



TACOMA HOUSING AUTHORITY

BOARD OF COMMISSIONERS

BOARD PACKET

October 28, 2020



**Tacoma
Housing
Authority**

Executive Director
Michael Mirra

Board of Commissioners
Stanley Rumbaugh, Chair | Shennetta Smith, Vice Chair
Dr. Minh-Anh Hodge | Derek Young | Pastor Michael Porter

REGULAR MEETING Board of Commissioners

WEDNESDAY, OCTOBER 28, 2020

The Board of Commissioners of the Housing Authority of the City of Tacoma will hold a Regular Meeting on **Wednesday, October 28, 2020, at 4:45 pm.**

Zoom Meeting

Updated: <https://us02web.zoom.us/j/87236012303> / Meeting ID: 872 3601 2303 / Dial: (253) 215-8782

The site is accessible to people with disabilities. Persons who require special accommodations should contact Sha Peterson (253) 207-4450, before 4:00 pm the day before the scheduled meeting.

I, Sha Peterson, certify that on or before October 22, 2020, I FAXED/EMAILED, the preceding PUBLIC MEETING NOTICE before:

City of Tacoma	747 Market Street Tacoma, WA 98402	fax: 253-591-5300 CityClerk@cityoftacoma.com
Northwest Justice Project	715 Tacoma Avenue South Tacoma, WA 98402	fax: 253-272-8226
KCPQ-TV/Channel 13	1813 Westlake Avenue North Seattle, WA 98109	tips@q13fox.com
KSTW-TV/CW 11	2211 Elliott Avenue, Suite 200 Seattle, WA 98121	
Tacoma News Tribune	1950 South State Tacoma, WA 98405	
The Tacoma Weekly	PO Box 7185 Tacoma, WA 98406	

and other individuals and organizations with residents reporting applications on file.

Sha Peterson
Executive Administrator



TACOMA HOUSING AUTHORITY

AGENDA

REGULAR BOARD OF COMMISSIONERS MEETING

October 28, 2020, 4:45 PM

Join Zoom Meeting

Updated: <https://us02web.zoom.us/j/87236012303/> Meeting ID: 872 3601 2303 / Dial: (253) 215-8782

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES**
 - 3.1 Minutes of September 23, 2020—Regular Meeting
4. **GUEST COMMENTS**
5. **COMMITTEE REPORTS**
6. **COMMENTS FROM THE EXECUTIVE DIRECTOR**
7. **ADMINISTRATION VERBAL REPORTS**
 - 7.1 Finance
 - 7.2 Policy, Innovation and Evaluation
 - 7.3 Client Support and Empowerment
 - 7.4 Rental Assistance
 - 7.5 Property Management
 - 7.6 Real Estate Development
8. **NEW BUSINESS**
 - 8.1 2020-10-28 (1) Payment Standards Update
 - 8.2 2020-10-28 (2) Utility Allowance Update
 - 8.3 2020-10-28 (3) Employee Recognition
 - 8.4 2020-10-28 (4) Changes to THA's Grievance Procedures
 - 8.5 2020-10-28 (5) Continued Moratorium on Time Limit End of Participation Exits
9. **COMMENTS FROM THE COMMISSIONERS**
10. **EXECUTIVE SESSION, if any**
11. **ADJOURNMENT**



TACOMA HOUSING AUTHORITY

MINUTES



TACOMA HOUSING AUTHORITY

BOARD OF COMMISSIONERS MEETING MINUTES REGULAR SESSION WEDNESDAY, SEPTEMBER 23, 2020

The Commissioners of the Housing Authority of the City of Tacoma met in Regular Session via Zoom at 4:45 PM on Wednesday, September 23, 2020.

1. CALL TO ORDER

Chair Rumbaugh called the meeting of the Board of Commissioners of the Housing Authority of the City of Tacoma (THA) to order at 4:56 PM.

2. ROLL CALL

Upon roll call, those present and absent were as follows:

PRESENT	ABSENT
Commissioners	
Chair Stanley Rumbaugh	
	Vice Chair Shennetta Smith
Commissioner Derek Young	
Commissioner Dr. Minh-Anh Hodge	
Commissioner Pastor Michael Purter	
Staff	
Michael Mirra, Executive Director	
Sha Peterson, Executive Administrator	
April Black, Deputy Executive Director	
Ken Shalik, Finance Director	
	Barbara Tanbara, Interim Human Resources Director
Frankie Johnson, Property Management Director	
Kathy McCormick, Real Estate Development Director	
	Sandy Burgess, Administrative Services Director
Julie LaRocque, Rental Assistance Director	
Cacey Hanauer, Client Support & Empowerment Director	

Chair Young declared there was a quorum present @ 4:57 pm and proceeded.

3. APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Chair Rumbaugh asked for any corrections to, or discussion of the minutes for the Annual Meeting of the Board of Commissioners, Wednesday, August 26, 2020. Commissioner Young moved to adopt the minutes; Commissioner Hodge seconded.

Upon roll call, the vote was as follows:

AYES: 4
NAYS: None
Abstain: None
Absent: 1

Motion approved.

Chair Rumbaugh asked for any corrections to, or discussion of the minutes for the Regular Session of the Board of Commissioners, Tuesday, September 8, 2020. Commissioner Hodge moved to adopt the minutes; Commissioner Young seconded.

Upon roll call, the vote was as follows:

AYES: 4
NAYS: None
Abstain: None
Absent: 1

Motion approved.

4. GUEST COMMENTS

None.

5. COMMITTEE REPORTS

Real Estate Development Committee—Chair Rumbaugh and Commissioner Young

The committee met to discuss several projects. It discussed the Gault School project that would have THA acquire the property. The Committee confirmed the decision not to proceed with the acquisition because of the cost to responsibly secure the property, stop its deterioration, and demolish the auxiliary buildings. Subsequent to the committee meeting, the school district offered to contribute \$1 million. Chair Rumbaugh led a discussion that also confirmed that, although interesting, this offer would not change the decision not to pursue the acquisition.

Chair Rumbaugh recounted the discussion about the acquisition of The Trees. The Committee declined to seek the Board's reconsideration of its prior direction that the Executive Director execute THA's right to purchase. The Committee also discussed the Arlington Drive project and the efforts to preserve the state's funding of its services.

Finance Committee—Commissioner Hodge and Commissioner Young

The committee has not met since the last Board meeting.

Education Committee—Vice Chair Smith and Commissioner Hodge

The committee received an expansive report from Deputy Executive Director Black in August regarding the education committee. The committee then met with Director Black on September 11 and decided to change the structure and protocol of the Education Committee. Commissioner Hodge suggested that it seemed redundant for the Committee to report to the Board on topics that staff cover in their own report. They decided that Commissioners Hodge and Smith as the Committee will serve as a sounding Board for staff, for staff to bounce ideas off them, and to let discuss issues that will be headed for the Board to decide.

Staff are preparing a detailed report about the Department of Corrections (DOC) component of the College Housing Assistance Program. Presently, the 25 vouchers reserved for students coming from DOC remain unused. Tacoma Community College (TCC) and DOC are proposing ways to put those to use. THA staff are considering the proposal. Chair Rumbaugh expressed frustration about how long this discussion has been underway. He noted the original intention: to get women TCC students who started their studies at Purdy prison and to give them the opportunity to stabilize and finish their program. He wants us to preserve some priority to people coming out of prison. Chair Rumbaugh confirms that his discussion with the Secretary of Corrections Stephen Sinclair show that DOC is willing to do what it takes to make this project work. Director Black stated that THA asked TCC for a revision to their proposal. TCC is also interested in making the program work. Per Director Black the proposal lacks a commitment to offer housing search help to students or support during a tenancy. These services are necessary to recruit landlords willing to rent to students coming with a criminal history. Chair Rumbaugh understands the issues but pointed out that landlords do have a community contact to call because many persons coming out on early release from DOC have assigned Corrections officers. Commissioner Purter stated that when the glitches are identified, things may get better. Commissioner Hodge added that maybe THA could serve as a lease co-signer because people usually have problems renting due to lack of background information. Besides having vouchers, perhaps DOC and TCC can think of a way to support the program participants; identify an official to support them and pay the rent. ED Mirra stated that staff will consider the strategies Director Black noted. One would make vouchers available as a priority to DOC population even without support, for the benefit to those coming out of corrections who can find a landlord without support. Even if most of them cannot do it, there will be some who can. He added that there are 10 of these students coming to TCC a quarter so there should be no shortage of clients. Commissioner Young is baffled at how long THA has been talking to TCC about this. Chair Rumbaugh asked if Director Black has a contact in the TCC executive staff. Director Black confirmed that she does, and that person is the one responding with the proposal. She thinks the problem is lack of resources. Both TCC and THA do not have the resources the program should have. Their staff are also stretched to even have these discussions and do the planning.

Citizen Oversight Committee—Vice Chair Smith, Commissioner Purter

Commissioner Purter is scheduled to meet with Vice Chair Smith and will also be meeting with ED Mirra on Friday to discuss the Citizen Oversight Committee

Diversity, Equity and Inclusion Committee—Vice Chair Smith, Commissioner Hodge

The committee has not met and will not be meeting unless there is a reason to do so. Director Johnson confirmed.

6. COMMENTS FROM THE EXECUTIVE DIRECTOR

Executive Director (ED) Michael Mirra directed the Board to his report. According to ED Mirra, the Federal government will shut down a week from tomorrow unless Congress passes a budget of some sort. If the government shuts down, THA has reserves to last two months. THA will dust off the plan it used when the government shut down last year. Director Shalik confirmed.

7. ADMINISTRATIVE REPORTS

Finance

Finance Department (FD) Director Ken Shalik directed the Board to the Cash and Expense reports. THA received a clean audit in operations and received a clean bill of health for the financial portion of the report. The accountability audit will start soon. The REAC submission is usually due to HUD by the end of September. Due to the pandemic, HUD has extended this deadline to March 31 of next year. THA will still get it in by the original deadline. Chair Rumbaugh called attention to the number of years THA has gone through the audit process without any financial findings. It is a credit to Director Shalik and his staff and other departments within the agency that also received a clean audit. When you look at THA's counterparts in the county, the fact that auditors come year after year to THA with no findings is truly remarkable. "It is good not to have to worry about findings and that should make us all proud," applauded Chair Rumbaugh.

Finance has started the budget process for 2021 and staff are using the new software. Finance is including the different departments in entering information in the different expense sheets and helping departments through the 3-stage process. Next year, Finance will focus on streamlining reports. Director Shalik thanked the rest of the departments for their willingness to work with the Finance team, the budget process, and the new software.

THA is in good financial shape. Its cash position is right where it needs to be. As ED Mirra mentioned, even if the government shuts down, THA has the ability to carry out its job for a couple of months. Chair Rumbaugh asked Director Shalik to confirm that if THA has to tap into reserves during a governmental shutdown, it gets the money back when the governmental reopens. Director Shalik confirmed. Also, when the government shut down last time, Housing and Urban Development (HUD) sent out advance funding before it shut out the lights. Director Shalik senses that this might happen again this year,

ED Mirra asked Director McCormick for an update regarding our efforts to get what we need from the Department of Ecology (DOE) to recover our \$3 million from escrow for the Renew Tacoma redevelopment. According to Director McCormick, the DOE is making small progress and it looks like they are doing whatever needs to be done. The goal is to have it done by the end of the year, but hoping for October.

Commissioner Young moved to ratify the payment of cash disbursements totaling \$5,181,027 for the month of August 2020. Commissioner Hodge seconded.

Upon roll call, the vote was as follows:

AYES: 4
NAYS: None
Abstain: None
Absent: 1

Motion Approved.

Property Management

The Property Management team has been busy stocking up on Personal Protective Equipment (PPE). They have been talking a lot about the reopening and making sure there are enough supplies for staff. THA received another ten thousand masks; they will be useful to staff and clients. Chair Rumbaugh noted that THA received a very nice letter from one of the tenants thanking us for the masks we distributed. Director Johnson just met with her staff who reported that a lot of them are going through tough times home schooling, balancing work life, and partner not working. Director Johnson is trying to provide support to her staff who are scared to go out and who now have serious childcare issues. She has a new employee who is grateful for an organization that cares enough about childcare. If the staff person didn't have that support, she would not know how to manage. Director Johnson wanted her staff to know that what THA is doing is important and them showing up as they do is important, and she thanked them. Notwithstanding these challenges, the morale of her team is "amazing". Her staff asked her to thank the Board and other departments. Chair Rumbaugh inquired about turn time. According to Director Johnson, turn time remains, at 17 days per turn last month. It takes every department to make it work. ED Mirra mentioned how Director Johnson's portfolio is 99% full.

Client Support and Empowerment

Director Hanauer continues to be "awed" by her staff's aptitude and resilience. The team meets every morning and they laugh every day. The group has been "incredible". The Client Support and Empowerment (CSE) team promoted Byron Williams to a supervisory position and hired a replacement for his former position. CSE recently announced that Amy Van from Policy, Innovation and Evaluation will be moving over to CSE. Amy has already started to transition. Arlington Drive has three open staff positions to fill; 60 young people have already been referred. Things are going well across the Board. Chair Rumbaugh asked what Director Hanauer thinks are the primary challenges clients are experiencing due to Covid. According to Director Hanauer "probably home schooling". People underestimate how much work that is for student and parents. Some families have more than one child. Chair Rumbaugh asked what THA is doing to help them. "Anything we can," responded Director Hanauer. Her team is trying to figure out how to get tutors and make sure clients and residents have access to the internet and a computer. The CSE staff are also answering phones and the team is good at that. CSE is trying to find funds to boost community support.

Rental Assistance

Rental Assistance (RA) staff have been "amazing". They just had a skip meeting with close to 30 staff who are home schooling, caring for elderly parents, people whose partners are firefighters and first responders, staff whose family income declined a lot when a partner loses a job. Director LaRocque is amazed that they keep it together, and in

the midst of that, have a good audit and be able to do the entire thing electronically. Staff are able to do this with the help of IT. Another huge project is leasing up The Rise on 19th with people from the transfer list and, in the process, right sizing people to proper size units -- 36 showed interest in moving to The Rise. Staff made personal phone calls, reached out to people and found out what they needed. On top of that, THA is still 100% utilized. Chair Rumbaugh noted how remarkable everything seems to be. According to Director LaRocque, staff feel they have support at THA from the Board.

