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OR BY CALLING 1-669-444-9171 AND ENTERING MEETING ID NUMBER 820 1866 0957 FOLLOWED BY PASSCODE 702716. MEMBERS OF THE PUBLIC CAN ALSO LISTEN TO THE MEETING BY LOGGING ONTO THE CITY'S WEBSITE USING THIS LINK: http://www.winslowaz.gov/government/agendas_and_minutes/index.php

**AGENDA
NOTICE OF SPECIAL MEETING
OF THE WINSLOW PUBLIC HOUSING AUTHORITY**

**APRIL 9, 2024 – 6:00 P.M.
DOORS OPEN AT 5:30 P.M.**

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Public Housing Authority of the City of Winslow, Arizona, and to the general public that the Winslow Public Housing Authority will hold a special meeting on Tuesday, April 9, 2024 at 6:00 p.m. in the main hall of the Winslow Visitor's Center, 523 West Second Street, Winslow, Arizona. Members of the Winslow Public Housing Authority will attend either in person or via Zoom. The public may be asked to temporarily relocate if an executive session occurs and will be invited back in when the Housing Authority returns from executive session.

1. PLEDGE OF ALLEGIANCE AND INVOCATION

2. ROLL CALL - EXCUSE ABSENT MEMBERS

3. CONSIDERATION AND POSSIBLE ACTION

- A. Discussion and/or Action to Approve Minutes of Public Housing Authority Special Meeting – November 14, 2023 (Suzy Wetzel)
- B. Discussion and/or Action Regarding Resolution No. 1936 to Approve Opening of the Housing Authority's Housing Choice Voucher/Section 8 Program Waiting List (Kim Salazar)
- C. Discussion and/or Action Regarding Resolution No. 1937 Approving the Housing Authority's 2024 Annual Plan (Kim Salazar)
- D. Discussion and/or Action Regarding Resolution No. 1938 to Amend and Approve the Housing Authority's Admissions and Continued Occupancy Policy (ACOP) and Administrative Plan (Kim Salazar)

4. ADJOURNMENT

The Housing Authority reserves the right to move into executive session for legal advice under authority of A.R.S. 38-431.03(A)(3) on any of the above agenda items. A copy of the agenda background materials already made available to the Housing Authority is available at City Hall, 21 Williamson Avenue, Winslow, Arizona between the hours of 7:30 a.m. and 4:30 p.m., Monday through Friday and at the Winslow Public Library, 420 West Gilmore, Winslow, Arizona during regular library hours. Pursuant to the Americans with Disabilities Act (ADA) the Housing Authority endeavors to ensure the accessibility of its meetings to all persons with disabilities. Assistive listening devices are available for the public's use for meetings. Reasonable accommodations will be made upon request for persons with disabilities or for those who speak English other than very well. If you need an accommodation for a meeting, please call the City Clerk's Office at 928-289-1416 at least 48 hours prior to the meeting so that an accommodation can be arranged. Notice is hereby given that pursuant to A.R.S. 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Housing Authority are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602.A.9 have been waived.

Minutes of the special meeting of the Winslow Housing Authority held on November 14, 2023, at 6:00 P.M. in the main hall of the Winslow Visitor's Center, 523 West Second Street, Winslow, Arizona.

MEMBERS PRESENT:

Chairperson Cano, Commissioner Crisp, Commissioner MacLean, Commissioner McKee, Commissioner Nelson, Commissioner Tafoya

MEMBERS ABSENT:

Commissioner Cake

STAFF:

David Coolidge City Manager, Trish Stuhan City Attorney, Suzy Wetzel City Clerk, Kim Salazar Public Housing Director

Chairperson Cano called the meeting to order. The Pledge was given and the Invocation was offered by Chairperson Cano. Roll call was taken Commissioner Cake was absent. Motion: Moved by Chairperson Cano, seconded by Commissioner Crisp, to excuse the absent member. Motion passed unanimously with Chairperson Cano and Commissioners Crisp, MacLean, McKee, Nelson and Tafoya voting yes.

CONSIDERATION AND POSSIBLE ACTION

A. Discussion and/or Action to Approve Minutes of Public Housing Authority Special Meeting – September 26, 2023

Motion: Moved by Commissioner Nelson, seconded by Commissioner Tafoya, to approve minutes of the September 26, 2023 Public Housing Authority meeting. Motion passed unanimously with Chairperson Cano and Commissioners Crisp, MacLean, McKee, Nelson and Tafoya voting yes.

