

5-Year PHA Plan (for All PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 02/29/2016
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. Form HUD-50075-5Y is to be completed once every 5 PHA fiscal years by all PHAs.

A.	PHA Information.																																
A.1	<p>PHA Name: East St. Louis Housing Authority PHA Code: IL01</p> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): _____</p> <p>PHA Plan Submission Type: <input checked="" type="checkbox"/> 5-Year Plan Submission <input type="checkbox"/> Revised 5-Year Plan Submission</p> <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)</p> <table border="1"> <thead> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																							
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B.	5-Year Plan. Required for <u>all</u> PHAs completing this form.
B.1	<p>Mission. State the PHA’s mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA’s jurisdiction for the next five years.</p> <p>The mission of the Housing Authority of the City of East St. Louis is to provide quality and affordable housing through collaboration with residents and public and private entities to enhance the quality of life and foster economic self-sufficiency for our residents.</p>
B.2	<p>Goals and Objectives. Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years.</p> <ul style="list-style-type: none"> • Ensure affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, or familial status; • Undertake affirmative measures to ensure accessible housing to persons with disabilities; • Ensure VAWA is adhered to; • Improve management functions and delivery of decent, safe, and sanitary housing; • Improve and enforce rent collection to increase revenue at ESLHA; • Emphasize resident responsibilities to improve safety and security in and around assisted housing; • Pursue disposition of properties excess to the needs of ESLHA; • Staff the ESLHA with qualified local staff able to carry out the mission of the PHA; and • Improve the quality of the existing housing stock through maintenance, modernization and rehabilitation, demolition, disposition, or new construction as may best meet the needs of ESLHA, align with available funding, and comply with HUD’s existing programs.
B.3	<p>Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>See attached</p>
B.4	<p>Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA’s goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.</p> <p>ESLHA will ensure the integrity of the Violence Against Women Act of 2006 (VAWA) (24 CFR 5.2005) is carried out by the leadership and staff of the agency and will abide by its policies as written in its Admissions and Occupancy Standards (ACOP) Section 4.6</p> <p>VAWA provides special protection for victims of domestic violence, dating violence, and stalking who are applying for or receiving assistance under the public housing programs. If Illinois State or local laws provide greater protection for such victims, these laws take precedence over HUD’s VAWA requirements.</p>

<p>B.5</p>	<p>Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <ul style="list-style-type: none"> • Changes in rent, admission policies, or organization of the waiting list(s) in the Public Housing Program. • Any proposed demolition, disposition, homeownership, Capital Fund Financing Program proposal, development, RAD conversion, or mixed-finance proposal not already included in the Annual and 5-Year Action Plans is considered a Significant Amendment/Modification.
<p>B.6</p>	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<p>B.7</p>	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>

Instructions for Preparation of Form HUD-50075-5Y 5-Year PHA Plan for All PHAs

A. PHA Information [24 CFR §903.23\(4\)\(e\)](#)

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

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table.

B. 5-Year Plan.

B.1 Mission. State the PHA’s mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA’s jurisdiction for the next five years. ([24 CFR §903.6\(a\)\(1\)](#))

ESLHA has made significant progress in meeting the goals and objectives described in the previous 5-Year Plan.

In 2017 ESLHA was released from receivership and is now currently operating under the full control of a Board of Commissioners and Executive Director. Under the direction of the Executive Director and Board of Commissioners, the Housing Authority reassumed total management of the Asset Management Projects (AMPs), from a 3rd party property management company, utilizing ESLHA personnel. Additionally, the Housing Authority upgraded their computer systems, hardware, and the software of System of Record, and completed a Maintenance Assessment to address the needs of property management and maintenance staff.

Internal ESLHA processes and procedures have been evaluated and refined to better reflect HUD standards and match ESLHA's current and projected staffing. While this is an on-going effort, many procedures have been put in place to facilitate rent collection, resident re-certification, maintenance activity, procurement, capital fund management, invoice review and payment, and budget management.

