

Hud-50075-ST

Annual PHA Plan

Annual PHA Plan
(Standard PHAs and
Troubled PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0226
Expires: 03/31/2024

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, including changes to these policies, 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. The Form HUD-50075-ST is to be completed annually by **STANDARD PHAs** or **TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A. PHA Information.

A.1 **PHA Name:** The Housing Authority of the City of Pawtucket, Rhode Island _____ **PHA Code:** RI002
PHA Type: ☒ Standard PHA ☐ Troubled PHA
PHA Plan for Fiscal Year Beginning: (MM/YYYY): 04/01/2022
PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)
Number of Public Housing (PH) Units 784 **Number of Housing Choice Vouchers (HCVs)** 691 **Total Combined Units/Vouchers** 792
PHA Plan Submission Type: ☒ Annual Submission ☐ Revised Annual Submission

Availability of Information. 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. 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 website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.

☐ **PHA Consortia:** (Check box if submitting a Joint PHA Plan and complete table below)

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:					

B. Plan Elements**B.1 Revision of Existing PHA Plan Elements.**

(a) Have the following PHA Plan elements been revised by the PHA?

Y N

- ☐ ☒ Statement of Housing Needs and Strategy for Addressing Housing Needs
- ☒ ☐ Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.
- ☐ ☒ Financial Resources.
- ☐ ☒ Rent Determination.
- ☐ ☒ Operation and Management.
- ☒ ☐ Grievance Procedures.
- ☐ ☒ Homeownership Programs.
- ☐ ☒ Community Service and Self-Sufficiency Programs.
- ☐ ☒ Safety and Crime Prevention.
- ☒ ☐ Pet Policy.
- ☐ ☒ Asset Management.
- ☐ ☒ Substantial Deviation.
- ☐ ☒ Significant Amendment/Modification

(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):

(c) The PHA must submit its Deconcentration Policy for Field Office review.

B.2 New Activities.

(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?

Y N

- ☐ ☒ Hope VI or Choice Neighborhoods.
- ☐ ☒ Mixed Finance Modernization or Development.
- ☐ ☒ Demolition and/or Disposition.
- ☒ ☐ Designated Housing for Elderly and/or Disabled Families.
- ☐ ☒ Conversion of Public Housing to Tenant-Based Assistance.
- ☐ ☒ Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.
- ☐ ☒ Occupancy by Over-Income Families.
- ☐ ☒ Occupancy by Police Officers.
- ☐ ☒ Non-Smoking Policies.
- ☐ ☒ Project-Based Vouchers.
- ☐ ☒ Units with Approved Vacancies for Modernization.
- ☐ ☒ Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.

B.3 Progress Report.

Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.

B.4	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p>5-Year Action Plan for 2021-2025 Rolling Approved on 02/25/2021</p>
B.5	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<p>C. Other Document and/or Certification Requirements.</p>	
C.1	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the 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 PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
C.2	<p>Certification by State or Local Officials.</p> <p><u>Form HUD 50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</u>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.3	<p>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</p> <p><u>Form HUD-50077-ST-HCV-HP, PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</u>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.4	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>
C.5	<p>Troubled PHA.</p> <p>(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?</p> <p>Y N N/A <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing (AFFH).

Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

Examine policies and demographic patterns for any actions, omissions, or decisions which have the effect of restricting housing choices, or the availability of housing choices based on race, color, religion, sex, disability, familial status, or national origin.

Provide opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familial status, disability, and national origin.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

An assessment of the availability of affordable, accessible housing in a range of unit sizes.

Promote housing that is structurally accessible to, and usable by, all persons, particularly persons with disabilities.

Make public housing a path to social and economic mobility, rather than housing of last resort by targeting selected developments for modernization and for other improvements and facilities to make them attractive to current residents and to suburban residents.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE.

Secure the cooperation of other important officials whose impact upon fair housing is substantial, including jobs, schools, transportation, and social services, important industries in the area who can provide job opportunities, and Government and not-for-profit agencies that provide social services.

Assist in building public support for fair housing efforts both within a State or Entitlement jurisdiction's boundaries and beyond.

Annual Plan Supplemental Information

FY APRIL 1, 2022 TO MARCH 31, 2023
HUD FORM 50075-ST

50075-ST

B.1 (b) Revision of Existing PHA Plan Elements

HCV Administrative Plan:

This revision adopts a Super Priority #2 as a Waiting list preference for applicants on the Centralized Waiting List who are participants in the Pawtucket Housing Authority's Continuum of Care (CoC) and Emergency Solutions Grant (ESG) programs.

Grievance Procedures:

The revision clarifies the obligations of the resident and the PHA.

