

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

Notice: PIH 99-33 (HA)

Special Attention of:
Secretary's Representatives;
State/Area Coordinators;
Senior Community Builders;
Public Housing Directors;
Public Housing Agencies

Issued: July 30, 1999

Expired: July 31, 2000

Subject: Announcement of Availability of PHA Plan Template, Instructions and Supplemental Guidance on Preparation and Submission of PHA Plans on HUD Website; Announcement of Streamlining of Capital Fund and Public Housing Drug Elimination Program Planning Requirements.

Summary

This notice transmits information announcing the availability of an electronic template that PHAs must use to complete and submit the PHA 5-Year and Annual Plan (the PHA Plans) and additional guidance for completing the PHA Plans pursuant to the Interim Rule issued on February 18, 1999. The template, instructions and guidance referenced and transmitted in this Notice will be made available via HUD's new PHA Plans webpage at: <http://www.hud.gov/pih/pha/plans/phaps-home.html> This website will also be used to transmit additional information about the PHA Plans, as it becomes available.

This notice also serves as notification that the FY 2000 submissions processes for the Capital Fund Program and the Public Housing Drug Elimination Program (PHDEP) Plan for FY 2000 have been combined into the PHA Plan process. Information regarding this new submission process is stated in Attachment B, "Instructions and Supplemental Guidance for Preparation and Submission of PHA Plans."

Background

Section 511 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA) created the public housing agency plans -- a 5-year plan and an annual plan. The 5-year plan describes the mission of the agency and the agency's long range goals and objectives for achieving its mission over the subsequent 5 years. The annual plan provides details about the agency's immediate operations, program participants, programs and services, and the agency's strategy for handling operational concerns, residents' concerns and needs, programs and services for the upcoming fiscal year. Both planning mechanisms (the 5-year plan and the annual plan) require agencies to examine their existing operations and needs, and to design long-range and short-range strategies to address those needs.

Through this planning mechanism, agencies will make more efficient use of Federal assistance, more effectively operate their programs, and better serve their residents.

On February 18, 1999, HUD issued an Interim Rule implementing the PHA Plan. In that Interim Rule, HUD announced that it would develop software and “eventually require electronic submission of the PHA Plan...that would provide uniform formats and layouts...[which would] make for easier reading by HUD, the PHAs, and, most importantly, the public housing residents and the public.” During the public comment period, which closed April 19, 1999 and the public forum process (ongoing), HUD received several requests for additional clarification and guidance on the implementation of the Plan(s), including requests that HUD make software for completing the Plans available at no cost to agencies.

Implementation of the PHA Plan

The PHA Plan, as implemented in this notice, will serve as: 1) a planning tool for PHAs, 2) a community guide to the PHA’s policies, programs and activities, and 3) a streamlined submission to HUD of grant and programmatic information. Using the template, PHAs will provide responses to a number of structured questions designed to provide the most relevant data regarding local operations in a concise manner. Yet the Plan template also serves as a central reference point for very detailed information about the PHA. This is accomplished through the template’s listing of required “supporting documents” that must remain on display and serve as a resource library for the community, while eliminating the need for extensive submissions to HUD.

The PHA Plan template is currently provided as a word processing document that will be downloaded by PHAs, completed, and submitted to HUD via the Internet. As requested, this tool is being provided at no charge. HUD’s goal is to quickly transform the Plan into an on-line submission system that will further facilitate streamlined PHA submissions to HUD.

Information Transmitted in this Notice

Attachment A to this notice provides a list of information available on the HUD website. This information includes an electronic PHA Plan template that agencies will download from the website, complete and submit to HUD.

Attachment B “Instructions and Supplemental Guidance on Preparation and Submission of PHA Plans” provides instructions and supplemental guidance for preparing and successfully completing PHA Plans that meet the requirements of the Interim Rule.

/s/

Deborah Vincent for
Harold Lucas, Assistant Secretary
for Public and Indian Housing

Notice PIH 99-33
Attachment A
PHA Plan Website Resources

This Notice announces the availability of the PHA Plans website on the HUD Homepage. The address for this page is: <http://www.hud.gov/pih/pha/plans/phaps-home.html>

In keeping with HUD's move to an electronic government, the PHA Plan website will become the primary source of information and resources regarding the PHA Plans. In addition, this PHA Plans website will serve as the location from which agencies download the electronic PHA Plan template for their use in developing the Plans. Once completed and ready for submission, PHAs will transmit the electronic PHA Plans to HUD via the HUD web. After HUD approval, these Plans will be placed on display on this same webpage.

The following is a list of resources currently available on the PHA Plans website:

- PHA Plans Electronic Template (HUD 50075)
- PHA Plan certification forms to accompany the Plans
- Notice PIH 99-33, including Instructions and Supplemental Guidance on Preparation and Submission of PHA Plans (Attachment B)
- Instructions for downloading and submitting the electronic PHA Plan Electronic Template
- Links to other relevant websites, such as:
 - Quality Housing and Work Responsibility Act (QHWRA) website
 - PHA Plan Interim Rule of February 18, 1999

Notice PIH 99-33
Attachment B
INSTRUCTIONS AND SUPPLEMENTAL GUIDANCE FOR PREPARATION
AND SUBMISSION OF PHA PLANS

Overview

This guidance is designed to help PHAs prepare PHA Plans that meet the requirements specified in the February 18, 1999 *Public Housing Agency Plans; Interim Rule* (“Interim Rule”). The Interim Rule created 24 CFR Part 903, which is referenced in this Technical Guidance. In accordance with the Interim Rule, HUD is providing PHAs with an electronic template for the PHA Plans. This guidance provides instructions and supplemental guidance for creating and submitting the PHA Plan using that template.