In 2017, the Housing Authority hired CVR Associates to complete an Asset Repositioning and Redevelopment plan to address the long-term capital needs of the aging housing portfolio. The plan reviewed the public housing needs in the City of East St. Louis, as well as the quality and quantity of affording housing in the city. This was a "Market" type analysis that considered the 2010 census data, waiting list data and lease termination data and other inputs in the evaluation. The purpose was to establish an upper limit for the number and a type of public housing needs to provide necessary support for the low income and extremely low-income populations of the City of East St. Louis, successfully operate the Housing Authority, and meet HUD's goals.

Over the course of the past five years, the Housing Authority has applied for and received several supplemental Capital Fund Grants to assist with addressing property capital needs and implementing the Asset Repositioning and Redevelopment plan. These special Capital Grants include:

- \$250,000 in Safety and Security Grant for the installation of security cameras and Roosevelt,
- \$943,000 Lead-Based Paint grant to address lead-based paint at Samuel Gompers, John Robinson and Deshields, and Roosevelt Homes,
- \$1,613,624 in Emergency Capital Funds to demolish 148 units at the Norman E. Owens site, and
- \$241,000 Safety and Security Grant for the purchase and installation of Carbon Monoxide Detectors in the Housing Authority family properties.

As a result of the Asset Repositioning and Redevelopment plan, the Housing Authority applied to convert the first three properties, Orr-Weathers family, Roosevelt, and Forest Village under HUD's Rental Assistance Demonstration program (RAD). The first property is scheduled to closed in first quarter of 2021.

In addition to RAD conversions, the plan recommended the Housing Authority apply for Section 18 demolition approval for Lansdowne site and Norman E. Owens, several physically obsolete scattered sites, and John Robinson. Section 18 demolition applications were prepared for each of the properties and approved by HUD's Special Applications Center. Approval of these demolition applications resulted in the removal of 558 units from the ACHA inventory. Each of the families that were residing at these three properties were relocated to other suitable housing in accordance with the Uniform Relocation Act.

In 2020 ESLHA completed the construction of 7 new public housing units primarily using expiring Replacement Housing Factor (RHF) and PDEV funds at the 4200 block of Forest Boulevard. The final development proposal was submitted to HUD in April 2019 and approved in May 2019 and the first residents will begin occupying the units starting in the first week of November 2020.

Numerous capital improvement projects have been started and completed with the past plan period to improve the living environment of the ESLHA residents. These completed projects valued at over \$20 million include:

- Securing the services of professional architect-engineering firms to provide project designs in accordance with ACHA's needs and compliant with applicable building codes and regulations.
- Demolition of 148 obsolete and structurally defective units at Norman Owens,
- Demolition of three obsolete and structurally defective buildings at Villa Griffin.
- Demolition of 2 obsolete and structurally defective buildings at Lansdowne Towers,
- Demolition of 23 obsolete, structurally defective, and vacant Scattered Sites,
- Renovation of three fire damage building at 1846-1850 North 43rd Street at Forest Village,
- New construction of 7 new units at the 4200 block of Forest Boulevard,
- Exterior repairs, water intrusion and beautification project at Roosevelt Homes,
- Installation of security screens at Roosevelt, Forest Village, Phoenix Estates and Phoenix Courts and AMP 4 Scattered Sites.
- Replacement of kitchens, baths and siding installation using Force Account at the Audubon Terrace and Roosevelt Homes properties.
- Upgrade site lighting through the Emergency Safety and Security Grant at Roosevelt Homes.
- Exterior siding replacement at the IL1-38 and IL1-39 Scattered Sites.
- Upgrades to the Heating, Ventilation, and Air Conditioning system replacement to Phoenix Court and IL1-38 and IL1-39 Scattered Sites – including water heater replacement at the Scattered Sites.
- Boiler Replacement at Orr Weathers High-Rise – using boilers recently installed at the vacant Lansdowne Towers buildings.
- Entry Door System replacement at the Lansdowne Towers Rukavina and Starnes buildings.