Pet Policy:

The revision clarifies and incorporates a change in Standards for Pets and the Payment of Pet Fee Deposit.

B.2 New Activities

Renewal Application - Designated Housing for Elderly and Disabled Families

Fogarty Manor (RI2004) Elderly Only

Application extension due: May 2022

Current expiration: May 4, 2022

Number of units affected: 248

Burns Manor (RI2007) Elderly Only

Application extension due: May 2022

Current expiration: May 4, 2022

Number of units affected: 92

B.3 Progress Report on Mission and Goals in PHA 5-Year and Annual Plan

Mission:

- Maintain and improve our supply of diverse, affordable, and accessible housing.
- Increase our communication efforts with residents and the Pawtucket Community at large.
- Enhance and expand relationships with our community, state, and HUD partners.
- Provide a stimulating working environment for employees.
- Continue to maintain our financially sound practices.

Annual Plan Supplemental Information

FY APRIL 1, 2022 TO MARCH 31, 2023
HUD FORM 50075-ST

Progress:

- The Housing Authority's 28-unit LIHTC development, to preserve affordable apartments in the City of Pawtucket, currently has seven project-based housing vouchers within this development.
- The Housing Authority has formally established a non-profit organization, Pawtucket Housing Inc. to help further housing opportunities throughout Pawtucket and statewide in Rhode Island.
- The Housing Authority continues to utilize a Waiting List preference for housing for "chronically homeless veterans and families". During the current FY 2021 twenty-one formerly homeless families have been housed between our Housing Choice Voucher (10) program and Public Housing Program (11). In the immediate year, the PHA housed a total of 36 formerly homeless, (19) in HCV and (17) Public Housing families.
- The Housing Authority continues to reach out and educate our Housing Choice Voucher HCV participants for our HCV Homeownership program. We accomplish this through our FSS Program and any HCV participant who enquires about homeownership is sent a packet of information.

Resident Services

- The Housing Authority continues to partner actively in the Pawtucket/ Central Falls Health Equity Zone Initiative working with LISC and local partners to create a healthier and complete array of services for our community.
- The PHA continues to work to provide tele-health services through RIPIN to bring health talks and telemedicine to our residents. Many resident need access to healthcare information or onsite access to local telemedicine services.
- The Housing Authority is part of the Multidisciplinary Team working with the Blackstone Valley Community Health Center to find solutions to multiple issues faced by their clients.
- The Housing Authority was able to restart its very successful resident meal site program after the height of the COVID-19 mandated shut down. The PHA offers daily meals to elderly and disabled tenants through a partnership with Blackstone Valley Health Center. Approximately 30 residents are served daily.

Annual Plan Supplemental Information

FY APRIL 1, 2022 TO MARCH 31, 2023
HUD FORM 50075-ST

- The Resident Services Department renewed our MOU with Gateway Healthcare. We are working to strengthen our partnership to maximize services for our tenants.
- The Resident Services Department partners with the RI Food Bank to offer monthly food commodity boxes. Approximately 90 boxes are distributed per month at Kennedy and Fogarty Manor.
- The Department partners with The Pawtucket Prevention Coalition to offer educational programs for youth at Galego Court. In the upcoming year we hope to focus on recruitment to increase attendance.
- The Department held a National Night Out where residents, staff, community vendors, and the Pawtucket Police participated in a community get together.
- Applied for a grant through the Department of Health to offer incentives for upcoming COVID 19 Booster Shot clinics, as well as upcoming on-site testing.

Administrative and Program Improvements

- The PHA continues to educate staff monthly to ensure we are serving our population in an efficient and effective manner. During the COVID-19 pandemic, our PHA stayed open for business to serve our residents. We were able to adapt by purchasing updated IT equipment, faster computers, scanning equipment, and training employees on up-to-date methods of information control.

In addition, staff has received training on a variety of topics including Fair Housing, Harassment, VAWA, Leadership Development, Rent Collection, Property Management, and Low-Income Tax Credit program compliance. Employees starting new positions take program training through a third-party vendor to earn proper certification.

- This year the PHA unveiled a new and improved website to serve the community. The PHA uses social media to outreach and promote its programs and successes to the community. We can be found on Facebook and on our website.
- For Pawtucket residents who lost income due to the pandemic, the PHA partnered with the Rhode Island Rent Relief rental assistance program to provide relief to renters. Several of our residents have been helped through the administration of this program.
- The PHA organizational structure has been streamlined and restructured in part due to retirements and adapting a strategy to better serve residents and meet our housing program goals.

