

5-Year PHA Plan (for All 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-50075-5Y is to be completed once every 5 PHA fiscal years by all PHAs.

A. PHA Information.

A.1 PHA Name: Eau Claire Housing Authority PHA Code: WI207

PHA Plan for Fiscal Year Beginning: (01/01/2020): _____
 PHA Plan Submission Type: 5-Year Plan Submission Revised 5-Year Plan Submission

Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at 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 websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.

**All information regarding the 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 the Housing Authority office located at 203 South Farwell Street, Eau Claire WI 54701.
 The PHA plan will be posted on the City of Eau Claire Housing Authority website.**

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

Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
				PH	HCV
Lead PHA:					

B.	5-Year Plan. Required for <u>all</u> PHAs completing this form.					
B.1	<p>Mission. State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years. Because we believe that the goal of any enlightened community should be that all its families should have a suitable living environment and home and because we further believe that the elimination of slums and blight and the preservation of families and neighborhoods enhance the general welfare and security of all, we, the undersigned commissioners of the Eau Claire Housing Authority, declare the mission of the Eau Claire Housing Authority to be as follows:</p> <p>Consistent with the charge of the Eau Claire City Council, the mission of the Eau Claire Housing Authority (a public corporation) shall be to assist in providing suitable housing and an acceptable environment for the elderly, the handicapped, and the disadvantaged; to assist low-income homeowners with the rehabilitation of their own property; to encourage private investment in housing to help meet the housing needs of all citizens; and to minimize the burden on the city property taxpayer.</p> <p>In so doing, the Housing Authority shall act in an entrepreneurial manner, leveraging federal, state, and private funds as it assumes an active role in the renewal and growth necessary to assure that Eau Claire will be a prosperous and vital city for future generations.</p>					
B.2	<p>Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years. Increase the availability of decent, safe and affordable housing in continuing to have applicants ready to occupy Public Housing units as soon as they are ready. Improve the quality and management of assisted housing by striving to maintain a "High Performer" status in PHAS. Increase customer satisfaction by sending survey cards after each tenant generated work order. Modernize Public Housing units by continually making improvements to Housing owned units. Improve community quality of life and economic vitality by providing and improved living environment by subsidizing units in nearly all census tracts in the City of Eau Claire. Ensure equal opportunity in housing for all residents by undertaking affirmative measures to ensure access to assisted housing and provide suitable living environment for families living in assisted housing regardless of race, color, religion, national origin, sex, familial status and disability and undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required.</p> <p>AGPNA will be done as required by HUD. 0</p> <p>The Eau Claire Housing Authority has 111 units. Due to the Faircloth Limit the Housing Authority can only have 110 ACC units.</p> <p>The Housing Authority will continue to work with HUD/SAC to determine if regulations have relaxed thereby making it easier to sell this unit. If we find it feasible, we will continue to attempt to sell this unit.</p> <p>Because the unit at 523 Hobart Street cannot be sold, per, HUD, the Housing Authority will continue to attempt to rent the 5 bedroom unit without regard to any of the requirements of the Public Housing program. Since the property is in excess of the Fair Cloth Limit, we will rent the property without regard to the income guidelines, no subsidy will be provided, and it will be rented at full rent (cap or flat). Most other Public Housing lease provisions will apply.</p>					

