodation for a person with a disability, if an applicant does not have child care or transportation that would enable them to attend the informal review, or if the applicant believes an in-person informal review would create an undue health risk. BCHA will consider other reasonable requests for a remote informal review on a case-by-case basis.

Ensuring Accessibility for Persons with Disabilities and LEP Individuals

As with in-person informal reviews, the platform for conducting remote informal reviews must be accessible to persons with disabilities and the informal review must be conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual. PHAs may never request or require that individuals with disabilities provide their own auxiliary aids or services, including for remote informal hearings.

PHAs are required to make reasonable accommodations in policies, practices, and procedures to ensure persons with disabilities have a full and equal opportunity to participate in and benefit from all aspects of the informal review process. See Chapter 2 for a more detailed discussion of reasonable accommodation requirements.

If no method of conducting a remote informal review is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual their inability to participate in the remote informal review, and the PHA should consider whether postponing the remote informal review to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation, will depend on the specific circumstances and requirements.

As with in-person reviews, Limited English Proficiency (LEP) requirements also apply to remote informal reviews, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote informal reviews.

Conducting Remote Informal Reviews

The PHA must ensure that the lack of technology or inability to use technology for remote informal reviews does not pose a disadvantage to families that may not be apparent to the PHA. The PHA should determine through a survey or other means if these barriers exist prior to conducting the remote informal review and, if the family does not have the proper technology to fully participate, either postpone the informal review or provide an alternative means of access.

As with in-person informal reviews, the PHA must provide all materials presented, whether paper or electronic, to the family prior to the remote informal review. The family must also be provided with an accessible means by which to transmit their own evidence.

The PHA must ensure that the applicant has the right to hear and be heard. All PHA policies and processes for remote informal reviews must be conducted in accordance with due process requirements and be in compliance with HUD regulations at 24 CFR 982.554 and guidance specified in Notice PIH 2020-32.

BCHA Policy

BCHA will conduct remote informal reviews via a video conferencing platform, when available. If, after attempting to resolve any barriers, applicants are unable to adequately access the video conferencing platform at any point, or upon applicant request, the informal review will be conducted by telephone conferencing call-in. If the family is unable to adequately access the telephone conferencing call-in at any point, the remote informal review will be postponed, and an in-person alternative will be provided promptly within a reasonable time.

Whether the informal review is conducted via videoconferencing or telephone call in, BCHA will provide the family with login information and/or conferencing call-in information and an electronic copy of all materials being presented via email, at the participants request the documents may be mailed out or left in a BCHA office for pick up. The notice will advise the family of technological requirements for the hearing and request the family notify BCHA of any known barriers. BCHA will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person review.

If the informal review is to be conducted remotely, BCHA will require the family to provide any documents directly relevant to the informal review at least 48 hours before the scheduled review through the mail, via email, or text. BCHA will scan and email copies of these documents to the BCHA representative the same day.

Documents will be shared electronically whenever possible.

BCHA will ensure that all electronic information stored or transmitted with respect to the informal review is secure, including protecting personally identifiable information (PII), and meets the requirements for accessibility for persons with disabilities and persons with LEP.

Informal Review Decision [24 CFR 982.554(b)]

The PHA must notify the applicant of the PHA's final decision, including a brief statement of the reasons for the final decision.

BCHA Policy

In rendering a decision, BCHA will evaluate the following matters:

Whether or not the grounds for denial were stated factually in the notice to the family.

The validity of the grounds for denial of assistance. If the grounds for denial are not specified in the regulations, then the decision to deny assistance will be overturned.

The validity of the evidence. BCHA will evaluate whether the facts presented prove the grounds for denial of assistance. If the facts prove that there are grounds for denial, and the denial is required by HUD, BCHA will uphold the decision to deny assistance.

If the facts prove the grounds for denial, and the denial is discretionary, BCHA will consider the recommendation of the person conducting the informal review in making the final decision whether to deny assistance.

BCHA will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed within 10 business days of the informal review, to the applicant and his or her representative, if any, along with proof of mailing.

If the decision to deny is overturned as a result of the informal review, processing for admission will resume.

If the family fails to appear for their informal review, the denial of admission will stand and the family will be so notified.