B. Discussion and/or Action to Adopt Resolution No. 1925 Approving the Housing Authority's Fiscal Year 2024 Fair Market Rent Schedule – Housing Choice Vouchers and Emergency Housing Vouchers

The Public Housing Director explained that the rent schedule reflects the fair market rents put out by HUD for 2024 and stated that the waiver that she applied for last year to allow for a 120% increase will expire in December. As a result, it was necessary to re-evaluate the rent schedules wherein the Public Housing Director is recommending a 110% increase across the board. After the Public Housing Director discussed the various increases in detail, the following motion was made:

Motion: Moved by Chairperson Cano, seconded by Commissioner Tafoya, to approve Resolution No. 1925 approving the Housing Authority’s Fiscal Year 2024 Fair Market Rent Schedule – Housing Choice Vouchers and Emergency Housing Vouchers. Motion passed unanimously with Chairperson Cano and Commissioners Crisp, MacLean, McKee, Nelson and Tafoya voting yes.

C. Discussion and/or Action to Adopt Resolution No. 1926 Approving the Opening of the Housing Authority’s Low Rent Program Waiting List

The Public Housing Director discussed the issues that she is having with getting individuals to take advantage of the opportunity to get leased up in the low rent program and stated that the waiting list needs to be opened so there are more waiting families to house if and when a unit becomes available.

In response to a question from Commissioner Tafoya, the Public Housing Director clarified that the waiting list would remain open until September 30, 2024 or until there is an increase in the number of applicants to 250. After a brief discussion, it was determined that the language in the resolution needed to be changed to reflect “an increase in the number of applicants by 250” instead of “to 250.”

Motion: Moved by Commissioner Tafoya, seconded by Commissioner Crisp, to approve Resolution No. 1926 amending the third whereas clause to read “an increase in the number of applicants by 250.” Motion passed unanimously with Chairperson Cano and Commissioners Crisp, MacLean, McKee, Nelson and Tafoya voting yes.

ADJOURNMENT

Motion: Moved by Commissioner Nelson, seconded by Commissioner MacLean, to adjourn at 6:10 p.m. Motion passed unanimously with Chairperson Cano and Commissioners Crisp, MacLean, McKee, Nelson and Tafoya voting yes.

Chairperson

Attest:

City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Winslow Housing Authority held on November 14, 2023 at 6:00 P.M. I further certify that the meeting was duly called and that a quorum was present.

Dated this _____ day of _____, 20_____.

City Clerk

RESOLUTION NO. 1936

**RESOLUTION OF THE GOVERNING BOARD OF WINSLOW
PUBLIC HOUSING TO APPROVE OPENING OF THE
HOUSING AUTHORITY'S HOUSING CHOICE
VOUCHER/SECTION 8 PROGRAM WAITING LIST**

WHEREAS, the Housing Authority's Housing Choice Voucher/Section 8 Program waiting list is currently experiencing a low number of qualified applicants; and

WHEREAS, the current short waiting period of less than two (2) years for applicants to be considered for housing, the Housing Authority is proposing to open the waiting list; and

WHEREAS, the waiting list will be open for a specified amount of time and/or until there is an increase in the number of applicants to 250; and

WHEREAS, the Housing Authority has scheduled to open the Housing Choice Voucher/Section 8 waiting list effective April 29, 2024 through April 30, 2025.

NOW, THEREFORE, BE IT RESOLVED THAT THE GOVERNING BOARD OF THE WINSLOW PUBLIC HOUSING AUTHORITY approves opening of the waiting list for the Housing Choice Voucher/Section 8 Program effective April 29, 2024 through April 30, 2025 or until 250 applications are received.

PASSED AND ADOPTED by the Governing Board of Winslow Public Housing Authority this 9th day of April, 2024.

