



HOUSING AUTHORITY
of the City of Long Beach

Community Development
521 East Fourth Street
Long Beach, CA 90802
Tel 562.570.6985
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June 23, 2009

AGENDA ITEM 4

HONORABLE HOUSING AUTHORITY COMMISSION
City of Long Beach
California

RECOMMENDATIONS:

Adopt attached Resolution amending Chapter 21 of the Housing Authority of the City of Long Beach (HACLB) Administrative Plan relative to the Project-Based Voucher (PBV) Program; and

Authorize the Executive Director to release a Request for Proposals (RFP) advertising the availability of a PBV Program and soliciting participation in the program from interested property owners; and

Authorize the Executive Director to negotiate and execute an Agreement to Enter into a Housing Assistance Payments contract for PBV assistance in accordance with HUD guidelines for qualified proposals submitted in response to this RFP for rehabilitated units.

DISCUSSION

Chapter 21 of the Housing Authority of the City of Long Beach (HACLB) Administrative Project-Based Voucher (PBV) Rental Assistance Program was established and approved by the Housing Authority Commission on October 15, 2002.

This chapter established a program designed to allow Housing Choice Vouchers (HCV) to be used for project-based rental assistance. In addition to tenant-based rental assistance under the Section 8 HCV Program, this project-based assistance may be used for housing that is either new construction, rehabilitation construction, or existing housing.

HACLB utilizes its allotment of HCVs primarily for tenant-based rental assistance. Under the tenant-based voucher program, HACLB issues a voucher to an eligible family and the family selects a unit of its choice. If the family moves out of the unit, the contract with the owner ends and the family can move with continued assistance to another unit. In contrast under the PBV program, the HACLB enters into a contract with the owner for specific units and for a specified term. The HACLB refers families from its waiting list to the property owner to fill vacancies. A family that chooses to move from the project-based unit after the initial 12-month period will receive continued assistance using a tenant-based voucher, while the PBV tied to that unit will be made available to another qualified household.

To provide the assistance, the HACLB and the owner must execute an Agreement to Enter into a Housing Assistance Payments contract (Contract). Under the Contract, the owner agrees to rehabilitate existing units or build new units, and HACLB agrees to subsidize the units upon satisfactory completion of the rehabilitation or construction. This is beneficial to the owner because he/she may be able to leverage a portion of the funds needed for rehabilitation against future housing assistance payments. Upon satisfactory completion of the rehabilitation or new construction, and for existing development, HACLB and the owner execute a Contract for a 10-year term that is dependent on the availability of funding under HACLB's annual contributions contract with HUD. The Contract between HACLB and the owner establishes the initial rents for the units and the contract term, and describes the responsibilities of HACLB and the owner. Contracts can be renewed subject to availability of funding, or terminated based on failure to fulfill responsibilities.

There are no new appropriations requested for this program. HUD does not allocate funding for PBV assistance. Instead, funding for PBV comes from funds already obligated by HUD to HACLB under its annual HCV contributions contract. The unit-based assistance will also help HACLB meet the HUD-required goal of maximizing leasing while controlling costs.

Since this program was established, federal regulatory changes have occurred requiring minor revisions to Chapter 21 of our HACLB Administrative Plan. The highlights of those revisions are as follows:

- The program originally referred to as "Project-Based Rental Assistance" is now renamed "Project-Based Voucher Program."
- The Project-Based Voucher Program is no longer based on 20 percent of allocation of Section 8 Housing Choice Vouchers, and is now based on 20 percent of annual budget authority for Housing Choice Voucher Program.

Relocation Requirements

Any person displaced as a result of implementation on the Project-Based Voucher (PBV) Program must be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) [42 U.S.C. 4201-4655] (implemented 49 CFR, part 24).

Tenant Solution

HACLB will maintain a PBV waiting list, except in the case of properties serving special segments of the population, in which case a site-specific PBV waiting list will be maintained.

Public Housing Authority (PHA) Responsibilities

HACLB will provide vacancy payments for up to 30 days in an amount not to exceed one month's Housing Assistance Payment (HAP) to the owner as long as the owner is not at fault for the vacancy and regularly works diligently to avoid or minimize the length of any vacancies.

HUD VASH Voucher

At the request of the local VA Medical Center (VAMC) Department of Housing and Urban Development (HUD) Veterans' Affairs Supportive Housing (VASH), vouchers may be allocated to PBV contracts at the time a PBV contract is executed.

Notice of Owner Selection

Within 10 business days of the PHA making the selection, the PHA will notify the selected owners in writing of their selection for the PBV Program. The PHA will also notify in writing all owners that submitted proposals that were not selected and advise such owners of the name of the selected owner.

