



**COLORADO**

**Department of Local Affairs**

Division of Housing

# **2022 PUBLIC HOUSING AGENCY (PHA) ANNUAL PLAN**



**COLORADO DEPARTMENT OF LOCAL AFFAIRS  
DIVISION OF HOUSING  
DIRECTOR – ALISON GEORGE**

**COLORADO DEPARTMENT OF LOCAL AFFAIRS**

**DIVISION OF HOUSING (CO-911)**

**2022 PHA ANNUAL PLAN**

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## Executive Summary

The Department of Local Affairs (DOLA) serves as the primary interface between the State and local communities. The Department provides financial support to local communities and professional and technical services (including training and technical assistance) to community leaders in the areas of local governance, housing, and property tax administration. While all state governments provide such services through various Departmental structures, Colorado's approach is unique in that these local community services are gathered into one Department of "Local Affairs" which has a central focus on strengthening those communities and enhancing livability.

DOLA's Division of Housing (DOH) was created by statute in 1970 to improve the access of all Coloradans to decent, affordable housing. The Division provides state and federal funding to private housing developers, housing authorities, and local governments to increase the inventory of affordable housing, offers Housing Choice Voucher and other rental assistance programs statewide through local housing authorities and non-profit service organizations and certifies all factory and manufactured structures built in or shipped to Colorado, and approves multifamily construction in counties with no construction codes.

The Housing Choice Voucher (HCV) Program is a major federal government program that assists very low-income families and Colorado's most vulnerable populations to afford decent, safe, and sanitary housing in the private market. DOH uses a preference system to ensure that its voucher programs are serving those Coloradans who are most in need. Over 80% of individuals served by DOH's rental assistance programs are persons with disabilities.

DOH is a statewide Public Housing Agency (PHA) designated to administer the HCV Program throughout Colorado. DOH currently administers **6,708** Housing Choice Vouchers (HCV), **588** Continuum of Care Permanent Supportive Housing (CoC PSH) Vouchers, **878** State Housing Vouchers (SHV) including Community Access Team (CAT) Vouchers, **506** Homeless Solutions Program (HSP) vouchers, and **71** Section 811 subsidies statewide. DOH also administers an HCV Homeownership Program for **132** families who formerly participated in the HCV rental program.

DOH must comply with the United States Department of Housing and Urban Development (HUD) requirements regarding activities as a Public Housing Agency (PHA), including the development of both a 5-year PHA Plan and Annual Plan. The statements and policies set forth in the Annual Plan all reflect the accomplishments of our 5-Year Plan goals and objectives. Taken as a whole, these policies and accomplishments outline a comprehensive approach consistent with the State's Consolidated Plan.

As part of the Agency Plan review process, DOH appoints a Resident Advisory Board which reviews and comments on components of the Agency Plan as well as the DOH Administrative Plan. DOH appoints all participants in the rental assistance programs (including the Housing Choice Voucher program) to the Resident Advisory Board (RAB). The Plan is posted on DOH's website for a 45-day public comment review period and is also available at the local housing provider's office. The Advisory Board's comments, if applicable, are included in the Final Plan.

In summary, DOH is continuously working to provide quality affordable housing for extremely low-income households in Colorado by operating high quality rental assistance programs, including the Housing Choice Voucher program.

# Introduction to the PHA

## *Constitutional and Statutory Authority*

Title 24, Article 32, Section 702, C.R.S.

## *Mission Statement*

The Colorado Department of Local Affairs (DOLA) works in partnership with local governments and communities statewide to provide funding for projects and disaster recovery relief. We provide state and federal funding to private housing developers, housing authorities, and local governments to increase the inventory of affordable housing, and work diligently to help our state's most vulnerable population to remove them from homelessness. DOLA also provides expertise through robust technical assistance programs to help with community planning, property taxation, and tax appeals.

The Colorado Division of Housing (DOH) collaborates with local communities to create housing opportunities for Coloradans who face the greatest challenges to accessing affordable, safe, and secure homes.

## *Vision Statement*

The Colorado Department of Local Affairs (DOLA) is responsible for strengthening Colorado's local communities and building capacity by providing strategic training, research, technical assistance, and funding to localities.

