2018-2019 Annual PHA Plan

Submitted to the U.S. Department of HUD
April 17, 2018
2018 Annual PHA Plan

Table of Contents

- HUD Form 50075 ...........................................................................................................Pg.1
- Attachment A – Revised HCV Eligibility Criteria.......................................................Pg.8
- Attachment B – ACOP revised (Non-Smoking Policy)...............................................Pg.21
- Attachment C – HABD Homeownership Program......................................................Pg.28
- Attachment D – HABD FSS & Community Service Programs..............................Pg.29
- Attachment E – Safety & Crime Prevention...............................................................Pg.30
- Attachment F – Summary of Mixed Finance, Modernization & Development ..........Pg.31
- Attachment G – Summary of Demolition-Disposition Activities............................Pg.32
- Attachment H – Summary of Activities related to Elderly and or Disabled Designations.... Pg.33
- Attachment I – Summary of RAD Conversion Activities........................................Pg.34
- Attachment J – Summary of Non-Smoking Policy.....................................................Pg.37
- Attachment K – Summary of Activities related Project-Based Vouchers...............Pg.43
- Attachment L – Summary of Other Capital Grant Programs..................................Pg.44
- Attachment M – Executed 50077 Certification.........................................................Pg.45
- Attachment N – 2017 Progress/Update toward Agency Goals...............................Pg.46
- Attachment O – Summary of CPAB Comments......................................................Pg. 49
- Attachment P – Executed form HUD 50077-SL Certification of Consistency With the City of Birmingham Consolidation Plan ..........................................................Pg. 52
**Annual PHA Plan**  
**(Standard PHAs and Troubled PHAs)**

**U.S. Department of Housing and Urban Development**  
**Office of Public and Indian Housing**  
**OMB No. 2577-0226**  
**Expires: 02/29/2016**

**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, 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.** Form HUD-50075-ST. is to be completed annually by STANDARD PHAs or TROUBLED PHAs. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form.

**Definitions.**

1. **High-Perform 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 of 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, or at risk of being designated as troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 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 exceeds 550, and that was designated as a standard performer in the most recent PHAS or 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.

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### A.1

<table>
<thead>
<tr>
<th>PHA Name:</th>
<th>Housing Authority of the Birmingham District</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHA Type:</td>
<td>□ Standard PHA □ Troubled PHA</td>
</tr>
<tr>
<td>PHA Code:</td>
<td>AL 001</td>
</tr>
<tr>
<td>PHA Plan for Fiscal Year Beginning: (MM/YYYY):</td>
<td>07/2018</td>
</tr>
<tr>
<td>PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above):</td>
<td></td>
</tr>
<tr>
<td>Number of Public Housing (PH) Units</td>
<td>5,060</td>
</tr>
<tr>
<td>Number of Housing Choice Vouchers (HCVs)</td>
<td>5,240</td>
</tr>
<tr>
<td>Total Combined Units/Vouchers</td>
<td>10,300</td>
</tr>
<tr>
<td>PHA Plan Submission Type:</td>
<td>□ Annual Submission □ Revised Annual Submission</td>
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</table>

**Availability of Information.** PHAs must have the elements listed below in sections B and C 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 Plans are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.

The PHA Plan is available at the following locations for review: Public Housing Communities: Elston Village, Southtown Court, Marks Village, Loveman Village, Smithfield Court, Tom Brown Village, Morton Simpson, Collegeville Center, Harris Homes, North Birmingham Homes, Cooper Green, Kimbrough Homes, Freedom Manor, Benjamin Greene/Roosevelt City; HABD Central Office; HABD Section 8 Office, McCoy Building; Distributed to the Resident Advisory Board and posted on www.habd.org

**PHA Consortia:** (Check box if submitting a Joint PHA Plan and complete table below)

<table>
<thead>
<tr>
<th>Participating PHAs</th>
<th>PHA Code</th>
<th>Program(s) in the Consortia</th>
<th>Program(s) not in the Consortia</th>
<th>No. of Units in Each Program</th>
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**Lead PHA:**

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1
## B.1 Revision of PHA Plan Elements.

(a) Have the following PHA Plan elements been revised by the PHA?

<table>
<thead>
<tr>
<th>Y</th>
<th>N</th>
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- Statement of Housing Needs and Strategy for Addressing Housing Needs
- Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions
- Financial Resources
- Rent Determination
- Operation and Management
- Grievance Procedures
- Homeownership Programs
- Community Service and Self-Sufficiency Programs
- Safety and Crime Prevention
- Pet Policy
- Asset Management
- Substantial Deviation
- Significant Amendment/Modification

(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):

A Summary of revisions to the PHA Plan Elements immediately follows the PHA Plan along with specific Attachments.

See Attachment A – HCV Administrative Plan Revision Summary - 1% of HCVs Set Aside for Homeownership & Government Action Preference
See Attachment B – Revised ACOP – Inclusion of Non-Smoking Policy (Non-Smoking Policy Provided)
See Attachment C – Homeownership Programs – HCV & NCRC Initiative
See Attachment D – Community Service & Self Sufficiency Programs – HABD Campus of Hope

(c) The PHA must submit its Deconcentration Policy for Field Office review.

## B.2 New Activities.

(a) Does the PHA intend to undertake any new activities related to the following in the PHA’s current Fiscal Year?

<table>
<thead>
<tr>
<th>Y</th>
<th>N</th>
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</table>

- ☒ Hope VI or Choice Neighborhoods
- ☒ Mixed Finance Modernization or Development
- ☒ Demolition and/or Disposition
- ☒ Designated Housing for Elderly and/or Disabled Families
- ☒ Conversion of Public Housing to Tenant-Based Assistance
- ☒ Conversion of Public Housing to Project-Based Assistance under RAD
- ☒ Occupancy by Over-Income Families
- ☒ Occupancy by Police Officers
- ☒ Non-Smoking Policies
- ☒ Project-Based Vouchers
- ☒ Units with Approved Vacancies for Modernization
- ☒ Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants)

(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.
### B.3 Civil Rights Certification.

Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

ATTACHMENT M – Executed Form HUD-50077, PHA Certifications of Compliance with PHA Plans & Related Regulations

### B.4 Most Recent Fiscal Year Audit.

(a) Were there any findings in the most recent FY Audit?

- Y [ ]
- N [X]

(b) If yes, please describe:

### B.5 Progress Report.

Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.


### B.6 Resident Advisory Board (RAB) Comments.

(a) Did the RAB(s) provide comments to the PHA Plan?

- Y [X]
- N [ ]

(c) 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.

ATTACHMENT O – CPAB Comments & Recommendations

### B.7 Certification by State or 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.

ATTACHMENT P – Executed Form HUD 50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan

### B.8 Troubled PHA.

(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?

- Y [ ]
- N [X]
- N/A [ ]

(b) If yes, please describe:

N/A
2018 Annual Plan - Financial Resources

<table>
<thead>
<tr>
<th>Financial Resources:</th>
<th>Planned Sources and Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sources</td>
<td>Planned $</td>
</tr>
<tr>
<td>1. Federal Grants (FY 2016 grants)</td>
<td></td>
</tr>
<tr>
<td>a) Public Housing Operating Fund</td>
<td>28,092,911</td>
</tr>
<tr>
<td>b) Public Housing Capital Fund</td>
<td>8,611,607</td>
</tr>
<tr>
<td>c) HOPE VI Revitalization</td>
<td>- 0 -</td>
</tr>
<tr>
<td>d) HOPE VI Demolition</td>
<td></td>
</tr>
<tr>
<td>e) Annual Contributions for Section 8 Tenant-Based Assistance</td>
<td>32,894,216</td>
</tr>
<tr>
<td>f) Public Housing Drug Elimination Program (including any Technical Assistance funds)</td>
<td></td>
</tr>
<tr>
<td>g) Resident Opportunity and Self-Sufficiency Grants</td>
<td>135,819</td>
</tr>
<tr>
<td>h) Community Development Block Grant</td>
<td></td>
</tr>
<tr>
<td>i) HOME</td>
<td></td>
</tr>
<tr>
<td>Other Federal Grants (list below)</td>
<td></td>
</tr>
<tr>
<td>ROSS S.C.</td>
<td>246,000</td>
</tr>
<tr>
<td>2. Prior Year Federal Grants (unobligated funds only) (list below)</td>
<td></td>
</tr>
<tr>
<td>3. Public Housing Dwelling Rental Income</td>
<td>5,095,233</td>
</tr>
<tr>
<td>Financial Resources: Planned Sources and Uses</td>
<td>Planned Sources</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Sources</td>
<td>Planned $</td>
</tr>
<tr>
<td>4. Other income (list below)</td>
<td></td>
</tr>
<tr>
<td>Income on Investments</td>
<td>2,882</td>
</tr>
<tr>
<td>Sales and Services</td>
<td>285,697</td>
</tr>
<tr>
<td>Other Income</td>
<td>34,980</td>
</tr>
<tr>
<td>Total resources</td>
<td>75,399,345</td>
</tr>
</tbody>
</table>
Housing Authority of the Birmingham District

Annual Plan for 2018
Revisions to PHA Plan Elements

HABD will be making revisions to the PHA Plan elements in multiple areas. Attachments A through E summarize the changes by category.
Attachment A

Revised HCV Eligibility Criteria
EXHIBIT C

Assisted Housing/HCV Homeownership Option
Addendum to Section 8 Administrative Plan
24 CFR: 982.625-982.643

The Housing Authority of the Birmingham District (HABD) hereby establishes a Section 8 tenant-based voucher homeownership option in Jefferson County, Alabama pursuant to the U. S. Department of Housing and Urban Development’s (HUD) Final Rule dated September 12, 2000. The HABD further allocates 1% of Housing Choice Vouchers (HCV) to the implementation of the Homeownership Program. The establishment of this program is consistent with the Authority’s Annual, Five Year Plan, and Strategic Plan.

