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## Proposed Administrative Plan Changes Operational Year 2024

### *Anticipated Updates & Purpose:*

*All proposed changes to the City of West Allis Public Housing Authority Administrative Plan are intended to ensure compliance with federal regulations of the Section 8 Housing Choice Voucher Program through staff level program evaluation and the Housing Opportunity Through Modernization Act (HOTMA) signed into law amending many aspects of the program with the final rule published in January 2023. All HOTMA changes released by the U.S. Department of Housing and Urban Development (HUD) are attached.*

*Below is an outline of these changes effective January 2024. Text amendments shown with **strikeout** are deletion edits and text in **bold** case are addition edits. All other text shown remains current.*

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### Chapter 1

#### OVERVIEW OF THE PROGRAM AND PLAN

##### 1-III.D UPDATING AND REVISING THE PLAN

###### PHA POLICY

The PHA will review and update the plan as needed, to reflect changes in regulations, PHA operations, or when needed to ensure staff consistency in operation. **The PHA shall establish a Resident Advisory Board (RAB) as part of the PHA Plan process to make recommendations in the development of the PHA Plan in order to facilitate collaboration. The PHA is required to request input from the RAB for any significant amendment or modifications to the PHA Plan or Administrative Plan.**

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### Chapter 5

#### BREIFINGS AND VOUCHER ISSUANCE

##### 5-II.E VOUCHER TERM AND EXTENTIONS

Voucher Term [24 CFR 982.303]

The initial term of a voucher must be at least **60 days 90 calendar days**. The initial term must be stated on the voucher [24 CFR 982.303(a)].

###### **Extensions of Voucher Term [24 CFR 982.303(b)]**

The PHA has the authority to grant extensions of search time, to specify the length of an extension, and to determine the circumstances under which extensions will be granted. There is no limit on the number of extensions that the PHA can approve. Discretionary policies related to extension and expiration of search time must be described in the PHA's administrative plan [24 CFR 982.54].

PHAs must approve additional search time if needed as a reasonable accommodation to make the program accessible to and usable by a person with disabilities. The extension period must be reasonable for the purpose.

The family must be notified in writing of the PHA's decision to approve or deny an extension. The PHA's decision to deny a request for an extension of the voucher term is not subject to informal review [24 CFR 982.554(c)(4)].

#### PHA Policy

The PHA will automatically approve one 30-day extension upon written request from the family.

The PHA will approve additional extensions only in the following circumstances:

It is necessary as a reasonable accommodation for a person with disabilities. It is necessary due to reasons beyond the family's control, as determined by the PHA. Following is a list of extenuating circumstances that the PHA may consider in making its decision. The presence of these circumstances does not guarantee that an extension will be granted:

*Serious illness or death in the family*  
*Other family emergency*  
*Obstacles due to employment*  
*Whether the family has already submitted requests for tenancy approval that were not approved by the PHA*  
*Whether family size or other special circumstances make it difficult to find a suitable unit*

Any request for an additional extension must include the reason(s) an additional extension is necessary. The PHA may require the family to provide documentation to support the request or obtain verification from a qualified third party.

All requests for extensions to the voucher term must be made in writing and submitted to the PHA prior to the expiration date of the voucher (or extended term of the voucher).

The PHA will decide whether to approve or deny an extension request within 10 business days of the date the request is received and will immediately provide the family written notice of its decision

The PHA will decide whether to approve or deny an extension request within 10 business days of the date the request is received and will immediately provide the family written notice of its decision ~~via encrypted electronic communication~~ **via Assistance Check account.**

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## **Chapter 8**

### **HOUSING QUALITY STANDARDS AND RENT REASONABLES DETERMINATIONS**

#### **INTRODUCTION**

HUD requires that all units occupied by families receiving Housing Choice Voucher (HCV) assistance meet HUD's Housing Quality Standards (HQS) and permits the PHA to establish additional requirements. The use of the term "HQS" in this plan refers to the combination of both HUD and PHA-established requirements.

All units must pass an HQS inspection prior to the approval of a lease and at least once every 24 months during the term of the contract, and at other times as needed, to determine that the unit meets HQS. HUD also requires PHAs to determine that rents for units under the program are reasonable when compared to comparable unassisted units in the market area.

## PART II: THE INSPECTION PROCESS

### 8-II.A OVERVIEW [24 CFR 982.405]

#### PHA POLICY

The PHA elects the option to outsource Housing Quality Inspections (HQS) by a third-party entity, under contract with the PHA, certified in both in HQS and NSPIRE to meet the increasing demand for high-quality inspections in the Housing Choice Voucher Program.

#### Types of Inspections

The PHA conducts the following types of inspections as needed. Each type of inspection is discussed in the paragraphs that follow.