Administrative Services

Director Burgess was not in attendance. Administrative Services (AS) Department Manager Karen Bunce reported on her behalf. The AS team is pitching in and everybody is doing their part. Cindy Norton is now with the Real Estate Development team with her new role but continues to assist AS. AS hired a new Compliance Auditor, Jase Mesker, who replaced Teri Nollan (now with Property Management). Jase formerly worked in compliance for Amazon and will work with Nicole Thomas who is handling reasonable accommodation requests. AS is seeing 19-20% in rental losses for those who have not paid their rent in June, July and August. This is a 6-7% increase from last year, and is anticipated to continue.

The Emergency Operations Committee (EOC) re-formed a working group led by Aley Thompson and will propose what to do about rent arrearages owed by THA tenants and owed to voucher landlords. Chair Rumbaugh noted that Pierce County allocated CARES funding to address shortfalls. According to Bunce, the team is looking into this as a potential funding source. Chair Rumbaugh said that since THA is the largest landlord in the City, it should be in line for a large portion of the pie. The Per Unit Per Year (PUPY) expenses are under budget.

On Risk Management, Bunce and Director Burgess have been backfilling the Risk Manager position, which is currently vacant. Director Burgess is working with Alliant to renew THA's insurance. Now is the time to renew since the premiums are increasing. AS anticipates a 10-15% increase which is good in comparison to other insurances with 20-40% increase. Bunce did a shout out to IT and the OpenDoor teams that have been busy supporting THA and its work in the virtual world. Staff deployed the IT equipment, which was not an easy task. The teams posted 600 tickets between April and August. Bunce also thanked Jess Thompson from Policy, Innovation and Evaluation (PIE) for her assistance with the deployment of the IT equipment.

AS posted the position for Enterprise Content Manager who will oversee document management. Paul Scott is finalizing the document management work.

Real Estate Development

Director McCormick gave a shout out to her staff. Real Estate Development (RED) hired three new staff and found a cool way to onBoard them. Staff appreciate working with THA and doing innovative work. Chair Rumbaugh is gratified that there is interdepartmental teamwork, resulting in heightened efficiency all around.

Policy, Innovation and Evaluation

Director Black will provide more information regarding DOC and CHAP in October. Policy, Innovation and Evaluation (PIE) staff continue to step up as well. Jess has been helping IT; Amy moved to the CSE team but is working on the Children's Savings Account project; and Ava is working on the Grievance procedures. The EOC submitted a reopening proposal to ED Mirra, which approved. THA will stay at phase 2 and serve customers remotely through January 2021. It will do this even if Pierce County moved to Phase 3. THA staff have adjusted to Phase 2. They do not have the time to adjust to another phase, especially during the holidays. The stress would compound if Pierce County then had to revert back to Phase 2. Rather than risk this oscillation between phases, it is more stable to remain where we are, now that we have adjusted to it. Commissioner Young stated that the proposal sounds great to him and lines up with what Amazon is doing as well. Commissioner Hodge added that THA has essential workers who have to report on site. She asked if there have been any talk about extra compensation. Director Black responded that THA is trying to provide very safe working conditions with Personal Protective Equipment, social distancing, and alternative work schedules. To date there has been no talk about extra compensation for essential workers but she can bring up the discussion at an EOC meeting.

9. COMMENTS FROM COMMISSIONERS

None.

10. EXECUTIVE SESSION

None.

11. ADJOURNMENT

There being no further business to conduct, the meeting ended at 6:08 PM.

APPROVED AS CORRECT

Adopted: October 28, 2020

Stanley Rumbaugh, Chair



TACOMA HOUSING AUTHORITY

Real Estate Development Committee

Chair Stanley Rumbaugh
Commissioner Derek Young

Finance Committee

Commissioner Derek Young
Commissioner Minh-Anh Hodge

Community Partnerships Committee

Vice Chair Shennetta Smith
Commissioner Pastor Michael Purter

Education Committee

Vice Chair Shennetta Smith
Commissioner Minh-Anh Hodge

Diversity, Equity and Inclusion Committee

Vice Chair Shennetta Smith
Commissioner Minh-Anh Hodge



TACOMA HOUSING AUTHORITY

**COMMENTS FROM THE
EXECUTIVE DIRECTOR**



TACOMA HOUSING AUTHORITY

To: THA Board of Commissioners
From: Michael Mirra, Executive Director
Date: October 25, 2020
Re: Executive Director's Monthly Report

This is my monthly report for October August 2020. It supplements the departments' verbal written reports. With the Board's approval, the departments will not submit written reports until January.

1. ARLINGTON DRIVE: EFFORT TO PRESERVE STATE FUNDING FOR ITS SERVICES

THA's priority for the state legislative session that begins in January is to preserve the state's funding for the services at Arlington Drive Campus for Homeless Youth and Young Adults. I attach an updated description of that project. The Commissioners should use this description to help their own discussions with legislators and community members. Our discussions with them continue. At the Board meeting, I will recount what we are learning.

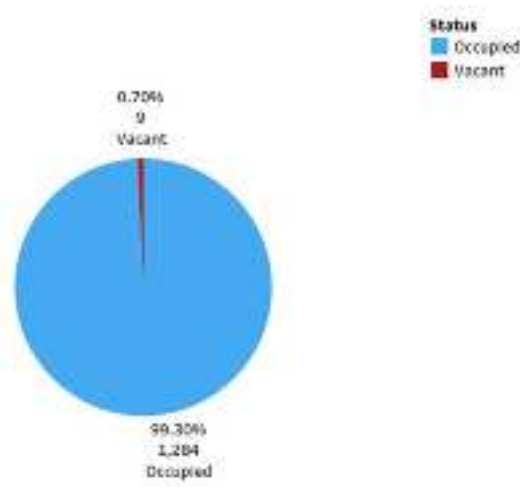
2. DEPARTMENT DATA

Although the departments are not submitting written reports, we can provide the following data on some main metrics. We are getting closer to a software system that allows the easy production of these reports using real time data. This data, and related information, show that THA staff, despite a pandemic and many personal challenges, continue to do hard work in ways that are impressive and effective.

2.1 Property Management

2.1.1 Occupancy Rates

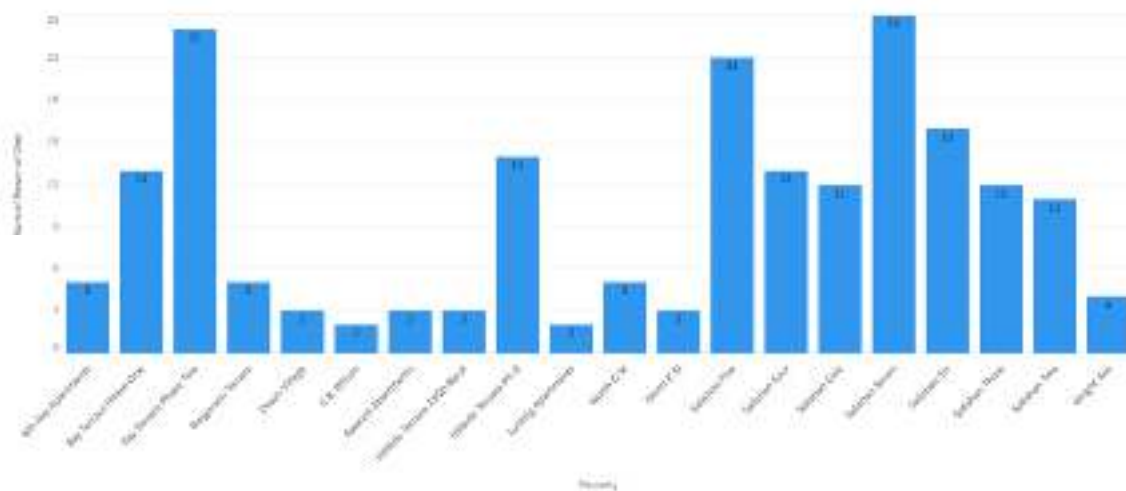
Occupancy rates remain at 99%. THA has been at this rate for the last 21 months.



2.1.2 Rent Collection and Rent Arrearages

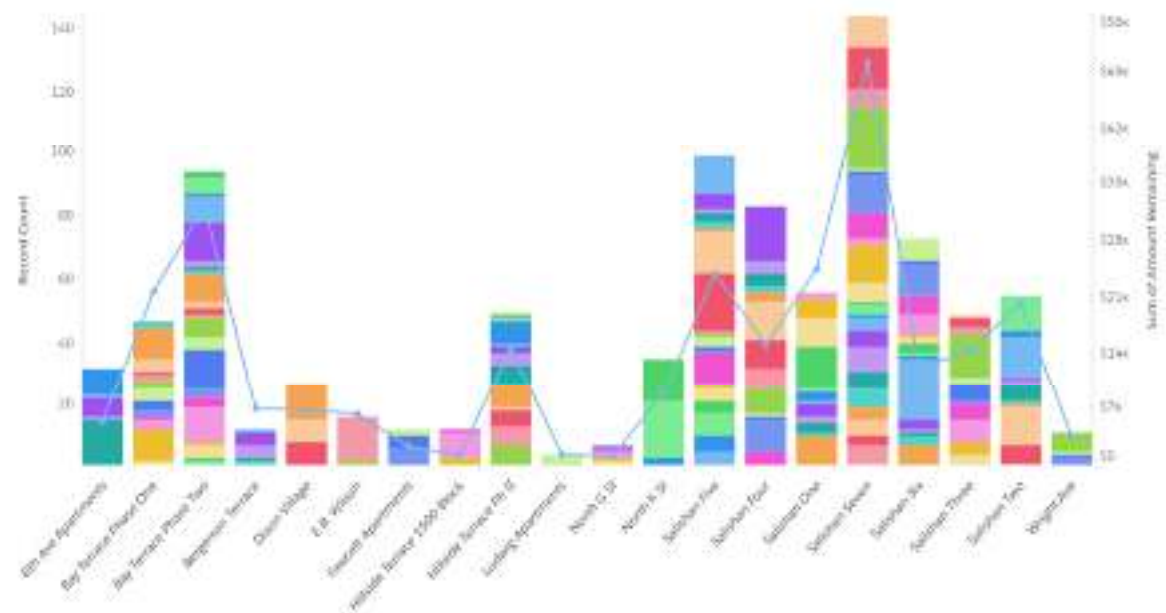
The pandemic and the accompanying economic collapse have been hard on all people in the nation. This shows throughout the rental market in rent defaults. THA has not escaped this effect. In the aggregate THA tenants are about \$490,600 behind in rent payments to THA. This is about a 20% shortage. Here are some charts showing some more detail about that arrearage.

Chart of Tenants with Late Rent by Property

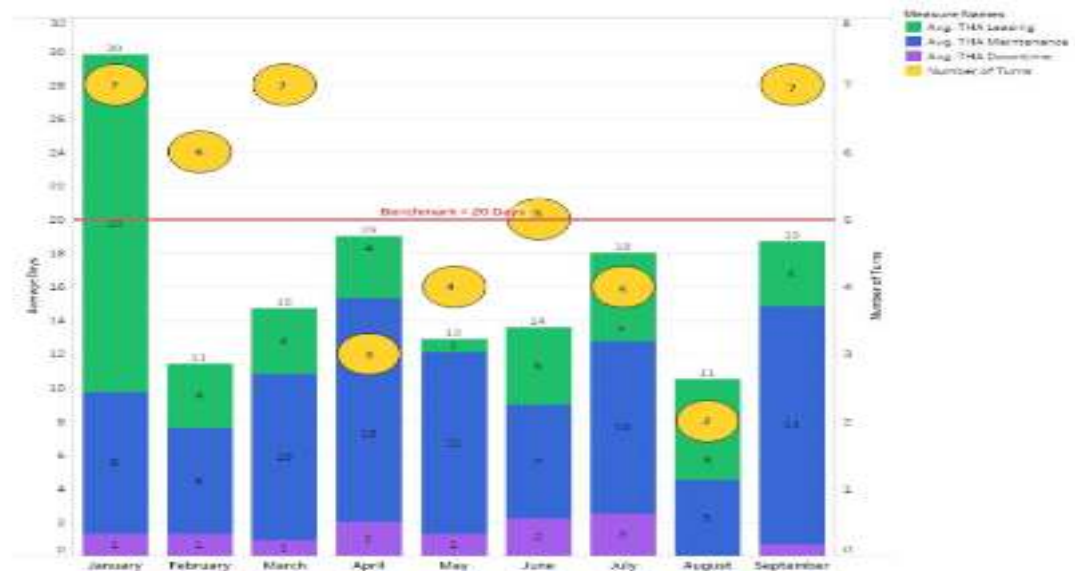


10/22/2020 1:11 PM - Using a Grid Editor

Stacked Chart of HH with Late Rent
Sum of Amount Remaining



2.1.3 Unit Turn Rate



This data reflects the continued collective efforts of the Turn and Leasing teams to maintain the total turn day target of 20 days or less. The Turn numbers for the THA maintenance portion of unit turns for September exceeded the goal of 17 days with an average of 14 days.

Leasing this month averaged 4 days which is a 25% decrease from the previous month. Despite the challenges of closed offices, teleworking and social distancing, the team worked hard to quickly house families as soon as possible.

For the eighth month in a row, the key-to-key numbers have met or exceeded the projected goal of 20 days, with an average of 17 days over the 9-month calendar year to date period.

2.1.4 Work Orders

In the month of September, 100% of the 19 emergency work orders were completed within 24 hours and 170 urgent work orders completed within 72 hours. The average work order completion time across the portfolio decreased slightly this month from 2 hours and 44 minutes to 2 hours and 14 minutes.