The Division of Housing (DOH) promotes affordable, safe, and secure homes for all Coloradans.

## *General Information*

To assist in meeting the affordable housing needs within the State of Colorado, DOLA's Division of Housing (DOH) administers the following grant, loan, and bond authority, rental assistance, and manufactured housing programs:

- Colorado Housing Investment Fund (CHIF) Loans
- Community Access Team Voucher (CATV) Program (formerly Colorado Choice Transitions Program)
- Community Development Block Grant Program (CDBG)
- Community Development Block Grant Disaster Recovery (CDBG-DR)
- Consumer complaint service program for factory-built/manufactured structures
- Continuum of Care Permanent Supportive Housing (CoC PSH) Program
- Emergency Housing Voucher Program (EHV)
- Emergency Mortgage Assistance Program (EMAP)
- Emergency Rental Assistance Program (ERAP)
- Emergency Solutions Grant Program (ESG)
- Fort Lyon Supportive Housing Program
- HOME Investment Partnership Grant/Loan Program
- Home Modification Program including Home Modification Tax Credit, Home Modification Expansion Program, and Host Home Inspection Program
- Homeless Prevention Tax Check Off Program
- Homeless Solutions Program (HSP)
- Housing Choice Voucher (HCV), Homeownership, Mainstream, Project Based Voucher (PBV) and

- Family Self-Sufficiency (FSS) Programs
- Housing Development Grant (HDG) Program
- Housing Development Loan Fund (HDLF)
- Housing Opportunities for People with AIDS Grant Program (HOPWA)
- Inspection and certification programs for all factory-built residential structures (modular homes), factory-built nonresidential structures, and manufactured homes
- Manufactured Housing Installation Program
- Manufactured Housing Seller Registration Program
- National Housing Trust Fund (HTF) Grant/Loan Program
- Neighborhood Stabilization Program (NSP) Funds
- Private Activity Bonds Program (PAB)
- Rental Assistance Demonstration (Mod Rehab) Program (RAD2)
- Section 811 Mainstream Vouchers and Project Rental Assistance
- State Housing Vouchers (SHV) – Mental Health Program
- Tenant Based Rental Assistance (TBRA)

***Preparation of the DOLA Housing Division Strategic Plan:*** The Colorado Division of Housing (DOH) develops two housing plans annually that assist in setting the strategic plan for the Division. The Annual Action Plan that reports out on the progress made with the identified goals in the 5 year State Consolidated Plan and the Public Housing Agency (PHA) Annual Plan both which identify the DOH strategies and goals to address affordable housing needs in Colorado communities. DOH relies on a number of resources and publications to identify the greatest needs for affordable housing in Colorado. These sources include a quarterly vacancy survey report, foreclosure report, household income report, housing needs assessments, US census building permits, unemployment reports, economic growth report, public housing waiting lists, and the homeless vulnerability index. Information from these reports is supplemented by data from the DOLA demography department and outside sources. All of the information referenced above is utilized in preparing the DOH Strategic Plan.

DOH’s Office of Housing Sustainability and Finance (OHFS) works one-on-one with local communities statewide to identify housing needs, prepare housing strategies, identify potential housing projects, and create financing packages for new housing and to preserve existing housing. The team has staff in Denver and in three field offices across Colorado. OHFS works with other affordable housing funders (Colorado Housing Finance Authority, Department of Housing and Urban Development, Rural Development, Mercy Housing, Enterprise Foundation, etc.) to identify and maintain a pipeline of potential affordable housing projects.

***Livability Focus:*** DOLA, in partnership with local governments and the public and private sector, is strategically linking each of its programs to improve people’s lives in five areas: employment, housing, transportation, education, and environment. This is accomplished by leveraging program dollars and staff consultation within DOLA for our partners and stakeholders as well as strengthening coordination of services and funding resources from other state agencies. DOH’s leadership and participation in this effort is essential.

Because safe and affordable housing is fundamental to the ultimate success of all Colorado communities, DOH will target a number of key objectives with the greatest emphasis on providing housing to those earning less than 50% of the Area Median Income.