- Jet-Vac sewer system cleaning at multiple properties including at AMPs 1, 2, 3, 4, 5, 6, and 7.
- Renovation of the Villa Griffin Administration building,
- Bed Bug extermination at Lansdowne Hi-Rise buildings

Plan Element B.4 – Violence Against Women Act (VAWA) Goals

ELSHA's Admissions and Continued Occupancy Policy (ACOP) addresses and the Agency's goals, activities, objectives, policies, and programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, sexual assault, or stalking.

Chapter 4.6 Violence Against Women Act (VAWA): Notification, Documentation, Confidentiality

Chapter 10 Denial of Admission

Chapter 22.4 Terminations of Tenancy Related to Domestic Violence, Dating Violence, Sexual Assault or Stalking

Chapter 22.5 Reasonable Accommodation

4.6 Violence Against Women Act (VAWA): Notification, Documentation, Confidentiality

Overview

The Violence Against Women Act (VAWA) provides special protections for victims of domestic violence, dating violence, sexual assault or stalking who are applying for or receiving assistance under the public housing program.

A. Definitions [24 CFR 5.2003]

As used in VAWA:

- Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.
- Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person acts under the domestic or family violence laws of the jurisdiction.
- Affiliated individual: A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in place of the parent or the child – for example, the affiliated individual is a child in the care, custody, or control of the individual; or any individual, resident, or lawful occupant living in the household of that individual.
- Stalking: To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.
- Sexual Assault: any non-consensual sexual act prescribed by Federal or State law, including when the victim lacks capacity to consent.

B. Notification [24 CFR 5.2305(a)]

Notification to Public

ESLHA will post in its offices and on its website a summary of the rights and protections provided by VAWA to public housing applicants and residents who are or have been victims of domestic violence, dating violence, sexual assault or stalking.

Notification to Applicants and Residents

ESLHA will provide all residents with information about VAWA at the time of admission and at annual re-examination.

C. Documentation

Overview

When ESLHA is presented with a claim for initial or continued assistance based on status as a victim of domestic violence, dating violence, stalking, sexual assault or criminal activity related to any of these forms of abuse, it may request that the individual making the claim document the abuse. If there is fear of reprisal from the perpetrator, then the victim does not have to name the perpetrator. Any request for documentation will be in writing and the individual will be allowed at 14 business days after receipt of the request to submit the documentation. The individual may satisfy ESLHA's request by providing any one of the following three forms of documentation:

A completed and signed HUD-approved certification form (HUD-50066, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), which will include the name of the perpetrator

A federal, state or local police report or court record.

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of such abuse. This person may be an employee, agent or volunteer of a victim service provider, an attorney or a medical professional. The person signing the documentation will attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must sign the documentation as well.

All requests for documentation of VAWA issues will provide explicit instructions on how to submit requested documentation and the consequences for failure to submit the documentation or request an extension in writing by the deadline. ESLHA may extend the deadline upon request.

Conflicting Documentation [24 CFR 5.2007(e)]

If presented with conflicting certification documents (two or more forms HUD-50066) from members of the same household, ESLHA will attempt to determine the victim(s) by requiring each of them to provide third party documentation. ESLHA will honor any court orders issued to protect the victim or to address the distribution of property.

Discretion to Require No Formal Documentation [24 CFR 5.2007(d)]

ESLHA may provide benefits to an individual based solely on the individual's statement or other corroborating evidence—i.e., without requiring formal documentation of abuse. If ESLHA accepts an individual's statement or other corroborating evidence of domestic violence, dating violence, sexual assault, or stalking, ESLHA will document acceptance of the statement or evidence in the individual's file.

Failure to Provide Documentation [24 CFR 5.2007(c)]

In order to deny relief for protection under VAWA, ESLHA will provide the individual requesting relief with a written request for documentation of abuse. If the individual fails to provide the documentation within 14 business days from the date of receipt, or such longer time as ESLHA may allow, ESLHA may deny relief for protection under VAWA. ESLHA may grant an extension for circumstances beyond the control of the victim.