<p>B.3</p>	<p>Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. The Housing Authority has maintained “High Performer” status for many years. We continue to keep our Public Housing turnover days to a minimum. Over the last five years the Housing Authority has installed Drapes and Storm doors. Concrete pads were added at Sunset Drive. Landscaping was done as a project at Sunset Drive including Shrubs, tree and stump removal. Driveways were repaired as needed. Siding was replaced at seven units. Roofing project for 17 units, and replaced other roofs as needed. Doors replaced as needed. 46 stoves and refrigerators replaced as a project, and others replaced as needed.</p> <p>The Housing Authority continues to provide housing to the elderly and handicapped through our participation in HUD’s Multi-Family program. Park Tower Apartments and Owen Rust Memorial Apartments are properties designated for those populations.</p> <p>The Housing Authority continues to work with those Public Service Agencies that provide services to the homeless by transitioning those persons in need into decent safe and affordable housing.</p> <p>The Housing Authority continues to run a Homeownership program which offers homeownership opportunities to low income qualified first time homebuyers. In addition the HA offers assistance with homeowner rehab through the Community Development Block Grant.</p> <p>So that the HA can Assist our low income populations throughout the City, we continue to advertise for our programs (Public Housing, Park Tower Apartments, Owen Rust Memorial Apartments, Sub Rehab, Homeowner rehab) in various publications and periodicals for which there are no boundaries. Additionally, any homes purchased for our Home Ownership program are located in all parts of the City.</p>
<p>B.4</p>	<p>Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA’s goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.</p> <p>See Attached</p>
<p>B.5</p>	<p>Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <p>Significant Amendment or Modification as defined by the Eau Claire Housing Authority would be an action by the Housing Authority that would provide changes that would require a board resolution. The following is a list of such changes the Housing Authority believes would require a board resolution, this list would include but is not limited to: Changes to rent or Admissions/Occupancy policies, changes to waiting list organization, new activities not currently outlined in the current 5 year plan, changes in the use of Capital Funding and any change involving the demolition of units or conversion activities.</p> <p>A significant Amendment or Modification is defined by the Eau Claire Housing Authority would be:</p> <ul style="list-style-type: none"> A) An amendment or modification that fundamentally changes the Eau Claire Housing Authority’s approach to providing affordable housing under the Public Housing Program. B) A significant change to the Eau Claire Housing Authority’s strategies for meeting the housing needs of families in its jurisdictions or C) A significant change in the planned use of financial resources. D) A change in policy pertaining to the operation of the Housing Authority relating to major strategies to address housing needs and to major policies governing eligibility, selection or admissions and rent determination will be considered Significant Amendments or Modifications. All significant modifications require full public process. E) New program activities that are required or adopted to reflect changes in HUD regulation or are implemented due to national or local emergencies are Exempted actions and will not be considered Significant Amendments or Modifications to the 5 year or Annual Plan. F) Demolition and or/disposition activities, new or amended development pans, designation or conversion actions not currently identified in the 5-year plan may be considered Significant Amendments or Modifications. G) Changes in existing policies which do not constitute major changes in the policy or change the essence of the policy will not be considered a significant amendment or modification. H) Changes in the amounts, higher or lower, for existing items will not be considered a significant amendment or modification.

	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
B.7	<p>Certification by State or Local Officials.</p> <p><i>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.</i></p>

Instructions for Preparation of Form HUD-50075-5Y 5-Year PHA Plan for All PHAs

A. PHA Information 24 CFR §903.23(4)(e)

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

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table.

B. 5-Year Plan.

B.1 Mission. State the PHA’s mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA’s jurisdiction for the next five years. (24 CFR §903.6(a)(1))

B.2 Goals and Objectives. Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years. (24 CFR §903.6(b)(1)) For Qualified PHAs only, if at any time a PHA proposes to take units offline for modernization, then that action requires a significant amendment to the PHA’s 5-Year Plan.

B.3 Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5- Year Plan. (24 CFR §903.6(b)(2))

B.4 Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA’s goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. (24 CFR §903.6(a)(3))

B.5 Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.

B.6 Resident Advisory Board (RAB) comments.

- (a) Did the public or RAB provide comments?
- (b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.17(a), 24 CFR §903.19)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year PHA Plan. The 5-Year PHA Plan provides the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families and the progress made in meeting the goals and objectives described in the previous 5-Year Plan.

Public reporting burden for this information collection is estimated to average .76 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

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

WI207

Housing Authority of the City of Eau Claire
Resident Advisory Board Meeting
August 6, 2019

A Resident Advisory Board (RAB) meeting was held on August 6, 2019 at 11:00 am. Housing Authority staff, Keith Johnathan, Ruth Schermerhorn, and Randy Craker attended the meeting along with Ted Stabenow of the RAB.

Ruth Schermerhorn went over the plan and explained the Five-Year Action plan showing how we project the 5 years based on the last grant amount that we received, and the process for expending Capital Funds.

As a result of this meeting, the RAB came up with the following suggestions:

Ted suggested doing a project to replace the GCFI plug ins, Randy explained that we replace them as needed.

Keith explained that we have to do an environmental check list when we do projects which can possibly turn into environmental reviews, although not likely.

WI207

Housing Authority of the City of Eau Claire
Public Hearings 5-YR Plan 2020-2024
August 26, 2019, August 28, 2019

The Housing Authority of the City of Eau Claire held a public hearing on August 26, 2019 at 9:00 AM. Only staff were present. A public Hearing was held August 28, 2019 at 3:00 p.m.

At the public hearing on August 26, 2019 there were only staff present.

The Following two comments were received via email:

Dear Mr. Jonathon--As the co-chair of the JONAH Affordable Housing Task Force, I was pleased to see the Housing Authority seeking public input into the proposed 5 year Action Plan for the PHA's HUD Capital Fund Program. In reviewing the plan and preparing to make comments, I found a few questions that would help me make informed comments. I would greatly appreciate any answers you or a staff member could provide.

