



**SUMMARY OF RAB MEETINGS AND PUBLIC HEARING  
2018 AGENCY PLAN**

The Fall River Housing Authority (FRHA), pursuant to Federal Guidelines appointed the City-wide legal representation of the developments—the Fall River Joint Tenants Council, Inc. (FRJTC)—as the Resident Advisory Board (RAB).

The members of the 2018 RAB are as follows:

Joanne Braga, Public Housing  
Albert Blanchard, Public Housing  
Mike Santos, Public Housing  
Donald Hamilton, Public Housing  
William Walker, Public Housing  
Bettyann Lavoie, Public Housing  
Bill Jackson, Public Housing  
Millie Jackson, Public Housing  
Norma Bednarz, Public Housing  
Judith Edwards, Public Housing  
Kay Gonsalves, Public Housing  
Rosemary Cutler, Public Housing  
Pauline Travis, Public Housing  
Fran Dailey, Public Housing  
Michelle Anglace, Public Housing  
Beverly Jones, Public Housing  
William King, Public Housing/FRJTC  
Edward Gagnon, FRJTC

Three (3) official meetings were held and the Five Year and Annual Plans were presented to the RAB and discussed at length.

The following are the minutes from each meeting:

**RAB MEETING #1**  
**NOVEMBER 21, 2017**

Please be advised that the **1st** meeting of the RAB was held on Tuesday, November 21, 2017 at 1:00 p.m. regarding the Authority's upcoming submission of the Agency Plan for 2018.

Seventeen (17) participants were in attendance at this meeting, and items discussed were as follows:

Mr. Barrow introduced himself and other staff who would be speaking, and also welcomed all attendees.

The Quality Housing and Work Responsibility Act (QHWRA) of 1998 requires public housing authorities to do an annual plan of its operational policies and the spending of its modernization funds.

Mr. Barrow gave a brief overview of what will be discussed over the course of the three (3) RAB meetings and thanked everyone for their participation and input.

Kevin Sbardella, Director of Modernization & Development, reviewed the Capital Fund Program (CFP) projects (either completed or ongoing or in design phase) for FYE 2015-2021 by explaining what projects are being done at each AMP/Federal public housing site.

Mr. Sbardella also reviewed the Capital Fund Program (CFP) 5-Year Plan, which is basically the FRHA's wish-list which is forwarded to the Department of Housing & Urban Development (HUD) for review and approval.

Mr. Sbardella explained that the CFP monies are "fungible", meaning they can be moved around if a need arises in a different year than the project/money is slated for. Capital funds are for overall modernization projects, but smaller jobs are either completed by FRHA maintenance staff or the Authority contracts out if necessary.

In addition, Mr. Sbardella advised that the FRHA received a \$250,000.00 grant to replace and/or repair the security camera systems; and since the money has to be spent within one (1) year, the Authority is hopeful that the repairs/replacements will begin in the spring.

Mr. Sbardella also advised that there are a number of projects going on in our State developments as well.

A few of the RAB members had questions pertaining to their particular developments, and Mr. Sbardella explained that while the FRHA does the best it can with the CFP funds provided by HUD, there is never enough to do as many projects as the FRHA would like.

Mr. Barrow and Mr. Sbardella advised the RAB members that they would look into the specific concerns raised during this meeting.

Deborah Saba, Coordinator of Housing Assistance, briefly described the Housing Choice Voucher Program (HCVP) (Section 8) to the RAB members and reviewed the following changes to the Section 8 Administrative Plan.

1. Page 24 & 25—Income Limits need to be updated to those effective 4/14/17.
2. Page 126—Change the Payment Standards to new ones adopted by the Board of Commissioners on 9/17/17.

3. Page 12 CORI Policy add the wording “manslaughter” to lifetime ban.
4. Page 4 K—Jurisdiction—change to all of Massachusetts.
5. Project-based Voucher Program—possible changes to wording in Appendix 3 of the Section 8 Administrative Plan
6. Page 33—“Unit Size Selected” utility allowance used will be based on the the Voucher size.
7. Page 77—Under initial inspections, take out wording “landlord may drop off keys”.
8. Page 83—Rent Reasonableness—remove paragraph 2 and add the wording to paragraph 5 this is regarding the database we are using.
9. Informal appeal hearings only for all terminations—no grievance panel hearings.
10. Former residents of Watuppa Heights who have moved into other Housing Authority Developments throughout the City of Fall River will have first preference under “special admissions” to receive a Project-Based Voucher.