16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS [24 CFR 982.555]

PHAs must offer an informal hearing for certain PHA determinations relating to the individual circumstances of a participant family. A participant is defined as a family that has been admitted to the PHA's HCV program and is currently assisted in the program. The purpose of the informal hearing is to consider whether the PHA's decisions related to the family's circumstances are in accordance with the law, HUD regulations and PHA policies.

The PHA is not permitted to terminate a family's assistance until the time allowed for the family to request an informal hearing has elapsed, and any requested hearing has been completed. Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a lease
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures

Decisions Subject to Informal Hearing

Circumstances for which the PHA must give a participant family an opportunity for an informal hearing are as follows:

- A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment
- A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the PHA utility allowance schedule
- A determination of the family unit size under the PHA's subsidy standards
- A determination to terminate assistance for a participant family because of the family's actions or failure to act
- A determination to terminate assistance because the participant has been absent from the assisted unit for longer than the maximum period permitted under PHA policy and HUD rules
- A determination to terminate a family's Family Self Sufficiency contract, withhold supportive services, or propose forfeiture of the family's escrow account [24 CFR 984.303(i)]

Circumstances for which an informal hearing is not required are as follows:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- Establishment of the PHA schedule of utility allowances for families in the program
- A PHA determination not to approve an extension of a voucher term
- A PHA determination not to approve a unit or tenancy
- A PHA determination that a unit selected by the applicant is not in compliance with the HQS
- A PHA determination that the unit is not in accordance with HQS because of family size
- A determination by the PHA to exercise or not to exercise any right or remedy against an owner under a HAP contract

BCHA Policy

BCHA will only offer participants the opportunity for an informal hearing when required to by the regulations, and if BCHA denies a request for a reasonable accommodation (see Chapter 2).

Remote Informal Hearings [Notice PIH 2020-32]

There is no requirement that informal hearings be conducted in-person, and as such, HUD allows PHAs to conduct all or a portion of their informal hearings remotely either over the phone, via video conferencing, or through other virtual platforms. If the PHA chooses to conduct remote informal hearings, applicants may still request an in-person informal hearing, as applicable.

BCHA Policy

BCHA has the sole discretion to require that informal hearings be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster.

In addition, BCHA will conduct an informal hearing remotely upon request as a reasonable accommodation for a person with a disability, if a participant does not have child care or transportation that would enable them to attend the informal hearing, or if the participant believes an in-person hearing would create an undue health risk. BCHA will consider other reasonable requests for a remote informal hearing on a case-by-case basis.

Ensuring Accessibility for Persons with Disabilities and LEP Individuals

As with in-person informal hearings, the platform for conducting remote informal hearings must be accessible to persons with disabilities and the informal hearings must be conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual. PHAs may never request or require that individuals with disabilities provide their own auxiliary aids or services, including for remote informal hearings. PHAs are required to make reasonable accommodations in policies, practices, and procedures to ensure persons with disabilities have a full and equal opportunity to participate in and benefit from all aspects of the informal hearing process. See Chapter 2 for a more detailed discussion of reasonable accommodation requirements.

If no method of conducting a remote informal hearing is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual their inability to participate in the remote informal hearing, and the PHA should consider whether postponing the remote hearing to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation will depend on the specific circumstances and requirements.

As with in-person reviews, Limited English Proficiency (LEP) requirements also apply to remote informal hearings, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote informal hearings.

Conducting Informal Hearings Remotely

The PHA must ensure that the lack of technology or inability to use technology for remote informal hearings does not pose a disadvantage to families that may not be apparent to the PHA. The PHA should determine through a survey or other means if these barriers exist prior to conducting the remote informal hearing and, if the family does not have the proper technology to fully participate, either postpone the informal hearing or provide an alternative means of access.

As with in-person informal hearings, the PHA must provide all materials presented, whether paper or electronic, to the family prior to the remote informal hearing. The family must also be provided with an accessible means by which to transmit their own evidence.

The PHA's essential responsibility is to ensure informal hearings meet the requirements of due process and comply with HUD regulations. Therefore, all PHA policies and processes for remote informal hearings will be conducted in accordance with due process requirements, and will be in compliance with HUD regulations at 24 CFR 982.555 and the guidance for conducting remote hearings specified in Notice PIH 2020-32.

BCHA Policy

BCHA will conduct remote informal hearings via telephone conferencing call-in or via videoconferencing. If the informal hearing will be conducted via videoconferencing, BCHA will ensure that all participants, participant representatives, advocates, witnesses, BCHA representatives, and the hearing officer can adequately access the platform (i.e., hear, be heard, see, and be seen).