Annual Plan Supplemental Information

FY APRIL 1, 2022 TO MARCH 31, 2023
HUD FORM 50075-ST

- The PHA established a dedicated Human Resources department this year to address all employee matters and develop quality policies that keep up with changing federal and state regulations.
- The PHA now offers a Wellness Coordinator to assist with access to mental health programs and services within the community.
- The Housing Authority has continued to contract with Southside Community Land Trust to operate a community garden at Galego Court. This allows our residents to have a small garden at their development. In addition, SCLT provides programs for our youth and garden beds for residents to use.
- The PHA, in partnership with the City of Pawtucket using CDBG grant funding, is currently bidding for removal of 3 outdated dome structures on the site of the community garden. Once removed, an eco-friendly 18' x 72' greenhouse will be constructed and installed to provide year-round gardening opportunities.

RESOLUTION NO.

Revision to the PHA Plan and Housing Choice Voucher (HCV) Administrative Plan

WHEREAS, the Board of Commissioners of the Housing Authority of the City of Pawtucket, Rhode Island (BOC), have reviewed all information pertaining to the proposed change to the Housing Choice Voucher Administrative Plan in adopting a Super Priority #2 as a Waiting List preference for applicants on the Centralized Waiting List (CWL) who are participants in the Pawtucket Housing Authority's Continuum of Care (CoC) and Emergency Solution Grant (ESG) Programs.

WHEREAS, the BOC agree to adopt a Super Priority Preference #2 for applicants who are participants in the PHA's CoC or ESG programs;

WHEREAS, the BOC agree to give each PHA CoC and ESG participant a higher weighted priority;

WHEREAS, the BOC agree if a PHA CoC or ESG participant exits the CoC or ESG program before his/her name is selected or a Housing Assistance Payment contract executed on behalf of the participant, the participant will not be eligible for the HCV Program;

WHEREAS, the CoC or ESG participant must be compliant with the policies and regulations of the CoC or ESG Program to be determined eligible with the HCV Program;

WHEREAS, the CoC or ESG participant must meet all other HCV eligibility requirements to be determined eligible to receive a Housing Choice Voucher;

WHEREAS, the BOC realizes the severity of the lack of affordable housing within the City of Pawtucket and the urgency to assist homeless individuals and families secure decent, safe and affordable housing to support the PHA's mission statement;

WHEREAS, the current HCV Administrative Plan must be amended to clarify the policy and procedures to maintain compliance with federal regulations as it pertains to HCV Program;

NOW, THEREFORE, BE IT RESOLVED THAT ON _____ THE PAWTUCKET HOUSING AUTHORITY BOARD OF COMMISSIONERS, HEREBY APPROVE AND ADOPT THE AMENDMENT TO THE HCV (SECTION 8) ADMINISTRATIVE PLAN TO INCLUDE THE ATTACHED REVISION TO CHAPTER 4, PART III, SELECTION FOR HCV ASSISTANCE.

PROPOSED AMENDMENTS TO THE HCV ADMINISTRATIVE PLAN

September 22, 2021

No.	Chapter	Existing Administrative Plan Text	Proposed Administrative Plan Text
1	Chapter 4, Part III C. Pg. 4-11	<p>Super Priority:</p> <p>The PHA will admit an Applicant to the HCV program before all other Applicants on the waiting list if:</p> <p>(1) The Applicant resides in PHA public housing, AND;</p> <p>(2) The Applicant Family is being displaced due an emergency and/or hazardous condition as determined by the PHA in the applicant's public housing unit. Such condition cannot be the cause of tenant negligence.</p> <p>Verification: Any applicant requesting a super priority will be verified by the Deputy Executive Director or Asset Manager.</p>	<p>Super Priority #1:</p> <p>The PHA will admit an Applicant to the HCV program before all other Applicants on the waiting list if:</p> <p>(1) The Applicant resides in PHA public housing, AND;</p> <p>(2) The Applicant Family is being displaced due an emergency and/or hazardous condition as determined by the PHA in the applicant's public housing unit. Such condition cannot be the cause of tenant negligence.</p> <p>Verification: Any applicant requesting a super priority will be verified by the Director of Public Housing.</p> <p>Super Priority #2:</p> <p>The PHA will admit an Applicant to the HCV program before all other Applicants on the waiting list with the exception of having Super Priority #1 if:</p> <p>(1) The Applicant is a participant under lease in the PHA's Continuum of Care (CoC) or Emergency Solution Grant (ESG) Program.</p> <p>(2) The CoC or ESG participant must be</p>

		<p>compliant with the policies and regulations of the CoC or ESG Program to be determined eligible with the HCV Program.</p> <p>(3) The CoC or ESG participant must meet all other HCV eligibility requirements to be determined eligible to receive a Housing Choice Voucher.</p> <p>Verification: Any applicant requesting a super priority will be verified by the Director of Leased Housing.</p>
--	--	---

The Housing Authority of the City of Pawtucket

RESOLUTION # 1294

Revision to the Grievance Procedure

Resolution requesting the authorization to implement the attached Revision to the Grievance Procedure,

WHEREAS, this Revision to the Grievance procedure will be effective September 1, 2021;

WHEREAS, this revision clarifies obligations of the resident and the PHA;

WHEREAS, this revision received no comments during the public comment posting period.