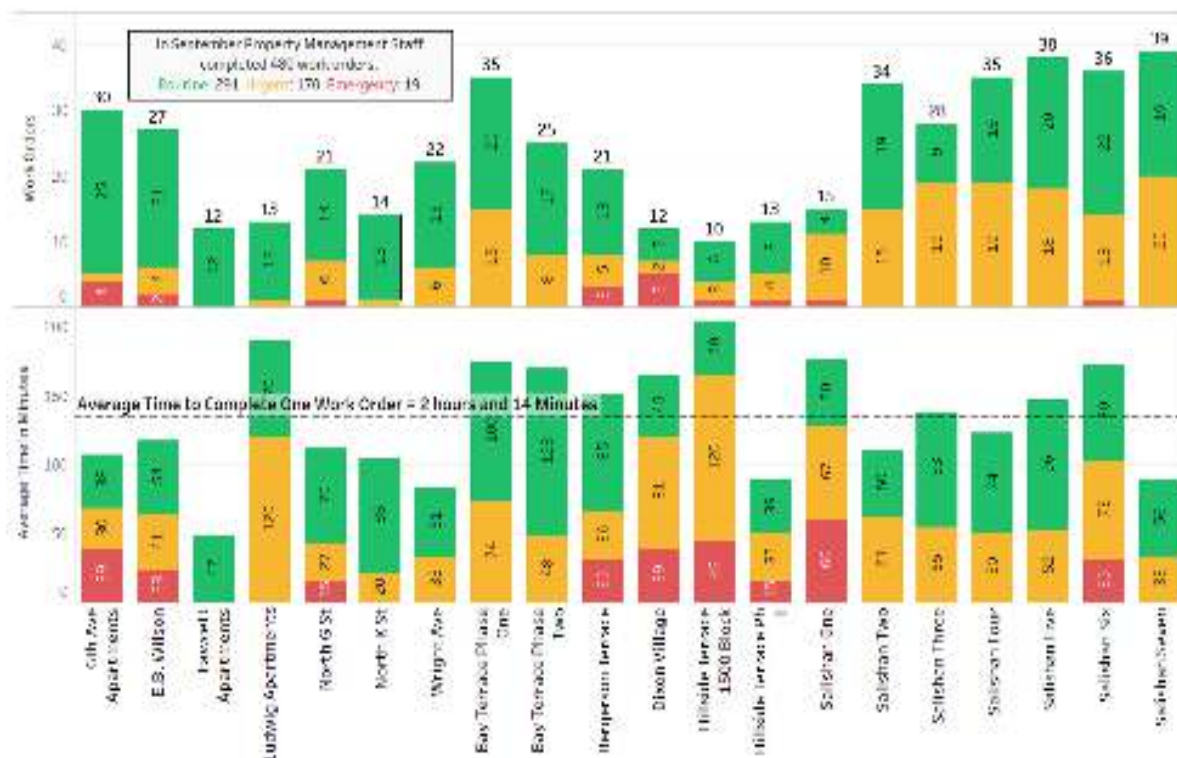
We experienced a slight increase in the number of emergency work orders this month, from 17 days to 19 days. PM continues to hold all routine work orders except for units needing emergent and urgent work.

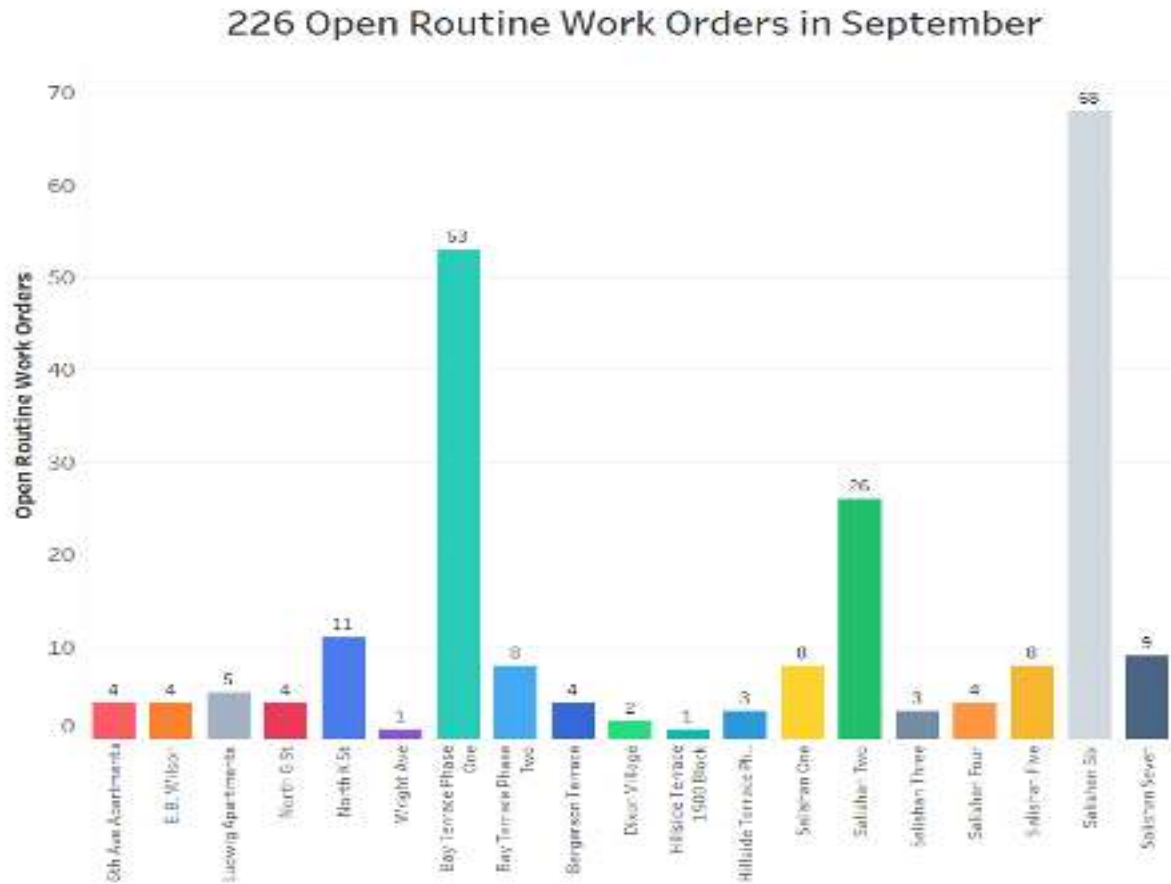
Processes that PM has implemented in effort to improve customer service and

safety during Coronavirus pandemic are:

- Prioritize emergency and urgent work orders during the Coronavirus pandemic until the State's Safe Start Plan and THA's Re-opening Stages permit us to continue with other unit routine work orders. Maintenance will assess all routine work order requests to confirm or re-determine priority status;
- Prior to entering any unit, staff will ask appropriate general health questions of the occupant to allow for an assessment of risk and wear appropriate PPE to further limit risk to self and others.
- Communicate any potential delays with procurement due to limits on availability of stock;
- Close work orders within 48 hours of completion; and
- Temporary HOLD on routine work orders until further notice.

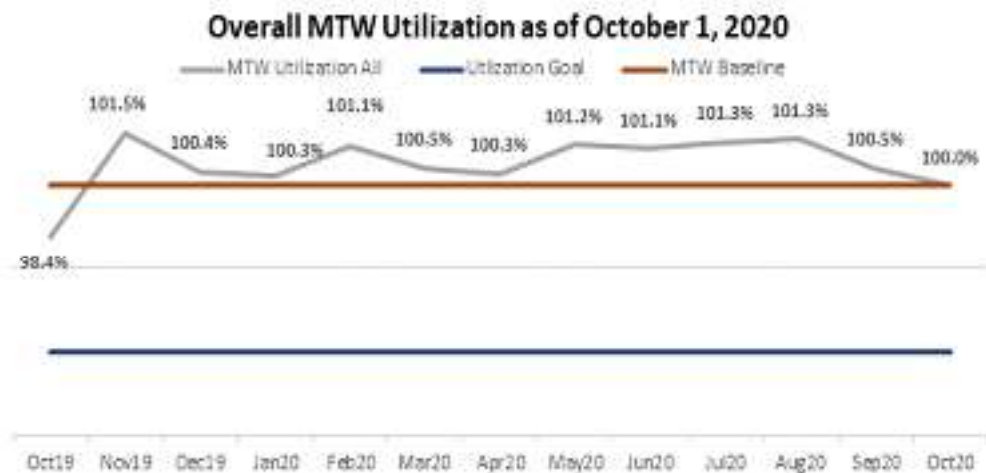
The charts below outline outstanding routine work orders within our properties for the current and previous month. Some aged open work orders may rise to an urgent level which would explain a decrease or fluctuation from month to month.





2.2 Rental Assistance

Our utilization rate for vouchers remains very good at 100%.



2.3 Client Support and Empowerment

CSE caseworkers received 51 referrals from Housing and Property Specialists. The table below indicates the reasons for the referrals.

Referral Type	Total
Annual Certification Assistance	1
Behavioral Health	5
DV	2
Food insecurity	1
FSS	3
Housing stability	2
Lease Violation	7
N/A	1
New Move-in	7
Reasonable Accommodation	2
Relocation	5
Rental assistance	7
Utility Assistance	1
Utilization	5
Utilization	1
Null	
Grand Total	50

This table below shows the number and type of referrals CSE Case Workers made to external providers.

Referral Type	Total
Child Care	1
DV Support Services	2
Elderly Disabled Services	3
Employment Services	9
Financial Coaching	3
Food Assistance	562
Food Delivery	2
FSS	1
Parenting Support	2
Relocation Assistance	1
Rental Assistance	17
Resident Support Services	18
Technology Access	1
Transportation Assistance	1
Utility Assistance	2
Youth Disability Resources	1
(blank)	
Grand Total	626

Residents and clients continue to ask for food assistance more than any other resource. Folks living in the Senior and Disabled Buildings receive monthly food deliveries from Bikers Against Statewide Hunger and can arrange to have additional boxes of food delivered from St. Leo's Food Bank. Tacoma Farmers Market continues to deliver produce boxes to our properties and Nourish Mobile Food Bank distributes food via their mobile food bank Friday afternoons at Salishan.

EDUCATIONAL SUPPORTS: In September, students across the city, county and state “returned” to school. The 2020-2021 school year will be anything but typical as individual school districts grapple with how to administer quality education and support in the safest manner possible. The CSE team participated in multiple activities to promote access to THA families in need of additional educational and/or technological support. The CSE team participated in the annual Back to School parade in Salishan, distributing school supplies to eastside residents. This event was sponsored by Tacoma Public Schools, the Salishan Association, the Greater Tacoma Community Foundation, YMCA Partners of Pierce and Kitsap Counties, Safe Streets, and Tacoma Housing Authority.



BACKPACK DISTRIBUTION

CSE and PM staff hosted a socially distanced back-pack giveaway at our family properties. These back-packs were stocked with necessary school supplies. Forty back packs were distributed at Bay Terrace and twenty back packs were distributed at Dixon Village.

ASSET BUILDING: CSE participated in a “Drive through Resource Fair” in conjunction with the weekly Nourish Mobile Food Bank. The intent of the resource fair was to share information about Pierce County’s Power-Up 98404 program. This program offers educational and employment supports to residents in the 98404 zip code. Partners from Goodwill, Career Teams, WorkForce Central and CSE’s Education Services Program Specialist were on hand to distribute information about this opportunity. Staff report that 65 cars passed through the resource fair collecting materials.

NATIONAL NIGHT OUT:

Historically, National Night Out is usually the first Tuesday in August. Salishan and Eastside residents participate heavily. This year the pandemic caused postponement and some dramatic adjustments. So, we did what we could to honor and hold the event in a modified way. CSE staff collaborated with the Salishan Association to stuff at-home celebration kits. These kits included homemade cotton candy made by a homeowner, swag and resources from Tacoma Public Library, Tacoma Housing Authority, Tacoma Public Utilities, Impact Schools, Sound Transit, United Way KBTC kids, Tacoma Public Works, Safe Street’s Youth Leading change, and log-in information for a



In all these ways, THA is indeed lucky with its staff: how focused they are on the mission, how they talented they are, and why they do this work.



**Tacoma
Housing
Authority**



ARLINGTON DRIVE CAMPUS for HOMELESS YOUTH and YOUNG ADULTS

Last Revised October 14, 2020

THE EMERGENCY

- Hundreds of Pierce County youth and young adults are homeless without family.
- They leave Pierce County because there are few places for them here.
- These young people face high risks of violence, drug abuse, sex trafficking, trading sex for shelter, and diminished prospects for an education, an occupation, a family, and a life without fear.

"Hey my names [REDACTED] & I'm looking for help asap I don't know what to do or where to turn. I have no place to stay and have no cash for a place to rent. I've tried asking everyone I know for help and I have noone,,, I'm 19 years old and I have a lil bit of mental health with anxiety attacks, being in a social group I get very closterfobic, I have PTSD I get bad flash backs, & I also have bad health ... So it don't help that I have no help at all and I'm staying in a [t]ent outside and the weather is very bad condition and I don't have very many things no clothes or stuff to clean up and shower with . I'm very in a bad state of mind with this whole homeless thing. I hope to hear from you with maybe some sort of good news. Thank you & god bless." [sic]
- email to THA [November 5, 2015]

THE ARLINGTON DRIVE SOLUTION

- 12 bed Crisis Residential Center/HOPE facility for homeless youth ages 12 to 17 (with expert services by **Community Youth Services**)
- 58 units for homeless young adults ages 18 to 24 (with expert services from the **Social Impact Center of the Greater Seattle Y**)
- Easy walk to services and transit.
- It also looks lovely!



Arlington Drive construction is about done, ahead of schedule and under budget. The CRC opened in July. The apartments for young adults will open in October.

CONSTRUCTION FINANCING: \$ 22 million

Tax Credit Investors	State of Washington	Tacoma Housing Authority	Heritage Bank
City of Tacoma	Pierce County		Federal Home Loan Bank

OPERATIONS FINANCING: RENTAL HOUSING AND SUPPORTIVE SERVICES

THA: \$750,000/year for rental housing operations. State of Washington: **\$2 million/year** for supportive services.

PARTNERS



City of Tacoma
WASHINGTON



CONTACTS:

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Mark Putnam
Y's Social Impact Center
mputnam@seattleyymca.org
(206) 999-6153

over →

ARLINGTON DRIVE CAMPUS FOR HOMELESS YOUTH AND YOUNG ADULTS: NOTES

1. The Crisis of Youth and Young Adult Homelessness:

Thousands of youth and young adults are homeless in Washington State. They face greatly increased risks of violence, sexual exploitation, drug or alcohol dependency, and lifelong poverty. They have diminished chances of an education, a reasonable adolescence and adulthood, a livelihood, a family, and a life without fear.

2. The Pandemic Worsens the Risk

The pandemic has worsened their risk. The pandemic reminds us that housing is necessary not only for personal health, but also for public health. This is especially true for homeless young people. Most traditional shelters are not open to them, or they are not safe for them. Young people then find shelter and safety in groups, with no prospect for social distancing, hygiene, or guidance. They face still greater risks when they trade sex for shelter.