Family Qualifications §24 CFR 982.627

Any Section 8 program participant who has been issued a Section 8 Housing Choice Voucher may utilize the subsidy to purchase rather than rent a home, subject to the following requirements:

1. The family must meet the general requirements for continued participation in the HABD Section 8 tenant-based programs as outlined in the Section 8 Administrative Plan;

2. Current Section 8 program families must be in full compliance with their lease and the Section 8 Housing Choice Voucher program requirements and must terminate their current lease arrangement in compliance with the lease;

3. The family must not have previously defaulted on a mortgage securing debt to purchase a home under the homeownership option;

4. The family must be a “first time homeowner” (i.e.”... a family member must not have owned title to a principal residence in the last three years before commencement of homeownership assistance for the family under the homeownership program.”). “First time homeowner” also includes a single parent or displaced homemaker who, while married, owned a home with his or her spouse, or resided in a home owned by his or her spouse;

5. The family must enroll and complete HABD designated pre-purchase homeownership counseling programs and be deemed as pre-qualified or pre-approved for financing;

6. The head of household or spouse must be employed full-time (not less than an average of 30 hours per week) and have been continuously so employed during the year before commencement of homeownership assistance. Families in which the head of household or spouse is disabled or elderly are exempt from this requirement. Families with a disabled household member may request an exemption from this requirement as a reasonable accommodation that will be granted upon determination by HABD of the need to do so;
Continuous employment may include interruptions of no longer than 30 days due to change in employment and will count as continuity during that year; HABD will evaluate on a case-by-case basis.

Self-employment income may be included as the family will have to provide documentation of verifiable taxable business.

7. The annual gross income of the adult family members who will own the home at the commencement of homeownership assistance must be either of the following:

- In the case of a disabled family, the monthly Federal Supplemental Security Income (SSI) benefit for an individual living alone multiplied by twelve; Or

- In the case of other families, the Federal minimum wage multiplied by 2,000 hours

  * Except in the case of an elderly family or disabled family, the PHA shall not count any welfare assistance received by the family in determining annual income

- The disregard of welfare assistance income only affects the determination of minimum annual income used to determine if a family initially qualifies for commencement of homeownership assistance but does not affect:
  
  - Calculation of the amount of the family’s total tenant payment
  
  - Calculation of the amount of homeownership assistance payments on behalf of the family

8. The program gives priority to Section 8 families who are enrolled in HABD’s Family Self Sufficiency Program.

  * The family must meet and satisfy all the above listed initial requirements at commencement of homeownership assistance.

**Time Frame to Purchase a Home §24 CFR 982.629**

The family will have a maximum of 180 days to find a home or to enter into a “Contract for Sale” for the purchase of a home.

If the family is unable to enter into a “Contract for Sale” before the end of the 180 day deadline, the family will be allowed to continue to utilize the voucher for rental assistance in a unit that meets the eligibility requirements for the Section 8 Voucher Program as outlined in the Section 8 Administrative Plan.

Any extension(s) beyond the 180 days to find a home or enter into a “Contract for Sale” must be approved by the HABD.
Eligible Units §24 CFR 982.628
The unit selected by the family must satisfy all the requirements outlined below:

1. The unit is eligible

2. The unit is either a one-unit property (including a manufactured home) or a single dwelling unit in a cooperative or condominium

3. The unit has been inspected by a PHA inspector and by an independent inspector designated by the family. The inspector must be certified by the American Society of Home Inspectors

4. The unit satisfies the Housing Quality Standards (HQS) Inspection

5. Homeownership assistance may be provided for the purchase of a home where the family will not own fee title to the real property on which the home is located ONLY if:
   
   (a) The home is located on a permanent foundation; AND

   (b) The family has the right to occupy the home site for at least forty years

Homeownership Counseling §24 CFR 982.630
The family must attend and participate in the HABD designated pre-purchase homeownership counseling program which will include:

1. Home maintenance;

2. Budgeting and money management;

3. Credit counseling;

4. How to negotiate the purchase price of a home;

5. How to find a home, including the advantages of finding a home outside an area of concentration of low income families;

6. How to obtain homeownership financing, including loan preapprovals;

7. Information about the Real Estate Settlement and Procedures Act (RESPA).

Portability §24 CFR 982.636
Families that are determined eligible for homeownership assistance may exercise the homeownership option outside of HABD’s jurisdiction if the receiving public housing authority is administering a Section 8 home ownership program and is accepting new families into its Section 8 Homeownership Program. The family must attend the briefing and counseling sessions required by the receiving PHA.
Contract for Sale, Home Inspections, and PHA Disapproval of Seller §24 CFR 982.631

Participants in the homeownership option program must complete a “Contract for Sale” with the owner of the property to be purchased. HABD must be provided a copy of the contract for sale.

The Contract for Sale must:

1. Include the home’s purchase price and terms of sale;

2. Provide that the family will arrange for a pre-purchase inspection by an independent inspector selected by the family;

3. Provide the family is not obligated to buy the unit unless the inspection is satisfactory to the family;

4. Provide that the family is not obligated to pay for any necessary repairs to the unit;

5. Contain a certification from the seller that the seller has not been debarred, suspended, or subject to a limited denial of participation under part 24 of the federal regulations pertaining to this program.

The family must obtain an independent professional home inspection of the unit’s major systems at the family’s expense. The inspection must cover major building systems and components, including foundation and structure, housing interior and exterior, and the roofing, plumbing, electrical, and heating systems. The family must provide a copy of the inspection report to the HABD for review. The HABD will review the report to determine whether repairs are necessary prior to the family purchasing the home and to determine whether purchasing the home is in the family’s best interest. In making this determination, the HABD will take into consideration such factors as defective roof and heating systems that need immediate replacement at substantial cost. The inspector must be certified by the American Society of Home Inspectors.

HABD will conduct a Housing Quality Standards (HQS) inspection and will review the independent professional inspection of the unit’s major systems. HABD retains the right to disqualify the unit for inclusion in the homeownership program based on either the HQS inspection or the professional inspection report. Final contract approval will be reviewed by the President/CEO or designee.

The family must determine and document whether or not the unit is in an airport runway clear zone or an airfield clear zone. The family must determine and document whether or not the unit is in a flood hazard area. Units in flood hazard areas must be insured for flood damage.

HABD may deny approval of a seller for any reason provided under Section XV ‘HABD Disapproval of Owner’, located in this Administrative Plan.

Financing Purchase of the Home and Affordability of Purchase §24 CFR 982.632

The family is responsible for obtaining financing; rate and terms of the first mortgage are subject to review and approval by HABD. The HABD may review lender qualifications and the loan terms
before authorizing homeownership assistance under this program. The HABD may disapprove proposed financing, refinancing, or other debt if the HABD determines the debt is unaffordable for the participant. In making this determination the HABD will take into account other family expenses, such as childcare, unreimbursed medical expenses, and other family expenses as determined by HABD. The first mortgage lender shall be a federally-regulated financial institution. Any other lenders (such as owner financed) must be specifically approved by HABD.

If the purchase of the home is financed with FHA mortgage insurance, financing is subject to FHA mortgage insurance requirements.

The family is required to pay a minimum down payment of at least 3% of the purchase price of the home for participation in the Homeownership Program, of which, at least 1% of the purchase price comes from the family’s personal resources. §24 CFR 982.625 (g)(1)

**Term of Homeownership Assistance §24 CFR 982.634**

The maximum term of homeownership assistance is as follows:

1. Fifteen (15) years, if the initial mortgage incurred to finance purchase of the home has a term of 20 years or longer; Or

2. Ten (10) years in all other cases

The maximum term applies to any member of the family who has an ownership interest in the unit during the time that homeownership payments are made, or if the spouse of any member of the household who has an ownership interest in the unit during the time Homeownership payments are made.