Contents of Notice PIH 99-33 Attachment B:

Section 1	PHA Plans Preparation, Submission and Public Display Requirements
Section 2	Relationship of Plan Components to other Regulations
Section 3	Instructions for Completing the PHA Plans: General
Section 4	Instructions for Completing the PHA Plans: Content
Section 5	Certifications for the PHA Plans
Section 6	Supplemental Guidance on Preparing PHA Plans

1. PHA PLANS PREPARATION, SUBMISSION AND PUBLIC DISPLAY REQUIREMENTS

1.1 Use of the PHA Plans Electronic Template

HUD has developed an electronic template that PHAs must use to prepare and submit their PHA Plans (HUD-50075). When prepared in accordance with the instructions provided in this Notice, the template provides PHAs with a format for their PHA Plans that will meet the requirements of the PHA Plans Interim Rule. Electronic submission of PHA Plans in this format also enhances public access to PHA Plans because it will permit HUD to publish approved PHA Plans on the Internet. PHAs may elect to prepare and make available plans in a different format from that of the PHA Plan template. However, only PHA Plans in the HUD-50075 format are considered to be the PHA Plan specified in the PHA Plan Interim Rule, and must be used for purposes of public display and submission to HUD.

1.2 Instructions for Accessing the PHA Plans Template

The PHA Plans template, certification forms and technical instructions for their use are available from HUD's PHA Plans website found at:

<http://www.hud.gov/pih/pha/plans/phaps-home.html> The template is available in several versions of commonly-used word processing software (Microsoft Word, WordPerfect, and Rich Text Format) and as read-only files (PDF). The certifications are available as fillable forms. PHAs that do not have access to the Internet or experience extreme difficulty in accessing the PHA Plans website may contact their local HUD Field Office or Troubled Agency Recovery Center (TARC) to request electronic copies of these files.

1.3 Submission of PHA Plans

Once completed, PHAs will transmit their PHA Plans to HUD via the Internet. Directions for Internet submission are available on the PHA Plans website. These instructions include instructions for naming the PHA Plans and any electronic attachments (also called "naming conventions"). File naming instructions must be followed to ensure successful transmission of the PHA Plans.

If a PHA cannot transmit the Plans electronically through the protocol specified by HUD, it may send a hard copy of the Plans and an electronic copy of the template file on a floppy disk to HUD. However, this package must be accompanied by a certification that the PHA is unable to transmit the Plan electronically because the PHA does not have access to the Internet at either the PHA or through other locally-available resources (such as a local library or a fee accountant).

The PHA Plan will not be considered ready for review until the following documents have been received at the relevant HUD field office or TARC:

- The electronic PHA Plans, including any attachments (HUD 50075) (whether via the Internet or mailed floppy disk)
- PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations
- State or Local Certification of Consistency with the Consolidated Plan

PHAs must submit hard (paper) copies of signed certification documents. PHAs may also send hard copies of attachments that have not been incorporated into the text of the Plan/s in the template.

1.4 Due Date of Submission; Extension for January 1, 2000 PHAs

As stated in the Interim rule, complete PHA Plans packages must be submitted to HUD 75 days in advance of the PHA fiscal year beginning.

Special Case: HUD has extended the due date for submission of PHA Plans for PHAs with fiscal years beginning on January 1, 2000 from October 18, 1999 to December 1, 1999. The PHA Plans for these PHAs must still address plans, policies and operations in effect for fiscal years beginning January 1, 2000. PHAs in this category may submit plans prior to December 1, 1999 at their option. This extension will only apply for PHA fiscal year 2000.

1.5 Public Display Requirements for the Plans and Supporting Documents

At a minimum, the PHA Plans (including any attachments) and supporting documents (see “Instructions” must be available for inspection by the public at the principal office of the PHA during normal business hours, both during the public review period prior to the board hearing and submission to HUD and after HUD approval of the PHA Plans.

HUD encourages PHAs to make the PHA Plans available at the principal business office/s of the jurisdiction/s served by the PHA if different from the PHA principal office (or of several of the jurisdictions served by the PHA if the PHA covers a large jurisdiction). PHAs are also encouraged to make the PHA Plans and attachments available at other public locations, such as libraries or community centers

The Department recognizes that some PHAs with fiscal years beginning January 1, 2000 may have already made plans in other formats available for public inspection in anticipation of scheduled public hearings. PHAs will be considered to have met the requirements for public display of the PHA Plan provided that the PHA meets the following requirements: 1) the PHA has completed the PHA Plan (HUD 50075), made the PHA Plan and all supporting documents required by this Notice available for review and published a notice of their availability as soon as possible, 2) the PHA has distributed the PHA Plan (HUD 50075) to the Resident Advisory Board as soon as possible, and 3) the policies and programs referenced in previously-distributed plans are not materially different than that in the PHA Plan (50075). PHAs exercising this option should keep documentation that they have met these requirements on file. This option is only available for PHA Plans due for submission to HUD for fiscal years beginning on January 1, 2000.