These changes are regulatory requirements of the PBV Program. This update will provide clarity for Program participants as well as staff administering the program.

At this time, staff is requesting authorization to make revisions to Chapter 21 of the HACLB Administrative Plan (see attached resolution) and make available a maximum of 20 percent of the annual budget authority for rehabilitated units only utilizing the PBV Program.

This letter was reviewed by Deputy City Attorney Linda Trang on May 21, 2009. This matter was reviewed by Budget and Performance Management Bureau Manager, David Wodynski on June 1, 2009.

TIMING CONSIDERATIONS

Housing Authority action is requested at the June 23, 2009 meeting to allow staff to implement the program and continue to lease-up tenants to meet HUD requirements.

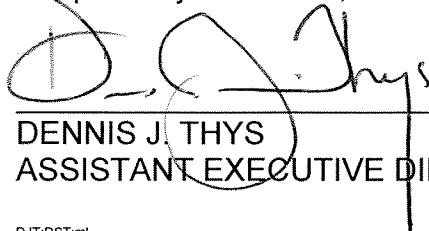
FISCAL IMPACT

There is no fiscal impact caused by the proposed action. Unit-based rental assistance is provided using the Housing Authority's existing Housing Choice Voucher allocation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



DENNIS J. THYS
ASSISTANT EXECUTIVE DIRECTOR

APPROVED:



PATRICK H. WEST
EXECUTIVE DIRECTOR

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO. H.A. _____

A RESOLUTION OF THE HOUSING AUTHORITY
OF THE CITY OF LONG BEACH, CALIFORNIA AMENDING
CHAPTER 21 OF THE ADMINISTRATIVE PLAN FOR THE
PROJECT-BASED VOUCHER PROGRAM

WHEREAS, the U. S. Department of Housing and Urban Development (“HUD”) requires that housing authorities receiving grants from the federal government adopt an administrative plan for the Section 8 Housing Assistance Payments Program operated by housing authorities (the “Administrative Plan”); and

WHEREAS, Chapter 21 was added to the Administrative Plan and adopted on October 15, 2002 as Resolution H.A. 4-02, in order for the Housing Authority of the City of Long Beach, California to participate in HUD’s project-based rental assistance program (now known as project-based voucher program) (“Program”); and

WHEREAS, the Housing Authority of the City of Long Beach, California desires to revise Chapter 21 of the Administrative Plan pursuant to federal regulatory changes relative to the Program;

NOW, THEREFORE, the Housing Authority of the City of Long Beach, California resolves as follows:

Section 1. The administrative plan adopted October 10, 1995 as Resolution H.A. 5-95 (“Administrative Plan”) and amended from time to time is further amended by replacing Chapter 21 of the Administrative Plan in its entirety with Exhibit “A” attached to this resolution.

Section 2. The Administrative Plan, as revised herein, shall continue to be the policy of the Housing Authority of the City of Long Beach, California for the Section 8 Housing Assistance Payments Program.

Section 3. The Clerk will certify to the passage of this resolution by the

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 Housing Authority of the City of Long Beach, California, and it will immediately take
2 effect.

3 I certify that the foregoing resolution was adopted by the Housing Authority
4 of the City of Long Beach, California, at its meeting of _____, 20____, by the
5 following vote of the qualified members of the Authority:

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7 Ayes: Commissioners: _____
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9 _____
10 _____

11 Noes: Commissioners: _____
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13 Absent: Commissioners: _____
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City Clerk

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EXHIBIT “A”

CHAPTER 21

PROJECT-BASED VOUCHER PROGRAM

PART I: GENERAL REQUIREMENTS

OVERVIEW [24 CFR 983.5]

The HACLB will operate a project-based voucher (PBV) program using up to 20 percent of its budget authority for project-based assistance to expand housing opportunities for low to moderate income families by promoting the development and rehabilitation of low-income housing throughout the City of Long Beach.

The purpose of the PBV program is to encourage property owners to construct new standard housing (New Construction), or to upgrade substandard rental housing stock (Substantial Rehabilitation) and make it available to lower income families in the community. [24 CFR 983.52]

TENANT-BASED VS. PROJECT-BASED VOUCHER PROGRAM [24 CFR 983.2]

Except as otherwise noted in this chapter, or unless specifically prohibited by PBV program regulations, policies for the tenant-based voucher program contained in this administrative plan also apply to the PBV program and its participants.

RELOCATION REQUIREMENTS [24 CFR 983.7]

Any persons displaced as a result of implementation of the PBV program must be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)[42 U.S.C. 4201-4655] and implementing regulations at 49 CFR part 24.