Kathleen Povar, Director of Field Operations, reviewed the Deconcentration Policy and Flat Rent Policy:

1. Deconcentration Policy—Ms. Povar explained that the Deconcentration Policy must be reviewed annually to insure income mixing at each Federal family development, meaning that none of the developments should have families with very high incomes or very low incomes residing there. The FRHA calculates the average annual income of all family development households authority-wide; the average of each family development (adjusted for bedroom size); and the income levels of the families on the waiting lists.

As of October 1, 2017, the average family income at all Federal family sites was \$14,507.00, which is within the acceptable range of \$12,331.00 and \$16,683.00 (85% to 115%). Pleasant View is the only site below the average family income (\$11,669.00), which is most likely due to that site being federalized not that long ago.. The FRHA will keep an eye on them and, if necessary, will make adjustments when selecting applicants in the future.

2. Flat Rent and Maximum Rent Tables (effective January 1, 2018 through December 31, 2018)—Ms. Povar explained the handout to all participants and advised that approximately 150 residents currently use the Flat Rent option instead of the income-based option. The Flat Rent option must be offered at admission and at each Annual Recertification, but residents cannot request Flat Rent between Annual Recertifications. Families who pay Flat Rent can always request to return to the income-based rent at any time.

Copies of all documents discussed were provided to each RAB member.

Following these presentations, Mr. Barrow advised that the **2<sup>nd</sup> RAB** meeting is scheduled for **TUESDAY, DECEMBER 12, 2017 at 1:00 P.M.**, at which time Ms. Povar will discuss the changes to the Admissions & Continued Occupancy Policy (ACOP), Lease and Grievance Procedures and Attorney Michael Sousa, FRHA General Counsel, will present an overview of his duties at the Authority.

The **3<sup>rd</sup> and final RAB** meeting and **CHRISTMAS LUNCHEON** is scheduled for **TUESDAY, DECEMBER 19, 2017, beginning at 12:30 P.M.**, at which time Mr. Barrow will briefly review the Agency Plan Template and Timothy Burke, Director of Human Resources, will briefly explain the Jobs-Plus Initiative/Grant Application.

**We look forward to seeing everyone at the 2<sup>nd</sup> RAB meeting on December 12<sup>th</sup> and the 3<sup>rd</sup> RAB meeting (and Luncheon) on December 19<sup>th</sup>.**

**RAB MEETING #2**  
**DECEMBER 12, 2017**

Please be advised that the **2nd meeting** of the RAB was held on Tuesday, December 12, 2017 regarding the Authority's upcoming submission of the Agency Plan for 2018.

Twelve (12) participants were in attendance at this meeting.

The items discussed were as follows:

**ADMISSIONS AND CONTINUED OCCUPANCY POLICY**—Kathleen Pover, Director of Field Operations, briefly explained what the ACOP is and explained the changes to it in detail. A copy of the changes to the Tenant Selection and Assignment Plan section, Hierarchy of Income Verification Methods, and Transfers was provided to the participants and were explained one by one. Ms. Povar answered questions raised by the participants.

**Chapter 5**

--**One-Unit Offer Method**—Under the One-Unit Offer Method, an applicant is offered one (1) unit, and unless the applicant has good cause for refusing the offer, the applicant should accept the unit or be dropped to the bottom of the waiting list. Not only does this approach create an incentive to accept a unit offer, it also limits the time spent offering units to each applicant to the amount of time it takes to make one offer. Additionally, the Authority's record-keeping is limited to the offer made, whether it is accepted or refused, and whether the applicant has good cause for refusal (and is entitled to another offer).

**Studio Units**—Studio units (which are only available in the mixed population program/Cardinal Medeiros Towers) shall only be offered to single-occupant households. This notwithstanding, there is no special distinction between studio apartments and one-bedroom units

under the mixed populations program. The available unit that has been vacant the longest will be offered to the next applicant on the mixed populations waiting list, regardless of whether it is a studio or a one (1) bedroom unit.