### ***Division of Housing Customers***

- Individuals experiencing chronic homelessness, persons with disabilities, and other vulnerable populations
- Colorado renters and homeowners

- Housing authorities
- Housing manufacturers
- Disability service providing agencies (community mental health centers, intellectual and developmental disability agencies, etc.)
- Nonprofit independent living agencies
- Owners of factory-built residential and non-residential structures
- Private for-profit and nonprofit housing organizations
- Nonprofit service agencies providing housing services

***Funding Sources for Division of Housing – FY 2022-2023***

**State**

General Fund  
 Marijuana Tax Cash Fund  
 Private Activity Bond Allocation Cash Funds  
 Homeless Prevention Activities Program Cash Funds  
 Building Regulation Cash Funds  
 Local Government Energy & Mineral Impact Funds  
 Local Government Severance Tax Funds

**Federal**

Community Development Block Grant Funds  
 HUD-VA Grant Funds  
 Department of Justice Grant Funds  
 Department of Housing and Urban Development Grant Funds  
 Coronavirus Aid, Relief, and Economic Security (CARES) Act  
 American Rescue Plan Act (ARPA)

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

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

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

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

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

**Definitions.**

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

A.	PHA Information.																																			
A.1	<p>PHA Name: <u>Colorado Division of Housing</u>      PHA Code: <u>CO911</u>            PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/2022</u>            PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)            Number of Housing Choice Vouchers (HCVs) <u>6,708</u>            PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission      <input type="checkbox"/> Revised Annual Submission</p> <p><b>Availability of Information.</b> In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.</p> <p><input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a joint Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Participating PHAs</th> <th style="width: 10%;">PHA Code</th> <th style="width: 25%;">Program(s) in the Consortia</th> <th style="width: 25%;">Program(s) not in the Consortia</th> <th style="width: 15%;">No. of Units in Each Program</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	Lead HA:																													
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**B. Plan Elements.**

**B.1 Revision of Existing PHA Plan Elements.**

a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?

Y N

Statement of Housing Needs and Strategy for Addressing Housing Needs.

Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.

Financial Resources.

Rent Determination.

Operation and Management.

Informal Review and Hearing Procedures.

Homeownership Programs.

Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.

Substantial Deviation.

Significant Amendment/Modification.

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

The Colorado Division of Housing has expanded on the definition of a significant amendment/modification to include the following:

**Significant Amendment or Modification – Updated Definition**

The Colorado Division of Housing (DOH) defines a significant amendment or modification to the 5-Year Plan to be a change in its published policies included in the Administrative or Annual PHA Plan which significantly and substantially alter DOH’s stated mission and the persons DOH serves with its rental assistance programs. Such changes include:

- changes made to the admissions policies
- organization of the waiting list
- changes affecting participant rent payments
- changes with regard to the homeownership program

Unless the change was made:

- to increase or decrease payment standards (PS) due to unforeseen increases in rents or inability of participants to locate units within the current PS due to widespread unforeseen circumstances; or in the case of reductions in the budget authority awarded by HUD
- to improve access to the rental assistance programs by applicants and participants
- to incorporate new procedures resulting from new regulations or clarification of regulations by HUD
- to make changes to the administrative plan if segments are found to be inconsistent with regulations

If a significant amendment and/or modification occurs, the public process will include:

- consultation with the Resident Advisory Board
- public notification of where and how the proposed change can be reviewed
- a public comment period
- approval by the State Housing Board, if applicable

**Significant Amendment or Modification – Addition of Rental Assistance Demonstration (RAD) Program to Portfolio**

The Colorado Division of Housing has partnered with the Colorado Coalition for the Homeless (CCH) on their conversion of a Mod Rehab project (The Forum Apartments) to Project-Based Vouchers through the Rental Assistance Demonstration (RAD) 2 program. The Forum Apartments adds an additional 100 units of affordable housing to DOH’s Housing Choice Voucher (HCV) Program. The Administrative Plan has been updated and reorganized to include Chapter 18 – Project Based Vouchers (PBV) Under the Rental Assistance Demonstration (RAD) Program.