If any participant, representative, advocate, witness, BCHA representative, or hearing officer is unable to effectively utilize the videoconferencing platform, the informal hearing will be conducted by telephone conferencing call-in.

Whether the informal hearing is to be conducted via videoconferencing or telephone call-in, BCHA will provide all parties login information and/or telephone call-in information before the hearing. BCHA will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person hearing.

BCHA will ensure that all electronic information stored or transmitted with respect to the informal hearing is secure, including protecting personally identifiable information (PII), and meets the requirements for accessibility for persons with disabilities and persons with LEP.

Informal Hearing Procedures

Notice to the Family [24 CFR 982.555(c)]

When the PHA makes a decision that is subject to informal hearing procedures, the PHA must inform the family of its right to an informal hearing at the same time that it informs the family of the decision. For decisions related to the family's annual or adjusted income, the determination of the appropriate utility allowance, and the determination of the family unit size, the PHA must notify the family that they may ask for an explanation of the basis of the determination, and that if they do not agree with the decision, they may request an informal hearing on the decision.

For decisions related to the termination of the family's assistance, or the denial of a family's request for an exception to the PHA's subsidy standards, the notice must contain a brief statement of the reasons for the decision, a statement that if the family does not agree with the decision, the family may request an informal hearing on the decision, and a statement of the deadline for the family to request an informal hearing.

BCHA Policy

In cases where BCHA makes a decision for which an informal hearing must be offered, the notice to the family will include all of the following:

- The proposed action or decision of BCHA.
- A brief statement of the reasons for the decision, including the regulatory reference.
- The date the proposed action will take place.
- A statement of the family's right to an explanation of the basis for BCHA's decision.
- A statement that if the family does not agree with the decision the family may request an informal hearing of the decision.
- A deadline for the family to request the informal hearing.
- To whom the hearing request should be addressed.
- A copy of BCHA's hearing procedures.

If BCHA will require that the hearing be conducted remotely, at the time the notice is sent to the family informing them of the right to request an informal hearing, the family will be notified that the informal hearing will be conducted remotely. The family will be informed of the processes involved in a remote informal hearing and that BCHA will provide technical assistance, if needed, before the informal hearing.

Scheduling an Informal Hearing [24 CFR 982.555(d)]

When an informal hearing is required, the PHA must proceed with the hearing in a reasonably expeditious manner upon the request of the family.

BCHA Policy

A request for an informal hearing must be made in writing and delivered to BCHA either in person, via email or by first class mail, by the close of the business day, no later than 10 business days from the date of BCHA's decision or notice to terminate assistance.

BCHA will schedule and send written notice of the informal hearing to the family within 10 business days of the family's request. BCHA will attempt to schedule the hearing to be completed within the same month of the proposed action, however the actual date of the hearing will be scheduled in accordance with staff schedules and the informal hearing officer availability and maybe held within 30-90 days from the date of the proposed action letter. A copy of BCHA's hearing procedures will be provided with the notice of hearing date.

If the hearing will be conducted remotely, at the time the notice is sent to the family, the family will be notified:

Regarding the processes involved in a remote informal hearing;

That BCHA will provide technical assistance prior to and during the informal hearing, if needed; and

That if the family or any individual witness has any technological, resource, or accessibility barriers, the family may inform BCHA and BCHA will assist the family in either resolving the issue or allow the family to participate in an in-person hearing, as appropriate.

The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made orally or in writing prior to the hearing date. At its discretion, BCHA may request documentation of the "good cause" prior to rescheduling the hearing.

If the family does not appear within 15 minutes of the scheduled time, and was unable to reschedule the hearing in advance due to the nature of the conflict, the family must contact BCHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. BCHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with disabilities. If the family cannot show good cause for the failure to appear, or a rescheduling is not needed as a reasonable accommodation, BCHA's decision will stand.

Pre-Hearing Right to Discovery [24 CFR 982.555(e)]

Participants and the PHA are permitted pre-hearing discovery rights. The family must be given the opportunity to examine before the hearing any PHA documents that are directly relevant to the hearing. The family must be allowed to copy any such documents at their own expense. If the PHA does not make the document available for examination on request of the family, the PHA may not rely on the document at the hearing.