2. RELATIONSHIP OF PLAN COMPONENTS TO OTHER REGULATIONS

2.1 Applications for FY 2000 Capital and Public Housing Drug Elimination Program Funding

The Interim Rule announced HUD's intent to combine planning requirements for the Capital Fund and Public Housing Drug Elimination Program (PHDEP) formula grant programs into the PHA Plan process in order to streamline submission processes for PHAs. The Interim Rule stated that HUD would notify PHAs when such streamlining was put into effect. This document notifies PHAs that the PHA Plan will serve as the planning document and submission for receipt of Federal Fiscal Year (FFY) 2000 Capital Fund grants. This notice also announces that PHAs may elect, and are encouraged, to submit the "PHDEP Plan" that is required for receipt of FFY 2000 Public Housing Drug Elimination Program grants with their PHA Plan. See the "Instructions for Completing the PHA Plans" in this notice for additional instructions for completing the Capital Fund Annual Statement and the PHDEP Plan.

2.2 Phase-in of New Regulations Implementing the Public Housing Reform Act

HUD will continue to issue regulations implementing the Public Housing Reform Act over the next few months. Because the PHA Plans address a time after which several new provisions of the Public Housing Reform Act will become effective, PHAs are encouraged to tailor their Plans to activities and policies they will offer under the new law. The Instructions for Completing the Plan provide additional guidance for PHAs.

Certain components of the PHA Plan will not be required until related final or interim regulations are issued, and are therefore inactive for the purposes of the PHA Plan. Until guidance to the contrary is issued, the following Plan components are inactive: statements as to how the PHA will comply with the requirements of section 12(c) of the U.S. Housing Act of 1937 (related to community service by public housing residents); statements of the conversion of public housing to tenant-based assistance pursuant to sections 22 (voluntary) and 33 (required) of the U.S. Housing Act of 1937; policies to permit pets in family developments; and inclusion of consortium agreements (where applicable).

Components that are inactive for January 1 PHAs (for either the reasons described above or because they ask PHA to report progress after one year of operations under the PHA Plan) are either not included or "reserved" in the PHA Plan template. These components will be added to the future releases of the template as they become active.

2.3 Status of Special Applications: Component 8 (Demolition/Disposition), Component 9 (Designation of Public Housing), Component 10 (Conversion of Public Housing to Vouchers pursuant to the Quality Housing and Work Responsibility Act of 1998 (the Public Housing Reform Act)) and Component 11a (Public Housing Homeownership activities)

Before undertaking any of new activities specified in components 8, 9, 10, or 11A of the Annual Plan, PHAs must submit and receive approval of an application from HUD. For demolition/disposition, designation, and conversion of public housing, and homeownership actions in public housing, such applications must be made to the HUD Special Applications Center (SAC). However, before or at the time the PHA submits a Demolition/Disposition or Conversion (pursuant to the Public Housing Reform Act) application to HUD, it must notify the public of its intent to do so through the relevant components of the PHA Plan. ***This statutory requirement applies to all PHAs, including those otherwise eligible to submit streamlined plans.***

All completed applications (those already approved by or submitted to HUD) must be made available as supporting documents to the Plan (see section 5 of this Technical Guidance). At their option, PHAs may submit *new* applications for demolition and/or disposition, designated housing, conversion and public housing homeownership to the HUD field office simultaneously as attachments to the Plan. As with all attachments, such new applications must be made available for public inspection along with the Annual Plan. ***However, the PHA's official application(s) must be submitted to the HUD Special Application Center (SAC). Approval of the Annual Plan will not constitute approval of a simultaneous application.***

3. INSTRUCTIONS FOR COMPLETING THE PHA PLANS: GENERAL

3.1 General Instructions

Instructions for completing each component of the PHA Plans are embedded in the text of the PHA Plans template. PHAs should respond as instructed to all components and questions in the PHA Plans, unless instructed otherwise or the questions are not applicable to the programs operated by the PHA. Instructions in the PHA Plans text indicate which PHAs are exempt from an individual component or question due to streamlined status.

In some instances, PHAs may be required or wish to provide brief narrative responses to questions (usually indicated by phrases “[Provide Response Here]” or the terms “list” or “describe”). ***Narrative statements typically need not exceed one or two sentences or a simple list.*** In a few instances, HUD also specifies or offers PHAs the option to submit statements using a table (e.g., the Capital Fund Program Annual Statement). Several tables have been provided for a PHA's use in a “Table Library” located at the end of the template file. These tables may be retained at the end of the document as an attachment and referenced in the response to the component, or cut and pasted into an appropriate component of a Plan.

While most instructions are embedded in the template, more detailed instructions and information have been provided in this document where warranted. PHAs must respond to all required information contained in these Instructions as well as on the template.