3. Arlington Drive Campus: A Solution at Scale

Arlington Drive's Crisis Residential Center/HOPE facility for homeless youth age 12 to 17 years (12 beds)

Community Youth Services (CYS) will administer the facility. CYS is among the nation's premier providers doing this work. Its service model has a 91% rate of success in discharging these youngsters to stable housing after an average 15 day stay. At that rate, Arlington Drive's CRC will serve and save over 300 homeless youth every year.

Arlington Drive will have 58 apartments for homeless young adults age 18 to 24 years.

About 30% will have babies or toddlers. The Y's Social Impact Center will provide the extensive services they need. The Y is a national leader in this work. Its evidence-based model redirects these young people to a reasonable and sustainable adulthood. Also, when they leave Arlington Drive they will take a THA housing voucher with them.

4. A Regional Asset

Arlington Drive will serve young people throughout the Puget Sound region, and beyond. Homeless young people roam, fleeing danger, seeking help, and going astray. The campus will allow Pierce County youth to stay close to home. This reduces their trauma and increases their chance of reuniting with family. This will help other counties. Pierce County youth will not take up space in the other counties' shelters, allowing those other counties to serve their own youth. Arlington Drive will also serve youth from other places who find their way to Pierce County seeking help.

5. A Behavioral Health Investment

Homeless youth and young adults show high rates of trauma, mental illness, and drug or alcohol dependency. They need professional services. They will get them at Arlington Drive. Arlington Drive will be part of a continuum that includes: Family Preservation Services, Family Reconciliation, Foster Care, Therapeutic Foster Care, Behavioral Health Services, Residential Treatment, Substance Use Disorder Treatment, in-Patient Treatment. Critically, they will get the housing stability necessary to make these services accessible and effective.

6. An Investment in Education and Training

The stability at Arlington will allow these young people to resume an education or seek training for work.

7. An Investment in Equity

Nearly half of homeless youth and young adults are persons of color. Nearly half of homeless youth are LGBTQ. Arlington Drive is an investment in a future that is more equitable, and just.

8. THA, CYS and the Y: A Unique and Formidable Partnership

Arlington Drive is a partnership that combines THA's real estate development and housing resources with the social service expertise and experience of CYS and the Y. This partnership is unique and formidable.

9. Designed with the Help of Formerly Homeless Youth and Young Adults and Community Members

Arlington Drive offers the rare chance to design such a property for its purpose. THA, CYS and the Y consulted widely about its design and operations: community members, neighbors, community groups, businesses, churches, leaders and, importantly, formerly homeless young people. The resulting design is welcoming, efficient, and lovely.

10. Lives at Stake; Lives Saved

Arlington Drive will give these homeless youth and young adults a second chance at an adolescence and an adulthood, an education, a livelihood, and a family, and a second chance at a life without exploitation, impoverishment, and fear.



TACOMA HOUSING AUTHORITY

FINANCE



TACOMA HOUSING AUTHORITY

Motion

Adopt a consent motion ratifying the payment of cash disbursements totaling \$5,022,071 for the month of September, 2020.

Approved: October 28, 2020

Stanley Rumbaugh, Chair

TACOMA HOUSING AUTHORITY
Cash Disbursements for the month of September 2020

		Check Numbers		Amount	Totals
		From	To		
A/P Checking Accounts					
Accounts Payable Checks	Check #'s	94,446	- 94,483		
Arlington CRC Checks	Check #'s	10,024	- 10,024		
Accounts Payable EFTs	EFTs	870	- 900		
Accounts Payable ACHs	ACHs	1	11		
Business Support Center				392,488	Program Support
Moving To Work Support Center				84,839	
Moving To Work Buildings (used by Support Center)				6,479	
Tax Credit Program Support Center				17,460	
Section 8 Programs				110,475	Section 8 Operations
Salishan 7				11,402	Properties
Arlington Crisis Residential Center				17,761	Development
James Center				1,605	
Alberta J Canada-Development				2,917	
Developer Fee - General Development Activity				2,700	
Hilltop Redevelopment				4,750	
Bus Development Activity				1,847	
Department of Commerce Funding for Crisis Residential Center				26,293	Client Support
Community Services MTW Fund				11,121	
Education-Local Gov't Grants (County, City)				537	
AMP 6 - Scattered Sites				13	Public Housing
AMP 9 - HT 1500 - Subsidy				9	
THA SUBTOTAL				692,697	
Hillside Terrace 2 & 1500				2,918	Tax Credit Projects - Reimbursable
Bay Terrace I & II & Community Facility				6,493	
Arlington Youth Campus				24,423	
Court F (HT 1800 Block)				37,751	
Renew Tacoma Housing				13,815	
Salishan 1 - Salishan 6				11,298	
TAX CREDIT SUBTOTAL (Operations & Development - billable)				96,697	789,394
Section 8 Checking Account (HAP Payments)					
SRO/HCV/VASH/FUP/NED	Check #'s	483,616	- 483,689	85,310	
	EFTs	865	- 892	3,370,281	\$ 3,455,590
Payroll & Payroll Fees - ADP					\$ 777,087
TOTAL DISBURSEMENTS				\$	5,022,071

TACOMA HOUSING AUTHORITY

CASH POSITION - September 2020

Account Name	Current Balance	Interest
HERITAGE BANK		
Accounts Payable	7,187,187	0.30%
Section 8 Checking	2,864,529	0.30%
THA Affordable Housing Proceeds-Salishan	1,966,950	0.30%
THA Scattered Sites Proceeds	5,871,711	0.30%
FSS Escrows	217,195	0.30%
CSA Escrows	81,376	0.30%
Note Fund Account	102	0.30%
Credit Card Receipts	1,032	0.30%
Key Bank Security Deposits	644	0.30%
Relocation Account	5,004	0.30%
THA Investment Pool	337	0.30%
THDG - Tacoma Housing Development Group	848,235	0.30%
Salishan 7 Operations	1,593,413	0.30%
Salishan 7 Security Deposit	29,419	0.30%
Salishan 7 Replacement Reserve	404,845	0.30%
Salishan 7 Operating Reserve	203,144	0.30%
Highland Crest Operations	1,033,528	0.30%
Highland Crest Replacement Reserve	269,397	0.30%
Highland Crest Security Deposit	46,761	0.30%
Outrigger Operations	447,406	0.30%
Outrigger Replacement Reserve	196,019	0.30%
Outrigger Security Deposit	22,459	0.30%
Prairie Oaks Operations	164,929	0.30%
Prairie Oaks Replacement Reserve	31,246	0.30%
Prairie Oaks Security Deposit	6,501	0.30%
Payroll Account	4,777	0.30%
HOME STREET BANK		
James Center North Operations	736,714	0.00%
James Center North Security Deposit	56,801	0.00%
WASHINGTON STATE		
Investment Pool	\$ 1,524,079	0.21%
1. TOTAL THA CASH BALANCE	\$ 25,815,740	
Less:		
2. Total MTW Cash Balance	\$ 967,509	
<i>Less Minimum Operating Reserves</i>		
2.01 Public Housing AMP Reserves (4 months Operating Exp.)		
2.02 S8 Admin Reserves (3 months Operating Exp.)	726,000	
2.09 Less Total Minimum Operating Reserves	\$ 726,000	
2.1. MTW Cash Available (Lines 2-2.09)	\$ 241,509	
3. MTW Cash Held By HUD	\$ 5,030,979	

TACOMA HOUSING AUTHORITY

CASH POSITION - September 2020

4. Non MTW Cash Restrictions/Obligations					
<i>4.1 Non MTW Operational Restrictions</i>					
4.10 HUD Restricted - Lot and Property Sales				\$	7,838,661
4.101 Area 2B Sales Proceeds (Afford Hsg)		1,966,950			
4.102 Scattered Sites Proceeds (Afford Hsg)		5,871,711			
4.15 HUD Restricted - CARES Act (Covid-19)				\$	465,549
4.151 Unspent CARES Act Funding		465,549			
4.20 THA Property Accounts Reserved				\$	2,509,972
4.201 Security Deposit Accounts		162,585			
4.202 Highland Crest Operations Reserves		320,000			
4.203 Highland Crest Replacement Reserves		269,397			
4.204 James Center North Operations Reserves		230,000			
4.205 James Center North Capital		274,880			
4.206 Outrigger Operations Reserve		150,000			
4.207 Outrigger Replacement Reserves		196,019			
4.208 Prairie Oaks Operations Reserves		77,000			
4.209 Prairie Oaks Replacement Reserves		71,246			
4.210 Salishan 7 Operations Reserves		354,000			
4.211 Salishan 7 Replacement Reserves		404,845			
4.30 Rental Assistance Reserves				\$	1,090,154
4.301 Mod Rehab Operating Reserves		114,744			
4.302 VASH, FUP, MAIN & NED HAP Reserves		760,502			
4.303 FSS Escrows		214,907			
4.40 Prepaid Grants				\$	1,812,822
4.401 Gates Foundation		411,328			
4.402 Foundation for Tacoma Students		39,205			
4.403 Kresge Foundation - CHAP Program		131,590			
4.404 Balmer Foundation - Education Program		382,464			
4.405 THDG		848,235			
4.50 BFIM Buyout LOC Collateral-Potential Tax Credit Loss				\$	2,500,000
4.60 Total - Non MTW Cash Restrictions (4.10+4.20+4.30+4.40+4.50)				\$	16,217,159
4.70 Agency Contracted or Budgeted Commitments Remaining				\$	-
			-		
			-		
4.99 Total Non MTW Cash Restrictions/Obligations (Lines 4.60+4.70)				\$	16,217,159
5. THA UNENCUMBERED (Non-MTW) CASH (Lines 1-2-4.99)				\$	8,631,072
6. Development Advances - Project Reimbursement upon closing/draw				\$	348,901
6.01 Arlington Crisis Residential Center		-			
6.02 Arlington Youth Housing		103,414			
6.03 Court F LLLP (1800 Block)		245,487			



TACOMA HOUSING AUTHORITY

NEW BUSINESS

Resolution 1



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (1)

Date: October 28, 2020

To: THA Board of Commissioners

From: Michael Mirra
Executive Director

Re: Update to Payment Standards

This resolution would authorize Tacoma Housing Authority (THA) to adopt new 2021 payment standards for use in THA's rental assistance programs.

Background

Each year the Department of Housing and Urban Development (HUD) releases rent data for the Tacoma-Pierce County metropolitan rental market. These data set HUD's "fair market rents" (FMR) for our area for the following year, in this case, 2021. Housing authorities must set their payment standards within 90-110% of the HUD FMR. The payment standards are then used in determining the maximum amount of subsidy THA will pay to landlords. They are also used in the calculation of THA tenant and participant rents. Presently, THA sets its payment standard at 100% of HUD's FMR for the various bedroom sizes.

THA is required to complete an assessment of its tenant data and make adjustments to its payment standards based on this data. In addition to tenant data, THA uses a compilation of 3rd party reports and data to assess the region's rental market. The payment standards were last changed effective March 2020 to be at 100% of the FMR.

The following table compares the HUD 2021 FMR to the existing 2020 FMRs:

	FY2020 FMR	FY2021 FMR	\$ Change	FMR % of Increase From 2020 – 2021
Studio	\$961	\$1101	\$140	14.6%
1 bedroom	\$1075	\$1126	\$51	4.7%
2 bedroom	\$1408	\$1461	\$53	3.8%
3 bedroom	\$2031	\$2091	\$60	3.0%
4 bedroom	\$2472	\$2530	\$58	2.3%
5 bedroom	\$2843	\$2909	\$66	2.3%
6 bedroom	\$3214	\$3289	\$75	2.3%
7 bedroom	\$3584	\$3668	\$84	2.3%
8 bedroom	\$3955	\$4048	\$93	2.3%

Analysis

THA staff considers the following factors during the payment standard review:

- shelter burden (% of household income paid for rent and utilities)
- vacancy rate and rent by Tacoma neighborhood
- comparison with average Tacoma rents
- inspection pass or fail rate
- how long it takes clients to find a unit under the current payment standards
- the extent to which clients cannot use a voucher
- the extent to which clients seek to take their voucher to other jurisdictions
- Requests for rent increases
- The financial impact on THA

1. **Shelter Burden (% of households paying more than 30% of income towards rent)**

HUD has established a standard that households should pay no more than 30% of their income toward rent. When a household selects a unit where the gross rent (rent & utilities) exceeds the payment standard the household pays the difference. This results in a larger out of pocket expense for the client. Increasing the payment standards helps offset some of that expense.

- 1.1. **September 2020** – 31% of traditional Housing Choice Vouchers (HCV) and 50% of Housing Opportunity Program (HOP) clients were paying more than 30% of their income toward rent.

The average rent burden for HCV is 27%, but 31% of all HCV households pay more than 30% of their income to rent. The average rent burden for HOP is 29%, but half (50%) of all HOP households pay more than 30% of their income to rent. This is because in most cases HOP provides a shallower subsidy in order to serve more households.

2. **Vacancy Rate and Rent by Tacoma Neighborhood**

A lower vacancy rate and higher rents make it difficult for clients to compete for units. Increasing the payment standards helps them compete for those units with less out of pocket expenses.

In the past, THA has relied heavily on the vacancy report provided by Dupre & Scott. That company went out of business in January 2018. THA has been using various compilations of on-line resources and a rental property survey that McCament and Rogers conduct twice a year. McCament and Rogers is a real estate consulting firm that also does market studies for the City of Tacoma and Lakewood. Within the report, McCament & Rogers separates the market into four categories: low-income, affordable, market-rate, and outside downtown.

McCament & Rogers defines low-income, affordable, and market-rate in the following ways:

- **Low-Income rents** have some sort of subsidy attached to them but could have some affordable units not subsidized within the community.
- **Affordable rents** would be communities that are older and mostly smaller units, however, on dollar per square foot, some are as high as market rate.

- **Market rents** would be the rent on most newer properties set at the highest rate the market will bear. The current communities adjust the rents on a daily basis depending on demand. For example one day a one-bedroom may be \$1500 the next it could be \$1200 because they have some vacancy in that style of unit.

September 2019 (McCament and Rogers Survey)

	Low Income	Affordable Market	Market Rate	Out of Downtown
Vacancy Rate (%)	2%	3%	2%	5%
Average Rent (\$) 2 Bdrm	\$1052	\$1353	\$2265	\$1775

September 2020 (McCament and Rogers Survey)

	Low Income	Affordable Market	Market Rate	Out of Downtown
Vacancy Rate (%)	1%	3%	7%*	3%
Average Rent (\$) 2 Bdrm	\$1018	\$1918	\$2498	\$2525

* The Napoleon and Brewery Block Lofts are classified as having completed the lease-up phase since both properties are experiencing turn-over of their initial rentals. If they had not been reclassified, the vacancy rate would be 5%.