Exception for elderly and disabled:

- **Elderly**: The exception only applies if the family qualifies as an elderly family at the start of homeownership assistance

- **Disabled**: The exception applies if at any time during receipt of homeownership assistance, the family qualifies as a disabled family

If, during the course of homeownership assistance, the family ceases to qualify as a disabled or elderly family, the maximum term becomes applicable from the date homeownership assistance commenced. (The family will be provided at least 6 months of homeownership assistance after the maximum term becomes applicable, provided the family is otherwise eligible to receive homeownership assistance.) Section 8 assistance will only be provided for the months the family is in residence in the home.

The total assistance that a family can receive from either different PHAs or for different homes is subject to the limitations stated in the statement of homeowner obligations as outlined under this program.

The family is entitled to one move during any one year period.
Family Obligations §24 CFR 982.633
Before commencement of homeownership assistance, the family must execute a "statement of homeowner obligations" in the form prescribed by HUD and HABD.

Occupancy:

- Homeownership assistance may only be paid while the family is residing in the home. If the family moves out of the home, the PHA may not continue homeownership assistance after the month when the family moves out.

- The family or lender is not required to refund to the PHA the homeownership assistance received the month the family moves out

To continue to receive homeownership assistance, a family must comply with the following family obligations:

1. The family must comply with the terms of any mortgage securing debt incurred to purchase the home, and any refinancing of such debt;

2. The family may not sell, convey, or transfer any interest in the home to any entity or person other than a member of the assisted family residing in the home subject to the approval of HABD. If the family chooses to sell the home, with the approval of HABD, the family may purchase another home while continuing to receive home ownership assistance toward the purchase of a new home;

3. The family may not place any additional lien or other encumbrance without prior written consent from HABD and the mortgage lender(s);

4. The family must supply required information regarding income and family composition for HABD to correctly calculate the total tenant payment and home ownership assistance;

5. The family must provide information on any mortgage or other debt incurred to purchase the home and any refinancing of such debt and any sale or other transfer of any interest in the home;

6. The family must notify HABD or its designee if the family defaults on a mortgage securing any debt incurred to purchase the home;

7. The family must notify HABD or its designee before the family moves out of the home;

8. The family must provide access to the home for purposes of inspection at reasonable times.

9. Upon death of a family member who holds (in whole or in part) title to the home or ownership of cooperative membership shares for the home, homeownership assistance may continue pending settlement of the decedent's estate, notwithstanding transfer of title by
operation of law to the decedent’s executor or legal representative; so long as the home is solely occupied by remaining family members.

**Amount and Distribution of the Monthly Homeownership Assistance Payment**

§24 CFR 982.635

While the family is living in the home, the HABD will pay a monthly homeownership assistance payment that is equal to the lower of:

1. The payment standard minus the total tenant payment; Or
2. The family’s monthly homeownership expenses minus the total tenant payment.

The payment standard for the family shall be lower of:

1. The payment standard for the family unit size; Or
2. The payment standard for the size of the home

If the home is located in an exception payment standard area, the payment standard for the family is the greater of

1. The payment standards determined in accordance with the previous paragraph at the commencement of homeownership assistance for the occupancy of the home; Or
2. The payment standard as determined in accordance with the previous paragraph at the most recent regular reexamination of family income and composition since the commencement of homeownership assistance for occupancy of the home.

The same payment standard schedule, payment standard amounts and subsidy standards will be used for the homeownership option as for the rental voucher program.

**Homeownership Expense**

Homeownership expenses include principal and interest on mortgage debt, refinancing charges of mortgage debt, real estate taxes and other public assessments, insurance, maintenance and major repair expenses, and the HABD utility allowances schedule. The HABD will use its schedule for determining the allowance for maintenance expenses, major repairs, and replacements.

Housing assistance payments will be made directly to the mortgage lender on behalf of the family.

The assistance payment will be adjusted to reflect changes in the fair market rent payment standard accordingly.

If a family’s income increases to a point that they do not receive a housing assistance payment, eligibility for such payments will continue for 180 calendar days. At the end of a continuous period
of 180 days without any assistance payments, eligibility for Section 8 assistance will automatically terminate.

**Lease to Purchase**
Lease-to-purchase agreements are considered rental property and subject to the normal tenant-based Section 8 rental rules. The family will be subject to the homeownership requirements at the time the family is ready to exercise the homeownership option under the lease-to-purchase agreement. However, the family will be encouraged to participate in the pre and post homeownership counseling to prepare the family for the homeownership program. Homeownership will begin when the family purchases the home and after all of the requirements of the homeownership option are met.

**Buying Another Home with Section 8 Assistance §24 CFR 982.637**
A homeownership family may purchase another home with Section 8 assistance provided there is no mortgage loan default. The family must sell the current home in order to purchase another home under this program. With the exception of the first-time homebuyer requirement, the family must meet all the other requirements for continued participation in the homeownership program, such as the employment threshold, obtaining an independent inspection of the home to be purchased, etc.

**Defaults §24 CFR 982.638**
If a family in the homeownership option defaults on their home mortgage loan, the family will not be able to use their Homeownership Voucher for rental housing but may re-apply for assistance under the HABD regular Section 8 Housing Voucher Program.

**Denial or Termination of Assistance to the Family §24 CFR 982.638**
As provided in the HABD Section 8 Administrative Plan, HABD may deny or terminate homeownership assistance:

1. In accordance with Sec. 982.552 (Grounds for denial or termination of assistance)

2. Sec. 982.553 (Crime by family members)

3. For violation of family obligations outlined in Sec. 982.551

4. Mortgage default

   - Family defaulted on a FHA-insured mortgage; and

   - Family fails to demonstrate that

     - Family has conveyed, or will convey, title to the home as required by HUD, to HUD or HUD’s designee and

     - The family has moved, or will move, from the home within the period established or approved by HUD
HABD must terminate voucher homeownership assistance for any member of a family receiving homeownership assistance that is dispossessed from the home pursuant to a judgment or order of foreclosure on any mortgage (whether FHA-insured or non-FHA) securing debt incurred to purchase the home, or any financing of such debt.

An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative federal, state, or local housing assistance program.

**Obligations of the Family §24 CFR 982.633**

The family must comply with the obligations of a participant family described in 982.551 as such also listed in Section XL-family Obligations of the Administrative Plan.
EXHIBIT E
Local Preference for Displaced Applicants

Involuntary displacement is defined as displacement due to a formally recognized natural disaster or government action.

Families who claim they are being or have been displaced due to a formally recognized natural disaster or government action must provide written verification by the displacing unit or agency of government or by a service agency such as the Red Cross.

At the time of application, initial determination of an applicant’s entitlement to the HABD local preference for displaced applicants may be made on the basis of the applicant’s certification of their qualification for the preference. Before selection is made, this qualification must be verified.

Families may qualify for the preference Involuntary Displacement due to either of the following:  
- Applicant is involuntarily displaced and not living in standard permanent replacement housing due to a government action or natural disaster  
- Applicant is a part of a relocation effort by a government entity  
- Local government has condemned their place of living  
- Applicant will have to vacate their unit because of either of the following  
  - Activities by an agency of the United States or by any local governmental body or agency in connection with code enforcement, public improvements or a real estate development program, including RAD and/or real estate redevelopment  
- Applicant currently resides in a public housing unit that is needed for the overall agency’s goal of RAD redevelopment processes

IN VOLUNTARY DISPLACEMENT: DOMESTIC VIOLENCE  
Applicants requiring rental assistance due to documented family abuse must meet the following criteria in order to claim this preference:

Displacement that is due to one or more members of an applicant’s family having been the recent (within the past 180 calendar days) or recurring victim of one or more incidents of domestic violence originating from within their current living situation. If admitted into the rental assistance program, the applicant must certify that the individual who engaged in such violence will not reside with the applicant.

Violation of the applicant’s certification (e.g. the abuser returns to the family and resides within the unit without the explicit written approval of the HABD) is grounds for the Housing Authority to terminate rental assistance due to the applicant’s breach of the certification. The
 Violence Against Women Act (VAWA)

The Housing Authority of the Birmingham District is committed to implementing the provisions of VAWA. This provision has been incorporated into the HABD Section 8 Administrative Plan; the HABD lease and the Admission and Continued Occupancy Policy. Residents may not be evicted in violation of the Act. Property managers and case workers are educated to counsel with persons experiencing domestic violence and follow up with action appropriate to the particular circumstances of the affected family. HABD offers the following to assist and support victims of domestic violence, dating violence, sexual assault or stalking:

- Seminars, counseling education, and social assistance programs through community referrals are offered through the HABD Family Self-Sufficiency Program with Family Guidance Center, YWCA Domestic Violence Programs, and the State Department of Human Resources. HABD is working to establish formal partnerships with some of these agencies. Staff, public housing and Section 8 residents participate in the National Coalition Against Domestic Violence Programs.

- Continuous education for staff regarding the housing needs and unique experiences of families experiencing domestic violence is in place. HABD staff is required to take all claims of domestic violence, dating violence, and stalking seriously and follow up to verify and provide guidance in maintaining a safe housing environment. Persons may be moved to public housing sites or Section 8 housing to assist in promoting rights under VAWA.