3.3.1 Formatting and word processing tips:

Where possible, HUD has provided fillable checkboxes and “fields” in the template. Where provided, PHAs may “double click” on the checkboxes, change the Default Value to Checked, then click OK. This will place an "X" in the checkbox automatically. PHAs can also simply type a response to checkboxes and text fields by “clicking” on them and typing as normal.

Where checkboxes and fillable spaces have not been provided, it is recommended that PHAs use the “insert” mode in its word processing software to “select” responses offered in the PHA Plan, or to provide information above an underlined space. Narrative and listed responses should not, however, be provided in insert mode, as the responses will overwrite text in the PHA Plans template.

Pagination and section labels, as well as the PIH form and OMB clearance number have been provided in the “footer” of the document. PHAs may customize pagination and section labels, but should not remove the form numbers. PHAs may customize headers as they wish.

3.2 Use of Attachments

In the instructions for completing the Plans in this document and in the Table of Contents for the Annual Plan, HUD has specified certain information that may be provided as an attachment to the PHA Plan rather than embedded in the main body of the PHA Annual Plan text, for example, Capital Fund Program Annual Statement Tables. All such attachments are considered to be **part of** the PHA Plan for purposes of public display, submission and review by HUD and all certifications that the PHA makes regarding the PHA Plan will extend to attachments.

Attachments should be provided at the end of the electronic template in the “Attachments” section if possible. However, PHAs may choose to submit some attachments as separate files to HUD. The PHA Plans website provides instruction on the naming conventions applicable to Attachment files. These instructions must be followed to ensure successful transmission of these files to HUD. All attachments to the Plan should be labeled (e.g., “Attachment A”) and listed sequentially in the Table of Contents.

3.3 Explanation of Supporting Documents

Supporting documents” are documents and exhibits that are made available with the PHA Plans for local inspection, but are not submitted to HUD for review. There are two kinds of supporting documents: “required” and “optional”.

3.3.1 Required Supporting Documents

In order to fulfill the Plan’s role as a comprehensive statement of the PHA’s policies and operations, HUD requires PHAs to provide documents containing such information for display and public inspection with the PHA Plans. A complete list of required supporting documents has been included in the Table of Contents of the Annual Plan. **All PHAs must have all of the listed supporting documents and must make them available for public review, unless the documents are inapplicable to the programs administered or the activities conducted by the PHA.** If the policies described in the PHA Plan are not reflected in the supporting documentation (for example, because the PHA does not plan to implement changes and amend its rent policies until after the issuance of final regulations), the PHA **must** alert readers of this difference in the supporting documentation made available for review via a cover letter, indications in the documents or similar mechanism.

All required supporting documents are subject to normal HUD review and audit, but PHAs **do not** submit supporting documents to HUD as part of the PHA Plan and they are not part of the PHA Plan itself.

3.3.2 Optional Supporting Documents

PHAs are encouraged to include other instructive information for the public as optional supporting documents. Examples of optional supporting documents would include a comprehensive agency budget or maps displaying the location of proposed public housing redevelopment activities. Optional supporting documents must be listed in the Table of Contents, but will not be reviewed by HUD.

3.4 Requirements of Streamlined and Troubled Agency Plans

As stated in the February 18, 1999 Interim Rule implementing PHA Plans, the PHA Plans consist of a 5 Year Plan and an Annual Plan. This Interim Rule also permits high-performing and small, non-troubled PHAs, and those that operate only section 8 tenant-based assistance (“section 8 only” PHAs) to develop streamlined PHA Annual Plan submissions to HUD and permits HUD to require additional information of troubled and at-risk agencies of any size. (See 24 CFR Part 903.11 in the Interim Rule for definitions of eligible PHAs.)

Streamlined submissions for high-performing and small PHAs exempt eligible PHAs from submitting full statements in certain components of the Annual PHA Plan for HUD review. However, these PHAs must: meet public display requirements for all supporting documents that are applicable to the programs and activities administered by the PHA. A PHA that is both small and high performing may submit the streamlined Plan for high-performers.

The Streamlined Plan submission for section 8 agencies omits the components of the Annual PHA Plan that pertain solely to the operation of public housing. Under applicable law, section 8 only agencies are not eligible to submit high-performer plans.

PHAs that have been designated as troubled or at risk of being designated troubled must complete all components of a standard PHA Plan and may be required to submit additional information by their Troubled Agency Recovery Centers (TARCs).

The table below displays the components of the 5 Year and Annual Plan contained in standard and streamlined plans. Shaded areas of the table indicate components of the Plan for which a full submission is not required. Instructions in the PHA Plan template also indicate which components of the PHA Plan streamlined agencies do not have to complete.