For the purpose of informal hearings, *documents* include records and regulations.

BCHA Policy

BCHA will provide the family a copy of the documents BCHA plans to rely on at the informal hearing at no cost. The documents will be available two business days prior to the scheduled hearing date.

Documents will be shared electronically. BCHA will also offer to provide a hard copy of the documents. If the family requests a hard copy of the documents, the documents will be available for

pick up by the family at BCHA's offices after 12:00 p.m. two business days prior to the scheduled hearing date.

Documents will be shared electronically whenever possible.

The PHA hearing procedures may provide that the PHA must be given the opportunity to examine at the PHA offices before the hearing any family documents that are directly relevant to the hearing. The PHA must be allowed to copy any such document at the PHA's expense. If the family does not make the document available for examination on request of the PHA, the family may not rely on the document at the hearing.

BCHA Policy

The family must provide any documents it plans to rely on at the informal hearing – whether an in-person hearing or a remote hearing - at least two business days before the scheduled hearing.

Documents may be delivered to BCHA by email. If the family provides hard copies, BCHA will scan and email copies of these documents to the hearing officer and BCHA representative the same day. Documents will be shared electronically whenever possible.

Participant's Right to Bring Counsel [24 CFR 982.555(e)(3)]

At its own expense, the family may be represented by a lawyer or other representative at the informal hearing.

Informal Hearing Officer [24 CFR 982.555(e)(4)]

Informal hearings will be conducted by a person or persons approved by the PHA, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision.

Attendance at the Informal Hearing

BCHA Policy

Hearings may be attended by a hearing officer and the following applicable persons:

BCHA representative(s) and any witnesses for BCHA

The participant and any witnesses for the participant

The participant's counsel or other representative

Any other person approved by BCHA as a reasonable accommodation for a person with a disability

Conduct at Hearings

The person who conducts the hearing may regulate the conduct of the hearing in accordance with the PHA's hearing procedures [24 CFR 982.555(4)(ii)].

BCHA Policy

The hearing officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the hearing officer and guidelines for conduct. Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the hearing officer.

Evidence [24 CFR 982.555(e)(5)]

The PHA and the family must be given the opportunity to present evidence and question any witnesses. In general, all evidence is admissible at an informal hearing. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

BCHA Policy

Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence.

Oral evidence: the testimony of witnesses

Documentary evidence: a writing which is relevant to the case, for example, a letter written to BCHA. Writings include all forms of recorded communication or representation, including letters, words, pictures, sounds, videotapes or symbols or combinations thereof. This type of evidence must also be provided by the party seeking to use this evidence at least two business days before the scheduled hearing.

Demonstrative evidence: Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.

Real evidence: A tangible item relating directly to the case.

Hearsay Evidence is evidence based not on a witness' personal knowledge. In and of itself, hearsay evidence carries no weight when making a finding of fact. The hearing officer may include hearsay evidence when considering their decision if it is corroborated by other evidence. Even though hearsay evidence is generally admissible in a hearing, the hearing officer will not base a hearing decision on hearsay alone unless there is clear probative value and credibility of the evidence, and the party seeking the change has met the burden of proof.

If either the PHA (or the family, if required in a remote hearing) fail to comply with the discovery requirements described above, the hearing officer will refuse to admit such evidence.

Other than the failure of a party to comply with discovery, the hearing officer has the authority to overrule any objections to evidence.

Procedures for Rehearing or Further Hearing

BCHA Policy

The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of BCHA will take effect and another hearing will not be granted.

Hearing Officer's Decision [24 CFR 982.555(e)(6)]

The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing.

BCHA Policy

In rendering a decision, the hearing officer will consider the following matters:

BCHA Notice to the Family: The hearing officer will determine if the reasons for BCHA's decision are factually stated in the Notice.

Discovery: The hearing officer will determine if BCHA and the family were given the opportunity to examine any relevant documents in accordance with BCHA policy.

BCHA Evidence to Support BCHA Decision: The evidence consists of the facts presented. Evidence is not conclusion and it is not argument. The hearing officer will evaluate the facts to determine if they support BCHA's conclusion.

Validity of Grounds for Termination of Assistance (when applicable): The hearing officer will determine if the termination of assistance is for one of the grounds specified in the HUD regulations and BCHA policies. If the grounds for termination are not specified in the regulations or in compliance with BCHA policies, then the decision of BCHA will be overturned.