- HABD supports persons involved in criminal domestic violence programs through a policy based Witness Support Program. Witness support families are preferred applicants for Section 8 housing. HABD uses supplemental police services to assist all residents. There are two communities in which persons may reside and allow only those persons on an invited guest list to visit. Security offers monitored ingress and egress from these properties.

- Each family is scheduled to receive a full orientation to their rights from onsite property staff at the time of lease up. This includes information on completion of the HUD information for pertaining to the VAWA. Also, onsite resident meetings are held to inform residents of policy and lease enhancements that inform residents of their rights.
Attachment B

ACOP Revised (Non-Smoking Policy) & Addition of Homeless Preference
The Housing Authority of the Birmingham District

Smoke-Free Housing Policy

24 CFR Parts 965 and 966

The Department of Housing and Urban Development (HUD) has implemented a Rule that requires each Public Housing Authority administering public housing to implement a smoke-free policy. Specifically the Rule requires each Public Housing Authority to implement a policy prohibiting lit tobacco products and all smoking in any interior common areas, including but not limited to community rooms, community bathrooms, lobbies, reception areas, hallways, laundry rooms, electrical rooms and closets, storage units or rooms, stairways, offices, elevators and within all living units in public housing, and Public Housing Authority administration office buildings and vehicles (in brief, a smoke-free policy for all public housing indoor areas). The Housing Authority is also prohibiting electronic nicotine delivery systems (ENDS) and is including it in this policy’s definition of Smoking. This policy extends to all outdoor areas up to twenty five (25) feet from housing (doors/entrances, windows and porches) and administrative office buildings and maintenance facilities.

HUD is requiring implementation of smoke-free public housing to improve indoor air quality in housing, benefit the health of public housing tenants and public housing staff, reduce the risk of catastrophic fires, and lower overall maintenance costs. This policy applies to all tenants, tenant’s families, tenant’s guests, visitors, contractors, service personnel, and employees.

Purpose of Policy

1) To mitigate the irritation and known health effects of secondhand smoke. Smoking or exposure to secondhand smoke (sometimes called environmental tobacco smoke) causes premature death from respiratory disease, cancer or heart disease. Smoking is the number one cause of preventable disease in the United States.

2) According to the EPA, secondhand smoke exposure causes disease and premature death in children and adults who do not smoke. People with chronic diseases such as asthma or cardiovascular disease are particularly vulnerable to the effects of secondhand smoke. Secondhand smoke lingers in the air for hours after cigarettes have been extinguished and can migrate between apartments in multifamily buildings.

3) To allow all administrative and maintenance staff the opportunity to perform their job duties in an environment that is nonsmoking.

4) Minimize the maintenance, cleaning, painting and redecorating costs associated with smoking.

5) Decrease the risk of smoking-related fires to property and personal safety. Fires started by lit lighted tobacco products, principally cigarettes, constitute the leading cause of residential fire deaths.

Definitions

1) Public Housing – Public Housing is defined as low-income housing, and all necessary appurtenances (e.g. community facilities, public housing offices, day care centers, and laundry rooms)
thereto, assisted under the U.S. Housing Act of 1937 (the 1937 Act), other than assistance under section 8 of the 1937 Act.

2) **Development/Property** – All Housing Authority’s developments and properties are included in this policy and all related administrative offices and maintenance facilities.

3) **Smoking** - The term “smoking” means igniting, inhaling, exhaling, breathing or carrying or possessing any lit cigar, cigarette, pipe, water pipe referred to as hookahs or other tobacco product or similar lighted product in any manner or in any form or any other device containing tobacco, marijuana or other legal or illegal substance that burns. This definition also includes electronic nicotine delivery systems (ENDS) including electronic cigarettes (“e-cigarettes”).

4) **Indoor Areas** – Indoor Areas is defined as living units/apartments. Indoor common areas, electrical rooms and closets, storage units or closets, community bathrooms, lobbies, hallways, laundry rooms, stairways, offices, elevators and all public housing administrative offices/buildings, Maintenance Facilities and vehicles.

5) **Individual Apartment/Units** - Individual Apartment/Units are defined as the interior and exterior spaces tied to a particular apartment/unit. This includes, but is not limited to, bedrooms, hallways, kitchens, bathroom, patios, balconies, porches and apartment entryway areas.

6) **Common areas** - Common areas are areas that are open to all tenants, tenant’s families, tenant’s guests, visitors, contractors, service personnel, employees and members of the public. Common areas include:
   (a) Any inside space
   (b) Entryways/Entrances
   (c) Patios, Porches and balconies
   (d) Lobbies
   (e) Hallways and stairwells
   (f) Elevators
   (g) Management offices
   (h) Maintenance Offices and Inventory Areas
   (i) Public restrooms
   (j) Community rooms
   (k) Community kitchens
   (l) Lawns
   (m) Sidewalks and walkways within the development
   (n) Parking lots and spaces
   (o) Playgrounds, parks and picnic areas
   (p) Common areas also include any other area of the buildings or developments where tenants, tenant’s families, tenant’s guests, visitors, contractors, service personnel, employees, and members of the public may go.

**Effective Date**

The Effective Date shall be **DECEMBER 1, 2017**. All tenants, tenant’s families, tenant’s guests, visitors, contractors, service personnel, employees, and members of the public in and/or on Housing Authority property will be prohibited from smoking inside the buildings, common area, including all housing apartments starting on
that date. Smoking is only allowed beyond twenty-five (25) feet from all housing (doors/entrances, windows and porches) and administrate office buildings and maintenance facilities.

**Tenants Responsibilities and Lease Violations**

1) Tenants are prohibited from smoking within twenty-five (25) feet of all housing (doors/entrances, windows and porches) and administrate office buildings and maintenance facilities.

2) Tenants are responsible for the actions of their household, their guests, and visitors. Any tenant, including the members of their household, guests, or visitors will be considered in violation of the lease if found smoking in any Housing Authority facility or apartment, or anywhere on Housing Authority property that is deemed as a nonsmoking area. Visual observation of smoking is not necessary to substantiate a violation of this Smoke Free Housing Policy. For example, the presence of smoke, tobacco smoke odor, or smoke stains within an apartment in combination with butts, ashtrays, or other smoking paraphernalia will be considered significant evidence of a policy violation. **Five (5) violations will be considered to be a serious violation of the material terms of the lease and will be cause for non-curable eviction.** In addition, tenant will be responsible for all costs to remove smoke odor or residue upon any violation of this policy.

3) Any deviation from the Smoke Free Housing Policy by any tenant, a member of their household, or their guest or visitor will be considered a lease violation. A cleaning charge of $100.00 will be added to the tenant account in the event it becomes necessary to paint, fumigate, repair, or correct any damage caused by tobacco smoke to any apartment, building common area, or any other nonsmoking area on or in the Housing Authority property. (Any cigarette butts not properly disposed of may also be cause for a cleaning service charge.)

4) No smoking signs will be posted both outside and inside the buildings, offices and common areas of the Housing Authority property. Tenants will be responsible to inform all their household, family, guests and visitors that their apartment is smoke free and that their housing may be affected by violators.

5) If the smell of tobacco smoke is reported, the Housing Authority will seek the source of the smoke and appropriate action will be taken. Tenants are encouraged to promptly give Property Management staff a written statement of any incident where smoke is migrating into the Tenant’s apartment from sources outside of the Tenant’s apartment.

**ENFORCEMENT**

If a tenant is found to be in violation of the Smoke Free Housing Policy, the following steps will be taken:

**1st Offense** The first documented occurrence will result in a verbal warning.

**2nd Offense** The second documented occurrence will result in a written lease violation.

**3rd Offense** The third documented occurrence will result in a referral to an outside agency for counseling and/or other assistance.
4th Offense The fourth documented occurrence may result in a fine of $100.00 being assessed against the resident to cover the cost of fumigating, repairing, or correcting damage caused by tobacco smoke.

5th Offense The fifth documented occurrence may result in a Lease termination.

**Health and Safety of Employees and Contractors**

For the health and safety of Housing Authority employees and their representatives, no tenant shall have any type of tobacco or related product burning at such time as any employee or representative of the Housing Authority enters and remains in their apartment. If any tenant refuses to put out the burning tobacco or related product prior to the employee or representative entering their apartment, or if the tenant lights a tobacco or related product while an employee or representative remains in their apartment, the employee or representative shall vacate the apartment immediately and not return until such time as there is no longer any tobacco or related product burning. This may result in a delay of services to the tenant’s apartment and possibly eviction.

**Adoption of Policy by Tenant**

Upon approval of this policy, all tenants presently living in the Housing Authority apartments and new tenants will be given a copy of this policy. After review both incoming and current tenants will be required to sign the Smoke Free Housing Lease Addendum/House Rules Amendment. A copy will be retained in the tenant file. All tenants will be required to sign the new no smoking agreement prior to the Effective Date. Failure to sign and/or return the Smoke Free Housing Policy Lease Addendum/House Rules Amendment to the Property Management office in a timely manner will result in a written warning, and if still not received after the two warnings, eviction. All current tenants who smoke will be provided with resources for a cessation program upon request. The development’s Property Manager will provide information on cessation program accessibility.