Components of the PHA Plan Requiring Full Submission, by Type of Plan				
Key: X = Full submission required; Shading = streamlined submission				
Component	Streamlined Plans			Standard Plans
	High-Performing	Small	Section 8 only	
PHA Identification Page	X	X	X	X
5-Year Plan (24 CFR part 903.5 (all components))	X	X	X	X
Annual Plan (24 CFR Part 903.7)				
i Executive Summary	X	X	X	X
ii Table of Contents	X	X	X	X
1. Housing Needs	X	X	X	X
2. Financial Resources	X	X	X	X
3. Policies on eligibility, selection and admissions	X	X	X	X
4. Rent Determination Policies	X	X	X	X
5. Operations and Management Policies				X
6. Grievance Procedures			X	X
7. Capital Improvement Needs	X	X		X
8. Demolition and Disposition	X	X		X
9. Designation of Housing				X
10. Conversions of Public Housing				X
11. Homeownership		Section 8 only	Section 8 only	X
12. Community Service Programs			X	X
13. Crime and Safety	PHDEP Application only	PHDEP Application only		X
14. Pets (Inactive for January 1 PHAs)	X	X		X
15. Civil Rights Certifications (included with PHA Plan Certifications)	X	X	X	X
16. Audit	X	X	X	X
17. Asset Management				X
18. Other Information	X	X	X	X
PHA Plan Certifications	X	X	X	X
Certification of Consistency with the Consolidated Plan	X	X	X	X

4. INSTRUCTIONS FOR COMPLETING THE PHA PLANS: CONTENT

General

Instructions in this section follow the order of the PHA Plans template. Text in italics are suggestions or examples, and are not required for submission.

Information provided in the Plans is to cover the period beginning with the upcoming PHA fiscal year, and PHAs may therefore report policies and activities that they expect to employ but may not yet have in place.

i. Annual Plan Type: Indicate the type of Annual Plan being submitted. Please contact the field office or TARC if you have questions regarding the type of PHA Plan the PHA is eligible to submit.

ii. Executive Summary: The executive summary should be a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in its Annual Plan. The summary should also relate the activities described in the Annual Plan to the Mission and Goals of the 5-Year Plan and should explain any deviations of these activities from the 5-Year Plan.

iii. Annual Plan Table of Contents: The Annual Plan Table of Contents includes listings of required and optional attachments as well as a comprehensive list of supporting documents. PHAs must indicate the availability of supporting documents by placing a mark in the “Applicable and on Display” column of the supporting documents Table of Contents.

Component 1: Statement of Housing Needs

1A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

PHAs with multiple jurisdictions may combine the statement of housing needs for all jurisdictions or provide one table for each jurisdiction, copying this table as many times as necessary.

Definitions:

Race and ethnicity categories: To complete the table, PHAs should replace the categories “Race/Ethnicity” with actual race and ethnicity categories for any such groups with disproportionate needs in comparison to the needs of the category as a whole. The definition of disproportionate need for the PHA Plan is the same as that used in the Consolidated Plan: disproportionate need exists when the percentage of persons in a category of need who are members of a particular race or ethnic group is at least 10 percentage points higher than the percentage of persons in the category as a whole. Use as many lines as necessary to describe such groups.

Income categories: These are defined as a percentage of Area Median Income (AMI) as adjusted by HUD. See 24 CFR, Part 5 for definitions.

Overall Needs: Total estimated number (or percent of all families in category) of each specified type of family with some housing need.

Other Characteristics of Need:

Rate the impact of the following characteristics of the supply of units on the creation/continuation of housing needs, from 1 - 5, with 1 being “no impact” to 5 being “severe impact” .

- Affordability: problems with rent burden (rent comprising greater than 30% of income) and/or severe rent burden (rent comprising greater than 50% of income)
- Supply: Shortage of units available for occupancy
- Quality: prevalence of units in substandard physical condition.
- Accessibility: lack of units that are accessible to persons with disabilities.
- Size: mismatches between units available and family sizes.
- Location: extent to which the supply of units available limits housing choices for families to particular locations, notably areas of poverty/minority concentration

Source of Information:

PHAs may obtain this information from the Consolidated Plan for their jurisdiction. PHAs that are not in a city or county with its own Consolidated Plan may include information from the Consolidated Plan for the State. PHAs whose jurisdictions encompass more than one Consolidated Plan jurisdiction should include information from all applicable Consolidated Plans. If the needs expressed in the Consolidated Plan do not accurately reflect the housing needs of families in the jurisdiction, PHAs may supplement Consolidated Plan information with other reliable data, stating the source of such data. See Section 6 of this document for a discussion of additional sources of information.

1B. Housing Needs of Families on the Public Housing and Section 8 Tenant Based Assistance Waiting List/s

PHAs should complete one PHA-wide table for each program-wide waiting list. While PHAs are not required to complete one table for each waiting list maintained, PHAs may choose to provide waiting list data for individual site-based waiting lists. PHAs are not required to change data verification procedures for the purpose of completing the this table. PHAs should replace the categories “Race/Ethnicity” with actual race and ethnicity categories captured in PHA records. Use as many lines as necessary.

Component 2. Financial Resources

When stating the amount of grants made available to the PHA in its fiscal year 2000, the PHA must state the amount of the anticipated Federal fiscal year 2000 award. If the actual amount of grant and other resources is unknown at the time of Plan development, the PHA shall provide estimates based upon amounts made available in previous years or other information available to the PHA. In both Operating Subsidy and Tenant-Based Section 8 Assistance, state the amount to be awarded during the PHA fiscal year addressed in the PHA Plan. PHAs must estimate the amount of funds awarded in the Capital Fund or PHDEP programs as instructed in the applicable sections of this Technical Guidance.