The hearing officer will issue a written decision to the family and BCHA no later than 10 business days after the hearing. The report will contain the following information:

Hearing information:

Name of the participant;
Date, time and place of the hearing;
Name of the hearing officer;
Name of the BCHA representative; and
Name of family representative (if any).

Background: A brief, impartial statement of the reason for the hearing.

Summary of the Evidence: The hearing officer will summarize the testimony of each witness and identify any documents that a witness produced in support of their testimony and that are admitted into evidence.

Findings of Fact: The hearing officer will include all findings of fact, based on a preponderance of the evidence. *Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Conclusions: The hearing officer will render a conclusion derived from the facts that were found to be true by a preponderance of the evidence. The conclusion will result in a determination of whether these facts uphold BCHA's decision.

Order: The hearing report will include a statement of whether BCHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct BCHA to change the decision in accordance with the hearing officer's determination. In the case of termination of assistance, the hearing officer will instruct BCHA to restore the participant's program status.

Issuance of Decision [24 CFR 982.555(e)(6)]

A copy of the hearing must be furnished promptly to the family.

BCHA Policy

The hearing officer will email a "Notice of Hearing Decision" to BCHA and to the participant on the same day. This notice will be sent by first-class mail. The participant will be emailed when applicable and mailed the original "Notice of Hearing Decision". A copy of the "Notice of Hearing Decision" will be maintained in the BCHA's file.

Effect of Final Decision [24 CFR 982.555(f)]

The PHA is not bound by the decision of the hearing officer for matters in which the PHA is not required to provide an opportunity for a hearing, decisions that exceed the authority of the hearing officer, decisions that conflict with or contradict HUD regulations, requirements, or are otherwise contrary to federal, state, or local laws.

If the PHA determines it is not bound by the hearing officer's decision in accordance with HUD regulations, the PHA must promptly notify the family of the determination and the reason for the determination.

BCHA Policy

The Executive Director has the authority to determine that BCHA is not bound by the decision of the hearing officer because BCHA was not required to provide a hearing, the decision exceeded the authority of the hearing officer, the decision conflicted with or contradicted HUD regulations, requirements, or the decision was otherwise contrary to federal, state, or local laws.

In such a case, BCHA will mail a "Notice of Final Decision" to BCHA and the participant on the same day. The "Notice of Final Decision" will be sent by first-class mail. A copy of this notice will be maintained in BCHA's file.

Additionally BCHA provides all applicants this document during initial intake and then this document is provided again whenever a participant or applicant requests an informal review or hearing. This document is also available in Spanish.

GUIDE TO INFORMAL HEARINGS FOR PARTICIPANTS

This Guide outlines the basic procedures for informal hearings for participants as governed by applicable law, regulations and the Boulder County Housing Authority Section 8/Housing Choice Voucher Administrative Plan (the "Plan"). It is meant as a guide only and if any provision of this Guide conflicts with the Plan, the Plan supersedes this Guide.

A copy of the Plan is available at www.bouldercountyhousing.org under "Housing Choice Vouchers" and then on the "Plans/Policies" tab or you may request a copy at the Front Desk at the address listed above.

1. Scheduling of a Hearing

- a. **How to Request a Hearing:** A request for an informal hearing must be made in writing and delivered to Boulder County Housing Authority ("BCHA") staff either in person or by first class mail, by the close of business, no later than 10 business days from the date of BCHA's decision or notice to terminate assistance.
- b. **Scheduling:** After receiving a proper request, BCHA will schedule and send written notice of the informal hearing to the family within 10 business days of the family's written request.
- c. **Rescheduling:** The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

Requests to reschedule a hearing must be made verbally or in writing prior to the hearing date. At its discretion, staff may request documentation of the "good cause" prior to rescheduling the hearing.

If the family does not appear at the scheduled time, and was unable to reschedule the hearing in advance due to the nature of the conflict, the family must contact staff within 24 hours of the scheduled hearing date, excluding weekends and holidays. BCHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with a disability.

2. Documents to be Used at the Hearing (Discovery)

- a. All documents upon which BCHA will rely for the hearing will be made available to the family for pickup 2 business days in advance of the hearing. If BCHA does not make the document(s) available for examination on request of the family, then BCHA may not rely on the document at the hearing.
- b. The family must also submit any documents that are directly relevant to the hearing. All documents must be made available to BCHA for review no later than 2 business days in advance of the hearing. BCHA will be allowed to copy any such document at its expense. If the family does not make the document(s) available for examination, the family may not rely on the document at the hearing.