- On page 1, "PHAs are strongly encouraged to post complete PHA plans on their official website." I did not find the existing plan or the proposed plan (currently seeking public comment) on the city website, but I admit that I was not able to do an exhaustive search. Is the existing plan or proposed changes currently available via the city website?
- On page 2, B.2, "APGNA will be done as required by HUD." What is APGNA?
- Also on page 2, B.2, under the description of equal housing opportunity, is there a current process for ensuring that individuals with mental illness and/or addictions who may have conviction histories related to their status, are also given access to public housing?
- In a number of places, the plan makes reference to a Resident Advisory Board. Does such a body exist for Eau Claire Housing Authority properties? If not, is there another avenue for residents to voice concerns or policy recommendations to the Housing Authority?

I thank you so much for providing information to make public input more valuable.

Judi Moseley, ABR (Accredited Buyer's Representative)

And:

Greetings Mr. Jonathon:

I am Co-chair, along with Judi Moseley, of the JONAH Affordable Housing Task Force; Paul Savides is part of our core team. I am unable to appear in person to provide input today; therefore, I am providing comments via email.

Items that I am most concerned about regarding the PHA 5-year Plan:

- **There is a lack of transparency on the website which is of serious concern.** Page 1 of the PHA plan states that "PHAs are strongly encouraged to post complete PHA plans on their official website". I cannot see that the plans have been posted as well as the notification to the public for public input, dates/times/locations. Transparency to the public is vital; without this transparency, it creates a perceived and real "natural barrier" to the public to prevent their participation. Another issue regarding up-to-date information that influences public participation is that when I called the HA yesterday to verify location given that the City Hall is not open to the public until 9/3, the message still states 203 S. Farwell; the website states Prairie Lane as the temporary location.
- **Regarding access criteria to public housing**, on page 2, B.2: Equal Housing Opportunity, what is your current process for ensuring access to persons with mental health issues and/or addictions as well as persons with conviction histories? Are they given access to public housing?
- The plan references a **Resident Advisory Board**; I was not able to identify this on the website. Does it exist for HA properties? If not, why not? What is the mechanism for residents to voice their concerns or their policy recommendations to the HA?
- **I am most concerned regarding the lack of an objective and independent mechanism for HA tenants to make complaints.** The only "complaint" mechanism identified is if a person feels they have been discriminated against in the application process. I am a member of the Housing Advisory Board which is supposed to address applications and appeals, not tenant complaints (I find it interesting that in the few years I have sat on this Board, there has not been one appeal to consider knowing that persons are being denied). My primary recommendation to this Plan is to provide an objective mechanism for tenants to submit a complaint and for it to be addressed in a timely manner. It is not appropriate to have complaints addressed "in house"; there is a power differential between the system providing you housing and the power of that system to take away your housing subsequent to a complaint...it is a "tenant-landlord" relationship. **We want to know if you, the HA, would cooperate with the formation of a "Tenant's Association" in Eau Claire that would also field and assist in mediating HA tenant complaints?**

Please advise how the Public Input will be disseminated and used; we will look forward to talking with you further in the best interest of our residents seeking and residing in Public Housing.

Best,

Susan

Susan M. Wolfgram

At the meeting on August 28, 2019 Keith Johnathan, Randy Craker, Ruth Schermerhorn, and Paul Savides from the JONAH Affordable Housing Task Force were present.

Paul asked questions about Semi Annual inspections, and work orders. Randy Craker explained our processes for inspections and work orders.

Ruth Schermerhorn explained the process of how we determine how to spend our CFP funds.

There was discussion on the above emails. Keith Johnathan addressed the concerns in the emails as follows:

We will put the 5-Yr plan on the Housing Authority website.

Everyone is given access to Public Housing. An Application must be filled out.

We are not allowed to ask what disabilities or medical problems applicants have. (HUD Rule)

Past debt with past landlords, utility companies, or Housing Authorities will have to be paid or have a payment schedule in place.

Drug and violent criminal history, the Housing Authority will deny applicants – 10 year or 5 year if successfully completes rehab or probation (HUD Rules)

Tenants can join any club or association they want to.

We offer to tenants to become part of the Resident Advisory Board.

New policy – Tenant can voice opinions on any new policies or policy changes for 60 days.

Tenant complaints – tenant are able to give tenant complaints in writing so that we can address their concerns. The Housing Authority takes tenant complaints and refers them to Fair Housing.