**Disclaimers and Representations**

1) The Smoke Free Housing Policy does not mean that tenants and/or employees will have to quit smoking in order to live and/or work at the Housing Authority developments and offices or drive its vehicles.

2) The Housing Authority Not Guarantor of Smoke Free Environment – Housing Authority’s adoption of the Smoke Free Housing Policy, and the efforts to designate portions of developments as non-smoking does not make the Housing Authority or any of its Board of Commissioners, officers, employees or agents the guarantor of Tenant’s health or of the smoke free condition of the non-smoking portions of developments. However, the Housing Authority will take reasonable steps to enforce the Smoke Free Housing Policy. The Housing Authority is not required to take steps in response to smoking unless the Housing Authority has actual knowledge of the smoking and the identity of the responsible tenant.

3) Housing Authority Disclaimer – The Housing Authority’s adoption of a non-smoking living environment, and the efforts to designate portions of its developments as non-smoking does not in any way change the standard of care that the Housing Authority has under applicable law to render it’s developments any safer, more habitable or improved in terms of air quality standards than any other rental premises. The Housing Authority specifically disclaims any implied or express warranties that the air quality in the apartment or the building containing the apartment will improve or be any better than any other rental property. The Housing Authority cannot and does not warranty or promise that its developments will be free from secondhand smoke. The Housing Authority’s adoption of the Smoke Free Housing Policy does not in any way change the standard of care that it has to the Tenant’s apartments and the common spaces.
4) The Housing Authority’s ability to police, monitor or enforce the Smoke Free Housing Policy is dependant in significant part on voluntary compliance tenants, tenant’s household, tenant’s families, tenant’s guests and visitors.

5) Tenants with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that the Housing Authority does not assume any higher duty of care to enforce this policy than any other Landlord obligation under the Lease. The Housing Authority is not responsible for smoke exposure even if the tenant, a member of the tenant’s household, tenant’s families, tenant’s guests or visitors have respiratory ailments, allergies, or any other physical or mental condition relating to smoke.

6) Even though the Housing Authority has adopted a Smoke Free Housing Policy it cannot guarantee that smoking will never happen.

7) In apartments that used to allow smoking, the effects of that smoking may still linger.

THE HOUSING AUTHORITY OF THE BIRMINGHAM DISTRICT

SMOKE FREE HOUSING POLICY

LEASE ADDENDUM AND HOUSE RULES AMENDMENT

I, ________________________________,

acknowledge receipt of The Housing Authority of the Birmingham District’s Smoke Free Housing Policy which will become effective DECEMBER 1, 2017.

I acknowledge that I have read and agree to abide by the Smoke Free Housing Policy and understand that it is included and has become a binding and enforceable part of my lease with The Housing Authority of the Birmingham District as well as the House Rules and that any violations of said policy will result in the following:

1st Offense The first documented occurrence will result in a verbal warning.

2nd Offense The second documented occurrence will result in a written lease violation.

3rd Offense The third documented occurrence will result in a referral to an outside agency for counseling and/or other assistance

4th Offense The fourth documented occurrence may result in a fine of $100.00 being assessed against the resident to cover the cost of fumigating, repairing, or correcting damage caused by tobacco smoke.

5th Offense The fifth documented occurrence may result in a Lease termination.
Public Housing ACOP Revision

Statement on Addition of Homeless Preference

Urban areas throughout the country have varying amounts of homeless individuals and Birmingham, Alabama is no exception. An individual or family may find themselves homeless for a varying array of reasons. To assist these individuals and families, the Housing Authority of the Birmingham District (HABD) plans to implement a Homeless Preference to its Public Housing Admissions and Continued Occupancy Policy (ACOP) before the closing of its fiscal year, June 30, 2018.

The Homeless Preference will apply to applicants who lack a fixed, regular and adequate nighttime residence; have a primary nighttime resident that is a supervised public or private shelter providing temporary accommodations; live in a public or private place not ordinarily used as an accommodation for human beings (lack indoor plumbing, toilet facilities, adequate or safe electrical service, heat, or kitchen); or a designated social service agency that certifies the family as homeless.

To qualify for the homeless preference, applicants must be referred by a service agency that is able to supply a signed certification that the applicant meets the above definition(s) of homelessness and is qualified to apply for housing under these criteria.
Attachment C

HABD Homeownership Program

HABD anticipates using varying funding sources for the provision of: property acquisition, utility and infrastructure installation, soft financing, down payment and other closing assistance, and any other activity eligible under its homeownership programs. HABD will also work with the City of Birmingham, public and private land owners, Habitat for Humanity, local CDCs, and all other available partners to identify lots for infill and/or tract development of affordable homeownership units.
HABD FSS & Community Service Programs

During January, 2018, HABD began renovating the community center at its Charles P. Marks Village public housing community in an effort to create a Campus of Hope. The Campus of Hope will provide comprehensive self-sufficiency services to HABD program participants and will house such partners as the U.S. Military Recruiting, building trades training programs, workforce development programming, and other partnerships aimed at improving self-sufficiency among program participants and other lower income households. The center is scheduled to open on April 11, 2018. HABD will utilize CFP and any other appropriate funding sources to complete the renovation of the facility and to complete the programming.
Safety & Crime Prevention

During March, 2018, HABD began installing new entrance gates and security cameras at its Collegeville Station and North Birmingham Homes communities. The measures are successfully reducing crime and improving the security of both sites. Other activities to be undertaken, include but may not be limited to; closure of certain streets at Marks Village, efforts to reduce pedestrian and resident access to rail lines at other HABD properties, and hiring of a new public safety director. Safety and Crime Prevention are critical path items to HABD’s provision of quality affordable housing for its residents and therefore, other activities may be undertaken to address such issues and may include, but not be limited to: revival of neighborhood watch programs, efforts to expand community policing, and the ability to pursue any initiatives and/or funding sources that may arise from the City, State, Federal, or private funding sources.
Summary of Mixed Finance, Modernization & Development

During the proposed plan year HABD will continue with the implementation of redevelopment efforts at its Loveman Village, Freedom Manor, and Southtown Court communities. New activities will include the redevelopment of Tom Brown Village and modernization efforts at Morton Simpson, Marks Village, Kimbrough Homes, and Cooper Green. The CFP program also anticipates modernization and or capital replacement items at all other HABD communities. Proposed RAD redevelopment activities will be undertaken at Tom Brown Village, Charles P. Marks Village, Collegeville Center, and North Birmingham Homes. Given the very recent expansion of the RAD program; HABD will also consider the inclusion of all of its public housing communities should viable development opportunities arise.
Summary of Demolition/Disposition Activities

The 2017 annual plan outlined various proposed demolition activities that will continue during the 2018 annual plan cycle. New activities will include demolition of up to 255 units at the Tom Brown Village. In 2017 HABD selected Arlington Properties to be a LIHTC partner in pursuit of a 9% LIHTC award for the Farrington Apartments community. HABD intends to transfer 104 units of public housing subsidy to Farrington and by demolishing and disposing of those units at Tom Brown Village. In 2018, HABD will be seeking a development partner to complete the redevelopment of the remaining 151 units and that may include the demolition of the entire site to make way for new construction replacement units onsite. HABD may also consider demolition and/or disposition activities at each of its public housing communities to assure the safety of its residents to include Kimbrough Homes, Elyton Village, Charles P. Marks Village, Tom Brown Village, Harris Homes, Cooper Green, Roosevelt City, Benjamin Greene Village, Collegeville Center, North Birmingham Homes, Morton Simpson, Smithfield Court, and Southtown Court.
Summary of Activities Related to Elderly and or Disabled Designations

To date, the Freedom Manor community is the only HABD community that has a designation for the Elderly who are 62 and older. However, HABD has approximately 600 residents, or roughly 10% of its entire public housing portfolio, who are currently 62 or older which could benefit from the addition of more units designated for seniors. Multiple new construction communities are being planned for subsequent years as a part of the Southtown Court and Tom Brown redevelopment activities. However, HABD will consider making designations for the elderly and or disabled populations at each of its public housing communities during the proposed plan year.
Attachment I

Summary of RAD Conversion Activities

During December, 2017, HABD withdrew the CHAP awards for its Loveman Village Phase 3, Tom Brown Village, Collegeville Center, North Birmingham Homes, and Charles P. Marks Village communities. New Applications were submitted for Tom Brown, Collegeville, North Birmingham Homes, and Charles P. Marks Village. Each of the new applications propose a multi-phase conversion with transfer of assistance, demolition, disposition, new construction, and renovation components. The multiphase summaries are below:

Tom Brown Village: Tom Brown Village (AL0010000010) will be redeveloped in three (3) RAD phases. The initial phase will transfer assistance from 104 units to Farrington Apartments as a part of 2018 9% LIHTC application submitted in partnership with Arlington Properties. The 104 units will be demolished and disposed of as a part of the development. The second phase of the redevelopment will be a 4% LIHTC execution to demolish and dispose of 46 units that will be reconstructed under a long-term land lease onsite. The final phase will rehabilitate the remaining 100 units and is expected to be completed as a 4% LIHTC execution. At this juncture, it is expected that all 250 units will be replaced 1 for 1 through the three phases of redevelopment, subject to any de minimis allowances.