3. Representation of the Family and Right to Counsel

At its own expense, the family may be represented by a lawyer or other representative at the informal hearing.

4. The Hearing Officer

- a. The hearing will be conducted by a Hearing Officer. A Hearing Officer is a person or persons designated by BCHA. The Hearing Officer is someone who has not made or approved the decision under review or a subordinate of this person.
- b. The Hearing Officer has been trained to serve as a presiding person in housing termination hearings, and will follow the Boulder County Department of Housing and Human Services policies and procedures for hearings.
- c. The Hearing Officer will regulate the conduct of the hearing in accordance with BCHA's hearing procedures and the Plan.

5. Presentation of Evidence at the Hearing

BCHA and the family must have the opportunity to present evidence and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

6. Who May Attend the Hearing

In addition to the Hearing Officer, the following applicable persons may attend:

1. BCHA representative(s) and any witnesses for BCHA;
2. BCHA's legal counsel;
3. The participant and any witnesses for the participant;
4. The participant's counsel or other representative; and
5. Any other person approved by BCHA as a reasonable accommodation for a person with a disability.

7. Conduct at Hearings

The Hearing Officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the Hearing Officer and guidelines for conduct. Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the Hearing Officer.

8. Issuance of Decision

The Hearing Officer must issue a written decision within 10 business days from the date of the hearing, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing.

A copy of the hearing decision will be furnished promptly to the family.

9. Effect of the Decision

BCHA is not bound by a hearing decision:

- a. Concerning a matter for which BCHA is not required to provide an opportunity for an informal hearing under this Section, or that otherwise exceeds the authority of the person conducting the hearing under BCHA's hearing procedures.
- b. Contrary to HUD regulations or requirements, or otherwise contrary to Federal, State or local law.
- c. If BCHA determines that it is not bound by a hearing decision, it will notify the family within 10 business days of the determination and of the reasons for the determination.

10. Considering Circumstances

In deciding whether to terminate assistance because of action or inaction by members of the family, BCHA may consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

BCHA may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit, BCHA may permit the other members of a participant family to continue receiving assistance.

If BCHA seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within one year before the date that BCHA provides notice to the family of BCHA determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons BCHA will consider evidence of whether the household member:

- a. Has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol;
- b. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or
- c. Is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.

**Attachment E -
Homeownership Program**

DRAFT

In 2003 Boulder County Housing Authority amended the Housing Choice Voucher Administrative plan to allow for the special housing type Homeownership. The pilot program ran from 2003-2004 and voucher households that qualified as elderly/disabled were allowed to participate in the program. At the conclusion of 2004 the program was discontinued. As of 2023 BCHA continues to have three households remaining from that initial program.

DRAFT

**Attachment F -
Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare
Program Requirements**

DRAFT

Boulder County Housing Authority has operated a Family Self-Sufficiency Plan since 1984 originally as part of the pilot program (Project Self-Sufficiency). The BCHA FSS program is a joint program with Boulder Housing Partners (BHP) which runs a Moving To Work (MTW) program. At the beginning of July 2022, the BCHA FSS program has 58 HCV and 41 PBV. The Joint BHP FSS program has 35 PBV.

The educational goals of FSS participants are set and attained through the combination of financial assistance, case management, referral and linkage to community agencies that help with Academic Advising, Career Counseling, and in some cases, internships. Once education has been attained, FSS support specialists facilitate job search and job preparedness, and refer to other agencies that assist in this process.

Participants receive personal support and tailored guidance through their work with the FSS support specialist. Support specialists assist in the creation of a holistic life plan that can lead participants to a more desirable lifestyle. Support specialists address family, health, personal, financial and educational challenges that are key areas to troubleshoot while on the path to goal achievement. Support specialists refer participants to parenting/financial classes and professional counseling services that can aid them in their process toward attaining self-sufficiency. Participants are encouraged to attend a variety of life skills classes: Financial Workshops, such as, Budgeting on a Small Income or Thoughtful Money Management or parenting classes. FSS participants are encouraged to become involved with a variety of support networks and actively participate in community groups or in other activities in which they have an interest, such as, P.E.R.L. (People Engaged in Raising Leaders) training, Single-Parenting Support Groups or the Thrive Program.