The Housing Authority has hearings for tenant complaints with and unbiased hearing officer. The hearing officer doesn't know the complaint before the hearing takes place. The hearing officer determines if the Housing Authority has followed their rules and policies.

Fair Housing Regulations are based on state protected classes.

The Housing Authority assures that if a tenant is ever denied housing, the Housing Authority is within the regulations of the protected classes.

**Certification by State or Local
 Official of PHA Plans Consistency
 with the Consolidated Plan or
 State Consolidated Plan
 (All PHAs)**

U. S Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 2/29/2016

**Certification by State or Local Official of PHA Plans
 Consistency with the Consolidated Plan or State Consolidated Plan**

I, Keith D. Johnathan, the Executive Director *Official's Title*
Official's Name

certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

Eau Claire Housing Authority

PHA Name

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of

Impediments (AI) to Fair Housing Choice of the

City of Eau Claire

Local Jurisdiction Name

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.

The Consolidated Plan is consistent with the Housing Authority's objective to provide decent, safe, and sanitary, and affordable housing to low and very low income families. The Housing Authority assists homeless people to obtain housing, retains existing affordable housing stock and works toward increasing the supply of affordable housing. It affirmatively furthers Fair Housing by posting Fair Housing posters in different languages in its office and placing notices in local newspapers on how to report and file housing discrimination complaints.

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)

Name of Authorized Official Keith D. Johnathan	Title Executive Director
Signature <i>Keith D. Johnathan</i>	Date 9/30/19

**Certification of Compliance with
PHA Plans and Related Regulations
(Small 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 Plans and Related Regulations
including Civil Rights and PHA Plan Elements that Have Changed**

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 X 5-Year and/or Annual PHA Plan for the PHA fiscal year beginning 01/01/2020, 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 Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission 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 certifies that the following policies, programs, and plan components have been revised since submission of its last Annual PHA Plan (check all policies, programs, and components that have been changed):

- 903.7a Housing Needs
- X 903.7b Deconcentration and Other Policies Governing Eligibility, Selection, Occupancy, and Admissions Policies
- 903.7c Financial Resources
- 903.7d Rent Determination Policies
- 903.7h Demolition and Disposition
- 903.7k Homeownership Programs
- X 903.7r Additional Information
 - A. Progress in meeting 5-year mission and goals
 - X B. Criteria for substantial deviation and significant amendments
 - X C. Other information requested by HUD
 - 1. Resident Advisory Board consultation process
 - X 2. Membership of Resident Advisory Board
 - X 3. Resident membership on PHA governing board

The PHA provides assurance as part of this certification that:

- (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. 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.
 6. 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.
 7. 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.
 8. For a PHA Plan 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 PIH Notice 2010-25);

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____ if known: Housing Authority of the City of Eau Claire 203 South Farwell Street Eau Claire, WI 54701 Congressional District, if known: 4c	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: <u>Keith D. Johnathan</u> Print Name: <u>Keith D. Johnathan</u> Title: <u>Executive Director</u> Telephone No.: <u>715-839-5124</u> Date: <u>9/30/19</u>	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Certification of Payments to Influence Federal Transactions

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

Applicant Name

Housing Authority of the City of Eau Claire

Program/Activity Receiving Federal Grant Funding

Public Housing

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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)

Name of Authorized Official

Keith D. Johnathan

Title

Executive Director

Signature



Date (mm/dd/yyyy)

9/30/19

Previous edition is obsolete

form HUD 50071 (01/14)
ref. Handbooks 7417.1, 7475.13, 7485.1, &

HOUSING AUTHORITY OF THE CITY OF EAU CLAIRE VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

I. Purpose and Applicability

The purpose of this policy (herein called "Policy") is to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) and more generally to set forth the policies and procedures of the Housing Authority of the City of Eau Claire (herein called "HACEC") regarding domestic violence, dating violence, and stalking, as hereinafter defined.

This Policy shall be applicable to the administration by the HACEC of all federally subsidized public housing and Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. §1437 *et seq.*). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

II. Goals and Objectives

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by the HACEC;
- C. Providing and maintaining housing opportunities for victims of domestic violence dating violence, or stalking;
- D. Creating and maintaining collaborative arrangements between the HACEC, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by the HACEC; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by the HACEC.

III. Other HACEC Policies and Procedures

This Policy shall be referenced in and attached to the HACEC's Five-Year Public Housing Agency Plan and shall be incorporated in and made a part of the HACEC's Admissions and Occupancy Policies and Section 8 Housing Choice Voucher Program Administrative Plan. The HACEC's annual public housing agency plan shall also contain information concerning the HACEC's activities, services or programs relating to domestic violence, dating violence, and stalking.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of the HACEC, the provisions of this Policy shall prevail.