- *Initial Inspections.* The PHA conducts initial inspections in response to a request from the family to approve a unit for participation in the HCV program.
- *Annual/Biennial Inspections.* HUD requires the PHA to inspect each unit under lease at least annually or biennially, depending on PHA policy, to confirm that the unit still meets HQS. The inspection may be conducted in conjunction with the family's annual reexamination but also may be conducted separately.
- *Special Inspections.* A special inspection may be requested by the owner, the family, or a third party as a result of problems identified with a unit between annual inspections.
- *Quality Control Inspections.* HUD requires that a sample of units be inspected by a supervisor or other qualified individual to evaluate the work of the inspector(s) and to ensure that inspections are performed in compliance with the HQS.

#### Inspection Results and Reinspection

##### PHA Policy

If any HQS violations are identified the owner will be notified of the deficiencies **via Assistance Check account** and be given a time frame to correct them. If requested by the owner, the time frame for correcting the deficiencies may be extended by the PHA for good cause. The PHA **or it's contracted third-party inspection entity** will reinspect the unit within five business days of the date the owner notifies the PHA that the required corrections have been made.

## Chapter 11

### REEXAMINATIONS

#### 11-I.A. OVERVIEW

The PHA must conduct a reexamination of family income and composition at least annually. This includes gathering and verifying current information about family composition, income, and expenses. Based on this updated information, the family's income and rent must be recalculated. This part discusses the schedule for annual reexaminations, the information to be collected and verified, and annual reexamination effective dates.

#### 11-I.B. STREAMLINED ANNUAL REEXAMINATIONS [24 CFR 982.516(b)]

HUD permits PHAs to streamline the income determination process for family members with fixed sources of income. While third-party verification of all income sources must be obtained during the intake process and every three years thereafter, in the intervening years the PHA may determine income from fixed

sources by applying a verified cost of living adjustment (COLA) or rate of interest. The PHA may, however, obtain third-party verification of all income, regardless of the source. Further, upon request of the family, the PHA must perform third-party verification of all income sources.

Fixed sources of income include Social Security and SSI benefits, pensions, annuities, disability or death benefits, and other sources of income subject to a COLA or rate of interest. The determination of fixed income may be streamlined even if the family also receives income from other non-fixed sources.

Two streamlining options are available, depending upon the percentage of the family's income that is received from fixed sources. If at least 90 percent of the family's income is from fixed sources, the PHA may streamline the verification of fixed income but is not required to verify non-fixed income amounts. If the family receives less than 90 percent of its income from fixed sources, the PHA may streamline the verification of fixed income and must verify non-fixed income annually.

#### PHA Policy

*The PHA will streamline the annual reexamination process by applying the verified COLA or interest rate to fixed-income sources. The PHA will document in the file how the determination that a source of income was fixed was made.*

*If a family member with a fixed source of income is added, the PHA will use third party verification of all income amounts for that family member.*

*If verification of the COLA or rate of interest is not available, the PHA will obtain third-party verification of income amounts.*

*Third-party verification of fixed sources of income will be obtained during the intake process and at least once every three years thereafter.*

*Third-party verification of non-fixed income will be obtained annually regardless of the percentage of family income received from fixed sources*

#### PHA Policy

**Households deemed senior, which is 62 years of age and older, non-streamlined reexaminations will be conducted biannually, all other years reexaminations will be streamlined [24 CFR 982.516(b)].**

## **PART II: INTERIM REEEXAMINATIONS [24 CFR 982.616]**

### **11-II.A. OVERVIEW**

Family circumstances may change between annual reexaminations. HUD and PHA policies dictate what kinds of information about changes in family circumstances must be reported, and under what circumstances the PHA must process interim reexaminations to reflect those changes. HUD regulations also permit the PHA to conduct interim reexaminations of income or family composition at any time. When an interim reexamination is conducted, only those factors that have changed are verified and adjusted [HCV GB, p. 12-10].

### **11-II.C. CHANGES AFFECTING INCOME OR EXPENSES**

Interim reexaminations can be scheduled either because the PHA has reason to believe that changes in income or expenses may have occurred, or because the family reports a change. When a family reports a change, the PHA may take different actions depending on whether the family reported the change voluntarily, or because it was required to do so.

## Family-Initiated Interim Reexaminations

The PHA must adopt policies prescribing when and under what conditions the family must report changes in family income or expenses [24 CFR 982.516(c)]. In addition, HUD regulations require that the family be permitted to obtain an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)]

### Existing PHA Policy

Families are required to report all changes in income within 10 business days of the change occurring. The PHA will conduct an interim reexamination to recalculate the new family share of rent and new subsidy amount. Families may report changes in income or expenses at any time.

### Proposed PHA Policy

Families that report a decrease in income an interim reexamination will be conducted within 10 business days after the initial report and all required documentation and verifications are received by the PHA. For families reporting an increase in income an interim reexamination will not be conducted. Any and all changes of a family's increase in income will be recalculated at the time of the next scheduled annual reexamination.

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