NOW, THEREFORE, BE IT RESOLVED, THE PAWTUCKET HOUSING AUTHORITY BOARD OF COMMISSIONERS, HEREBY APPROVE AND ADOPT THE ATTACHED *REVISION TO THE GRIEVANCE PROCEDURE* UNDER RESOLUTION #1294.

PROPOSED AMENDMENT TO THE GRIEVANCE PROCEDURE
PUBLIC COMMENT PERIOD – JUNE 21, 2021 – JULY 21, 2021

Existing Procedure	Proposed Procedure
<p>Delete: The grievance or complaint must be signed by the complainant and filed in the office by him/her or his/her representative within fourteen (14) days of the Housing Authority action or failure to act, which is the basis for the grievance. It may be simply stated and should specify: (1) the reason for the grievance; and (2) the action requested.</p>	<p>Add: Any grievance must be personally presented, either orally or in writing, to the PHA's central office or the management office of the development in which the complainant resides within ten (10) days after a PHA tenant dispute.</p>
<p>The complainant shall retain a copy of the complaint and a copy shall be filed with the project manager or applications manager. All complaints and copies must be dated- stamped at time of receipt by the Housing Authority.</p>	<p>Grievances related to complaints about operation matters that are received by the PHA's central office will be referred to the Property Manager of the development where the complainant resides. An informal settlement of a grievance involving complaints related to discrimination, harassment, or disability rights will be referred to the Director of Public Housing.</p>
<p>An answer in writing to each complaint, dated and signed by the project manager or other appropriate official, shall be delivered or mailed to the complainant within five (5) working days. A copy of the answer shall be filed with the property manager in the appropriate project office.</p>	<p>As soon as the grievance is received, it will be date and time-stamped and reviewed by the management office of the development or the Director of Public Housing (if applicable) to be certain that neither of the exclusions in Section I above applies to the grievance. Should one of the exclusions apply, the complainant will be notified in writing that the matter raised is not subject to the PHA's grievance procedure with the reason specified.</p>
<p>The answer shall specify:</p>	<p>If neither of the exclusions cited above apply, the complainant will be contacted to arrange a mutually convenient time within 10 business days to meet so the grievance may be discussed informally and settled without a hearing. At the informal settlement meeting, the complainant will present the grievance and the person in charge of the management office, or the Director of Public Housing will attempt to settle the grievance to the satisfaction of both parties.</p>
<p>The proposed disposition of the complaint and the specific reasons, therefore.</p>	<p>If a tenant fails to attend the scheduled meeting without prior notice, the PHA will reschedule the appointment only if the tenant can show good cause for failing to appear, or if it is needed as a reasonable accommodation for a person with disabilities.</p>
<p>The right of the complainant to a hearing; and The procedure by which a hearing may be obtained.</p>	<p>Good cause is defined as an unavoidable conflict which seriously affects the health, safety, or welfare of the family.</p>
<p>If the complainant is dissatisfied with the proposed disposition of his/her complaint as stated in the project manager's or other Housing Authority Official's answer, he/she may submit a written request to the Grievance Hearing Panel for a hearing. This written request shall be made within ten (10) working days of the answer to his/her complaint. The written request for a hearing must be date stamped and filed in the appropriate Housing Authority or project management office along with the complaint and answer. The appropriate Housing Authority official shall advise the Grievance Hearing Panel promptly of the request and grievance hearing shall be scheduled as soon as possible for a date, time and place reasonably convenient to the</p>	

complainant; and shall inform the complainant thereof in writing.

If the complainant does not request a hearing within the time period allowed above, he/she waives his/her right to the hearing, and the Housing Authority's proposed disposition of the grievance will become final. This shall not, however, constitute a waiver of the complainant's right hereafter to contest the Housing Authority's disposition of his/her grievance in an appropriate judicial proceeding.

Establishment of a Grievance Hearing Panel.