Unit Acceptance and Refusal (New Admissions)—All waiting list applicants awaiting admission to federal public housing units shall be made only one (1) housing offer to a unit of appropriate size and type. Only substantiated reasons which satisfy the definition of “good cause” (as defined in section 5.7.B.) for unit refusal will be accepted and result in subsequent, alternative unit offers.

Refusal of a Unit WITHOUT Good Cause—

1) **Revision to Applicant Status**—In all cases of new admissions, refusal of any unit offer without good cause shall result in the following:

- Any and all applicant preference and/or priority points shall be forfeited; AND
- Date/time of application status shall be revised to reflect the date/time of unit refusal; AND
- Applicants will be not eligible to apply for any waiting list preference categories for a period of 12 months from the date of unit refusal.

2. **Notice to Applicant**—Upon determination that an applicant’s reason for unit refusal does NOT constitute “good cause” as defined in this policy, the FRHA shall:

- Document the reason provided by the applicant for unit refusal on the applicant record; AND
- Revise the applicant record according to requirements in Sections 5.7 C.1 and C.2 of this policy; AND
- Notify the applicant in writing of: a) their revised waiting list status per FRHA policy; b) FRHA definition of good cause for unit refusal; c) their right to request an informal review if they believe their refusal reason DOES constitute good cause.

**Chapter 6**

The FRHA uses the Enterprise Income Verification (EIV) as its UIV (Upfront Income Verification) source. The EIV system is a web-based application, which provides PHA’s with employment, wage, unemployment compensation and social security benefit information of tenants who participate in the public housing and various Section 8 programs under the jurisdiction of the Office of Public and Indian Housing (PIH).

Information in EIV is derived from computer matching programs initiated by HUD with the Social Security Administration (SSA) and the U.S. Department of Health and Human Services (HHS), for all program participants with valid personal identifying information (name, date of birth (DOB) and social security number (SSN) reported on HUD form 50058.

Ms. Povar explained the Periodic EIV Monitoring system and the use of EIV Data Reports.

The Third-Party Written Verifications, Third-Party Oral Verifications, the Third-Party Verifications Form, Review of Documents and Self-Clarification and Self-Declaration sections were also reviewed.

## **Chapter 12**

### Unit Transfers

#### Category #1: Administrative Transfers (Mandatory)

The FRHA is occasionally required to initiate transfers that have not been requested by a resident. These transfers are required in order to free a unit(s) for an important operational or policy reason. These transfers will be assigned before any other transfer type and new admissions.

#### Category #2: Emergency Transfers (Medical, Health & Safety)

Emergency transfers are transfers necessary to the health and/or safety of one or more household members. Residents will be required to document any special needs such as floor location, bedroom size or neighborhood during the transfer application process or before a unit is offered. These transfers shall be offered the every other 4<sup>th</sup> available unit by development an unit size. Approved emergency transfers will receive one housing offer.

#### Category #3: Regular Transfers (Occupancy Standards)

Regular transfers are not mandatory for continued occupancy unless they exceed the two-person per bedroom/living room threshold. They include: Under-housed; Over-housed and Incentives.

Ms. Povar explained the processing of transfer requests and stated that the Tenant Selection Coordinator and/or her designee shall process all mandatory and resident-initiated transfer requests; assign approved transfers to the appropriate category; determine unit assignments in accordance with the guidelines and offer available units. Ms. Povar explained the Tenant Requested Transfers section and the Administrative Transfers (Mandatory) section, including Unit Offers (acceptance and refusal of units) and lastly the Under-housed and Over-housed Transfers information.

Following Ms. Povar's presentation, Attorney Michael Sousa, Fall River Housing Authority General Counsel, briefly explained his role at the Authority. Attorney Sousa explained that he enforces the lease, policies, procedures, etc. He stated that he will be at the next RAB meeting if anyone has any questions for him.

**The next RAB meeting will be held on TUESDAY, DECEMBER 19, 2017. THE ANNUAL LUNCHEON WILL ALSO BE SERVED.**

**Please arrive by 12:30 p.m. so we can review the Template, Jobs-Plus Program Initiative, Grievance Panel, etc. and the luncheon will follow.**

**RAB MEETING #3**  
**DECEMBER 19, 2017**

Please be advised that the **3rd** meeting of the RAB and the Annual Luncheon were held on Tuesday, December 19, 2017 regarding the Authority's upcoming submission of the Agency Plan for 2018. Copies of the Grievance Procedures, Job-Plus Grant Initiative and Template were distributed to all attendees.