D. Confidentiality [24 CFR 5.2007(b) (4)]

All information provided to ESLHA regarding domestic violence, dating violence, sexual assault, or stalking, including the fact that an individual is a victim of such violence or stalking, will be retained in confidence. ESLHA will not enter the information into any shared database, will not allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work, and will not provide the information to any other entity or individual, except to the extent that the disclosure is requested or consented to by the individual in writing, required for use in an eviction proceeding, or otherwise required by applicable law. If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, ESLHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

Chapter 10 Denial of Admission

Overview

ESLHA will deny admission to an applicant who does not meet the eligibility criteria and they will be removed from all waiting list. In addition, ESLHA may deny admission based on certain types of current or past behaviors of family members. However, the Violence Against Women Act (VAWA) expressly prohibits the denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been the victim of domestic violence, dating violence, sexual assault, or stalking.

10.1 Prohibited Reasons for Denial of Admission (24 CFR 5.105, 24 CFR 5.2005(b))

ESLHA shall not deny admission based on any of the following criteria:

- Age, disability, race, color, religion, sex or national origin (see Chapter 2 for additional information about fair housing and equal opportunity requirements);
- Family prior residence;
- Members of the family are unwed parents, recipients of public assistance or children born out of wedlock;
- Whether the family includes children;
- Whether a family decides to participate in a family self-sufficiency program;
- Qualified applicant is or has been a victim of domestic violence, dating violence or stalking if the applicant is otherwise qualified for assistance (see Chapter 4).

10.2 Required Denial of Admission (24 CFR 960.204)

ESLHA will deny assistance in the following cases:

Any member of the household has been evicted from federally assisted housing in the last five (5) years for drug-related criminal activity. ESLHA will admit an otherwise eligible family who was evicted from federally-assisted housing within the past three years for drug-related criminal activity if ESLHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by ESLHA, or the person who committed the crime is no longer living in the household.

ESLHA determines that any household member is currently engaged in the use of illegal drugs. Drug means a controlled substance as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]. Currently engaged in the illegal use of a drug means a person has engaged in the use of illegal drugs during the previous twelve (12) months.

ESLHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety or right to peaceful enjoyment of the premises by other residents.

In determining reasonable cause, ESLHA will consider all credible evidence, including but not limited to, any record of convictions, evictions of household members related to the use of illegal drugs or the abuse of alcohol. ESLHA will also consider evidence from treatment providers or community-based organizations providing services to household members.

Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing.

Any household member is subject to a lifetime registration requirement under a state sex offender registration program.

Any household member has been evicted from federally assisted housing for any lease violation in the year immediately preceding the date of application.

10.3 Other Permitted Reasons for Denial of Admission

ESLHA may deny admission for the following reasons:

A. Criminal Activity (24 CFR 960.203(c))

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied admission:

- Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug. (24 CFR 5.100)
- Violent criminal activity, defined as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage. (24 CFR 5.100)
- Criminal activity that may threaten the health, safety, or welfare of other residents, ESLHA staff, contractors, subcontractors, or agents. (24 CFR 960.203(c)(3))
- Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse

Evidence of such criminal activity includes, but is not limited, to any record of convictions within the past 5 years. ESLHA may on a case- by-case basis, decide not to deny admission based on the totality of the evidence reviewed.

B. Previous Behavior (960.203(c) and (d))

ESLHA may deny admission to an applicant family if ESLHA determines that the family:

- Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past three years.
- Has a pattern of lease violations including but not limited to disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences within the past three years which may adversely affect the health, safety, or welfare of other residents.
- Has a pattern of eviction from housing or termination from residential programs within the

past five years (considering relevant circumstances).

- Owes rent or other amounts to ESLHA or any other PHA in connection with any assisted housing program.
- Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent.
- Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
- Has engaged in or threatened violent or abusive behavior toward ESLHA personnel.
Abusive or violent behavior towards ESLHA staff, includes but not limited to, verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered as abusive or violent behavior. Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

ESLHA will consider all factors outlined above. ESLHA may on a case-by-case basis, decide not to deny admission based on the totality of the evidence reviewed. ESLHA will consider the existence of mitigating factors, such as loss of employment or other financial difficulties, before denying admission to an applicant based on the failure to meet prior financial obligations.