**B.2 New Activities. – Not Applicable**



### B.3 Progress Report.

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

#### **5 Year Plan Goals:**

##### **Housing Goal #1: Expand the Supply of Existing Housing and House People Faster**

**Creation of additional affordable housing options for renters and homeowners, especially households in greatest need**

###### **Strategies:**

- *Apply for available funding opportunities to expand housing programs*
- *Consider opportunities for utilizing project-based vouchers when appropriate*
- *Provide permanent supportive housing through a combination of federal and state funding sources*
- *Increase and maintain landlord participation in the rental assistance programs*
- *Explore the creation of a flexible fund for Housing Choice Voucher participants to be used to assist with security deposits, application fees, moving costs, and other costs associated with housing*

###### **Progress:**

The Colorado Division of Housing (DOH) applied for additional VASH vouchers for 2022. Only one PHA in Colorado received an award of VASH vouchers in 2022. DOH did not receive an award of VASH vouchers through the most recent competition, but will continue to apply as the opportunity arises.

DOH received an award of Emergency Housing Vouchers (EHV) to be utilized in 2022.

DOH has partnered with Colorado Coalition for the Homeless (CCH) on their conversion of a Mod Rehab project (The Forum Apartments) to Project-Based Vouchers through the Rental Assistance Demonstration (RAD) 2 program. The Forum Apartments adds an additional 100 units of affordable housing to DOH's Housing Choice Voucher (HCV) Program.

DOH continues to publish an annual Request for Applications (RFA) for the creation of Supportive Housing to increase the production of affordable housing for extremely low-income people experiencing homelessness with complex barriers to housing stability. The Housing Choice Voucher (HCV) program has committed 300 vouchers to the 2022 RFA.

DOH has created a term-limited Housing Navigation/Landlord Liaison position to assist internal and external housing program participants in connecting with interested landlords in their communities. This position is also tasked with designing a program with the goal of increasing landlord participation and the creation of an updated database of available units for DOH participants.

DOH is exploring the use of American Rescue Plan Act (ARPA) funds to provide security deposit assistance and create a landlord incentive program for all rental assistance programs administered by DOH.

##### **Housing Goal #2: Improve the Quality of Assisted Housing and Promote Self-Sufficiency**

###### **Strategies:**

- *Maintain "High Performing PHA" designation through the Section Eight Management Assessment Program (SEMAP) with HUD*
- *Ensure adequate training for rental assistance program staff, including staff at partner agencies*
- *Continue to administer the Family Self Sufficiency (FSS) program for interested participants*

###### **Progress:**

The Colorado Division of Housing (DOH), as a result of COVID-19, was not required to submit a SEMAP Certification to HUD for FY21. As a result of an approved HUD waiver related to COVID-19, DOH was able to retain the prior year SEMAP score (which was a "High Performer" score).

DOH continues to offer monthly webinars to partner agencies and other interested stakeholders to provide training and updates to information, processes, and procedures. In November 2021, DOH provided a three-day training on Housing Quality Standards (HQS) Inspections. Internally, the Office of Rental Assistance is providing a bi-weekly training to internal staff on an important topic related to program administration to promote program understanding and consistency.

DOH continues to administer and promote the Family Self Sufficiency (FSS) program, specifically to participants in the Family Unification Program (FUP). Participation in the FUP FSS Demonstration Program continues to increase.

**Housing Goal #3: Ensure Equal Opportunity and Further Non-Discrimination in Housing**

**Strategies:**

- *Ensure equal access to rental assistance programs*
- *Provide access to information on filing discrimination complaints on website and in applicant and participant paperwork*
- *Ensure equity in organizational values*
- *Ensure staff attend applicable fair housing, racial equity, social justice, and prohibited harassment training*
- *Display Fair Housing posters/media in public areas of DOH offices*
- *Ensure compliance with the DOH Affirmatively Furthering Fair Housing Plan within the rental assistance programs*
- *Maintain relationship with local supportive services agencies and advocacy groups who assist persons with disabilities*

**Progress:**

The Colorado Division of Housing (DOH) continues to prioritize vouchers to individuals and families that include people with disabilities, people experiencing homelessness, and people who are victims of domestic violence. This is accomplished through partnerships with local disability and housing advocacy organizations across the state.