1. Complete the spreadsheet below

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<th>Number of Units in the Phase</th>
<th>Date of Application</th>
<th>Date of LIHTC Application (if applicable)</th>
<th>Financing Plan Submission</th>
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Collegeville Center: Collegeville Center (AL001000013) is an existing 394 unit public housing development. The site underwent remediation of contaminated soils through an EPA initiative. The initial phase will demolish and or dispose of 154 units that will address the existing non-remediated environmental issues (noise) and also aid in the de-concentration of the community. Those units are housed in buildings immediately adjacent to the rail lines, new bridge overpass, and contiguous industrial sites. The RAD program will be utilized in 2 phases with the first transferring 60 units to the HABD Central Building – which is to be located at the current HABD central office site in the Mid-Town area immediately adjacent to UAB medical center, Publix, and several community amenities. The final phase of development will rehabilitate the remaining 180 units onsite using a 4% Bond/LIHTC execution.

2. Complete the spreadsheet below

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<th>Number of Units in the Phase</th>
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North Birmingham Homes: North Birmingham Homes (AL001000016) is an existing 285 unit public housing community located in the North Birmingham community. The site is in fair physical condition, but in a location that has widespread environmental issues. The RAD redevelopment strategy includes 2 phases of redevelopment with the first being a transfer of assistance of 28 units to the new Central development proposed at the current HABD corporate location. The site is very conducive to new construction development and is immediate contiguous to the new downtown Publix and adjacent to the UAB medical center and multiple major banking institutions. The second, and final phase of development will seek to secure 4% Bonds/LIHTCs to complete a rehabilitation at the current North Birmingham Homes site. It is important to note that the EPA has provided preliminary documentation stating that the site has been remediated of the historical environmental issues related to soils contamination making it conducive to redevelopment financing.

3. Complete the spreadsheet below
Charles P. Marks Village: Charles P. Marks Village (AL0010000006) will be redeveloped in 3 total phases, of which 2 will be RAD. The initial phase of the redevelopment is an application through Section 18 for Demolition of 200 units along the Georgia Rd. portion of the property. That portion of the property has soil contamination levels that exceed acceptable thresholds for residential use due to the presence of a refinery prior to the property’s development. That portion of the property will be developed into a community center, additional parking, and open space that will tie to existing and adjacent parks. Phase 2 of the project (RAD) will include the transfer of assistance of 12 units to the HABD Central building that will be a new construction and mixed use LIHTC project. The 3rd phase of the development (RAD) will be a large Tax-Exempt Bond / 4% rehabilitation project that will address the physical needs of the remaining 284 units onsite.

4. Complete the spreadsheet below:

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<th>Phase</th>
<th>Number of Units in the Phase</th>
<th>Date of Application</th>
<th>LIHTC application (if applicable)</th>
<th>Financing Plan Submission</th>
<th>Any demolition or disposition associated with each phase (if applicable)</th>
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<tr>
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<td>Yes – TOA Only</td>
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<td>5/1/2019</td>
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<tr>
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<td></td>
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<tr>
<td>6</td>
<td></td>
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</tr>
<tr>
<td>Total Units</td>
<td>496</td>
<td></td>
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</table>
Summary of Non-Smoking Policy

The Housing Authority of the Birmingham District

Smoke-Free Housing Policy

24 CFR Parts 965 and 966

The Department of Housing and Urban Development (HUD) has implemented a Rule that requires each Public Housing Authority administering public housing to implement a smoke-free policy. Specifically, the Rule requires each Public Housing Authority to implement a policy prohibiting lit tobacco products and all smoking in any interior common areas, including but not limited to community rooms, community bathrooms, lobbies, reception areas, hallways, laundry rooms, electrical rooms and closets, storage units or rooms, stairways, offices, elevators and within all living units in public housing, and Public Housing Authority administration office buildings and vehicles (in brief, a smoke-free policy for all public housing indoor areas). The Housing Authority is also prohibiting electronic nicotine delivery systems (ENDS) and is including it in this policy’s definition of Smoking. This policy extends to all outdoor areas up to twenty-five (25) feet from housing (doors/entrances, windows and porches) and administrative office buildings and maintenance facilities.

HUD is requiring implementation of smoke-free public housing to improve indoor air quality in housing, benefit the health of public housing tenants and public housing staff, reduce the risk of catastrophic fires, and lower
overall maintenance costs. This policy applies to all tenants, tenant’s families, tenant’s guests, visitors, contractors, service personnel, and employees.

**Purpose of Policy**

2) To mitigate the irritation and known health effects of secondhand smoke. Smoking or exposure to secondhand smoke (sometimes called environmental tobacco smoke) causes premature death from respiratory disease, cancer or heart disease. Smoking is the number one cause of preventable disease in the United States.

2) According to the EPA, secondhand smoke exposure causes disease and premature death in children and adults who do not smoke. People with chronic diseases such as asthma or cardiovascular disease are particularly vulnerable to the effects of secondhand smoke. Secondhand smoke lingers in the air for hours after cigarettes have been extinguished and can migrate between apartments in multifamily buildings.

3) To allow all administrative and maintenance staff the opportunity to perform their job duties in an environment that is nonsmoking.

4) Minimize the maintenance, cleaning, painting and redecorating costs associated with smoking.

5) Decrease the risk of smoking-related fires to property and personal safety. Fires started by lighted tobacco products, principally cigarettes, constitute the leading cause of residential fire deaths.

**Definitions**

7) Public Housing – Public Housing is defined as low-income housing, and all necessary appurtenances (e.g. community facilities, public housing offices, day care centers, and laundry rooms) thereto, assisted under the U.S. Housing Act of 1937 (the 1937 Act), other than assistance under section 8 of the 1937 Act.

8) Development/Property – All Housing Authority’s developments and properties are included in this policy and all related administrative offices and maintenance facilities.

9) Smoking - The term “smoking” means igniting, inhaling, exhaling, breathing or carrying or possessing any lit cigar, cigarette, pipe, water pipe referred to as hookahs or other tobacco product or similar lighted product in any manner or in any form or any other device containing tobacco, marijuana or other legal or illegal substance that burns. This definition also includes electronic nicotine delivery systems (ENDS) including electronic cigarettes (“e-cigarettes”).

10) Indoor Areas – Indoor Areas is defined as living units/apartments. Indoor common areas, electrical rooms and closets, storage units or closets, community bathrooms, lobbies, hallways, laundry rooms, stairways, offices, elevators and all public housing administrative offices/buildings, Maintenance Facilities and vehicles.

11) Individual Apartment/Units - Individual Apartment/Units are defined as the interior and exterior spaces tied to a particular apartment/unit. This includes, but is not limited to, bedrooms, hallways, kitchens, bathroom, patios, balconies, porches and apartment entryway areas.

12) Common areas - Common areas are areas that are open to all tenants, tenant’s families, tenant’s guests, visitors, contractors, service personnel, employees and members of the public. Common areas include:
(a) Any inside space
(b) Entryways/Entrances
(c) Patios, Porches and balconies
(d) Lobbies
(e) Hallways and stairwells
(f) Elevators
(g) Management offices
(h) Maintenance Offices and Inventory Areas
(i) Public restrooms
(j) Community rooms
(k) Community kitchens
(l) Lawns
(m) Sidewalks and walkways within the development
(n) Parking lots and spaces
(o) Playgrounds, parks and picnic areas
(p) Common areas also include any other area of the buildings or developments where tenants, tenant’s families, tenant’s guests, visitors, contractors, service personnel, employees, and members of the public may go.

**Effective Date**

The Effective Date shall be **DECEMBER 1, 2017**. All tenants, tenant’s families, tenant’s guests, visitors, contractors, service personnel, employees, and members of the public in and/or on Housing Authority property will be prohibited from smoking inside the buildings, common area, including all housing apartments starting on that date. Smoking is only allowed beyond twenty-five (25) feet from all housing (doors/entrances, windows and porches) and administrate office buildings and maintenance facilities.

**Tenants Responsibilities and Lease Violations**

6) Tenants are prohibited from smoking within twenty-five (25) feet of all housing (doors/entrances, windows and porches) and administrate office buildings and maintenance facilities.

7) Tenants are responsible for the actions of their household, their guests, and visitors. Any tenant, including the members of their household, guests, or visitors will be considered in violation of the lease if found smoking in any Housing Authority facility or apartment, or anywhere on Housing Authority property that is deemed as a nonsmoking area. Visual observation of smoking is not necessary to substantiate a violation of this Smoke Free Housing Policy. For example, the presence of smoke, tobacco smoke odor, or smoke stains within an apartment in combination with butts, ashtrays, or other smoking paraphernalia will be considered significant evidence of a policy violation. **Five (5) violations will be considered to be a serious violation of the material terms of the lease and will be cause for non-curable eviction.** In addition, tenant will be responsible for all costs to remove smoke odor or residue upon any violation of this policy.