Seventeen (17) participants were in attendance at this meeting, and item discussed was as follows:

**GRIEVANCE PROCEDURES**—Kathy Povar, Director of Field Operations advised the participants that the FRHA uses DHCD's template for the Grievance Procedures, but nowhere in the regulations does it state that the panel must consist of five (5) members, in fact it states that the panel should consist of three (3) members or a single person (such as an attorney or someone knowledgeable in the grievance procedures). As such, the FRHA will be using a three (3) member panel from now on. One (1) member (plus an alternate) shall be chosen by the FRHA, one (1) member (plus an alternate) shall be chosen by the Fall River Joint Tenants Council and one (1) member (plus an alternate) shall be the impartial person. In addition, following the appointment of the members (and alternates), a majority of the members shall designate, in writing, one member to be the presiding member, who shall preside at the grievance hearings. A majority of the members may designate, in writing, a different presiding member at any time. Written notice of the designation of a presiding member shall be given to the FRHA and the FRJTC. If a panel member (and his/her alternate) is not available for a grievance hearing, two (2) members shall constitute a quorum and may render a decision. According to Ed Gagnon, FRJTC representative, the FRHA/FRJTC need to submit a waiver to DHCD to change the composition of the grievance panel from five (5) members to three (3) members. The new grievance panel makeup will also be incorporated into the Memorandum of Understanding between the Fall River Housing Authority and the Fall River Joint Tenants Council, Inc.

The changes to the composition of the grievance panel were discussed and agreed to by the Resident Advisory Board (RAB) at this meeting.

The FRHA will select the member (and alternate) to represent the Authority, the Fall River Joint Tenants Council, Inc. will select the member (and alternate) to represent the FRJTC and together they will select the impartial member (and alternate).

**Addendum 1 (Federally Assisted Public Housing Programs)**—Ms. Povar explained that the grievance procedures shall be applicable to all residents residing in the FRHA's federally-assisted public housing programs (instead of just residents of the state-aided

public housing programs, which DHCD originally wrote the Grievance Procedures for).

Any grievance concerning a termination of tenancy or eviction from federally-assisted public housing shall be excluded from the FRHA grievance procedures when it involves —any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises of other residents or employees of the FRHA; violent or drug-related criminal activity on or off such premises; abuse of alcohol in a such a way that it interferes with the health, safety or right to peaceful enjoyment of the premises of other residents or employees of the FRHA; a tenant or household member confirmed as being subject to the lifetime state sex offender registration requirement; AND any criminal activity that resulted in a felony conviction of a household member; conviction of a tenant or any household member for the manufacturing or producing of methamphetamine on the premises of federally-assisted housing; or any judicial eviction procedures for which HUD has issued a due process determination and whereby the FRHA is not required to provide the opportunity for a hearing under the PHA’s administrative grievance procedure.

Ms. Povar further explained that the FRHA grievance procedures shall **NOT** be applicable to disputes between tenants not involving the FRHA or to class grievances. The grievance procedures are not intended as a forum for initiating or negotiating policy changes between a group or groups of tenants and the FRHA Board of Commissioners.

For all cases pertaining to FRHA federally-funded public housing programs, either party may appeal the decision of the grievance panel to the FRHA Board of Commissioners, if they believe that the decision is contrary to HUD regulations or is not supported by the facts presented in the case (but not just because a tenant is unhappy with the grievance panel’s final determination).

The FRHA grievance procedures do **NOT** apply to participants of the FRHA’s federally-assisted Housing Choice Voucher Program (HCVP) (Section 8). In lieu of the grievance procedures and in accordance with 24 CFR 982.555 (informal hearing for participant), the FRHA must give a Housing Choice Voucher Program (HCVP) participant family the opportunity for an Informal Hearing to consider whether certain decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations and PHA policies.

The FRHA Housing Choice Voucher Program (Section 8) Administrative Plan details all applicable procedures for conducting informal hearings and outlines the circumstances for when a hearing is required an when it is not required. The FRHA has a Hearings Officer, Theresa Qental, who handles all informal appeal hearings.