The cost of required relocation assistance may be paid with funds provided by the owner, local public funds, or funds available from other sources. The HACLB may not use voucher program funds to cover relocation costs, except that it may use administrative fee reserve to pay for relocation expenses after all other program administrative expenses are satisfied, and provided that payment of the relocation benefits is consistent with state and local law. Use of the administrative fee for these purposes must also be consistent with other legal and regulatory requirements, including the requirement in 24 CFR 982.155 and other official HUD issuances.

The acquisition of real property for a PBV project is subject to the URA and 49 CFR part 24, subpart B. It is the responsibility of the HACLB to ensure the owner complies with these requirements.

EQUAL OPPORTUNITY REQUIREMENTS [24 CFR 983.8]

HACLB will comply with all equal opportunity requirements under federal law and regulations in its implementation of the PBV program. This includes the requirements and authorities cited at

24 CFR 5.105(a). In addition, the HACLB will comply with the PHA Plan certification on civil rights and affirmatively furthering fair housing, submitted in accordance with 24 CFR 903.7(o).

SELECTION CRITERIA

Proposals for project-based voucher assistance may be requested for new or existing structures or structures that will undergo rehabilitation. The type of units sought for project-based voucher assistance may have special conditions that are created to achieve a desired housing outcome for the type of families targeted to receive housing assistance and/or to create affordable housing opportunities in specific geographic areas meeting site selection criteria. Site selection criteria will be specified in the RFP in order to inform prospective bidders of the methodology used to evaluate the proposals. All units awarded project-based voucher assistance must comply with 24 CFR Part 983 regarding eligible housing.

No more than 25 percent of the units in a building may receive project-based voucher assistance. Units in single-family buildings do not count against the 25 percent cap, nor do "excepted units" in a multifamily building. "Excepted units" are included under the PBV contract and identified as such. "Excepted units" are units in a multifamily building that are specifically made available for "qualifying families."

"Qualifying families" means elderly or disabled families or families receiving supportive services, where at least one family member is receiving at least one qualifying supportive service. These supportive services may include, but are not necessarily limited to:

After school programs

Youth leadership development programs

Training and job readiness programs

GED preparation and literacy

Case management

Personal finance and household budget counseling

Day care services to enable parents to work or attend school

The HACLB will annually monitor the excepted family's continued receipt of supportive services, based on case management reports submitted by the property owner. The project-based voucher contract will be amended as necessary, when necessary to properly reflect the units assisted under the program.

SITE SELECTION STANDARDS

Project-based voucher assistance at a selected site will be consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities consistent with 24CFR Part 903. The site will be suitable for facilitating and furthering compliance with all Civil Rights and Section 504 regulations. The site will also meet HQS site standards.

AWARD OF PROJECT-BASED VOUCHER ASSISTANCE CONTRACTS

The PHA shall give prompt written notice of such selection to the party that submitted the proposal and prompt public notice of such selection.

HOUSING TYPE [24 CFR 983.52]

1. **Eligible Housing.** Rehabilitated units, new construction, and existing housing may be considered. Rehabilitated housing is housing that has rehabilitation expenditures of MORE THAN \$1,000 per unit. Existing housing is housing that requires LESS THAN \$1,000 per unit of rehabilitation (or no rehabilitation) to meeting Housing Quality Standards (HQS). Each unit must pass an HQS inspection before PBA program assistance can begin.
2. **Expanding Housing and Economic Opportunities.** Projects must be located in census tracts with a poverty rate of 20% or less (projects located in areas with higher poverty rates may also be considered, but the owner must submit justification for the need to project-base their development in such areas). These projects will be submitted to HUD for review and approval. Projects should also be located in areas that are in close proximity to one or more of the following: employment centers, schools or colleges, public transportation, health facilities, and parks and recreational areas.
3. **Number of Units.** Projects with more than four units per building are subject to a 25% limit of PBA units in each building. Single-family homes and buildings with four or fewer units are exempt from this requirement.
4. **Project Readiness.** Projects must be ready for occupancy under the PBA program within a reasonable period of time. Projects with more immediate occupancy readiness may be given preference over those with a delayed readiness date.
5. **Occupancy Rate.** In order to ensure maximum and consistent utilization of project-based assistance for existing units only, projects with higher average occupancy rates will be given preference over those with lower rates.
6. **Contract Term.** Regulations currently require a contract term of not less than one year nor more than five years, subject to funding availability. If regulations are amended as proposed, the contract term may be up to 10 years in duration, subject to funding availability. In all cases, preference will be given to contracts of the maximum duration. The contract may be extended upon HA approval.
7. **Occupied Units.** Tenants currently residing in units selected for the PBA program must be eligible for the Section 8 Rental Subsidy Program. The Housing Authority may not select a unit for project-based assistance if it is occupied by persons who are not eligible for participation in the program.