Roberta W. Cano, Board Chairman

ATTEST:

Suzy Wetzel, City Clerk

APPROVED AS TO FORM:

Trish Stuhan, City Attorney

RESOLUTION NO. 1937

**RESOLUTION OF THE GOVERNING BOARD OF THE CITY
OF WINSLOW PUBLIC HOUSING AUTHORITY APPROVING
THE HOUSING AUTHORITY'S 2024 ANNUAL PLAN**

WHEREAS, the Department of Housing and Urban Development (HUD) requires all public housing authorities to review and update their Annual Plans for Public Housing and Housing Choice Voucher Programs; and

WHEREAS, these programs are mandated to reflect current operations and economic conditions as they may occur; and

WHEREAS, HUD has recognized that an approved Annual Plan is necessary in the efficient operation of the Authority; and

WHEREAS, this format and entry meets with the standard business practices exercised by all public housing authorities and other governmental instrumentalities.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE WINSLOW PUBLIC HOUSING AUTHORITY approves the 2024 Annual Plan, all policy attachments and required documents.

PASSED AND ADOPTED by the Governing Board of the Winslow Public Housing Authority this 9th day of April, 2024.

Roberta W. Cano, Board Chairman

ATTEST:

Suzy Wetzel, City Clerk

APPROVED AS TO FORM:

Trish Stuhan, City Attorney

ITEM 3C

Civil Rights Certification
(Qualified PHAs)

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

Civil Rights Certification

Annual Certification and Board Resolution

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 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 fiscal year beginning July 1, 2024 in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the mission, goals, and objectives of the public housing agency and implementation thereof:

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. 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.

PHA Name

PHA Number/HA Code

I hereby certify that all the statement above, 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 of Board Chairperson:

Signature

Date

Signature

Date

The United States Department of Housing and Urban Development is authorized to collect 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. The information is collected to ensure that PHAs carry out applicable civil rights requirements.

Public reporting burden for this information collection is estimated to average 0.16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

RESOLUTION NO. 1938

RESOLUTION OF THE GOVERNING BOARD OF THE WINSLOW PUBLIC HOUSING AUTHORITY TO AMEND AND APPROVE THE PUBLIC HOUSING AUTHORITY'S ADMISSIONS & CONTINUED OCCUPANCY POLICY (ACOP) AND THE ADMINISTRATIVE PLAN

WHEREAS, the Department of Housing and Urban Development (HUD) requires all public housing authorities to review and update their current Admissions & Continued Occupancy Policy (ACOP) and their Administrative Plan to incorporate Housing Opportunity Through Modernization Act (HOTMA); and

WHEREAS, the U.S. Department of Housing and Urban Development has recognized that an approved ACOP and Administrative Plan are necessary in the efficient operation of the Authority; and

WHEREAS, the format and entries meet with standard business practices exercised by all public housing authorities and other government instrumentalities.

NOW, THEREFORE, BE IT RESOLVED THAT THE GOVERNING BOARD OF THE WINSLOW HOUSING AUTHORITY approves the current ACOP and the Administrative Plan to reflect the revisions for HOTMA compliance.

PASSED AND ADOPTED by the Governing Board of Winslow Public Housing Authority this 9th day of April, 2024.

Roberta W. Cano, Board Chairman

ATTEST:

Suzy Wetzel, City Clerk

APPROVED AS TO FORM:

Trish Stuhan, City Attorney

**Summary for Proposed Admissions and Continued Occupancy Policy (ACOP) and
Housing Choice Voucher/Section 8 Changes**

April 9, 2024

The Housing Opportunity Through Modernization Act (HOTMA) was passed in 2016. HUD is now working toward full implementation. The effective date cannot yet be determined as implementation cannot take place until HUD upgrades the online reporting systems and software vendors become compliant. However, HUD has mandated that the policies be in place. While many are mandatory there is also some flexibility built in. Below is a summary of these items with recommendations. This is also an opportunity to improve on current policies. If approved these policies will be effective immediately and also incorporated into the updated policy when HOTMA is implemented. The proposed choices were made taking into consideration lowering the burden for verification, stabilizing rents, and lowering the incidence of overpayments resulting in retroactive rent. This will benefit both Residents and Staff.

5.12 Suitability Screening

In order to determine the suitability of applicants the WPHD may examine applicant history for the past five years.

- Not to engage in drug-related activity on or off the premises (three years).

6.2 Assets

Real Property Ownership Verification

24 CFR 5.618(b)(2)

The WPHA must determine whether a family with present ownership is compliant with the asset limitation provision.

- If a family declares present ownership in real property, the WPHA will seek third-party verification of the following, as applicable:
 - Whether or not the family has the legal right in the property; and
 - Whether or not the family has the effective legal authority to sell the property; and
 - Whether or not the property is suitable for occupancy by the family as a residence.