**JOBS-PLUS GRANT**—Timothy Burke, Director of Human Services, gave a brief presentation of the Jobs-Plus grant initiative. Mr. Burke stated that the FRHA submitted a \$2.3 million grant application to the Department of Housing & Urban Development (HUD) that would be used to develop locally-based, job-driven approaches to increase earnings and advance employment outcomes through work readiness, employer linkages, job placement, educational advancement technology skills and financial literacy for residents of Sunset Hill. The place-

based Jobs Plus Initiative Program addresses poverty among public housing residents by incentivizing and enabling employment through income disregards for working families and a set of services designed to support work including employer linkages, job placement and counseling, educational advancement and financial counseling.

The Jobs-Plus Program was conceived in the mid-1990s by HUD, the Rockefeller Foundation and MDRC and put into practice from 1998 to 2003. The program targeted all working-age residents, attempting to “saturate” the housing developments with information, services and incentives to support work. Since 2015, HUD has awarded nearly \$63 million to 24 public housing agencies to implement the Jobs-Plus Program. It is a four (4) year grant and some housing authorities have been able to renew their grants.

The FRHA sent 74 agencies requests for “Letters of Commitment in Support of the FRHA’s Application for the Jobs-Plus Initiative Project Grant”, hoping to get \$3 million in in-kind services. The FRHA should know within six (6) months if we are successful in getting this grant.

**AGENCY PLAN TEMPLATE**—Mr. Barrow distributed the “draft” Template (Attachments A & B) and advised the RAB participants that we are currently in our 5<sup>th</sup> year of this Five-Year Action Plan so next year we will need to review the policies and CFP Plans and put together a new Five-Year Action Plan.

Page 2 of the Template lists the Annual Plan Elements and as noted under B.1 (Revision of PHA Plan Elements), the Deconcentration Policy and Grievance Procedures are marked Y (yes) as revised (and will be explained in the RAB minutes and Public Hearing summary as attachments) and under B.2 (New Activities), the Designated Housing Plan, Non-Smoking Policies, Project-Based Vouchers (up to 150 project-based vouchers will be made available to the FRHA, most of which are set aside for Riverview Towers and any leftover vouchers will be used elsewhere) and Other Capital Grant Programs (Emergency Safety and Security grant) will be marked Y (yes) as new activities that the PHA intends to undertake or has undertaken in the current fiscal year. B.6 Progress Report will include Attachment B of the Template (Progress in Meeting Goals and Objectives for Current Five-Year Plan), B.6 Resident Advisory Board (RAB) comments will include a letter signed by William H. King, Sr., Chairman of the FRJTC advising that the RAB met with the FRHA and agrees with all updates, revisions, etc. and C.1 will include HUD form 50075.2 approved by HUD via EPIC in September, 2017.

Attachment A—B.1 (b) Deconcentration and other policies that govern eligibility, selection and admissions. This section will reflect the changes reviewed during the Resident Advisory Board meetings.

Attachment B—Progress in Meeting Goals and Objectives for Current Five-Year Plan. As mentioned earlier, the FRHA is in the 5<sup>th</sup> year of the current five-year plan and next year a new Five-Year Plan will have to be developed. A brief explanation for numbers 1-18 describes each goal and objective HUD requires of the PHAs.

At the conclusion of the presentations, Mr. Barrow asked the RAB members if they had any questions and a few had some questions regarding the enforcement of the new No Smoking policy, and Ms. Povar, Ms. Morrissette and Mr. Barrow made some suggestions to the residents to aid the FRHA in enforcing the policy. Mr. Gagnon and Mr. Barrow suggested that the Resident Advisory Board, Senior Property Managers, Clerks and Administrative staff meet in January to review this policy and make sure everyone is on the same page regarding enforcement. In addition, it was suggested that quarterly meetings with residents and management staff be scheduled.

In closing, Mr. Barrow thanked the Resident Advisory Board members for their continued participation and input into this very important Plan, and looks forward to seeing everyone next year for the 2019 Agency Plan preparations.