8) Any deviation from the Smoke Free Housing Policy by any tenant, a member of their household, or their guest or visitor will be considered a lease violation. A cleaning charge of $100.00 will be added to the tenant account in the event it becomes necessary to paint, fumigate, repair, or correct any damage
caused by tobacco smoke to any apartment, building common area, or any other nonsmoking area on or in the Housing Authority property. (Any cigarette butts not properly disposed of may also be cause for a cleaning service charge.)

9) No smoking signs will be posted both outside and inside the buildings, offices and common areas of the Housing Authority property. Tenants will be responsible to inform all their household, family, guests and visitors that their apartment is smoke free and that their housing may be affected by violators.

10) If the smell of tobacco smoke is reported, the Housing Authority will seek the source of the smoke and appropriate action will be taken. Tenants are encouraged to promptly give Property Management staff a written statement of any incident where smoke is migrating into the Tenant's apartment from sources outside of the Tenant's apartment.

ENFORCEMENT

If a tenant is found to be in violation of the Smoke Free Housing Policy, the following steps will be taken:

1st Offense The first documented occurrence will result in a verbal warning.

2nd Offense The second documented occurrence will result in a written lease violation.

3rd Offense The third documented occurrence will result in a referral to an outside agency for counseling and/or other assistance.

4th Offense The fourth documented occurrence may result in a fine of $100.00 being assessed against the resident to cover the cost of fumigating, repairing, or correcting damage caused by tobacco smoke.

5th Offense The fifth documented occurrence may result in a Lease termination.

Health and Safety of Employees and Contractors

For the health and safety of Housing Authority employees and their representatives, no tenant shall have any type of tobacco or related product burning at such time as any employee or representative of the Housing Authority enters and remains in their apartment. If any tenant refuses to put out the burning tobacco or related product prior to the employee or representative entering their apartment, or if the tenant lights a tobacco or related product while an employee or representative remains in their apartment, the employee or representative shall vacate the apartment immediately and not return until such time as there is no longer any tobacco or related product burning. This may result in a delay of services to the tenant’s apartment and possibly eviction.

Adoption of Policy by Tenant

Upon approval of this policy, all tenants presently living in the Housing Authority apartments and new tenants will be given a copy of this policy. After review both incoming and current tenants will be required to sign the Smoke Free Housing Lease Addendum/ House Rules Amendment. A copy will be retained in the tenant file. All tenants will be required to sign the new no smoking agreement prior to the Effective Date. Failure to sign and/or return the Smoke Free Housing Policy Lease Addendum/House Rules Amendment to the Property Management office in a timely manner will result in a written warning and if still not received after the two warnings, eviction.
All current tenants who smoke will be provided with resources for a cessation program upon request. The development’s Property Manager will provide information on cessation program accessibility.

**Disclaimers and Representations**

8) The Smoke Free Housing Policy does not mean that tenants and/or employees will have to quit smoking in order to live and/or work at the Housing Authority developments and offices or drive its vehicles.

9) The Housing Authority Not Guarantor of Smoke Free Environment – Housing Authority’s adoption of the Smoke Free Housing Policy, and the efforts to designate portions of developments as non-smoking does not make the Housing Authority or any of its Board of Commissioners, officers, employees or agents the guarantor of Tenant’s health or of the smoke free condition of the non-smoking portions of developments. However, the Housing Authority will take reasonable steps to enforce the Smoke Free Housing Policy. The Housing Authority is not required to take steps in response to smoking unless the Housing Authority has actual knowledge of the smoking and the identity of the responsible tenant.

10) Housing Authority Disclaimer – The Housing Authority’s adoption of a non-smoking living environment, and the efforts to designate portions of its developments as non-smoking does not in any way change the standard of care that the Housing Authority has under applicable law to render it’s developments any safer, more habitable or improved in terms of air quality standards than any other rental premises. The Housing Authority specifically disclaims any implied or express warranties that the air quality in the apartment or the building containing the apartment will improve or be any better than any other rental property. The Housing Authority cannot and does not warranty or promise that its developments will be free from secondhand smoke. The Housing Authority’s adoption of the Smoke Free Housing Policy does not in any way change the standard of care that it has to the Tenant’s apartments and the common spaces.

11) The Housing Authority’s ability to police, monitor or enforce the Smoke Free Housing Policy is dependent in significant part on voluntary compliance tenants, tenant’s household, tenant’s families, tenant’s guests and visitors.

12) Tenants with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that the Housing Authority does not assume any higher duty of care to enforce this policy than any other Landlord obligation under the Lease. The Housing Authority is not responsible for smoke exposure even if the tenant, a member of the tenant’s household, tenant’s families, tenant’s guests or visitors have respiratory ailments, allergies, or any other physical or mental condition relating to smoke.

13) Even though the Housing Authority has adopted a Smoke Free Housing Policy it cannot guarantee that smoking will never happen.

14) In apartments that used to allow smoking, the effects of that smoking may still linger.

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**THE HOUSING AUTHORITY OF THE BIRMINGHAM DISTRICT**

**SMOKE FREE HOUSING POLICY**

**LEASE ADDENDUM AND HOUSE RULES AMENDMENT**

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41
I, ________________________________, acknowledge receipt of The Housing Authority of the Birmingham District’s Smoke Free Housing Policy which will become effective DECEMBER 1, 2017.

I acknowledge that I have read and agree to abide by the Smoke Free Housing Policy and understand that it is included and has become a binding and enforceable part of my lease with The Housing Authority of the Birmingham District as well as the House Rules and that any violations of said policy will result in the following:

1st Offense The first documented occurrence will result in a verbal warning.

2nd Offense The second documented occurrence will result in a written lease violation.

3rd Offense The third documented occurrence will result in a referral to an outside agency for counseling and/or other assistance

4th Offense The fourth documented occurrence may result in a fine of $100.00 being assessed against the resident to cover the cost of fumigating, repairing, or correcting damage caused by tobacco smoke.

5th Offense The fifth documented occurrence may result in a Lease termination.

Tenant Signature: ________________________________

Address: ________________________________ Unit: __________

Date: ________________________________
Summary of Activities Related Project-Based Vouchers

During 2017, HABD completed a procurement process to project-base rental assistance under the RAD and or HCV programs. Two projects were awarded project-based contracts through the HCV program for a total of approximately 100 units. HABD intends to issue another RFP and procurement during the 2018 plan year to solicit potential projects for PBVs. It is expected that the RFP will publish very early in the new fiscal year and with awards occurring subject to the receipt of successful projects. HABD will reserve its right to project-base assistance through any appropriate program and up to the maximum allotted number of units/vouchers.
Summary of Other Capital Grant Programs

HABD intends to apply for any and all appropriate capital grant programs that arise during the 2018 program year. Those programs will include, may are not limited to, the Emergency Safety and Security Grant. HABD will also be renegotiating its Energy Performance Contract (EPC) program during the 2018 plan year. Any deviations from the existing EPC will require HUD approval and such approval(s) will be sought when appropriate. HABD intends to aggressively seek additional funding sources and reserves the right to apply for any capital or other funding source that may arise from the U.S. Department of HUD during the 2018 plan year.
Attachment M

Executed HUD-50077, Certifications of Compliance
Certifications of Compliance with PHA Plans and Related Regulations
(Standard, Troubled, HCV-Only, and High Performer PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 02/29/2016

PHA Certifications of Compliance with the PHA Plan and Related Regulations including Required Civil Rights Certifications

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___-Year and/or ___ Annual PHA Plan for the PHA fiscal year beginning 2018, hereinafter referred to as “the Plan”, of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.

2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA’s jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.

3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.

4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.

5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.

6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the PHA’s involvement and by maintaining records reflecting these analyses and actions.

7. For PHA Plans that includes a policy for site based waiting lists:
   - The PHA regularly submits required data to HUD’s 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PH Notice 2010-25);
   - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
   - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
   - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
   - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).

8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.


10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
12. The PHA will take appropriate affirmative action to award contracts to minority and women’s business enterprises under 24 CFR 5.105(a).

13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.

14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.

15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.

16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.

17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).

18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.

19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

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### Housing Authority of Birmingham District

**PHA Name**

**PHA Number/HA Code**

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__X__ Annual PHA Plan for Fiscal Year 2018

___ 5-Year PHA Plan for Fiscal Years 20__ - 20___

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I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012, 31 U.S.C. 3729, 3802).