Applicants to and participants of DOH rental assistance programs receive access to information on how to file a discrimination complaint through the voucher briefing process. This information is also included on the DOH website along with other important Fair Housing resources. <https://cdola.colorado.gov/fair-housing-resources>

DOH Office of Rental Assistance offers a Reasonable Accommodation training to external stakeholders and internal staff on an annual basis. This training is critical as the majority of DOH's rental assistance subsidy resources are prioritized to individuals with disabilities.

DOH displays the required Fair Housing posters in the office lobby. These posters are also required to be displayed at the offices of the DOH partner agencies. When DOH staff is able to complete in-person monitoring visits, they bring copies of Fair Housing posters in both English and Spanish for partner agencies to display if they are missing at the time of the monitoring visit. These posters are also made available on the DOH Fair Housing website for convenience. <https://cdola.colorado.gov/fair-housing-resources>

**B.4 Capital Improvements. – Not Applicable**

**B.5 Most Recent Fiscal Year Audit.**

1. Were there any findings in the most recent FY Audit?

Y N N/A

2. If yes, please describe: There were three findings following the FY 2020 Audit. All three findings have been addressed.

**1. Administrative Costs**

i. We found that the Department could not provide underlying support for 3 of the 40 (7.5 percent) administrative cost transactions charged to the Cluster that we tested; all three of the transactions represented payments made by the Department to the same subrecipient. For example, for one payment, the subrecipient was paid a fee based on 38 tenants, but the payment support provided by the Department only included 34 tenants. The questioned costs for this issue totaled \$773.

1. The issue was brought to the Department’s attention during a meeting with auditors in October 2020. The Department of Local Affairs immediately implemented internal controls to ensure compliance with administrative costs. In November 2020, Department staff began saving administrative fee support associated with each month’s payment. This supporting documentation is saved on a secure drive and will be available for future audits or other applicable requests

**2. Quality Assurance Reviews**

i. We determined that the Department identified issues that required corrective action by subrecipients in 26 of the 28 QA reviews we tested, but failed to perform follow up procedures as required on any of the 26 QA reviews. Specifically, in all 26 instances, the Department did not ensure the subrecipients took steps to address the issues within the 30-day timeframe. While the Department notified the subrecipients of the findings within 15 days of the completed QA review in all 26 instances, the Department did not obtain responses from the subrecipients within the following 30 days indicating the findings had been corrected or otherwise confirm that the issues were addressed. The most common errors identified in the QA reviews related to missing and/or incorrect documentation in tenant files including completed applications, birth certificates, and rent reasonableness forms. Subsequent to our test work, the Department requested and obtained from the applicable subrecipients applicable documentation to verify tenants’ eligibility in all 26 cases.

1. The Department of Local Affairs will improve its quality assurance internal controls to ensure future compliance with eligibility requirements through a revamped quality assurance process that clearly outlines the roles and responsibilities of internal staff and subrecipients as well as timelines and acceptable documentation required to complete the quality assurance review. Training for internal staff and subrecipients will be provided through a process sheet published on the website as well as presented in the monthly webinar training series. In addition, the Director of the Office of Rental Assistance will publish a “policies and procedures” manual specifically related to the quality assurance and monitoring program for subrecipients. Implemented July 2021.

**3. HQS Enforcement Finding**

i. We found that the Department did not take appropriate action related to 3 of the 68 (4 percent) HQS inspections we tested. Failed inspections resulted from items such as ceilings, walls, and/or window conditions not meeting safety standards as well as electrical hazards requiring corrections. In two of these instances, the Department failed to enter the property into abatement by placing a temporary hold on the property’s housing assistance payments after issues identified through a failed inspection were not corrected. In the third instance, the Department did not properly terminate the housing assistance contract after 30 days, as required, so the property remained in abatement beyond that time period.