Component 3: Policies Governing Eligibility, Admissions and Occupancy

For purposes of this Plan, until further notice, PHAs should use the requirements set forth in the April 30, 1999 *Proposed Rule on Changes to Admission and Occupancy Requirements in the Public Housing and Section 8 Housing Assistance Programs* as guidance.

A. Public Housing

(2) Waiting List Organization; c. Site Based Waiting Lists

PHAs proposing to implement new site based waiting lists must certify to compliance with the specific requirements for site based waiting lists on HUD-proscribed forms, and must follow all site-based waiting list requirements outlined in the Interim Rule, 24 CFR 903.7(c)(1).

Because this is the first year that site based waiting lists will be reviewed and approved in the PHA Plans, the PHA is not required to submit the annual assessment of changes in racial, ethnic or disability-related tenant composition at each PHA site. Such a submission will be required in subsequent years. **However, PHAs should draw necessary baseline data from MTCS at the commencement of their site-based waiting list policy in order to facilitate and support the required assessments at the conclusion of the first year of implementation.**

(6) Deconcentration and Income Mixing

For guidance on HUD requirements regarding this section, see the 2/18/99 *Quality Housing and Work Responsibility Act; Initial Guidance; Notice* in the Federal Register, (Vol. 64, No. 32), the PHA Plan Interim Rule and any subsequent guidance.

Component 4: PHA Rent Determination Policies

For purposes of this Plan, until further notice, PHAs should use the requirements set forth in the April 30, 1999 *Proposed Rule on Changes to Admission and Occupancy Requirements in the Public Housing and Section 8 Housing Assistance Programs* as guidance.

Component 5. Operations and Management

5C. Management and Maintenance Policies

(1) Public Housing

Guidance: Examples of management policies would include personnel policies, procurement policies, and asset disposition policies. Examples of maintenance policies would include the PHA's maintenance plan and schedule of maintenance charges.

Component 7 Capital Improvement Needs

7A. Capital Fund Activities

(1) Capital Fund Program Annual Statement

FY 2000 Capital Fund Submissions

The FY 2000 Annual Plan is the PHA's submission for receipt of Federal fiscal year 2000 Capital Fund formula grants (provided under section 9 of the U.S. Housing Act of 1937, as amended by section 519(a) of the Quality Housing and Work Responsibility Act of 1998 (USHA)). No separate public process will be required. In a separate notification, HUD will notify PHAs of any additional documentation that HUD will require prior to the commitment of FY 2000 funds. PHAs should not send any other Capital Fund documentation to HUD prior to issuance of such a notice, unless requested by HUD.

Until notified of their actual formula share of the Capital Fund, PHAs may use estimated funding amounts in developing this Annual Statement. PHAs that participated in the Comprehensive Grant Program in FY 1999 should base the estimate of funding available in FY 2000 upon the average of their federal fiscal

year 1998 and 1999 grants. For PHAs that received capital formula funding for the first time in FY 1999 (former CIAP agencies), estimates should be based on 92 percent of the FY 1999 award (the percentage representing the average of the amount received in FY 1999 and the amount that would have been provided in FY 1998, based on that year's appropriation).

In preparing the Capital Fund Program Annual Statement, PHAs should be aware of the following information. Eligible expense categories are those specified in Section 9(d) of the U.S. Housing Act of 1937 (USHA), as amended by section 519(a) of the Quality Housing and Work Responsibility Act of 1998. Limitations of the use of Capital Fund grants are specified in section 9(g) of the USHA, including partial flexibility for Capital Fund amounts as specified in section 9(g)(1) of the USHA and full flexibility for certain PHAs operating less than 250 public housing dwelling units as specified in section 9(g)(2) of the USHA. PHAs are subject to the obligation and expenditure requirements of section 9(j) of the USHA, as well as current HUD requirements. Notwithstanding the provisions of part 9(j) of the USHA, HUD will still require PHAs to notify the public and HUD if they expect the obligation time frame for any amounts to exceed 18 months (see instructions for completing part III of the Capital Fund Program Annual Statement).

Completing the FY 2000 Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year. PHAs may complete this statement by using either the CFP Annual Statement tables provided at the end of the PHA Plan template. PHAs may also use any properly-updated electronic version of the HUD-52837, Parts I, II, and III. If used, the HUD-52837 form may be submitted as a separate attachment to the PHA Plan.

On the Part I table, provide a program-wide summary of budget categories. On the Part II table, identify each development in which the PHA plans to conduct capital improvements and provide a brief description of the work planned, its estimated cost, and development account number. On the part III table, identify the estimated timeline for obligation and expenditure for each activity only. This estimate on the Part III table is required only if the timeline extends beyond the HUD's obligation (18 month) and expenditure (36 month) deadlines. In both Parts II and III provide a general description of any agency-wide activities after identifying each development-specific activity. (e.g., management improvements).

(2) Optional 5-year Action Plan

PHAs are strongly encouraged to submit a 5-year Action Plan for the Capital Fund as good management practice. Providing the public with notification of a range of work items that may be completed with available funding over the next five years will also minimize the number of substantial deviations from planned activities that would necessitate additional public approval processes, and may facilitate early release of funds in future years by establishing approved work items for such years.