10.4 Criteria for Deciding to Deny Admission

A. Evidence

ESLHA will use the concept of the preponderance of the evidence as the standard for making all admission decisions. Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence

B. Consideration of Circumstances (24 CFR 960.203(c)(3) and (d))

ESLHA will consider all relevant circumstances when deciding whether to deny admission based on a family's history except in the situations for which denial of admission is mandated (see Section 10.3). ESLHA will take into consideration the duration of time, nature and extent of the applicant's conduct. In a manner consistent with its policies, ESLHA may give consideration to factors, which might indicate a reasonable probability of favorable future conduct.

ESLHA will consider the following factors prior to making its decision:

- The seriousness of the case, especially with respect to how it would affect other residents.
- The effects that denial of admission may have on other members of the family who were not involved in the action.
- The extent of participation or culpability of individual family members, including whether the culpable family member is a minor, a person with disabilities, or a victim of domestic violence, dating violence, sexual assault, or stalking. (See section 10.5)

- The length of time since the violation occurred, the family's recent history and the possibility of favorable conduct in the future.
- Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs.

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully. ESLHA will require the applicant to submit documentation of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully

C. Removal of a Family Member's Name from the Application (24 CFR 960.203(c)(3)(i))

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the public housing unit. After admission to the program, the family must present evidence of the former family member's current address upon ESLHA request.

D. Reasonable Accommodation

If the family includes a person with disabilities, ESLHA's decision concerning denial of admission is subject to consideration of reasonable accommodation. If the family indicates that the behavior of a family member with a disability is the reason for the proposed denial of admission, ESLHA will determine whether the behavior is related to the disability. If so, upon the family's request, ESLHA will determine whether alternative measures are appropriate as a reasonable accommodation. ESLHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of admission. (See Chapter 2)

10.5 Prohibition Against Denial of Assistance to Victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking

A. Documentation

1. Victim Documentation (24 CFR 5.2007)

If an applicant claims the protection against denial of admission that VAWA provides to victims of domestic violence, dating violence, sexual assault or stalking, ESLHA will request in writing that the applicant provide documentation supporting the claim in accordance with Section 4.6 of this policy.

2. Perpetrator Documentation

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

- A. A signed statement requesting that the perpetrator be removed from the application and certifying that the perpetrator will not be permitted to visit or to stay as a guest in the public housing unit.

B. Documentation that the perpetrator has successfully completed, or is successfully undergoing rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance.

- The victim and perpetrator must also sign or attest to the documentation.

10.6 Other Housing Assistance

A family, or members of the family, may not receive public housing assistance while receiving another housing subsidy for the same unit or for a different unit under any duplicative federal, state or local housing assistance program.

10.7 Missed Appointments and Deadlines

It is an applicant family's obligation to supply information, documentation and certification, as needed, for ESLHA to fulfill its responsibilities. ESLHA schedules appointments and sets deadlines in order to obtain the required information. An applicant who fails to maintain an appointment or to supply information required by the deadline may result in a denial notification, unless prior notification was provided to ESLHA. No more than two opportunities will be provided to re-schedule without good cause. Appointments will be scheduled and time requirements will be imposed for the following events and circumstances:

- Eligibility Interview
- Verification Procedures
- Appeals

Acceptable reasons for missing appointments or failing to provide information by deadlines are:

- Medical or family emergency
- Any other valid reasons provided by the applicant

10.8 Notice to Applicants

If ESLHA determines that a family is not eligible for the program for any reason, the family will be removed from all waiting list and notified of the decision to deny admission. The notice will include an explanation of denial, process to request and obtain an informal hearing. (See Chapter 23).