**Please be reminded that the 2018 Agency Plan Public Hearing will be held on Wednesday, January 3, 2018 at 3:00 p.m. in the James A. O'Brien, Sr. Community Hall. Coffee and donuts will be served following the public hearing. (Please use the Second Street entrance.)** Hopefully everyone will be able to attend. Notices announcing the public hearing will be posted at all federal sites.

### **PUBLIC HEARING SUMMARY** **JANUARY 3, 2018**

The 2018 Public Hearing was held on Wednesday, January 3, 2018, at 3:00 p.m. in the James A. O'Brien, Sr. Apartments Community Hall. Twenty four (24) participants were in attendance, including Timothy S. Barrow, Deputy Executive Director for Finance & Leased Housing; Kathleen Povar, Director of Field Operations; Debra Morrissette, Associate Director of Property Management; Deborah Saba, Coordinator of Housing Assistance; Kevin Sbardella, Director of Modernization & Development and Martha Gallagher, Executive Office Coordinator.

Mr. Barrow introduced the members of the panel, listed above, as well as William H. King, Chairman, FRJTC and Ed Gagnon, FRJTC.

Mr. Barrow also presided over the meeting, which was conducted in an informal manner.

Mr. Barrow stated that some of the changes to the many policies that were discussed with the RAB over the past three months were regulatory changes that are mandated by the Department of Housing & Urban Development (HUD) and some are discretionary changes that are being implemented for the betterment of the residents.

A number of handouts were distributed to the attendees, beginning with the Annual PHA Plan Template. Mr. Barrow reviewed the changes made to this year's template—briefly touching on the changes made to some of the policies, which were discussed with and agreed to by the RAB over the course of the meetings; attachments A & B of the Template, as well as some minor changes to the FRHA's Procurement Policy.

Mr. Barrow turned the meeting over to Ms. Povar, who went over the changes to the Admissions & Continued Occupancy Plan (ACOP) in detail, and answered questions raised by some of the attendees.

The topics that Ms. Povar presented were the Deconcentration Policy, the Flat Rent Policy, Transfer Policy, Unit Offer Policy through Tenant Selection Department and the Grievance Procedures/Grievance Panel changes.

Ms. Povar went into greater detail with the Grievance Procedures/Panel section because the Fall River Housing Authority, in cooperation with the Resident Advisory Board and the Fall River Joint Tenants Council, has decided to reduce the Grievance Panel members from five (5) to three (3), as allowed by the Department of Housing & Community Development (DHCD). Ms. Povar explained that DHCD allows public housing authorities the option of having a three (3) member Grievance Panel or a one (1) person Grievance Officer. The FRHA determined that going from a five (5) member panel to a three (3) member panel will make it much faster for the resident to have their grievance hearing heard. With the current five (5) member panel, scheduling grievance hearings is an arduous process due to the difficulty of getting the five (5) members, plus any witnesses, attorneys and police officers all available on a certain day and time(s). The FRHA feels that the new panel makeup will make scheduling much more efficient and grievance hearing determinations much faster—which is a win-win for everyone involved. William H. King, Chairman of the Fall River Joint Tenants Council, Inc., advised that he is against the decrease in panel members and feels that the residents will not get due process with the smaller panel. He stated that although he is personally against this change, he will not stand in the way of the FRHA submitting a waiver to DHCD. Mr. Barrow advised that as a compromise the FRHA will try the new panel makeup for one (1) year and report back to Mr. King and the RAB members how it is working out, and if it is not working out in favor of the FRHA and the residents, then the Authority will entertain going back to the five (5) member panel.

Mr. Sbardella reviewed the Capital fund Program Five Year Plan, which was distributed to the attendees, explaining the proposed capital fund projects for each AMP/sites. Mr. Sbardella explained that the items listed were determined by necessity and resident input, and that the monies provided to the FRHA from the Department of Housing & Urban Development (HUD) and earmarked for particular projects are “fungible”, and the FRHA has some ability to move capital fund projects arounds within the five-year plan should need arise.

Ms. Saba reviewed the changes to the Section 8 Administrative Plan, in detail, and answered questions raised by some of the attendees.

Mr. Barrow closed the meeting and thanked everyone who participated in the RAB meetings and FRHA staff for their assistance in the preparation of the 2018 Agency Plan.

The meeting adjourned at 5:30 p.m., and coffee and donuts were served following the meeting.

TSB:mjg