The 5-year Capital Fund Action Plan should include the following information for each development and PHA-wide activity planned for the next 5 PHA fiscal years: development name, development number, number of vacant units, percentage of vacancies in development; description of needed physical improvements or management improvements, estimated cost and planned start date of needed improvements; and total cost of all improvements per development or activity.

PHAs may complete this statement by using the 5-Year Capital Fund Action Plan optional table provided at the end of the PHA Plan template. PHAs may also use any properly-updated electronic version of the HUD-52834. If used, the HUD-52837 form may be submitted as a separate attachment to the PHA Plan.

Component 12: PHA Community Service and Self-Sufficiency Programs

B. Services and Programs Offered to Residents

1. General

Examples of services and programs include: job training programs, education programs, child care, medical clinic, or employment office.

Resident Services Table definitions:

- **Program Name and Description:** self-evident; may include location, if appropriate;
- **Estimated Size:** number of families served
- **Allocation Method:** the manner in which the services are allocated, may be characterized as “waiting list” “random assignment” “specific criteria” or “other”
- **Access:** what organization/person should an interested person contact to obtain information about the program
- **Eligibility:** public housing residents, section 8 participants or both

2. Family Self-Sufficiency

In estimating the number of required participants, the PHA should consider any reduction in minimum program size resulting from attrition of participants the PHA expects to successfully complete FSS before the beginning of the PHA's fiscal year. The actual number of participants at the time of PHA Plan development may include participants from HUD FSS programs conducted at the option of the PHA.

Component 13. Safety and Crime Prevention Measures

D. Additional information as required by PHDEP/PHDEP Plan.

Subject to issuance of a final rule, HUD expects that the application for Federal fiscal year 2000 Public Housing Drug Elimination Program (PHDEP) formula funds will be submitted with the PHA Annual Plan. There will be no separate public process. All eligible PHAs will be required to submit a PHDEP Plan prior to receipt of FY 2000 PHDEP funds. While it is not required that PHAs with fiscal years beginning on January 1, 2000 include the PHDEP Plan in the PHA Plan, inclusion of such PHDEP Plan is recommended. In final rules on the PHA Plan and PHDEP, HUD will require PHAs to include the PHDEP Plan with the PHA Plan.

PHAs with fiscal years beginning January 1, 2000 may meet their PHDEP requirements in one of two ways: 1) submit a PHDEP Plan with this PHA Plan or 2) delay submission of the PHDEP Plan until the date specified in forthcoming final regulations. PHAs that chose to submit a PHDEP Plan with this PHA Plan may prepare such PHDEP Plans according to the guidelines specified in *Section III, Submission Requirements* of the May 12, 1999 Federal Register Notice *Withdrawing and Reissuing FY 1999 Notice of Funding Availability for the Public Housing Drug Elimination Program*. In estimating the amount of funding available for FY 2000 activities under this section, PHAs should assume the same amount of funding received in FFY 1999. In a separate notice, HUD will notify PHAs of any additional documentation that HUD will require from the PHA prior to the commitment of funds. For these PHAs, submission of such additional documentation will not constitute a significant amendment for the PHA Plan for FFY 2000.

January 1 PHAs that delay submission of the PHDEP Plan until dates specified in the PHDEP final rule will be required to prepare a PHDEP Plan according to the final rule. For purposes of this FFY 2000 submission, PHA submissions of a PHDEP Plan will not constitute a substantial amendment of the PHA Plan.

18. Other Information required by HUD

B. Resident on the PHA Board

For purposes of this component, PHAs should follow the *Public Housing Agency Organization; Required Resident Membership on Board of Directors or Similar Governing Body; Proposed Rule* which was published in the June 23rd, 1999 Federal Register as guidance.

C. Description of Consistency with the Consolidated Plan

If the PHA operates in multiple Consolidated Plan jurisdictions, the PHA must provide a separate consistency statement for each one. Copy the questions provided as many times as necessary.

Table Library

Contents of Table Library (in order of appearance):

- Capital Fund Program Annual Statement, Parts I, II, and III (Component 7A)
- Optional 5-year Action Plan for Capital Fund Program Table (Component 7B)
- Optional Public Housing Asset Management Table

Explanation of the use of each of these tables is contained in the content instructions for the corresponding Plan Component, with the exception of the Public Housing Asset Management Table. Instructions for completion of that table are provided below. Before submitting the PHA Plans to HUD, PHAs should delete any unused tables in the Table Library.

Optional Table: Public Housing Asset Management

The template's table library provides an optional table for Public Housing Asset Management. It can be used to represent many development-specific activities such as capital improvements, demolition, homeownership, etc. While this table is not required, PHAs may find completing it is less burdensome than including the information under each element. In addition, the table provides the public a clear picture of the PHA's planned activities and should be especially helpful to inform residents of the activities the PHA's plans for their development.

This table may be used to satisfy the requirements of Components 8, 9, 10, and 11A. To satisfy the requirements of these sections, the PHA must supply the information in each of the Activity Descriptions for those sections, except those in "Block 1" of each Activity Description. PHAs may repeat information provided in section 7 on the table in order to provide a clear picture of activities to the public, but the table may not substitute for the completion of component 7A. PHAs may also provide a description of asset management

initiatives to improve the viability of the development, such as project-based budgeting or private management, that could have been provided in Component 17. Because the table has a specific column for development identification information (name, number, location), that information should not be included in each box. (Agency-wide initiatives under components 7 and 17 should be identified as such.)