22.4 Terminations of Tenancy Related to Domestic Violence, Dating Violence, Sexual Assault or Stalking

A. Violence Against Women Act 2013 (VAWA)

VAWA provides specific protections against lease termination for victims of domestic violence, dating violence or stalking. Those protections are as follows:

- Criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking, engaged in by a household member or guest or other person under the resident's control, shall not be cause for lease termination, so long as the resident or immediate family member of the resident is the victim.
- Incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking may not be construed either as serious or repeated violations of the lease by any household member of such violence or as good cause for lease termination.

B. Limits on VAWA Protections

VAWA prohibits ESLHA from using domestic violence, dating violence, sexual assault, or stalking as the cause for a lease termination against a resident who is the victim of the abuse. However, the protections under VAWA do not apply to the following:

ESLHA may terminate assistance to or proceed to eviction if a victim for lease violations are not premised on an act of domestic violence, dating violence, sexual assault, or stalking providing that ESLHA does not subject the victim to a more demanding standard than the standard to which it holds other residents.

ESLHA may terminate residency if ESLHA can demonstrate an actual and/or imminent threat to other residents or ESLHA Staff.

In determining whether a resident who is a victim of domestic violence, dating violence, sexual assault, or stalking is an actual and imminent threat to other residents or ESLHA Staff at or providing service to a property, ESLHA will consider the following including, but not limited to:

- Whether the threat is toward ESLHA Staff or residents other than the victim of domestic violence, dating violence, sexual assault, or stalking;
- Whether the threat is a physical danger beyond a speculative threat;
- Whether the threat is likely to happen within a short period of time; or
- Whether the threat can be eliminated in some other way, such as by helping the victim relocate to a confidential location, transferring the victim to another unit, or seeking a legal remedy to prevent the perpetrator from acting on the threat.

The resident will have to appeal the decision by the grievance procedures as outlined in Chapter 23.

C. Documentation of Abuse

When an individual facing termination of assistance for reasons related to domestic violence, dating violence or stalking claims protection under VAWA, ESLHA will request that the individual provide documentation supporting the claim. ESLHA reserves the right to waive the documentation requirement if statement(s) or other corroborating evidence from the individual will suffice. In such cases, ESLHA will document the waiver in the resident's file.

D. Evicting a Perpetrator of Domestic Violence

Although VAWA provides protection from termination for victims of domestic violence, it does not provide such protection for perpetrators. VAWA gives ESLHA the explicit authority to remove a household member from a lease.

ESLHA will seek to terminate the tenancy of a family member if ESLHA determines that the family member has committed criminal acts of physical violence against other family members or others. This action will not affect the tenancy of the remaining, non-culpable family members. In making its decision, ESLHA will consider all credible evidence. (e.g. Signed certification or other documentation of abuse submitted to ESLHA by the victim.)

If ESLHA does bifurcate the lease and terminate the tenancy of the culpable family member, it will do so in accordance with the lease, applicable law, and the ACOP. If necessary, ESLHA will also take steps to ensure that the remaining family members have a safe place to live during the termination process in accordance with the transfer policies in Chapter 21.

22.5 Reasonable Accommodation

If a family indicates that the behavior of a family member with a disability is the reason for a proposed termination of lease, ESLHA will determine whether the behavior is related to the disability. If so, upon the family's request, ESLHA will determine whether alternative measures are appropriate as a reasonable accommodation. ESLHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed lease termination.

B.2 Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income, very low-income, and extremely low-income families for the next five years. (24 CFR §903.6(b)(1)) For Qualified PHAs only, if at any time a PHA proposes to take units offline for modernization, then that action requires a significant amendment to the PHA's 5-Year Plan.

B.3 Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. (24 CFR §903.6(b)(2))

B.4 Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. (24 CFR §903.6(a)(3))

B.5 Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.

B.6 Resident Advisory Board (RAB) comments.

(a) Did the public or RAB provide comments?

(b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.17(a), 24 CFR §903.19)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year PHA Plan. The 5-Year PHA Plan provides the PHA's mission, goals and objectives for serving the needs of low-income, very low-income, and extremely low-income families and the progress made in meeting the goals and objectives described in the previous 5-Year Plan.

Public reporting burden for this information collection is estimated to average .76 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

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