1. The Department of Local Affairs responded by:

	<p>a. Having documented policies and procedures in place and implemented for both Department staff and subrecipients.</p> <p>b. Developing and providing training to staff and subrecipients on the Housing Quality Standards enforcement process.</p> <p>c. The above were implemented September 2021.</p>
<b>C.</b>	<b>Other Document and/or Certification Requirements.</b>
<b>C.1</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y   N  <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<b>C.2</b>	<p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD 50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>C.3</b>	<p><b>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</b></p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>C.4</b>	<p><b>Challenged Elements.</b> If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y   N  <input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>
<b>D.</b>	<b>Affirmatively Furthering Fair Housing (AFFH).</b>
<b>D.1</b>	<p><b>Affirmatively Furthering Fair Housing (AFFH).</b></p> <p>Provide a statement of the PHA’s strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) <b>Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart.</b> The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</p> <p><i>Not applicable for CO911 at this time.</i></p> <p><u>From the State of Colorado 2020-2024 Consolidated Plan:</u></p> <p>Actions Planned to Affirmatively Further Fair Housing</p>

The Colorado Department of Local Affairs (DOLA) completed an Analysis of Impediments to Fair Housing Choice (AI) to inform this Consolidated Plan. There are a number of Fair Housing goals identified and recommended actions listed, and DOLA believes it can take meaningful action on most items.

1. Promote homeownership and rental opportunities in high opportunity areas/Promote publicly supported housing in high opportunity areas
  - a. As a gap funder, the Division of Housing does not dictate where projects that submit applications for funding will be located; developers and housing authorities make those decisions based on a number of factors, often long before the state is aware of a project. However, the Division of housing is committed to evaluation each project and determining whether it is in a Racially/Ethnically Concentrated Area of Poverty (R/ECAP), or an area with greater access to opportunity. DOH is exploring strategies to incentivize affordable housing development in communities that foster greater upward mobility for their residents.
2. Promote Community and Service Provider Knowledge of ADA and UFAS/Increase outreach and education for housing providers in the state
  - a. The Division of Housing provides training every year to the affordable housing community, both independently and at conferences or in conjunction with other events. In late 2019, DOH partnered with the Colorado Civil Rights Division (CCRD) to deliver a Fair Housing Act/Section 504/Reasonable Accommodation training, and hopes to continue that partnership each year to provide fair housing training that covers the additional requirements associated with federally-funded properties.
  - b. CCRD currently offers Fair Housing training multiple times each month, throughout the state. DOH is willing to promote these training opportunities to housing agencies on our mailing lists.
3. Enhance community services in R/ECAPS
  - a. This goal in the recommended actions within the AI would be difficult to accomplish, as it recommends that DOLA invest CDBG funds in R/ECAPs within the state. All R/ECAPs identified, however, are either completely or mostly in entitlement communities, where state CDBG funds are ineligible. DOLA will look for opportunities to invest its CDBG funds in low-income communities with higher populations of racial and ethnic minorities, however, even if those communities do not meet the R/ECAP definition.

The State of Colorado is firmly committed to equal housing rights and to affirmatively furthering those rights.

## Resident Advisory Board Comments

*Public Hearing occurred on Thursday, March 24, 2022*

The Colorado Division of Housing (DOH) received comments from one member of the RAB as shown below. We have redacted identifying details for purposes of the commenter's anonymity:

My comments on the 2022 DOH Administrative Plan are motivated by my two recent failed attempts to use my Section 8 voucher to purchase property.

In addition I have comments on deduction practice, mostly medical. I close with a quick brainstorm that brings together these two subjects with a brainstorm proposal.

I believe my purchase experience reflects a direct attempt to control the population of the high income [REDACTED] with practices in order to control elections etc. These practices may be found in many public capital projects, historically transportation, but housing has been a notable, and appreciated, exception. In [REDACTED] we have seen similar practices with the provision of medical services under what at first look appears to be similar [REDACTED] based interests. For one, I believe the high cost of [REDACTED] medical coverage is due in part by the diversion of funds to Denver area based legal expenses.

As such I allege a conspiracy to control the enterprise of local government by these interests, partially identified. These same interests that have impacted me are also impacting all public housing in [REDACTED], as well as staffing.

On a simpler note I would like to address concerns with the medical deduction process. As I have been obstructed from primary care I have no way of obtaining physician authorizations for many of my expenses. As calculating these expenses is burdensome for both me and my social workers I would suggest that DOH work to support other state programs that help with these costs. I am specifically thinking of the double up program which provides a 50% subsidy of Colorado grown organic produce. This matching program should be expanded to include a formulary of supplements, perhaps as approved by the fields of integrative and/or functional medicine. I would also encourage the matching program to include organic produce in regular markets, should those retailers choose to participate.