B. TENANT SELECTION

The PHA will maintain a Project-Based Voucher Waiting List, except in the case of properties serving special segments of the population, in which case a site-specific PBV waiting list will be maintained. At the time the HACLB opens its tenant-based assistance waiting list, the HACLB will offer to place entrants on the waiting list for project-based voucher assistance, as well as tenant-based assistance. When a project-based voucher unit becomes available, the PBV Waiting List will be reviewed to determine the first family of the appropriate bedroom size or other eligibility criteria (elderly) for the vacancy. The family will be contacted to determine whether they are interested in project-based housing.

If the family is interested in project-based housing, the family will be interviewed for final eligibility determination. If the family is eligible, they will be referred to the owner of the vacant project-based unit and offered housing, pending final screening and approval by the property owner.

All available project-based voucher units will be leased by persons referred from the Project-Based Voucher Waiting List(s). Owners of PBV properties can refer applicants to the PHA for placement onto the PBV waiting list when the Project-Based Voucher Waiting List is open.

The PBV waiting list may be opened by bedroom size if the number of families on the PBV waiting list is insufficient to promptly refer a sufficient number of families, eligible for that bedroom size, to the owner(s) to fill the vacancies of units currently under PBV contract.

The PHA will inform owners of their responsibility to screen prospective tenants, and will provide owners with the required known name and address information, at the time of the turnover HQS inspection or before. The PHA may provide any additional information to the owner, such as tenancy history, criminal history, etc.

PARTICIPANT RIGHTS AND RESPONSIBILITIES

Admission, tenant rent contributions, tenancy, annual reexaminations, and Housing Quality Standards and policies for participants will be governed by 24 CFR Parts 982, 983 and this Administrative Plan. Voucher issuance and portability are restricted while the family participates in the project-based voucher program. Tenants that wish to vacate the property may request a voucher to convert to the tenant-based program after residing in the project-based unit for at least one year.

If a voucher is not available, the family receives priority for the next available voucher.

The family must give the owner advance written notice (in accordance with the terms of the lease) of intent to vacate. If the family terminates the assisted lease before the end of one year, it relinquishes the opportunity for the continued tenant-based assistance at that time. (The PHA will reconsider eligibility for tenant-based assistance in rank order if listed on HACLB waiting list). Voucher holders must comply with HUD's list of family obligations and Administrative Plan requirements.

OWNER RESPONSIBILITIES

The owner is responsible for performing all of the owner responsibilities as identified in 24 CFR Part 982.452 and in Part 983, including but not limited to unit maintenance and operation, applicant screening and lease enforcement.

The owner must notify the PHA in writing (mail, fax, or e-mail) within 5 business days of learning about any vacancy or expected vacancy.

If any contract units have been vacant for 120 days, the PHA may give notice to the owner that the HAP contract will be amended to reduce the number of contract units that have been vacant for this period. The PHA will provide the notice to the owner within 10 business days of the 120th day of the vacancy. The amendment to the HAP contract will be effective the 1st day of the month following the date of the PHA's notice.

PHA RESPONSIBILITIES

The PHA will comply with applicable HUD and HACLB regulations and policies. When identified in the project-based contract, HACLB will provide vacancy payments for periods up to 30 days in an amount not to exceed one month's HAP to the owner as long as the owner is not at fault for the vacancy and regularly works diligently to avoid or minimize the length of any vacancies. Payments are made for vacancies after the initial lease-up.

USE OF HUD VASH VOUCHERS FOR PROJECT-BASED VOUCHER CONTRACTS

At the request of the local VA Medical Center (VAMC), HUD-VASH vouchers may be allocated to Project-Based voucher contracts at the time a PBV contract is executed, with the approval of the PHA. The PHA will not combine HUD-VASH vouchers with regular Project-Based vouchers to provide assistance under the same contract. A PBV contract funded with HUD-VASH vouchers will follow this Administrative Plan in all respects except where waivers or alternative requirements have been determined by HUD.

Solicitation and Selection of PBV Proposals [24 CFR 983.51(b) and (c)]

The PHA will advertise its request for proposals (RFP) in the following newspapers and trade journals.

The Long Beach Press Telegram or other newspapers of general circulation, and may advertise through other media, such as local cable television, as well.

In addition, the PHA will post the RFP and proposal submission and rating and ranking procedures on its electronic web site.

The PHA will publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units the PHA estimates that it will be able to assist under the funding the PHA is making available. Proposals will be due in the PHA office by close of business 30 calendar days from the date of the last publication.