7.7 Minimum Rent

Link [24 CFR 5.630](#)

Hardship exemptions for health/medical care expenses and reasonable attendant care and auxiliary apparatus expenses with phased in relief.

- For hardship condition based on unreimbursed health and medical care and/or reasonable attendant care or auxiliary apparatus expenses, the family must provide documentation of a financial hardship that would leave the family unable to pay rent if the exemption is not provided. If the rent and unreimbursed expenses exceed 45% of the Annual Income the household will be deemed unable to pay rent. Determination will be based on their most recent income review prior to January 1, 2024. Families will begin receiving the 24-month phased-in relief at their next annual or interim reexamination, whichever occurs first after January 1, 2024.
- Families who receive phased-in relief will have eligible expenses deducted as follows:
 - 1st twelve months – in excess of 5% of annual income
 - 2nd twelve months – in excess of 7.5% of annual income
 - After 24 months – in excess of 10% threshold will phase in and remain in effect unless the family qualifies for General Hardship relief.
- Once a family chooses to obtain general relief, a family may no longer receive the phased in relief.

Hardship exemption to continue child care deductions when the family no longer qualifies.

- A family whose eligibility for the child-care expense deduction is ending may receive a hardship exemption to continue receiving a child-care expense deduction in certain circumstances when the family no longer has a member that is working, looking for work, or seeking to further their education, and the deduction is necessary because the family is unable to pay their rent. When the rent and childcare expense exceeds 45% of the Annual Income the family will be determined unable to pay rent. When a family requests a hardship exemption to continue receiving a child-care expense deduction that is ending, WPHA will recalculate the family's adjusted income and continue the child-care deduction if the family demonstrates to WPHA'S satisfaction that the family is unable to pay their rent because of loss of child-care expense deduction and the child-care expense is still necessary even though the family member is no longer working, looking for work, or furthering their education. The hardship exemption and the resulting alternative adjusted income calculation remain in place for a period of up to 90 days. WPHA, at their discretion, may extend such hardship exemptions for additional 90-day periods based on family circumstances. To initiate, extend or conclude a hardship exemption, WPHA will submit a non-interim transaction code on form HUD-50058 unless there is an accompanying event that triggers an interim reexamination.

8.4 Verification of Assets

For a family with net assets equal to or less than \$50,000, the WPHD may accept the family's declaration that it has net assets equal to or less than \$50,000, without taking additional steps to verify the accuracy of the declaration. The declaration must state the amount of income the

family expects to receive from such assets; this amount must be included in the family's income. The WPHD will obtain third-party verification of all family assets every 3 years.

The WPHD will obtain third-party verification of assets at eligibility determination and every three years thereafter.

Real Property Ownership Verification

24 CFR 5.618(b)(2)

The WPHA must determine whether a family with present ownership is compliant with the asset limitation provision.

- If a family declares present ownership in real property, the WPHA will seek third-party verification of the following, as applicable:
 - Whether or not the family has the legal right in the property; and
 - Whether or not the family has the effective legal authority to sell the property; and
 - Whether or not the property is suitable for occupancy by the family as a residence.

Denial of assistance 10.2

- Net family assets exceed \$100,000 (adjusted annually for inflation); and/or the family has a present ownership interest in, a legal right to reside in, and the effective legal authority to sell the real property that is suitable for occupancy by the family as a residence.

WPHD Terminations

- **Asset Limitation** Link [24 CFR 5.618](#)
 - Net family assets exceed \$100,000 (adjusted annually for inflation); and/or has a present ownership interest in, a legal right to reside in, and the effective legal authority to sell the real property that is suitable for occupancy by the family as a residence. Said termination shall occur no later than six months after the effective date of an annual or interim reexamination.

11.1 Detecting Errors and Program Abuse

For WPHA error in rent calculations

If at any time an error is discovered in the WPHA rent calculation and:

- The error results in a rent increase
 - The family will not be charged retroactively

The rent increase will become effective the first of the month after 30-day notice or rent increase is provided to the resident.

- The error results in a rent decrease:

- The resident will be given the choice of a refund for the amount of the overcharge going back a maximum of twenty-four (24) months. If the resident owes the WPHA money, the resident debt will be offset to the highest degree possible.
- The refund will be given to the participant within thirty (30) days

The rent decrease will become effective the first of the following month.