Lastly, I believe that Renter's insurance should be allowed as a deductible housing expense.

As a brainstorm tying all this together I would propose the creation of project based housing geared towards healthy living, a first level of assisted living with easy access to healthful programs. Certainly we have a specific need in [REDACTED] for Senior and Disabled Housing by those that have been impacted by the above general practices, and otherwise.

The Colorado Division of Housing's analysis on comments and decisions made regarding the recommendations are as follows:

- Renters Insurance as a deductible housing expense: DOH has researched 24 CFR 982 on whether Renters Insurance is an allowable deduction when calculating the Total Tenant Payment (TTP). We were unable to locate regulation language that supports this deduction. DOH is willing, however, to subsidized Renters Insurance if the landlord/property owner includes the cost in the base rent amount.

- Double-Up Program and organic produce and supplements: DOH is required to follow the guidance provided in IRS Publication 502 in relation to allowable medical expense deductions.
  - In terms of **nutritional supplements**, IRS Publication 502 states:
    - You can't include in medical expenses the cost of nutritional supplements, vitamins, herbal supplements, “natural medicines,” etc., unless they are recommended by a medical practitioner as treatment for a specific medical condition diagnosed by a physician. These items are taken to maintain your ordinary good health and aren't for medical care.
  - Under the heading, **weight-loss program**, IRS Publication 502 states:
    - You can include the cost of special food in medical expenses only if: 1. The food doesn't satisfy normal nutritional needs, 2. The food alleviates or treats an illness, and 3. The need for the food is substantiated by a physician. The amount you can include in medical expenses is limited to the amount by which the cost of the special food exceeds the cost of a normal diet.

**Certifications of Compliance with  
PHA Plan and Related Regulations  
(Standard, Troubled, HCV-Only, and  
High Performer PHAs)**

**U.S. Department of Housing and Urban Development**  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 3/31/2024

**PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations  
including PHA Plan Elements that Have Changed**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or \_\_\_ X Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning 07/01/2022, 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 (24 CFR § 91.2).
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 (AI) to Fair Housing Choice, or Assessment of Fair Housing (AFH) when applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan 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 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 public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.
7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.
8. For PHA Plans that include 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 2011-65);



- The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
  10. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
  11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
  12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
  13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
  14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
  15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
  16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
  17. The PHA will keep records in accordance with 2 CFR 200.333 and facilitate an effective audit to determine compliance with program requirements.
  18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
  19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
  20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
  21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
  22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Colorado Division of Housing

CO911

PHA Name

PHA Number/HA Code

Annual PHA Plan for Fiscal Year 2023

5-Year PHA Plan for Fiscal Years 20     - 20    

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 Executive Director

Name Board Chairman

Alison George, Division Director

Rick Garcia, Executive Director

Signature **Alison George** Digitally signed by Alison George Date: 2022.06.29 14:18:32 -06'00' Date

Signature **Rick M. Garcia** Digitally signed by Rick M. Garcia Date: 2022.06.29 16:44:36 -06'00' Date

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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. This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year 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.

**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, \_\_\_\_\_, the \_\_\_\_\_  
*Official's Name* *Official's Title*

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

\_\_\_\_\_  
*PHA Name*

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

\_\_\_\_\_  
*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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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	Title
Signature <i>Connor Everson</i>	Date

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**B.2 New Activities.** This section refers to new capital activities which is not applicable for HCV-Only PHAs.

**B.3 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. (24 CFR §903.11(c)(3), 24 CFR §903.7(r)(1))

**B.4 Capital Improvements.** This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs

**B.5 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. (24 CFR §903.7(p))

**C. Other Document and/or Certification Requirements.**

**C.1 Resident Advisory Board (RAB) comments.** If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)

**C.2 Certification by State of Local Officials.** Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR §903.15). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

**C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.** Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations. impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o)).

**C.4 Challenged Elements.** If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

**D. Affirmatively Furthering Fair Housing (AFFH).**

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

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

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

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

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