IV. Definitions

As used in this Policy:

- A. *Domestic Violence* – The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”
- B. *Dating Violence* – means violence committed by a person—
- (1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.
- C. *Stalking* – means –
- (1) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and
 - (2) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to –
 - (i) that person;
 - (ii) a member of the immediate family of that person; or
 - (iii) the spouse or intimate partner of that person;

- D. *Immediate Family Member* - means, with respect to a person –
- (1) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
 - (2) any other person living in the household of that person and related to that person by blood or marriage.
- E. *Perpetrator* – means person who commits an act of domestic violence, dating violence or stalking against a victim.

V. Admissions and Screening

- A. *Non-Denial of Assistance*. The HACEC will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.
- B. *Admissions Preference*. Applicants for housing assistance from the HACEC will receive a preference in admissions by virtue of their status as victims of domestic violence. This preference is particularly described as follows: A ranking preference of five points in the selection of participants for federal preference holders. Evidence of past domestic violence incidents from a qualified third party shall be required. This preference is not applicable to victims of dating violence or stalking.
- C. *Mitigation of Disqualifying Information*. When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, the HACEC, may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. If requested by an applicant to take such mitigating information into account, the HACEC shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. The HACEC will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

VI. Termination of Tenancy or Assistance

- A. *VAWA Protections*. Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by the HACEC:
- (1) An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a “serious or repeated” violation of the lease by the victim or threatened victim of that

violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.

(2) In addition to the foregoing, tenancy or assistance will not be terminated by the HACEC as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:

- i) Nothing contained in this paragraph shall limit any otherwise available authority of the HACEC or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither the HACEC nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.
- ii) Nothing contained in this paragraph shall be construed to limit the authority of the HACEC or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or the HACEC, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. *Removal of Perpetrator.* Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, the HACEC or a Section 8 owner or manager, as the case may be, may transfer a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by the HACEC. Leases used for all public housing operated by the HACEC and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by the HACEC, shall contain provisions setting forth the substance of this paragraph.

VII. Verification of Domestic Violence, Dating Violence or Stalking

- A. *Requirement for Verification.* The law allows, but does not require, the HACEC or a section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., the HACEC shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the HACEC. Section 8 owners or managers receiving rental assistance administered by the HACEC may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* - by providing to the HACEC or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
 2. *Other documentation* - by providing to the HACEC or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
 3. *Police or court record* - by providing to the HACEC or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.
- B. *Time allowed to provide verification/ failure to provide.* An individual who claims protection against adverse action based on an incident or incidents of

actual or threatened domestic violence, dating violence or stalking, and who is requested by the HACEC, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (*i.e.*, 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.

- C. *Waiver of verification requirement.* The Executive Director of the HACEC, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

VIII. Confidentiality

- A. *Right of confidentiality.* All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to the HACEC or to a Section 8 owner or manager in connection with a verification required under section VII of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:
1. requested or consented to by the individual in writing, or
 2. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or
 3. otherwise required by applicable law.
- B. *Notification of rights.* All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by the HACEC shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

IX. Transfer to New Residence

- A. *Application for transfer.* In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, the HACEC may, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit within the HACEC's jurisdiction in order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of

the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

- B. *Action on applications.* The HACEC will act upon such an application within 30 days of receipt.
- C. *No right to transfer.* The HACEC will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, the decision to grant or refuse to grant a transfer shall lie within the sole discretion of the HACEC, and this policy does not create any right on the part of any applicant to be granted a transfer.
- D. *Family rent obligations.* If a family occupying HACEC public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by the HACEC. In cases where the HACEC determines that the family's decision to move was reasonable under the circumstances, the HACEC may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.

X. Court Orders/Family Break-up

- A. *Court orders.* It is the HACEC's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by the HACEC and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.
- B. *Family break-up.* Other HACEC policies regarding family break-up are contained in the HACEC's Admissions and Occupancy Policies and its Section 8 Administrative Plan.

XI. Relationships with Service Providers

It is the policy of the HACEC to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If HACEC staff become aware that an individual assisted by the HACEC is a victim of domestic violence, dating violence or stalking, the HACEC will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring the HACEC either to maintain a relationship with any particular provider of shelter or services to victims of domestic violence or to make a referral in any particular case. The HACEC's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which the HACEC has referral or other cooperative relationships.

XII. Notification

The HACEC shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

XIII. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

XIV. Amendment

This policy may be amended from time to time by the HACEC as approved by the HACEC Board of Commissioners.