In order for the proposal to be considered, the owner must submit the proposal to the PHA by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals will not be reviewed.

The PHA will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:

Owner experience and capability to build or rehabilitate housing as identified in the RFP;

Extent to which the project furthers the PHA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, the extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

Extent to which units are occupied by families that are eligible to participate in the PBV program.

In addition to advertising, the PHA may also directly contact specific owners that have already been selected for Federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance.

Proposals will be reviewed on a first-come first-served basis. The PHA will evaluate each proposal on its merits using the following factors:

Extent to which the project furthers the PHA goal of deconcentrating poverty and expanding housing and economic opportunities; and

Extent to which the proposal complements other local activities such as the redevelopment of a public housing site under the HOPE VI program, the HOME program, CDBG activities, other development activities in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community.

PHA Notice of Owner Selection [24 CFR 983.51(d)]

Within 10 business days of the PHA making the selection, the PHA will notify the selected owner in writing of the owner's selection for the PBV program. The PHA will also notify in writing all owners that submitted proposals that were not selected and advise such owners of the name of the selected owner.

In addition, the PHA will publish its notice for selection of PBV proposals for two consecutive days in the same newspapers and trade journals the PHA used to solicit the proposals. The announcement will include the name of the owner that was selected

for the PBV program. The PHA will also post the notice of owner selection on its electronic web site.

The PHA will make available to any interested party its rating and ranking sheets and documents that identify the PHA basis for selecting the proposal. These documents will be available for review by the public and other interested parties for one month after publication of the notice of owner selection. The PHA will not make available sensitive owner information that is privileged, such as financial statements and similar information about the owner.

The PHA will make these documents available for review at the PHA during normal business hours. The cost for reproduction of allowable documents will be \$.25 per page.

SITE SELECTION STANDARDS

It is the PHA goal to select sites for PBV housing that provide for deconcentrating poverty and expanding housing and economic opportunities. In complying with this goal the PHA will limit approval of sites for PBV housing in census tracts that have poverty concentrations of 20 percent or less.

However, the PHA will grant exceptions to the 20 percent standard where the PHA determines that the PBV assistance will complement other local redevelopment activities designed to deconcentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than 20 percent, such as sites in:

A census tract in which the proposed PBV development will be located in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community;

A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition and HOPE VI redevelopment;

A census tract in which the proposed PBV development will be located is undergoing significant revitalization as a result of state, local, or federal dollars invested in the area;

A census tract where new market rate units are being developed where such market rate units will positively impact the poverty rate in the area;

A census tract where there has been an overall decline in the poverty rate within the past five years; or

A census tract where there are meaningful opportunities for educational and economic advancement.

Under no circumstances will the PHA approve PBV assistance in a census tract with a concentration factor greater than 75 percent of the community-wide poverty rate or forty percent, whichever is lower.

E. RENT CALCULATION

1. HUD regulations provide that the PBA rents must be rent reasonable, as determined by a State-Certified Appraiser.
2. Contracts rents are limited to 110% of established fair market rent (FMR) and include the utility allowance for both the initial rent and annual adjustments.

3. Approval from HUD of the rent amount will be required for projects owned or substantially controlled by the Housing Authority and for projects subject to a Subsidy Layering Review by HUD (this includes projects utilizing Low-Income Housing Tax Credits).
4. For projects utilizing the Low-Income Housing Tax Credit (LIHTC) (the LIHTC is a tax incentive intended to increase the availability of low-income housing) and which are located OUTSIDE a Qualified Census Tract (QCT) (QCT's are designated by HUD on an annual basis and have a poverty rate of 25% or more, which exceeds the 20% poverty rate allowed by the PBA program), the rent limit may be as high as the amount charged for an LIHTC rent-restricted unit in the project, if it higher than 110% of Fair Market Rent (FMR). If the LIHTC rent is lower, the rent limit may remain at 110% of FMR. In all cases, however, the rents approved must be reasonable in relation to rents charged in the private market for comparable unassisted units in the area, as determined by the Housing Authority.
5. An owner's request for a rent increase must be submitted to the PHA 90 days prior to the anniversary date of the HAP contract, and must include the new rent amount the owner is proposing.

F. ADVERTISING PROCEDURES

The Housing Authority will advertise in a newspaper of general circulation that the Housing Authority will accept applications for assistance under a PBA program for specific types of rehabilitation, new construction, and existing housing projects depending upon need as determined by the Housing Authority. The advertisement must be approved by the HUD field office and may not be published until after the latter of HUD authorization to implement a project-based program or ACC execution. Existing projects in which 25% or less of the units will be assisted will be advertised separately.