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<thead>
<tr>
<th>Name of Authorized Official</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Morell Todd</td>
<td>Chairman, Board of Commissioners</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
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Page 2 of 2 form HUD-50077-ST-HCV-HP (12/2014)
Attachment N

2017 Progress/Update Toward Agency Goals
2017 Progress/Update Towards Agency Goals

PHA Goal: Improve the quality of assisted housing:

- HABD completed the third and final phase of modernization at Elyton Village during November, 2017.
- In addition, HABD and Amersesco are moving forward with the implementation of energy savings efforts through the EPC entered into July 2015. Since the execution of the EPC the following work has been completed: installation of new toilets for North Birmingham and Collegeville; started the repair of leaks at North Birmingham and Collegeville and testing of the new mini-split air condition units at two sites - Marks Village and Morton Simpson.
- HABD applied for 9% LIHTCs via Arlington Properties for Farrington Apartments. The application was submitted in January, 2018, and awards are expected in June, 2018.
- HABD applied for 4% LIHTCs via Hollyhand Development for Loveman Village in December, 2017 and received the Declaration of Intent to issues the PAB exempt bonds and correlating 4% LIHTCs
- The Housing Choice Voucher Program received a High Performer rating for FYE2017 SEMAP with a score of 91
- The Public Housing Program received a Standard Performer rating for FYE 2017 PHAS.

PHA Goal: Increase assisted housing choices

- As of December, 2017, over 200 persons have applied for the HABD homeownership program.
- The 5H Homeownership program has fifty-nine (59) families who have purchased a home and there are an additional thirty (30) who are utilizing the lease-purchase option under the program
- Landlord recruitment continues with the HCV Program hosting landlord orientations monthly;
- The HCV Program continues to partner with landlords and other service agencies to provide and expand housing opportunities for veterans on the VASH Program and increase accessibility by expanding opportunities in higher income census tracts and non-minority census tracts.
- Site-based waiting has been implemented for all properties

PHA Goal: Provide an improved living environment

- The Public Housing Program implemented a "working family preference" for admission and occupancy for housing communities that have been modernized within the last 10 years which would include: Cooper Green, Elyton Village, Harris Homes, Smithfield Court and Tom Brown Village. If families do not meet the working preference they will reside in traditional housing but will have access to the incentive property waiting lists.
- HABD initiated a 5 year paint program for occupied public housing units.
- HABD installed security cameras at each of the 13 community centers to improve security in those areas
- HABD is continuing to work with the City of Birmingham; on February 16, 2016 HABD received commitment from the City for 1.5 million for the Loveman Village RAD project
- In addition, HABD and the City of Birmingham continue their efforts to deter crime within many of the HABD communities with the HICOPP program.

PHA Goal: Promote self-sufficiency and asset development of assisted households

- The Resident Services department continues to enroll families into the Family Self-Sufficiency Program
- Homebuyer workshops are conducted monthly for Public Housing families who are interested in purchasing a home through the HABD 5H Homeownership Program.
- HABD is currently looking to implement Homeownership Workshops for the HCV Program to increase the number of persons participating in the Homeownership Program.
Attachment O

Summary of Public Comments
Resident Council Meeting
5 Year Plan discussion
April 6, 2018

Topic of discussion: Fiscal 2018 Annual Plan

Questions & Answers

HABD Staff, stated changes under section 8 voucher program is, if for any reason a resident is displaced from their unit they would receive preference under the voucher program. Smithfield Court is being considered for replacing residents from Freedom Manor while under redevelopment. HABD is currently identifying residents that are currently on the section 8 waiting list to meet with them to discuss releasing their unit so residents can be placed from Freedom Manor.

HABD Staff, clarified changes that will affect public housing residents is that, last year HUD required HABD to implement a non-smoking policy.

Resident council commented, the policy states residents do not have to stop smoking but stop smoking in the housing units. The smoking in the units is damaging the paint on the walls, etc. Resident council commented, residents that do smoke should have a designated area for smoking about 25 ft. from the site visible to their housing unit. Also, resident council suggested the smoking area be near the playground so they are able to watch their kids play.

Question: Can someone that is not a resident apply for the homeownership program?
Answer: Individuals must be a resident of HABD to apply for the homeownership program.

Question: Is the suggested income amount to qualify for the homeownership about $25,000.00 or what?
Answer: Depends on the size of the family. Usually a family of four would be around $40,000.00 annually.

Question: Can homeowners in the program be given a homeownership policy clarifying the dos and don’ts while occupying the property? Also, suggested classes be provided on what is and not allowed.
Answer: To be discussed for a solution.

Question: While on the FSS program are residents paying into the escrow to buy their home or is it a savings? Residents need more clarification of the FSS program.
Answer: Saving into the escrow is designed just into they get into the home. If you have met the required goals at the end of the program that completes that individual.

Question: Will HABD continue to help residents save money?
Answer: When you graduate form the FSS program, you get to see the funds you saved. The program assist resident’s education and finding jobs to aide in becoming self-sufficient.

Question: Has anything been done regarding the smell of gas?
Answer: Yes, and will follow up with Mr. Lundy.

Question: Community center open on weekends?
Answer: HABD will check resources to expand operating hours of our community centers.

Comment: The store on the corner of the main entrance to Marks Village is being used for drugs and a night club.
**Question:** Can HABD or the city make the owners of the community store more accountable for people hanging around the doors of the store.

**Answer:** HABD has petitioned the city to enforce the rules for store owners near the communities. Also, suggested assisting the CPAB in putting letter together to the city to enforce tougher rules to prevent crime on our sites.

**Question:** Can Mr. Lundy generate a letter signed by him to be given to all the residents stating the consequences for anyone caught on the person(s) trespassing on the property?

**Answer:** HABD has provided the police with a no trespass list.

**Comment:** The police is not enforcing the “No Trespass” policy due to they are friends with certain residents are on the inside of a lot of the units while crime is on the outside.

**Comment:** Residents stating police is not approachable, don’t feel safe talking with the police because they don’t feel they care.

**Question:** Resident would like to know that once the sites are renovated and is under new management, will they be able to return back to public housing?

**Answer:** HABD will continue operate Freedom Manor and YES residents can return back if they choose to do so.

**Larry Davis, Section 8**

There are challenges transitioning from Public Housing to Section 8. Individuals destroying the property of the private sector the landlord can choose to not lease to Section 8 applicants. When using a voucher individuals decides whether they want to live in a single family unit or seek housing in an apartment similar to the public housing community. If an individual choose to go to a single family then you must understand that all the responsibility of maintaining the unit becomes the tenant’s responsibility. Individuals are open to choose anywhere in Jefferson County however the choice they make comes with responsibilities.

HABD comment: There will be a public meeting on April 16, 2018 at 10:30am where all questions and comments will be addressed.

**HABD Public Hearing**

*April 16, 2018 10:30 a.m.*

The PHA Plan and its components was presented to the public during the public hearing. The following is a summary of the comments:

**Public Comments/Questions:**

**Question:** Does the Non Smoking Policy apply to Vaping?

**Answer:** The policy applies to all smoking including e-cigarettes / vaping.

**Question:** Will the proposed demolition at Marks Village include a 1 for 1 replacement?

**Answer:** Each occupied unit at Marks Village will qualify for a Replacement Voucher and multiple options will be made available under the relocation plan.

**Comments:** Very pleased to hear that the Section 3 program is being taken seriously with emphasis upon long-term or permanent jobs rather than just temporary opportunities.
April 16, 2018 Board Meeting

Comments by Resident Irene Johnson

Non-Smoking Policy

Residents of Southtown is not aware of what is going on regarding not being able to smoke because their understanding is on different levels.

If the residents give a bad comment will they know who they are and what unit they live in?

The vapor is used to get off cigarettes and that she has not researched the HUD policy on this issue.

She will be spending 4 days in Washington DC and will discuss the smoking issue there in May.

Safety

City of Birmingham owes HABD money because there was a contract and money was not used properly.

HICOPPS has to come up with millions of dollars and has agreed to do so.

Glad to see Section 3 being taken seriously. When people come of the program is there funding to continue their education to move forward?

Marks Village

200 units is being moved from marks Village that need to be deconcentrated and will the people be placed somewhere else.

Birmingham is losing so many houses and are accumulating more homeless people and is afraid the non-smoking policy will create more homeless people.

Requested a copy of the HABDs’ Annual Plan.
Attachment P

Executed form HUD 50077-SL Certification of Consistency with the City of Birmingham Consolidated Plan
Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Randall Woodfin, the Mayor, certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

Housing Authority of the Birmingham District

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of Impediments (AI) to Fair Housing Choice of the

City of Birmingham

pursuant to 24 CFR Part 91.

Provide a description of how the PHA Plan is consistent with the Consolidated Plan or State Consolidated Plan and the AI.

Harbert maintains its commitment to improve the quality of assisted housing within the city of Birmingham through quality uniform physical living conditions, promoting pleasant enjoyable experiences within the community settings, and improving the overall economic sufficiency and economic opportunities to the residents in the communities.

I hereby certify that all the information stated herein, as well as any information provided in the accompagniment herewith, is true and correct. Violation: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1014, 1012; 31 U.S.C. 3729, 3730)

Name of Authorizing Official
Randall Woodfin

Title
Mayor

Signature

Date
04/17/2016