3. Comparison of Current Payment Standard and Rents

Comparing the current payment standards to actual rents THA is paying for units provides a metric that can help determine the affordability of an increase. This is important in our dynamic market to allow increases that keep pace with real-time asking rents.

The following table compares the **current** payment standards and THA actual average contract rent amount.

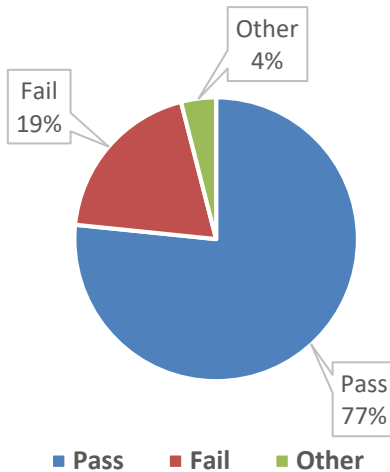
	2020 Payment Standards	Avg. Contract Rent for New Admissions & Movers
Studio	\$961	\$745
1 bedroom	\$1075	\$855
2 bedroom	\$1408	\$1170
3 bedroom	\$2031	\$1431
4 bedroom	\$2472	\$1818
5 bedroom	\$2843	\$2067

4. HQS Pass/Fail Rates

Tracking the pass/fail rates of initial unit inspections provides a measurement that is used to determine if the payment standard amounts are allowing clients to select higher quality units.

Currently, a little over 75% of all units selected by clients pass inspections. This is based on comparing the number of initial inspections in relation to the number of failures and returned vouchers. There is no significant change from last year to report.

Disposition of Inspections

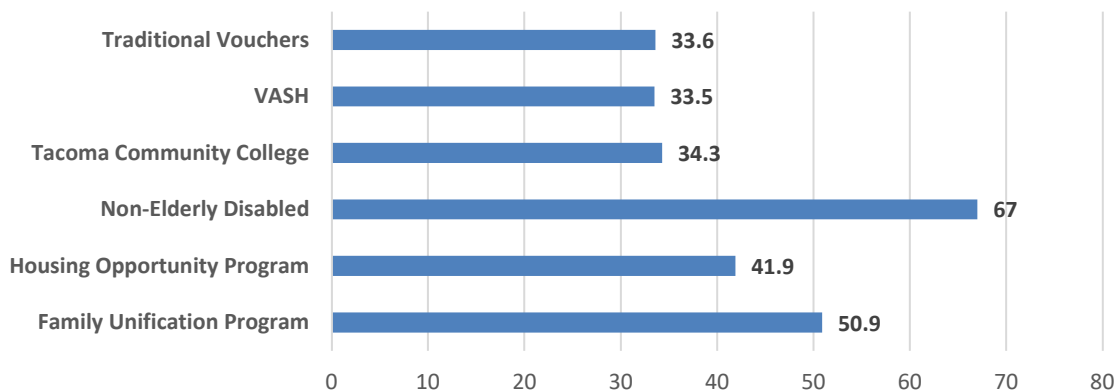


5. Shopping Days

Tracking the amount of time it takes for our clients to find and secure a unit helps determine if the payment standards give them sufficient buying power in the market. A longer shopping time could mean that the payment standard is not competitive with the market rate rents.

In 2020 we saw a decrease from 46 to 34 days for traditional vouchers and from 61 to 42 days for the Housing Opportunity Program (HOP) clients.

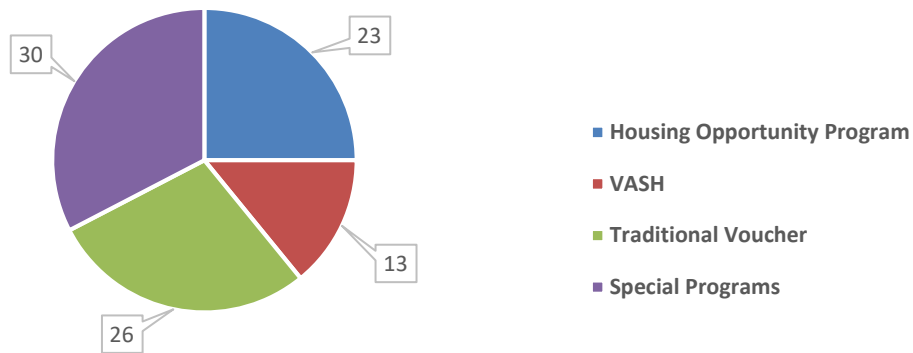
Average Days Shopping by Program for 2020



6. Expired and Unused Vouchers

Returned subsidies can be a barometer for client shopping success as well. An increase in returned subsidies could indicate an inability to compete for units in the market. Of the 459 vouchers issued so far this year, 92 subsidies (20%) have expired or, gone unused so far for 2020. This is a slight decrease from 22% (996/223) in 2019. The chart below shows the breakdown of the major programs. These vouchers include households shopping for housing while new to the program and households hoping to move between assisted units.

Expired and Unused Vouchers (10/5/2020)



7. Port Outs

Tracking the number of clients leaving our jurisdiction provides an indicator that could mean they are searching for an affordable unit elsewhere. 68 clients have ported out so far in 2020. In 2019, there were 200 total port-outs.

8. Rent Increases Processed

So far in 2020, staff have processed approximately 969 rent increase requests. The average increase is approximately \$129.00. In 2019 there were 2036 total requests and the average request amount of \$97.00. This data has been and will continue to be impacted by the State of Washington's rent increase moratorium imposed in response to the COVID-19 pandemic as we stopped accepting requests in March. However, the average request should still be a somewhat reliable indicator that rents are increasing. Additionally, we anticipate a significant increase in requests as soon as the moratoriums on rent increases are lifted. This could happen in early 2021.

9. Estimated Financial Impact on THA

THA is not currently leasing to additional people off the waitlist at this time so an immediate analysis is hard to review. However, for HOP participants, their portion changes only when there is a qualifying event. Therefore, we believe any impact would be minimal and spread out over time.

The Finance Department is in support of increasing the payment standards this year up to 100% of the payment standard.

Recommendation

After a review of our current payment standards and the other factors listed in this analysis, including the decrease that other area agencies experienced this year, we recommend setting studios at 90% of the new higher HUD FMRs. This would increase the payment standard by 3%. We recommend no change in current payment standards for all other bedroom sizes even though HUD's FMRs for those bedroom sizes increased. To keep the payment standard unchanged, we would pay a lower % of the higher FMR. This puts those payment standards at 95-98% of the HUD 2021 FMRs.

Setting our payment standards at these amounts will grant us the ability to absorb a potential decrease in the FMRs next year without having to lower our payment standards. This will also help us to better track and prepare for a difficult and unpredictable market in the coming year.

	Current Payment Standards/FY2020 FMRs	FY2021 FMRs	Proposed 2021 Payment Standards	% of the FMR	% Change from current PS	Proposed HOP Subsidy Amount
Studio	\$961	\$1,101	\$991	90%	+3%	\$496
1 bedroom	\$1,075	\$1,126	\$1,075	95%	0%	\$538
2 bedroom	\$1,408	\$1,461	\$1,408	96%	0%	\$704
3 bedroom	\$2,031	\$2,091	\$2,031	97%	0%	\$1,016
4 bedroom	\$2,472	\$2,530	\$2,472	98%	0%	\$1,236
5 bedroom	\$2,843	\$2,909	\$2,843	98%	0%	\$1,422
6 bedroom	\$3,214	\$3,289	\$3,214	98%	0%	\$1,607
7 bedroom	\$3,584	\$3,668	\$3,584	98%	0%	\$1,792
8 bedroom	\$3,955	\$4,048	\$3,955	98%	0%	\$1,978

This recommendation balances the following factors:

Factors that favor increasing the payment standard:

- We are seeing a decrease in the already extremely low vacancy rates;
- Rents are increasing across most sectors.

Factors that favor retaining the current payment standards:

- The average number of shopping days for clients decreased;
- The average rent for THA clients is below the existing payment standards
- While rent increase requests have decreased, we do expect an influx throughout 2021 after the COVID-19 moratoriums are lifted and with average rents that are well below the existing payment standards, we will be able to absorb any potential rent increases that do occur;
- Of notable interest, most housing authorities in our region experienced a decrease in their FMRs while we saw an increase. This information and the data mentioned above leads us to choose to be conservative and not propose a large increase in the payment standards this year. We never want to go backward in the setting of our payment standards if we don't have to.

Staff recommends approving Resolution 2020-10-28 (1) authorizing THA to adopt new payment standards effective January 1, 2021.



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (1) (Update to Payment Standards)

A **RESOLUTION** of the Board of Commissioners of the Housing Authority of the City of Tacoma authorizing the THA Executive Director to increase THA's payment standards.

WHEREAS, HUD sets fair market rents annually; and

WHEREAS, The housing authority sets payment standards based on market and participant data; and

WHEREAS, New payment standards will go into effect January 01, 2021; now, therefore, be it

Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington as follows:

The Board authorizes THA's Executive Director to set THA's payment standards for studios at 90% of the 2021 HUD Fair Market Rents and maintain the current payment standards for all other bedroom sizes.

Approved: October 28, 2020

Stanley Rumbaugh, Chair

Resolution 2



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (2)

DATE: October 28, 2020
TO: THA Board of Commissioners
FROM: Michael Mirra
 Executive Director
RE: Utility Allowance Schedule Update

This resolution will adopt updated utility allowance schedules that will be used for the income-based calculation of rent for the Tacoma Housing Authority (THA) rental assistance programs.

Background

Every year, THA reviews its utility allowances. During this review, THA must determine if new rates will change THA's utility allowances. THA must update any bedroom size utility allowance showing a change of 10% or more to reflect the new utility rates.

Analysis

Through a partnership with Tacoma Public Utilities (TPU), THA has been able to collect regular updates to electrical consumption and rates. This allows THA to regularly update its own schedule using a rolling average of local data. For this analysis, the 2019 utility consumption and published 2020 rates for energy, water, sewer and garbage were analyzed using the approved methodology developed with Seasholtz Consulting Inc.

Proposal

As is shown in the chart below there was not a ten percent change in any category. In some cases, there was a decrease. We are therefore recommending that we maintain the current utility allowances that were effective April 1, 2020.

Revised UAs from 10/12/2020 (2019 TPU consumption data)						
Pays Sewer/Water	0-BD	1-BD	2-BD	3-BD	4-BD	5+BD
Landlord	\$58	\$59	\$73	\$101	\$123	\$140
Tenant	\$147	\$148	\$188	\$243	\$291	\$334
CURRENT UA SCHEDULE (4/1/2020)						
Pays Sewer/Water	0-BD	1-BD	2-BD	3-BD	4-BD	5+BD
Landlord	\$58	\$60	\$74	\$102	\$123	\$140
Tenant	\$147	\$155	\$188	\$236	\$278	\$314
Percent Change from Existing UA to Proposed New Numbers						
Landlord % Change	0.0%	-1.7%	-1.4%	-1.0%	0.0%	0.0%
Tenant % Change	0.0%	-4.5%	0.0%	3.0%	4.7%	6.4%

Recommendation

Approve Resolution 2020-10-28 (2) authorizing THA to maintain all bedroom size utility allowances, effective January 1, 2021.



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (2)

(Utility Allowance Update)

WHEREAS, Utility allowances must be reviewed annually; and

WHEREAS, PHAs must revise utility allowances if they change more than ten percent; and

WHEREAS, Changes to the utility allowances must be approved by the Board of Commissioners; now, therefore, be it

Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington, that:

Authorizes THA to maintain all bedroom size utility allowances, effective January 01, 2020.

Approved: October 28, 2020

Stanley Rumbaugh, Chair

Resolution 3



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (3)

Date: October 28, 2020

To: THA Board of Commissioners

From: Michael Mirra
Executive Director

Re: Agency-wide Special Recognition Award, Additional Holiday and Vacation Cash-Out Exception

This resolution would authorize Tacoma Housing Authority's (THA) Executive Director (ED) to recognize the exceptionally hard work and additional personal cost of maintaining THA operations through the 2020 COVID-19 pandemic. This recognition would issue a \$1,000 one-time Special Recognition Award (SRA) to all eligible staff, declare October 30, 2020 as an additional paid holiday, and provide staff temporary through June 2021 with a more flexible option to cash out their accrued vacation time.

Background

The past seven months of 2020 have been exceptionally trying for THA staff and their families. We have had to rewire THA to function in a pandemic, something that we had to learn how to do. THA has required many staff to work from-home while requiring others to work on-site to better serve THA clients. Asking this of staff has required staff to set up offices in their homes, increase their internet and cell phone plans, and equip themselves to safely enter the office. Staff are experiencing the strain and additional expense of having spouses or partners lose income from job loss, limited day care, having to be their children's in-home teacher, and caring for aging parents and relatives. All this is on top of the stress of living and working through a respiratory contagion that has grown into a world-wide pandemic.

Through all of this, THA's staff have performed wonderfully. They are getting the work done. As the monthly department reports show, they are doing it up to their usual high standards of stewardship. They can do this because they bring to the work what they always have brought: a focus on the mission of serving others, a flexibility, and a good humor. For these reasons, and as an acknowledgement the Board can offer of the excellent work our team continues to do every day, we are recommending the Board approve three actions:

1. provide all eligible staff with a one-time \$1,000 Special Recognition Award;
2. declare October 30, 2020 as an additional paid THA holiday; and,
3. provide a temporary exception to our vacation cash-out rules to allow staff to cash-out more of their accrued vacation hours.

Details of each recommendation are as follows:

Special Recognition Award

This resolution would grant a one-time \$1,000 Special Recognition Award to every eligible staff person. The eligibility rules show in Section 7.2.3 (c) of THA policy HR-20.35 Variable Pay. It authorizes the Executive Director to make one-time Special Recognition Awards. Eligible employees are those who meet the following criteria at the time of the award payment:

- Have successfully passed Probation; and
- Must be a currently employed, regular status employee; and
- Must not have received a formal disciplinary notice in the past six (6) months; and
- Temporary and new hire probationary employees are ineligible.