The HA will advertise in the Long Beach Press Telegram or other newspapers of general circulation, and may advertise through other media, such as local cable television, as well.

The advertisement will be published once a week for three consecutive weeks and will state the following:

- Application deadline (at least thirty (30) days after the last published date of advertisement).
- Number of units the Housing Authority estimates it will be able to assist under the funding it is making available for this purpose.
- Only applications submitted in response to the advertisement will be considered.

Substantially, the following format will be used for all notices advertising Housing Authority acceptance of applications for rehabilitation or new construction projects for the PBA program:

The Housing Authority of the City of Long Beach ("HA") will be accepting applications from property owners for project-based assistance ("PBA") under the Section 8 Program. This Request for Proposals ("RFP") is established pursuant to Title 24, Chapter VII of the Code of Federal Regulations, 24 CFR, Section 983 ("Project-Based Certificate Program".)

Under the PBA Program, the HA will attach a Section 8 Housing Assistance Payments ("HAP") Contract to a unit if the owner agrees to rehabilitate or construct the unit other than with assistance provided under the United States Housing Act of 1937. The rent for each unit in the selected structure(s) will be subsidized by the HA when the owner leases the unit to an eligible family. The purpose of this program is to encourage property owners to construct standard or upgrade substandard rental housing stock, and make it available to low-income families at rents within the Section 8 existing housing fair market rents.

Rehabilitation or new construction of selected projects cannot begin until the Housing Authority and the owner(s) have executed an Agreement to enter into a Housing Assistance Payments Contract.

The HACLB estimates that up to (# of units) units of (type) of housing in the City of Long Beach will be assisted under the funding available for this purpose.

RFP Packets will be available at the Housing Authority of the City of Long Beach office at 521 East Fourth Street, Long Beach, CA 90802, between the hours of 7:30 a.m. and 4:30 p.m. from (initial date) through (closing date). The application submission deadline is (deadline date) (30 days after the advertisement is last published).

Only applications submitted in response to this advertisement will be considered.

For additional information, please contact _____ at (562) _____.

G. APPLICATION AND REVIEW PROCESS

The following procedures will be followed by the HA in accepting and screening owner applications submitted for the PBA:

1. Application Submission Deadline. Owner applications will be accepted until the published deadline at the Housing Authority Office indicated on the RFP. The Housing Authority will date and time stamp all applications upon receipt. Applications received after the filing deadline will not be accepted. Postmarks are not acceptable.
2. Application Format. Owner applications are to be completed using the forms and/or format described in the Request for Proposals.
3. Incomplete Applications. If, after the HA review, an application is found to be deficient in that it fails to comply with the RFP, HUD regulations referenced in the RFP, or written evaluation criteria referenced in the RFP, the applicant will be notified and given ten (10) working days to correct the deficiency. Minor typographical or calculation errors may be waived by the HA.

No application should be considered "approved" until all required approvals are given in writing. The application approval process may be terminated at any point that the HA determines that the application does not comply with the RFP or state, federal or local laws or regulations, and the applicant does not or cannot correct the problem within the specified period. The HA assumes no responsibility to any applicant or lender who acts in reliance on participation in the program until such written approvals are given.

4. Application Content. The application will list the property requirements for rehabilitation and new construction projects, and for existing housing, including the site and neighborhood standards (983.6), zoning requirements, eligible/ineligible properties (983.7), per unit minimum cost factor (rehabilitation only; 983.8), FMR limitations (882.714), and other Federal Requirements (983.11) as described in the RFP.

Applications must also include the following items as described in the RFP:

5. A detailed description of the housing to be constructed or rehabilitated, including:
 - a. The number of units by size (square footage), bedroom count, and bathroom count;
 - b. Sketches of the proposed new construction or rehabilitation;
 - c. Unit plans;
 - d. A listing of amenities and services; and

- e. The estimated date of completion;
6. For rehabilitation, the description must describe the property as is and must also describe the proposed rehabilitation.
7. Evidence of site control.
8. For new construction, the application must include identification and description of the proposed site, site plan and neighborhood.
9. Evidence that the proposed new construction or rehabilitation is permitted by current zoning ordinances or regulations, or evidence to indicate that the needed rezoning is likely to be obtained and will not delay the project.
10. The proposed contract rent per unit, including which utilities, services and equipment are included in the rent. For those utilities that are not included in the rent, an estimate of the average monthly cost of each unit type for the first year of occupancy.
11. For rehabilitation projects, the owner must prepare a work write-up and, where determined necessary by the Housing Authority, specifications and plans. The HA has flexibility to determine the appropriate documentation to be submitted by the owner based on the nature of the identified rehabilitation. The work write-ups must address the specific work items identified by the HA under section 983.52 (a).
12. A statement identifying:
 - a. The number of persons (families, individuals, businesses and non-profit organizations) occupying the property on the date of the submission of the application;
 - b. The number of persons to be displaced, temporarily relocated or moved permanently within the building or complex;
 - c. The estimated cost of relocation payments and services, and the sources of funding;
 - d. The organization(s) that will carry out the relocation activities; and
 - e. Information regarding the owner and other project principals including:

- (i) The identity of the owner and other project principals and the names of officers and principal members, shareholders, investors, and other parties having a substantial interest;
- (ii) certification showing that the above-mentioned parties are not on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement programs.
- (iii) A disclosure of any possible conflict of interest by any of these parties that would be a violation of the Agreement or the HAP contract; and
- (iv) Information on the qualifications and experience of the principal participants.

Information concerning any participant who is not known at the time of the owner's submission must be provided to the HA as soon as the participant is known.

H. APPLICATION REVIEW PANEL

Applications shall be reviewed and ranked by an Application Review Panel appointed by the Executive Director or their designee. In the event that an entity which receives a substantial portion of its funding from the HA has submitted an application, HUD shall determine if there is a conflict of interest in having the Application Review Panel review and rank the applications. If it so determines, HUD shall sit in place of the Application Review Panel and shall apply the Unit Selection Policy of the HA in reviewing and ranking applications.

I. APPLICATION REVIEW

The Housing Authority (or HUD, if there are HA-owned or controlled applications) will review all applications. Before selecting units, the HA will determine that each application is responsive to and in compliance with the HA's written selection criteria and procedures, and in conformity with HUD program regulations and requirements, including the following:

1. Evidence of site control.
2. Certification that the owner and other project principals are not on the U.S. General Services Administration list of parties excluded from federal procurement and non-procurement programs.

3. Proposed initial gross rents must be within the FMR limitation as described in Section 882.714 of the regulations.
4. Property must meet eligibility requirements under section 983.6 (Site and Neighborhood Standards), section 983.7 (Eligible and Ineligible Properties and HA-owned units), and section 983.11 (Other Federal Requirements).
5. Property will be rehabilitated or constructed with other than assistance under the U.S. Housing Act of 1937, in accordance with section 983.9.
6. No rehabilitated or construction has begun (as evidence by HA inspection).
7. FOR REHABILITATION ONLY: Property meets the \$1,000 per assisted unit requirement under section 983.8 of the regulations (as evidence by HA inspection).

If the property meets this requirement, the HA will determine the specific work items needed to bring up each unit to the HQS as described in section 983.5, other repairs needed to meet the \$1,000 requirement, and in the case of projects of **five or more units**, any work items necessary to meet the accessibility requirements of Section 504 of the Rehabilitation Act of 1973.

8. FOR NEW CONSTRUCTION ONLY: For projects of **four or more units**, the HA will determine whether any work items necessary to meet the accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988 will be completed.
9. The number of current tenants (for rehabilitation projects) that are low-income families. The HA may not select a unit or enter into an Agreement with respect to a unit if the unit is occupied by persons who are not eligible for participation in the program.

If the proposal does not meet the requirements as indicated above, it will be designated as non-responsive and a notice to that effect, identifying the disqualifying factor, will be sent to the applicant (See Section 7.c., Incomplete Applications).

Proposals that meet the requirements will be evaluated and ranked by the Application Review Panel. An Application Review Panel Ranking list will be prepared according to points awarded to each proposal. The HA may, at its discretion, select one or more of the proposals submitted, or none of the proposals submitted.

FOR NEW CONSTRUCTIONS PROJECTS ONLY: The HA must submit to the HUD field office **for the site and neighborhood review** only those applications determined by the HA to be eligible for further processing pursuant to paragraph (a) of section 983.55. The applications will be submitted to the HUD field office with a certification stating that the unit or units selected in accordance with the HA's approved unit selection policy. The HA's submission will not exceed the number of uncommitted units for which the HA is authorized to designate as PBA units in connection with new construction. If the number of the units contained in applications the HA has determined to be eligible for further processing exceeds the number for which the HA is authorized to designate as PBA units, the HA may submit only the top-ranked applications.