As defined in the FSS Contract of Participation and for the purposes of the BCHA FSS program, "Self-Sufficiency" is defined as: maintaining suitable employment after the completion of a job training and/or academic program, being free of TANF for the last 12 months of FSS program enrollment, and moving toward the ultimate goal of being free of a housing subsidy. The Family Self-Sufficiency Program Action Plan governs and provide guidance to the operation of the program and can be found on our website at www.fssbouldercounty.org.

Boulder County Housing Authority's Administrative Plan for the housing choice voucher program details how income and assets are calculated and is in compliance with the regulations required under section 12(c) and (d) of the 1937 Act (42 U.S.C. 1437j(c) and (d)). For treatment of income changes in tenant-based assistance recipients resulting from welfare program requirements.

**Attachment G -
Significant Amendment and Substantial Deviation/Modification**

DRAFT

SIGNIFICANT AMENDMENT AND SUBSTANTIAL DEVIATION/MODIFICATION

As described in 24 CFR 903.21, the PHA may amend, modify or change any policy, rule, regulation or other aspect of its Annual or Five-Year Plan after submitting the plan to HUD. It further describes that if the modification or change is considered a "significant amendment" or "substantial deviation/modification" as defined by the PHA, then the PHA must comply with a number of requirements similar to those required at initial development and submission of the PHA Plan.

Although HUD has afforded PHAs local discretion in defining the terms "significant amendment and "substantial deviation, in the Final Rule for the PHA Plan, HUD indicated that these terms should be defined at the local level as part of the public participation in the PHA Plan process. The PHA must state the basic criteria for the definitions in its annual plan and must provide its definition of significant amendment and substantial deviation/modification in the appropriate section of the PHA Plan template or as an attachment to the PHA Plan.

Boulder County Housing Authority hereby defines "substantial deviation" and "significant amendment/modification" as any change in policy which significantly and substantially alters the Authority's stated mission and the persons the Authority serves.

This would include admissions preferences, demolition and/or disposition activities, and conversion programs. Discretionary or administrative amendments consistent with the Authority's stated overall mission and basic objectives will not be considered substantial deviations or significant modifications. If a significant amendment and/or substantial deviation/modification occur, the public process will include: consultation with the Resident Advisory Board, a public comment period, public notification of where and how the proposed change can be reviewed, and the approval by the Housing Authority Board.

**Attachment H -
Resident Advisory Board**

DRAFT

The Boulder County Housing Authority (BCHA) held a hybrid virtual/in person public hearing on Tuesday, October 1, 2024, from 9:30 AM to 10:00 AM inviting the public and residents to comment and participate in reviewing BCHA's 2025 Annual PHA Plan and PHA Five-Year Plan for 2025-2029. A subsequent virtual/in person public hearing on Tuesday October 1, 2024, from 10:00 AM to 10:30 AM was held to allow for public comment in reviewing BCHA's 2025 MTW Supplement.

Notices were published on BCHA's website and printed in the Longmont Times Call, The Daily Camera and the Mountain Ear (various local newspapers operating in Boulder County) on *[Date of publication will go here]*. *[Number of participants will go here in the final version of the plan]* in the public hearing for the 2025 Annual Plan. The Resident Advisory Board was convened to include resident input on the 2025 Annual Plan on *[Date of meeting will go here in final version of the plan]*.

Any BCHA voucher holder living in any rental in Boulder County and any BCHA tenant living in a BCHA owned unit with or without voucher assistance may participate on the Resident Advisory Board (RAB). At this time there is not a defined membership for the RAB. All voucher holders and tenants are encouraged to participate and invited to join. BCHA uses both text message and emails to reach out to tenants and voucher holders to invite them to participate. The RAB was convened in person on *[Date of the meeting and location will go here in the final version of the plan]* to review and comment on the 2025 Annual Plan.

The 2025 Annual Plan, Five Year Plan for 2025-2029 and 2025 MTW Supplement are published on BCHA's website for public review.

As these efforts demonstrate, all residents and the public have been given the opportunity to comment on the 2025 Annual Plan, Five Year Plan for 2025-2029 and 2025 MTW Supplement.

Resident comments:

[comments will go here in the final version of the plan]