The Variable Pay policy allows for Special Executive Director discretion to award SRAs as the ED determines are warranted. Annually, the Board sets a budget for these Special Awards. The SRA payments of \$1,000 to every eligible staff person that we recommend will exceed that budget. So the Board's formal approval is necessary. Board approval is also a way to make clear to staff that the award denotes the appreciation of the Commissioners. Even with these payments THA remains within the overall 2020 budgeted amount for salaries.

Additional Paid Holiday

This resolution would approve an additional paid holiday on October 30th

We are requesting this holiday because we care about our employees and we are concerned about them and their families. While we cannot solve for the stress that people are facing, we can close for a day and allow people to recharge without worrying about how taking time off would burden their co-workers.

Even if the Executive Director has the authority to do this, the Board's approval lets staff know the acknowledgement of their work is coming from the Commissioners. The Board Chair and Vice Chair allowed the Executive Director to inform staff of this holiday. He did that on October 17th. That advanced notice allowed staff and THA to plan for it.

In response to that advanced notice, staff have already expressed their appreciation. Here is a sample of their reply emails:

"Much appreciated Michael. Thank you and thanks to the board for understanding the challenges and struggles that THA is facing during this time."

"I just want to personally say thank you! I am beyond grateful to work for an organization that truly cares for the wellbeing of not only our clients and residents, but us as staff. Thank you kindly Michael!!"

"Good morning Sir, I appreciate you, April and our board for always thinking of us!"

"Thank you Michael and Board! You're kindness is appreciated!!"

“Thank you so much. This is greatly appreciated. Gratefully,”

“Thanks to you and the board Michael. I know our family is much appreciative of the extra time.”

Temporary Vacation Cash-Out Exception

This resolution would allow staff to cash-out more of their accrued vacation leave than the regular rules allow. THA’s current vacation cash-out policy allows staff to cash out up to 40 hours of vacation leave per year as long as 160 hours remain available for use. Below is an excerpt from THA Policy HR-35.01 Time Away From THA:

7.3.2 Carry-over and Cash-Out

Employees may not carry over more than forty (40) days (320 hours) of vacation time from one calendar year to the next. In the event that unforeseen circumstances beyond the employee’s control prevented him or her from taking vacation during the year, accrued time in excess of forty (40) days (320 hours) up to a maximum of five (5) days shall be cashed out as of December 31st of each year.

We are not proposing to change this policy. Instead, we propose a temporary exception until June 30, 2021. It would become an adjunct to the existing policy. It would also show in Executive Action #13. (The Board has allowed the Executive Director to issue Executive Actions for changes or decisions we need to adopt quickly during the pandemic, including those that would otherwise require Board approval.) These Executive Actions have also become a useful way to memorialize changes, including those that the Board has approved.

The exception to the vacation cash-out policy would read substantially as follows:

1. PURPOSE

Tacoma Housing Authority (THA) will allow eligible staff to cash out up to 50% of their accrued but unused vacation balance to help pay for unforeseen expenses during this time.

2. ELIGIBLE STAFF

All Regular full-time THA employees are eligible. New hire probationary employees are ineligible.

3. EFFECTIVE DATE AND DURATION

This Executive Action #13 is effective immediately. It will continue through June 30, 2021.

4. ELIGIBILITY AND LIMITS

Vacation Cash-Out Guidelines

- *Vacation cash-outs during the Vacation Cash-Out Exception period are limited to one (1) per employee*
- *Employees may cash out up to 50% of their accrued vacation balance, less any future pending vacation requests.*

- *A maximum of 100 accrued vacation hours may be cashed out under this Executive Action.*
- *A remaining balance after cash-out is a minimum of 40 hours.*
- *In addition to the Vacation Cash-out Exception, employees remain eligible to use the regular vacation cash-out option. See regular policy below.*

5. PROCEDURE FOR REQUESTING CASH-OUT

- *The “Vacation Cash-Out Policy Exception Request” form is available on the share drive T:\Department Material\HR\Benefits\30.3.15 Vacation Cash-Out\Vacation Cash Out Exception form. Complete and submit the form to the HR Analyst.*
- *To ensure guidelines are followed, the HR Analyst must approve the cash out request.*

Recommendation

Authorize THA’s Executive Director to provide a \$1,000 one-time Special Recognition Award to all eligible staff, declare October 30, 2020 as an additional paid holiday, and provide staff with a more flexible vacation cash out exception through June 2021, all as described above.



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (3)

(Agency-wide Special Recognition Award, Additional Holiday and Vacation Cash Out Exception)

WHEREAS, The agency has an established and defined Variable Pay policy; and

WHEREAS, Section 7.2.3 (c) of the Variable Pay policy authorizes the Executive Director to provide an agency-wide Special Recognition Award; and

WHEREAS, The agency has an established and defined holiday policy; and

WHEREAS, In recognition of great work done by staff in 2020, one extra paid holiday would be appropriate; and

WHEREAS, There are additional personal costs employees are incurring in reporting to work and/or equipping their homes to conduct THA work from home; and

WHEREAS, It is more difficult for staff to take accrued leave during this time and some employees have accrued more leave than they are eligible to carry over into 2021; and

WHEREAS, In response to these greater expenses and large accrued annual leave balances, an additional flexible vacation cash-out option is necessary; now, therefore, be it

Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington, that:

THA's Executive Director is authorized to provide a \$1,000 one-time Special Recognition Award to all eligible staff, declare October 30, 2020 as an additional paid holiday, and provide staff with a more flexible vacation cash-out option through June 2021, all as described above.

Approved: October 28, 2020

Stanley Rumbaugh, Chair

Resolution 4



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (4)

Date: October 28, 2020

To: THA Board of Commissioners

From: Michael Mirra
Executive Director

Re: Updating THA's Administrative Plan: Informal Review and Informal hearings

This resolution would authorize revisions to the Tacoma Housing Authority's (THA) Administrative Plan that would update THA's grievance policies and procedures for eligible clients and applicants to use to contest a THA action or inaction that affects them.

Background and Summary Recommendations

THA's Administrative Plan, which Housing and Urban Development (HUD) requires, governs THA's subsidized housing programs. Contained within this document are THA's grievance processes. These processes allow applicants and THA clients to contest THA decisions or inactions that affect them. HUD rules and the constitutional imperatives of due process require all housing authorities to have a grievance process for that purpose. This resolution would modify THA grievance processes in ways described below. Here is some context for the proposed changes:

- **Informal Review:** An Applicant may request an Informal Review of a THA decision denying their application for housing or rental assistance. The notice of denial will explain how the Applicant can do that.

An Informal Review can be a way for the Applicant to talk about the issue with THA. The goal of the review is to help both sides understand the issue better so that the parties can try to agree on a resolution. Even if the outcome does not change THA's decision, at least it may help the Applicant better understand THA's reasons for it. The outcome of the Informal Review will be THA's final decision.

An informal review is conducted by a THA staff who is not the person, or the subordinate of the person, who made or approved the denial. Although that person may be consulted, they will not make the decision in the Informal Review.

- **Informal Hearing:** A participant may request an Informal Hearing to contest certain types of THA decisions, or THA's chronic or serious failures to act that harm their interest in their

THA housing or rental assistance. The purpose of the Grievance Process is to give a Participant a chance to show that the decision or failure to act violates the law, HUD regulations, or THA's policies.

Informal Hearings are conducted by a Hearing Officer who shall be an attorney.

In both the Informal Review and Informal Hearing, if a client fails to request a review or hearing within the given timeframe then the decision becomes final.

THA's Executive Director, alongside a staff workgroup and THA legal counsel, drafted this new Grievance Process. They consulted extensively with Northwest Justice Project and with the Hearing Officer that presides over its Informal Hearing. THA also posted the proposed changes for public comment from August 14th through September 14th. During this time, THA received feedback from staff but no comments from the public. The final grievance process reflects all that consultation.

The new Grievance Process would be substantially as it appears in the attached draft. It contains two particularly notable changes:

- 1) The proposed grievance process for informal hearings adds an "informal settlement talk" which is a current practice that now would be formalized into the grievance process. In the termination notice to participants, THA will offer the option of the informal settlement talk. The purpose of the informal settlement talk is to resolve issues so that an informal hearing is not needed. However, an informal hearing will follow if the parties cannot resolve the issue during the informal settlement talk.
- 2) The proposed grievance process formalizes an accelerated grievance schedule to respond to terminations on THA properties for serious criminal conduct. Participants must request an informal hearing within 10 business days of receiving the termination notice. Participants subject to termination for serious criminal conduct must request an informal hearing within 3 business days. All other policies and procedures remain the same.

Other changes show on the attached table.

With approval of this recommendation, staff will update the relevant sections of Chapter 16 of the Administrative Plan to capture these changes.

Recommendation

Authorize THA's Executive Director to make program changes to the informal review and informal hearing process as outlined in this resolution. This would change THA's Administrative Plan Chapter 16.



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (4)

(Updating THA's Administrative Plan: Informal Review and Informal hearings)

WHEREAS, The Administrative Plan relates to the administration of informal review and informal hearing policies and is required by HUD; and

WHEREAS, The purpose of the Administrative Plan is to establish policies for carrying out programs in a manner consistent with HUD requirements and local goals and objectives contained in THA's Moving to Work plan; and

WHEREAS, Changes to the Administrative Plan must be approved by THA Board of Commissioners; now, therefore, be it

Resolved by the Board of Commissioners of the Housing Authority of the City Of Tacoma, Washington, that:

THA's Executive Director is authorized to revise THA's Administrative Plan Chapter 16, related to the administration of the informal review and informal hearing policies in the ways described in this resolution.

Approved: October 28,

Stanley Rumbaugh, Chair

Attachment to THA Resolution 2020-10-28(4)

PROPOSED CHANGES TO THA GRIEVANCE POLICY

Section	Title	Current Policy	Revised Title	Proposed Policy Change
			Applicants: Informal Reviews - Manner and Time of Informal Review	THA will determine whether the informal review shall be conducted in person, by telephone or by video conference. Public health directives may determine how to do this.
16-III.C	Informal Hearings		Grievance Hearings for Participants	Adds "THA's Grievance Process is an opportunity for participating families to contest certain types of THA decisions, or <u>THA's chronic or serious failure to act that harms their interest in their THA housing or rental assistance.</u> "
16-III.C	Informal Hearings: Notice to the Family	Information included in written notice to family: "A statement that if the family does not agree with the decision the family may request a grievance hearing of the decision"	Grievance Hearings for Participants: Notice to the Family	Adds "A statement that if the family does not agree with the decision the family may request a grievance hearing of the decision; and <u>offer the family the option to an Informal Settlement Talk.</u> "
16-III.C.	Informal Hearings: Filing an Informal Hearing Request	Participants must submit a written request for an informal hearing within <u>10 calendar days</u>	Grievance Hearings for Participants: Deadline for Requesting Grievance Process	Participants must submit a written request for an informal hearing within <u>10 business days</u>
16-III.C.	Informal Hearings: Filing an Informal Hearing Request	Participants must submit a written request for an informal hearing within <u>3 working days</u> for notices to	Grievance Hearings for Participants: Deadline for Requesting	Participants must submit a written request for an informal hearing within <u>3 business days</u> for notices to terminate for criminal conduct.

Section	Title	Current Policy	Revised Title	Proposed Policy Change
		terminate for criminal conduct.	Grievance Process	
16-III.C.	Informal Hearings: Filing an Informal Hearing Request	PHAs must offer an informal hearing for certain PHA determinations relating to the individual circumstances of a participant family.	Grievance Hearings for Participants: Deadline for Requesting Grievance Process	Adds "To contest THA's chronic or serious failure to act the request must be within a reasonable amount of time of from when the failure become apparent."
			Grievance Hearings for Participants: Grievance Process in Two Parts	Adds new sub-section to introduce THA two-part grievance process which now includes an optional "Informal Settlement Talk" as the first part to the grievance process.
			Grievance Hearings for Participants: Time, Place and Manner of Grievance Process	Adds "If the purpose of the Grievance Process is to contest a notice of termination of tenancy based upon criminal conduct that presents a serious threat to the health and safety of others or to the property, THA may account for this threat with an accelerated Grievance Process schedule, while preserving the elements of due process. In these cases, the accelerated schedule will allow at least seven (7) business days' notice of the date of the Grievance Hearing."
			Grievance Hearings for Participants: Time, Place and Manner of	Adds "A Participant's unreasonable unavailability impeding an effort to schedule the Grievance Process will result in THA scheduling

Section	Title	Current Policy	Revised Title	Proposed Policy Change
			Grievance Process	it despite that unavailability. In those cases, or if the Participant does not otherwise appear at the scheduled Grievance Hearing, the Hearing Officer will decide if the nonappearance justifies a dismissal of the Grievance pursuant to Section 16-III.C. – If The Party Does Not Show Up."
16-III.C.	Informal Hearings: Informal Hearing Officer	Informal hearings will be conducted by a person or persons approved by THA, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision	Grievance Hearings for Participants: Second Part: Grievance - Selecting a Hearing Officer	THA will appoint a Hearing Officer at THA's expense. The Hearing Officer shall be an attorney.
16-III.C	Informal Hearings: Scheduling an Informal Hearing	"If the family does not appear within 20 minutes of the scheduled time, and was unable to reschedule the hearing in advance due to the nature of the conflict, the family must contact the THA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The THA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is	Grievance Hearings for Participants: Second Part: Grievance - If the Party Does not Show Up	Adds a new section titled "If the Party Does not Show up" and removes current language which specifies what is considered a "no-show".

Section	Title	Current Policy	Revised Title	Proposed Policy Change
		needed as a reasonable accommodation for a person with disabilities. "		
16-III.C	Informal Hearings: Pre-Hearing Right to Discovery	The family will be allowed to copy any documents related to the hearing at a cost of \$.25 per page. The family must request discovery of PHA documents no later than 12:00 pm on the business day prior to the scheduled hearing date.	Grievance Hearings for Participants: Second Part: Grievance - Grievance Hearing Process (2) Discovery by Participant	Before the Grievance Hearing, the Participant may ask THA to examine all documents, records, and regulations in THA's possession directly relevant to the Grievance. Upon such a request, THA will give the Participant a reasonable chance to do that. Participant may copy any such document at Participant's expense.



GRIEVANCE PROCESS for APPLICANTS and PARTICIPANTS

THA Form BP XXXX
v20 (last revised October 6, 2020)

1. PURPOSE

This Grievance Process is for individuals and families who receive subsidized housing or rental assistance from Tacoma Housing Authority (THA) (“Participants”) of a type defined below, or who applied to receive it (“Applicants”). The Grievance Process allows Participants and Applicants to dispute some types of THA decisions and failures to act that affect their housing or assistance in ways that are harmful to them. *E.g.*, THA’s subsidized tenants can use the Grievance Process to contest a THA eviction notice. A person who receives THA tenant-based rental assistance can use the process to contest a THA notice to end their rental assistance. The purpose of the Grievance Process is to allow for a review whether THA’s decisions or failures to act comply with the governing law, lease documents, and THA policies.