In completing the table the PHA should list the activity under the category it best fits based on the type of activity, not the source of funding. For example, HOPE VI activities that include demolition of public housing and development of mixed income housing should be listed both under demolition and development/replacement. If the PHA chooses to use the table, it should use the term “not applicable” or “NA” for any activity category that it is not applicable to a given development. It should use the term “component not applicable” or “CNA” for any activity category that does not have to be described because it not required for the agency’s streamlined plan.

5 CERTIFICATIONS

General

The certification forms provided apply to both the 5 Year and Annual Plans, and should be completed as such.

PHA Plan Certifications

These certifications must be completed on a HUD-prescribed form.

State or Local Government Certification of Consistency with the Consolidated Plan

The State or Local certification of consistency must be made by the appropriate state or local officials that the PHA Plan is consistent with the Consolidated Plan/s. If the PHA is located in more than one jurisdiction, it must include a certification from each appropriate official. PHAs must use the form provided for this statement.

See Section 6 of this document for additional guidance on ensuring consistency with the Consolidated Plan.

6 SUPPLEMENTAL GUIDANCE FOR PREPARING PHA PLANS

Inter-Agency Collaboration on the Plan

Although PHAs are not yet able to form HUD-recognized consortia until the issuance of guidance implementing those provisions of law, PHAs are encouraged to cooperate and coordinate activities to achieve efficiencies in operations and eliminate duplication of local efforts. For example, PHAs may begin immediately to work together on a regional basis to formulate coordinated strategies to address the needs of the families they serve.

Ensuring Consistency with the Consolidated Plan

PHAs are strongly encouraged to engage in collaborative and cooperative efforts with appropriate Consolidated Plan agencies in developing the PHA Plan and the strategies described within. In addition, PHAs are encouraged to participate in any discussions held by the local jurisdiction in the development of the Consolidated Plan, which is being updated in FY 2000.

Collaborative efforts will assist both PHAs and Consolidated Plan agencies in developing better plans and fulfilling statutory mandates. PHAs are required to obtain a certification of consistency from the Consolidated Plan agency with regard to the PHA Plan. Early communication will facilitate that process. In addition, the Consolidated Plan may serve as the best source of information required to develop statements of housing needs of families in the jurisdictions they serve. PHAs that identify family housing needs not already addressed by the Consolidated Plan, should work with the responsible agency to ensure that such analyses are fully representative of the communities they serve.

Consolidated Plan agencies will also benefit from the input of PHAs. The Public Housing Reform Act has strengthened the ties between the Consolidated Plan and PHAs. Consolidated Plan agencies are now required to state how they will address the needs of public housing. Consolidated Plan agencies that share a jurisdiction with troubled agencies are further required to state how they will help improve the performance of such agencies. This can be done by working with the troubled agency and HUD representatives to identify and address key strategies for the recovery of those troubled PHAs.

Resources for identifying the housing needs of the jurisdiction

In completing this section, PHAs should use the most recent, accurate data on housing needs available to them. While PHAs are welcome to undertake studies of the housing needs for families, they are encouraged to first identify all potential sources of information that are available to them. Some potential sources of this information are listed below.

The Consolidated Plan of the Appropriate State or Local Jurisdiction(s): The primary source of data for this Plan element may be the most recent Consolidated Plan of the jurisdiction or jurisdictions served by the PHA. The Consolidated Plan agency's analysis of its housing market and needs should be based upon HUD-provided U.S. Census data

(referred to as the Comprehensive Housing Affordability Strategy or “CHAS” data) and/or other reliable sources identified by the jurisdiction, such as consultations with service providers and organizations.

State and Local Governments: In addition to providing PHAs with copies of the Consolidated Plan, jurisdictions may be able to provide PHAs with other sources of information for conducting analyses of the housing needs of the jurisdiction. For example, the jurisdiction may provide maps and other data displaying relevant housing market information--such as percentage of units available at the fair market rent level--across the jurisdiction.

Census and other survey data: One potential source of housing needs data is the CHAS data mentioned above available for PHA use. This data, based on the 1990 Census, provides estimates of housing needs stemming from worst-case housing needs (rent burden and substandard housing) for families of various income levels and types (small/large/elderly/families with disabilities/renters/owners/various races and ethnicities). This data was distributed by HUD to agencies that developed a CHAS in 1994, and may be available from these agencies today. Another source of data for selected communities is the American Housing Survey, available through the HUD Internet Homepage (<http://www.hud.gov>).

PHA Program Data: PHAs are likely to gather information upon which to support a housing needs analysis in the normal course of business. For example, data gathered to support rent reasonableness studies and the establishment of flat rents and payment standards are likely to provide insight into housing needs created by factors such as affordability, supply and even size of units. PHAs using program data in their analysis should make sure to document it so that it may be put on display with other housing needs information.

HUD: HUD is striving to make additional resources available to PHAs to assist them in these analyses. As data becomes available, notices will be published on the PHA Plans website. PHAs should check into the website frequently for this and other news regarding the Plans.