J. OTHER REQUIREMENTS

1. Before executing an Agreement with any selected owner, the HA must:
 - a. Contract with a State-Certified Appraiser and establish the rents in accordance with section 983.12, or seek and obtain the HUD-determined initial contract rents for any HA-owned or controlled units or projects financed with a HUD insured or co-insured multi-family mortgage.
 - b. Only subsidy layering contract rent reviews from HUD or a Housing Credit Agency, if necessary.
 - c. Obtain environmental clearance in accordance with section 983.11.
 - d. Submit a certification to the HUD field office stating that the project or units were selected in accordance with the HA's approved unit selection policy.
 - (i) The HUD field office must establish initial contract rents for any HA-owned units or projects financed with HUD insured or co-insured multi-family mortgage. HUD (or a Housing Credit Agency) must also conduct subsidy layering contract rent reviews.
 - (ii) Before an Agreement is executed for new construction units, the owner must submit the design architect's certification that the proposed new construction reflected in the working drawings and specifications complies with HQS local codes and ordinances, and zoning requirements.

K. RANKING AND SELECTION FACTORS

The following factors will be used by the HA to rank and select applications for the PBA program. Each factor is comprised of several components with an associated point value. The HA may include additional factors to address local objectives for the specific RFP being published. The total points awarded to an application will be aggregate of the component subtotals for each factor.

FACTOR DESCRIPTION AND POINTS

FACTOR	POINTS
A. Site	25
B. Design	30
C. Previous experience of owner and participants in development, marketing and management of affordable low-income housing	35
D. Feasibility of the project as a whole (including likelihood of financing and marketability)	50
E. Local Objectives	45
TOTAL POINTS:	185

FACTOR COMPONENTS:

A. SITE		
1.	Residential in nature (based on zoning).	5
2.	Adequate in size, exposure and contour to accommodate the # and type of units proposed; adequate utilities (water, sewer, gas, electricity) and streets available to serve the site.	5
3.	Promotes greater choice of housing opportunities and avoids undue concentration of assisted persons in areas containing a high proportion of low-income persons.	5

4.	Accessible to social, recreational, educational, commercial, and health facilities and services equivalent to those typically found in similar, unassisted neighborhoods.	5
5.	Does not require excessive time or cost to travel to places of employment providing a range of jobs for lower-income workers. (Less rigid for elderly projects).	5
	POINT SUBTOTAL	25*
6.	*For NEW CONSTRUCTION projects only (item 6 & 7): Site is not located in an area of minority concentration OR meets HUD's requirements regarding sites with minority concentration. (If this criteria is NOT MET, subtract 2.5 points from total).	
7.	Neighborhood is not seriously detrimental to families and is not predominated by substandard dwellings or other undesirable conditions unless there is actively in progress a concerted program to remedy such situations. (If this criteria is NOT MET, subtract 2.5 points from total).	
	TOTAL POINTS	25

B. DESIGN		
1.	Design or rehabilitation plans improve livability, viability and safety of home for residents.	5
2.	Design is appropriate for planned use (considering needs of special tenant population, etc.).	5
3.	(Design or) rehabilitation plans remove existing design hazards or flaws.	10
4.	Adequate utilities, parking and street access (complies with local building and zoning requirements without variance)	10
	TOTAL POINTS	30

C. PREVIOUS EXPERIENCE OF APPLICANT AND RELATED PARTICIPANTS IN DEVELOPMENT, MARKETING AND MANAGEMENT		
1.	Number of housing projects/units developed (as primary or co-sponsor).	5
2.	Number of low-income/affordable housing projects/units developed.	5
3.	Number of housing projects/units marketed and current occupancy rate.	5
4.	Number of low-income/affordable housing projects/units marketed and	5

	current occupancy rate.	
5.	Number of years of project management experience, including number of projects and units. (If applicant uses a property management company, include same info for that company).	5
6.	Number of year's low-income/affordable housing management experience (If applicant uses a property management company, include the same information for that company).	5
7.	Evidence of minority and/or women owning 50% or more of business.	5
	TOTAL POINTS	35

D. FEASIBILITY OF THE PROJECT AS A WHOLE (including likelihood of financing and marketability).		
1.	Evidence that financing is secured, or notes of commitment obtained.	20
2.	Evidence that PBA will be utilized or that existing tenants qualify for assistance if under PBA.	10
3.	Evidence that local Fair Market Rents will provide sufficient funds to assist financial stability.	20
	TOTAL POINTS	50

E. LOCAL OBJECTIVES		
1.	Rehabilitation can be completed within 12 months of approval/Execution of Agreement to Enter into HAP, or 12 months from start of construction.	20
2.	Emphasis on meeting priority needs of the community.**	20
3.	Supportive services designed to enhance employment skills, education, and self-sufficiency is offered to tenants.	5
	TOTAL POINTS	45

**Priority Needs would be those indicated in the adopted City of Long Beach Consolidated Plan or any other document that indicates the City's needs as it relates to housing. Applicants will be asked for justification/documentation of how their project meets priority needs.