Participants and Applicants do not have to use the Grievance Process. If they do not, THA’s decision or inaction becomes final. In that case, or if they use this Grievance Process but fail to change THA’s decision or inaction, they may still challenge THA’s decision or inaction in a court of law. In an eviction, THA would file the court case. To contest other types of THA’s decisions or inactions in court, the Participant or Applicant will have to file the court case.

2. DEFINITIONS

2.1 “Participant” is an adult person (other than a live-in aid) and his/her/their authorized family members who:

- (1) signed a residential lease with THA that also confers a THA rental subsidy and who continues to reside in the leased premises, or who recently resided there and wishes to contest

THA’s assessment of a debt for damages to the property or unpaid rent; **or**,

- (2) signed a Voucher issued by THA that confers tenant-based rental assistance to pay rent to a private landlord and continues to receive the rental assistance; **or**,
- (3) signed a Housing Assistance Payment contract with THA and a landlord for project-based rental assistance tied to a dwelling unit that they rent and continue to occupy.

2.2 “Applicant” is a person who applied to become a Participant and whose application THA has denied.

2.3 “THA” means the Tacoma Housing Authority, and for purposes of this Grievance Process, the term also includes any corporate entity that THA owns, controls, or manages.

2.4 “Decision” means decision, determination, or action.

3. WHO CAN AND WHO CANNOT USE THIS GRIEVANCE PROCESS AND FOR WHAT PURPOSES

3.1 Who Can and Cannot Use this Process
This Grievance Process is available only to Participants and Applicants.

This Grievance Process is not available to other people who are not Participants or Applicants, including people who may rent or receive other forms of housing or rental assistance financed by THA but who have no contractual relationship with THA.

3.2 Issues Not Subject to Grievance

Process

This Grievance Process is not available to contest the following issues:

- (1) THA decisions or inactions affecting THA social services or other THA programs;
- (2) decisions or inactions by people or organizations other than THA, such as a landlord's denial of an application to rent an apartment that comes with THA rental assistance, or a determination by such a landlord to evict;
- (3) THA termination of a project based rental assistance HAP contract because of an eviction by a non-THA landlord;
- (4) THA's discretionary decisions or inactions;
- (5) general policy issues or class grievances;
- (6) establishment of THA's schedule of utility allowances for families in the program;
- (7) THA's decision not to extend a voucher term;
- (8) THA's decision not to approve a tenancy;
- (9) THA's decision that an assisted unit is not in compliance with the applicable Housing Quality Standards (HQS), unless THA has decided to terminate the Participant's assistance for a breach of the HQS caused by the family;

(10) THA's decision that a unit does not comply with HQS because of family size or composition;

(11) THA's decision to exercise or not to exercise any right or remedy under a HAP contract.

4. RIGHT TO A LAWYER OR OTHER REPRESENTATIVE

A Participant/Applicant may arrange to be represented by a lawyer or any other person at any stage of this Grievance Process. THA will not be responsible for arranging this representation or paying for it. THA will also not be responsible for paying any other fees or costs the Participant/Applicant may incur in the Grievance Process.

5. APPLICANTS: INFORMAL REVIEW

An Applicant may request an Informal Review of a THA decision denying their application for housing or rental assistance. The notice of denial will explain how the Applicant can do that.

An Informal Review can be a way for the Applicant to talk about the issue with THA. The goal of the review is to help both sides understand the issue better so that the parties can try to agree on a resolution. Even if the outcome does not change THA's decision, at least it may help the Applicant better understand THA's reasons for it. The outcome of the Informal Review will be THA's final decision.

5.1 Written Request for Informal Review

An Applicant who wants an Informal Review must submit a written request for it. They can send a letter or an email. They may also use THA Form XXX and submit it to THA's office, or use THA's on-line request feature if available. An authorized third person may submit the request on the Applicant's behalf (E.g, family member, social service provider, lawyer).

5.2 Deadline for Requesting Informal Review

The written request for an Informal Review must be postmarked or must arrive at THA within ten (10) business days from the date of THA's denial notice.

5.3 Manner and Time of Informal Review

THA will arrange a time, place, and manner to have the Informal Review. THA will seek to schedule it to occur within ten (10) business days of the request. The review may be in person, by telephone, or by video conference. Public health directives may determine how to do this.

5.4 Who Conducts the Informal Review

THA selects the person to conduct the Informal Review. That person cannot be the person, or a subordinate of the person, who made or approved of the denial at issue. The person who did make that decision may still be helpful to inform the discussion. For that reason, THA may ask that person to attend. That person will not make the decision in the Informal Review.

5.5 Chance to Present Written or Oral Objections to THA's Denial

At the Informal Review, the Applicant may present written or oral objections to the denial decision.

5.6 Final Decision

After the Informal Review, THA will notify the Applicant of THA's final decision, including a brief statement of the reasons for the final decision. THA will seek to do this within seven (7) business days of the Informal Review. THA's final decision will be binding on THA and the Applicant, and will not be subject to further THA review.

6. PARTICIPANTS: TWO PART GRIEVANCE PROCESS

Participants may contest certain types of THA decisions, or THA's chronic or serious failures to act that harm their interest in their THA housing or rental assistance. The purpose of the Grievance Process is to give a Participant a chance to show that the decision or failure to act violates the law, HUD regulations, or THA's policies.

This two-part grievance process is not available to Applicants. Their recourse shows in Section 5 above.

6.1 When Grievance Process Is Available to Participants

This Grievance Process is available to allow the Participant to dispute whether any of the following THA decisions or inactions relating to the individual circumstances of a Participant are in accordance with the law, HUD regulations and THA policies:

- (1) a determination setting the family's annual or adjusted income, and the use of such income to compute the housing assistance payment;
- (2) a determination of the appropriate utility allowance (if any) for tenant-paid utilities from the PHA utility allowance schedule;
- (3) a determination of the family unit size under the PHA subsidy standards;
- (4) a determination to evict or terminate rental assistance for a participant family because of an action or failure to act by the Participant or a family member or guest for whom the Participant is responsible;
- (5) a determination to evict or terminate assistance because the participant family has been absent from the

assisted unit for longer than the maximum period permitted under PHA policy and HUD rules;

- (6) a determination that a THA tenant owes money to THA for damages to the property or unpaid rent;
- (7) a decision or a chronic or serious failure to act that adversely affects the Participant's rights, obligations, welfare or status under the lease, program documents or law. A Grievance alleging such a failure to act must show (i) the Participant is entitled to the relief; (ii) the Participant made reasonable, repeated efforts to seek the relief from THA and (iii) THA did not respond adequately.

6.2 Written Request for Grievance Process

A Participant who wants to use the Grievance Process must submit a written request. They can send THA a letter or an email. They may also use THA Form XXX and submit it to THA's office or use THA's on-line request feature if available. An authorized third person may submit the request on the Applicant's behalf (*E.g.*, family member, social service provider, lawyer).

6.3 Deadline for Requesting Grievance Process

6.3.1 Non-Immigration Cases

In non-immigration cases, the written request for a Grievance Process must be postmarked or delivered to THA within the following time periods:

- (1) within ten (10) business days from the date of THA's notice of the decision at issue, except as provided in section (2) below, (The notice will state this deadline);

- (2) within three (3) business days from the date of THA's notice to terminate a tenancy that alleges criminal conduct presenting a serious threat to the health and safety of others or to the property (The notice will state this deadline). For purposes of this section, a conviction or arrest is not necessary;

- (3) to contest THA's chronic or serious failure to act, within a reasonable time of when the failure became apparent.

6.3.2 Immigration Cases

When the termination of assistance or eviction is based upon the Participant's immigration status, the Participant must file a Grievance request within thirty (30) calendar days of notice of THA's notice of termination or eviction sent to the Participant's last known address.

6.4 Grievance Process in Two Parts

The Grievance Process for Participants has two parts to it. The **first** part is an Informal Settlement Talk. The Informal Settlement Talk is an optional step that the Participant can use, or skip and go directly to the **second** part, a Grievance Hearing. The written request form will ask the Participant to state whether he, she or they want the Informal Settlement Talk.

6.5 Time, Place and Manner of Grievance Process

Upon receiving a timely request for a Grievance Process, THA will seek to schedule the process so the Informal Settlement Talk, if requested, occurs within seven (7) business days of the request and the Grievance Hearing, if necessary, as soon after that as reasonably feasible, but providing at least seven (7) business days notice of the date of the Hearing. These talks and hearings may be in person, by telephone, or by video

conference. Public health directives may determine how to do this.

If the purpose of the Grievance Process is to contest a notice of termination of tenancy based upon criminal conduct that presents a serious threat to the health and safety of others or to the property, THA may account for this threat with an accelerated Grievance Process schedule, while preserving the elements of due process. In these cases, the accelerated schedule will allow at least seven (7) business days notice of the date of the Grievance Hearing.

Provided that the parties may agree to adjust these schedules.

THA will mail or otherwise deliver to the Participant written notice of the following:

- date, time, place and manner of both the First Part (Informal Settlement Talk, if requested) and the Second Part (Grievance Hearing);
- copy of this Grievance Process and other rules governing the process.

A Participant's unreasonable unavailability impeding an effort to schedule the Grievance Process will result in THA scheduling it despite that unavailability. In those cases, or if the Participant does not otherwise appear at the scheduled Grievance Hearing, the Hearing Officer will decide if the nonappearance justifies a dismissal of the Grievance pursuant to Section 6.7.2.

6.6 First Part: Informal Settlement Talk

The first part of the Grievance Process for Participants is an Informal Settlement Talk with THA staff. THA encourages Participants to request this Informal Settlement Talk. It can be a way for the

Participant and THA staff to talk about the issue. The goal of the talk is to help both parties understand the dispute better so that they can try to agree on a resolution. Even if the outcome does not change THA's decision or inaction, at least it may help the Participant better understand THA's reasons for it.

If the Participant does not request an Informal Settlement Talk, THA staff may still offer it and encourage the Participant to engage in it.

6.6.1 Who at THA will Meet With the Participant for the Informal Settlement Talk

THA selects the person to meet with the Participant for the Informal Settlement Talk and lead THA's part in the discussion. That person may not be the person, or a subordinate of the person who made the decision or was responsible for the inaction at issue. That person may still be helpful to inform the discussion. For that reason, THA may ask that person to attend. That person will not make the decision in the talk on behalf of THA.

6.6.2 Result of the Informal Settlement Talk

THA will provide the Participant with a brief, written summary of the outcome of the Informal Settlement Talk.

If the Informal Settlement Talk resolves the matter, the Grievance Hearing will be cancelled. If the Informal Settlement Talk does not resolve the Grievance, then the parties will proceed with the Grievance Hearing as scheduled unless the Participant withdraws the request for the Hearing. The Participant need not take any additional action to obtain the Hearing.

6.7 Second Part: Grievance Hearing

The second part of the Participant's Grievance Process is a Grievance Hearing.

6.7.1 Selecting A Hearing Officer

THA will appoint a Hearing Officer at THA's expense. The Hearing Officer shall be an attorney.

6.7.2 If Party Does Not Show Up

If either the Participant or THA fails to appear at a scheduled Grievance Hearing, the Hearing Officer may postpone the Hearing for up to seven (7) calendar days. In deciding whether or for how long to postpone the hearing in an eviction case, the Hearing Officer will consider the seriousness of the alleged violations and the risk they present to the health and safety of others and the property.

Alternatively, the Hearing Officer may decide that the non-appearing party has waived the right to appear at the Grievance Hearing and on those grounds dismiss the Grievance or grant its requested relief. If that happens, both the Participant and THA will be notified of the Hearing Officer's decision.

The decision whether to postpone the Grievance Hearing or to consider the failure to appear to be a waiver will be made in the Hearing Officer's sole discretion. In exercising that discretion, the Hearing Officer will consider whether the non-appearing party can show good cause for failing to appear.

6.7.3 Grievance Hearing Process

The Hearing process will provide the Parties with basic safeguards of due process. This means the following:

(1) Adequate Notice

Required notices to the Participant will be clear and timely.

(2) Discovery by Participant

Before the Grievance Hearing, the Participant may ask THA to examine all documents, records, and regulations in THA's possession directly relevant to the Grievance. Upon such a request, THA will give the Participant a reasonable chance to do that. Participant may copy any such document at Participant's expense.

THA may not use any document at the Grievance Hearing that it did not make available to the Participant for examination upon the Participant's request.

(3) Discovery by THA

Before the Grievance Hearing, THA may ask the Participant to examine at THA's offices any Participant documents and records that are directly relevant to the Grievance. THA is allowed at its own expense to copy any such document. If the Participant does not make a document available for this examination, the Participant may not rely on the document at the Grievance Hearing.

(4) Hearings are Private

The Grievance Hearing will not be open to the public.

(5) Right to Present Evidence

Either party has the right to present evidence and arguments, to dispute evidence, and to question and cross-examine all witnesses who present evidence at the hearing.

(6) Informal Admission of Evidence

The Hearing Officer may hear evidence pertinent to the facts and issues raised by the Grievance, even if the evidence would be inadmissible in court or other judicial proceeding.

(7) Decision Based Only on Evidence

To the extent that a determination requires the Hearing Officer to judge disputed facts, the Hearing Officer shall make that judgment based solely upon the evidence presented at the Grievance Hearing and facts amenable to judicial notice because they are commonly known.

(8) Initial Burden of Presentation; Burden of Justification; Burden of Proof

At the Grievance Hearing, the Participant must first show an entitlement to the relief sought. Thereafter THA must sustain the burden of justifying its action or failure to act.

The Hearing Officer shall determine any disputed fact by a preponderance of the evidence.

(9) Informality and Order

The Hearing Officer will conduct the Grievance Hearing in a manner that should allow reasonable persons to meaningfully participate.

The Hearing Officer will require all parties, witnesses, and others in attendance to behave in an orderly way. Failure to comply with the directions of the Hearing Officer to keep order may result in exclusion from the proceedings and/or in a decision granting or denying the relief sought, as appropriate in the Hearing Officer's sole discretion.

(10) Hearing Transcript and Recording

The Participant or THA may arrange for a transcript of the Grievance Hearing. The party wishing to do this must, in advance, tell the other party and the Hearing Officer. The party

wishing to do this is responsible for making the arrangement for it, using a qualified and reliable professional, and paying for it. Any interested party may buy a copy of the transcript. If the transcript is not available to all parties on those terms, it may not be used for any purpose.

Either party may also request, in advance of the Grievance Hearing, that the Hearing be recorded over audio. If such a request is made, THA will make an audio recording of the Grievance Hearing. THA will provide the Participant with a copy of an audio recording so long as the Participant pays for the expense of reproducing the recording.

(11) Written Decision

The Hearing Officer will prepare a written decision within seven (7) calendar days after the Grievance Hearing; provided that in cases based upon criminal conduct that presents a serious threat to the health and safety of others or to the property the Hearing Officer may accelerate the issuance of the written decision at THA request or in the Hearing Officer's discretion.

The decision is titled "Notice of Final Decision." The written decision will briefly state the reasons for the decision. Both the Participant and THA will receive a copy promptly. THA will place a copy in the Participant's file as well as in a separate Grievance Hearing file.

Once the Hearing Officer has issued a final decision, the Grievance Process is complete, and the decision is final (except in the circumstances described in Section 6.7.4 below).

6.7.4 Effect of Decision

The decision of the Hearing Officer will be binding on THA unless, at THA's request, the THA Board of Commissioners reviews the decision and the Board determines within a reasonable time and promptly notifies the Participants in writing of its decision that:

- (1) the decision concerns a matter for which a Grievance Hearing is not required;
- (2) the Hearing Officer otherwise exceeded the authority of the Hearing Officer under THA's Hearing Process; or,
- (3) the decision of the Hearing Officer is contrary to (i) applicable federal, state or local laws; (ii) the United States Housing Act of 1937, as amended; (iii) Department of Housing and Urban Development regulations and requirements; (iv) THA's own regulations and policies; or (v) the Annual Contributions Contract in effect on the date of the Hearing.

Any notification to the Participant of a decision that the Hearing Officer's decision is not binding must include the reasons for the Board's decision.

A decision by a Hearing Officer that denies the relief requested by the Participant in whole or in part – or a decision by THA's Board of Commissioners under this section – will not constitute the Participant's waiver of any rights to an action or defense in court or to any judicial review.

7. MISCELLEANOUS

7.1 Reasonable Accommodation of Persons with Disabilities

Pursuant to THA Policy XXX, THA will provide reasonable accommodation to Participants/ Applicants with disabilities to allow their participation in the Grievance Process.

7.2 English Language Learners

Pursuant to THA Policy XXX, THA will provide translation and interpretation services for Participant/Applicants who may require these services to participate in the Grievance Process.

7.3 Nonwaiver of Violations

THA's acceptance of Participant's rent payments following the service of a termination notice or during the time the Grievance Process is ongoing does not constitute THA's waiver of any violation by the Participant of obligations under the lease, contract or law.

Resolution 5



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (5)

Date: October 28, 2020
To: THA Board of Commissioners
From: Michael Mirra
Executive Director
Re: Continued Moratorium on Time Limit End of Participation Program Exits

This resolution would continue through December 31, 2021 the temporary suspension of the time limits on the assistance available through some of THA's rental assistance programs.

Background

THA has four tenant-based rental assistance programs that have time limits:

- Housing Opportunity Program (HOP)
- College Housing Assistance Program (CHAP)
- Child Housing Opportunity Program (CHOP)
- Family Unification Program for Youth (FUP-Y)

In June 2020, THA noted that COVID-19 and the resulting economic crisis was severely afflicting participants in these programs. This meant particularly grievous harm would result from loss of rental assistance because of the expiration of a time limit. The resulting displacement and perhaps homelessness would also pose public health risks. In response, THA suspended time limits through December 31, 2020. THA did this through an executive director's Executive Action, which the Board allowed the executive director to take without Board approval as an emergency response to the pandemic. The executive director did this with Executive Action 12.

This pandemic has now gone on much longer than expected with no true end in sight. This resolution seeks Board approval to revise the June Executive Action 12 to extend the time limit suspension through December 31, 2021. The executive director would memorialize the extension in an Executive Action 12.1. A copy is attached.

Below is a summary of what this resolution will do:

- THA will continue paying housing assistance payments (HAP) for households beyond their normal time limit through December 31, 2021.

- This applies to the Housing Opportunity Program (HOP), Child Housing Opportunity Program (CHOP) and tenant-based College Housing Assistance Program (CHAP). This applies to the Family Unification Program Youth (FUPY) as permissible by Housing and Urban Development (HUD) waivers.
- THA's final HAP payment for these extended households will be December 1, 2021.

About 70 households will benefit by remaining on their time-limited subsidies longer than originally allowed. This extension will not cost THA most money. Indeed, it will spare THA administrative work associated with transitioning participants off our programs and adding new ones. The main burden from this extension of the time-limits will fall on the households on THA's waiting lists waiting their turn to receive rental assistance. They will wait longer.

NOTE: While this resolution is based on the economic and housing needs that have resulted from the COVID-19 pandemic, staff have been analyzing the efficacy of time-limits on our Housing Opportunity Program (HOP). The Board will see this evaluation before the end of 2020. That evaluation may have us recommended longer term changes to that program.

Recommendation

Authorize THA's Executive Director to revise and implement the COVID-19 Executive Action 12.1 allowing for a continued moratorium on time limit-driven program exits through December 31, 2021.



TACOMA HOUSING AUTHORITY

RESOLUTION 2020-10-28 (5)

(Continued Moratorium on Time Limit End of Participation Program Exits)

WHEREAS, THA has four time-limited rental assistance programs: Housing Opportunity Program (HOP), Child Housing Opportunity Program (CHOP), tenant-based College Housing Assistance Program (CHAP) and Family Unification Program Youth (FUPY); and

WHEREAS, Each time-limited program has participants scheduled to reach the end of their program participation before December 31, 2021; and

WHEREAS, Program participants have been significantly impacted by the COVID-19 pandemic and need to receive rental assistance through 2021; now, therefore, be it

Resolved by the Board of Commissioners of the Housing Authority of the City Of Tacoma, Washington, that:

THA's Executive Director is authorized to revise and implement the COVID-19 Executive Action 12.1 allowing for a continued moratorium on time limit-driven program exits through December 31, 2021.

Approved: October 28, 2020

Stanley Rumbaugh, Chair



From: THA Staff
Date: October 28, 2020
Subject: Executive Emergency Action 12.1: Superseding Prior Actions re Residential and Commercial Tenant Rents, Rent Adjustments & Program Documentation, and Time Limits.

THA Board Resolution 2020-03-18(1) allows the Executive Director (or his designee) to take emergency actions during the COVID-19 pandemic that he deems necessary to ensure continued operations of Tacoma Housing Authority (THA) while protecting its employees, clients, vendors, partners and the community as a whole. The Board expressly authorized this Executive Action 12.1 by its Resolution 2020-10-28(5).

The purpose of this Executive Action is to update THA's policies to comply with state proclamations and to account for federal requirements detailed in the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The authorizations granted in this Executive Action supersede the following previous Executive Actions:

- Executive Action 3: Residential and Commercial Tenant Rent (Fees and Notices)
- Executive Action 11: Entering into Rent Repayment Plans with Commercial Tenants
- Executive Action 5: Emergency Coronavirus Hardship: Easing Rent Adjustments and Program Documentation
- Executive Action 9: A Moratorium on Time Limits for Voucher Participants
- Executive Action 12: Superseding Prior Actions

1. TEMPORARY STATE & FEDERAL DIRECTIVES AND LAWS COVERING EVICTIONS & RENT INCREASES

This Executive Action seeks to comply with the following state and federal directives and laws:

1.1 State of Washington: Governor's Emergency Proclamation 20-19.2

As a response to the pandemic, the Governor of the State of Washington, exercising his emergency powers, issued Proclamation 20-19.2. It imposed and extended a moratorium on residential evictions and other housing related practices. A copy of Proclamation 20-19.2 is attached. Among other directives, it imposes the following restrictions and requirements until 11:59 PM on August 1, 2020:

- “Landlords, property owners, and property managers are prohibited from serving or enforcing, or threatening to serve or enforce, any notice requiring a resident to vacate any dwelling or parcel of land occupied as a dwelling, including but not limited to an eviction notice, notice to pay or vacate, notice of unlawful detainer, notice of termination of rental, or notice to comply or vacate. This prohibition applies to tenancies or other housing arrangements that have expired or that will expire during the effective period of this Proclamation. This prohibition applies unless the landlord, property owner, or property manager (a) attaches an affidavit attesting that the action is necessary to respond to a significant and immediate risk to the health, safety, or property of others created by the resident; or (b) provides at least 60 days’ written notice of intent to (i) personally occupy the premises as a primary residence, or (ii) sell the property.”
- Landlords may not assess late fees for nonpayment or late payment of rent during the State of Emergency;
- “Except as provided in this paragraph, landlords, property owners, and property managers are prohibited from treating any unpaid rent or other charges related to a dwelling or parcel of land occupied as a dwelling as an enforceable debt or obligation that is owing or collectable, where such non-payment was as a result of the COVID-19 outbreak and occurred on or after February 29, 2020, and during the State of Emergency proclaimed in all counties in Washington State. This includes attempts to collect, or threats to collect, through a agency, by filing an unlawful detainer or other judicial action, withholding any portion of a security deposit, billing or invoicing, reporting to credit bureaus, or by any other means. This prohibition does not apply to a landlord, property owner, or property manager who demonstrates by a preponderance of the evidence to a court that the resident was offered, and refused or failed to comply with, a repayment plan that was reasonable based on the individual financial, health, and other circumstances of that resident; failure to provide a reasonable repayment plan shall be a defense to any lawsuit or other attempts to collect.” (emphasis in original).
- Landlords may not increase rent for residential tenants.
- Landlords may not increase rent for commercial tenants (if impacted by the pandemic). This prohibition does not apply to commercial rental property if rent increases were included in an existing lease agreement that was executed prior to February 29, 2020.

1.2 Federal Law: The Coronavirus Aid, Relief, and Economic Security Act

The Coronavirus Aid, Relief, and Economic Security Act or the CARES Act imposed a federal eviction moratorium for participants in rental programs covered by VAWA (34 U.S.C. § 12491(a)). This includes all of THA's program participants. The federal eviction moratorium took effect on March 27, 2020 and extends for 120 days, until July 21, 2020.

The eviction moratorium restricts landlords during this period from filing new eviction actions for non-payment of rent, and also prohibits "charging fees, penalties, or other charges to the tenant related to such nonpayment of rent." Sec. 4024(b). The federal moratorium also provides that a landlord may not evict a tenant after the moratorium expires except on 30 days' notice—which may not be given until after the moratorium period.

The federal eviction moratorium does not prohibit evictions:

- that were filed before the moratorium took effect or that are filed after it sunsets;
- that involve non-covered tenancies;
- where the eviction is based on another reason besides either nonpayment of rent or nonpayment of other fees or charges.

2. EXECUTIVE ACTION

During the duration of the state and federal directives and laws, THA will do or not do the following:

2.1 Residential and Commercial Tenant Rent (Fees and Notices)

- THA waives all late fees for unpaid rent that became due after February 29, 2020.
- THA will not issue any termination notices based upon the nonpayment of rent that became due after February 29, 2020. All unpaid rent remains owing.

2.2 Commercial Tenants: Rent Repayment Plans

- Rents remain due and continue to accrue. THA will attempt to work with its commercial tenants who are experiencing rent hardships due to business closure or loss of income resulting from the pandemic and who have contacted their respective property management companies or THA staff seeking relief.

- THA will enter into repayment agreements with its commercial tenants to add a portion of the total outstanding rent to the future rent due under the lease.
- The portion to be deferred, the due date of the first payment and the duration of the repayment agreement will depend on the amount owing, the remaining lease term, and the tenant's financial capacity and ability to remain open or re-open under the Governor's directives.
- The repayment term agreement may not last beyond the shorter of the expiration of the lease term or five (5) years.

2.3 Residential Tenants: Rent Repayment Plans

- Rents and other charges not waived remain due and continue to accrue.
- Property Management shall use its regular protocol for repayment agreements to govern arrearages in rent and other charges not waived. That protocol directs the terms of the repayment agreements, including the eligibility criteria, amounts to be paid and schedule, and duration of the agreement.
- THA may seek to terminate a tenancy for failure to comply with a repayment agreement.

2.4 Residential Tenants and Rental Assistance Clients: Emergency Coronavirus Hardship Adjustments to Ease Rent and Program Documentation Requirements

The temporary rent and HAP adjustments permitted by Executive Action 5 will expire. THA will not pay hardship adjustments beyond August 1, 2020. This means THA will not process hardship adjustments beyond July 20th. Instead, eligible tenants and clients suffering a loss of income may seek rent relief through THA's normal change of circumstance policies, with the following changes to make it easier to get the adjustment:

- THA's normal change of circumstance policies require THA to reduce an eligible household's share of the rent only when they report an income loss greater than 20%. THA will waive the 20% rule and will process changes of any amount.
- THA will permit clients and tenants to self-certify income loss.
- For purposes of determining eligibility, rent subsidy levels and other elements of the program, THA will waive the requirement for clients to immediately furnish documentation provided by third parties. Such

documentation includes government issued identification, Social Security Numbers and documentation of eligibility for unemployment benefits.

2.5 Residential Tenants: Prohibition on Most Evictions

- THA will not serve any notice to terminate a tenancy for nonpayment of rent or other charge, unless it is for a failure to comply with a repayment agreement.
- THA will not serve any notice to terminate a tenancy or seek a writ of restitution for others reasons unless the eviction is necessary to respond to a significant and immediate risk to the health, safety, or property of others created by the resident. In such a case, the notice must attach an affidavit attesting to this necessity. Staff will confer with THA's attorneys to discuss and prepare such a notice and affidavit.

3. RENTAL ASSISTANCE CLIENTS: CONTINUED MORATORIUM ON TIME LIMITS

- THA will continue paying housing assistance payments (HAP) for households beyond their normal time limit expiration date to December 31, 2021. This applies to the following programs:
 - Housing Opportunity Program;
 - Child Housing Opportunity Program;
 - Family Unification Program Youth;
 - College Housing Assistance Program.
- THA's Final HAP payment for these extended households will be December 1, 2021.

This policy change is effective immediately and until further notice.