An impartial grievance hearing panel shall be established to afford a tenant or applicant an opportunity for a fair hearing if he/she disputes within a reasonable time and Housing Authority action or failure to act in accordance with the lease requirements or any Housing Authority action or failure to act involving interpretation or application of the Housing Authority's regulations, policies or procedures which adversely affect the tenant's or applicant's rights, duties, welfare or status.

The members of the Grievance Hearing Panel shall consist of:

Tenant members. Each of the six (6) housing developments will elect two (2) persons to serve on the grievance-hearing panel. A total of twelve (12) persons will serve on the grievance-hearing panel.

Impartial members. The tenant members of the grievance hearing panel and the Housing Authority will elect Two (2) impartial members. The impartial members may not be an officer or an employee of the Housing Authority or any of its projects, nor a tenant of the Housing Authority or an employee of the City of Pawtucket.

Only four (4) of the fourteen (14) hearing panel members will be present at each scheduled grievance hearing. The members will serve on a rotating basis. No tenant grievance hearing member will serve on the hearing panel in which a tenant from that same housing development has requested a hearing.

Within five (5) business days following the informal discussion, the Property Manager or Director of Public Housing will prepare and either hand deliver, mail, or email to the tenant a summary of the discussion that must specify: the names of the participants, the dates of meeting, the nature of the proposed disposition of the complaint, and the specific reasons therefore, and will specify the procedures by which a formal hearing under this procedure may be obtained if the complainant is not satisfied. A copy of this summary will also be placed in the tenant's file.

Formal grievance hearing:

If the complainant is not satisfied with the settlement arrived at in the informal settlement, the complainant must submit a written request for a hearing to the management office of the development where the tenant resides no later than five business days after the summary of the informal hearing is received.

The written request must specify:

- The reasons for the grievance; and
- The action of relief sought from the PHA.

Within 10 days of receiving the written request for a hearing, the hearing officer will schedule and send written notice of hearing to both the complainant and the PHA.

Selecting the Hearing Officer:

A grievance hearing will be conducted by a single impartial person appointed by the PHA as described below:

The hearing officer will be appointed directly by the Executive Director.

The hearing officer will be a staff member who did not make or approve the decision under review and who is not a subordinate of such persons. If the designated staff member (such as the Property Manager) was involved in the decision or is a subordinate of such person, an alternate hearing officer will be selected.

The PHA may select designated staff members who were not involved in the decision under review in certain circumstances, such as those involving discrimination claims or denials of requests for reasonable accommodations.

Grievance Hearing

The hearing shall be held before the Grievance Hearing Panel.

The complainant shall be afforded a fair hearing providing the basic safeguards of due process which shall include:

The right to be represented by counsel or other persons chosen as his/her representative.

The right to private hearing unless the complainant requests a public hearing.

Complainant may examine before the hearing and, at his/her expense, copy all documents, records and regulations of the Housing Authority that are relevant to the hearing. Any document not made available, after request therefore by the complainant, may not be relied on by the Housing Authority at the hearing.

The right to present evidence and arguments in support of his/her complaint, to controvert evidence relied on by the PHA or project management, and to confront and cross-examine all witnesses on whose testimony or information the PHA or project management relies; and

A decision based solely and exclusively upon the facts presented at the hearing.

The hearing panel may render a decision without proceeding with the hearing if the hearing panel determines that the issue has been previously decided in another proceeding.

If a complainant fails to appear at a Hearing, the Panel may postpone the Hearing for five (5) working days or may make a determination that the complainant has waived his/her right to the Hearing. Such a determination shall not constitute a waiver of complainant's right to thereafter contest the Housing Authority's disposition of his/her grievance in an appropriate judicial proceeding.

At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter the PHA must sustain the burden of justifying

The PHA's method for selecting a hearing officer will be inserted into the lease.

Scheduling hearings [24 CFR 966.56(a)]

When a complainant submits a timely request for a grievance hearing, the PHA will immediately appoint an impartial hearing officer to schedule the hearing within the following **ten (10) business days**.

Once the hearing officer has scheduled the hearing, the hearing officer will send written notice of the hearing to both the complainant and the PHA. Notice to the complainant will be in writing, either personally delivered to the complainant, or sent by mail or email, return receipt requested.

The written notice will specify the time, place, and procedures governing the hearing.

The tenant may request to reschedule a hearing on a one-time basis. Should the complainant need to reschedule a second time, he or she may do so for good cause, or if needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety, or welfare of the family. Requests to reschedule a hearing must be made orally or in writing prior to the hearing date.

Procedures governing the hearing [24 CFR 966.56]

The hearing will be held before a hearing officer as described above. The complainant will be afforded a fair hearing, which will include:

The opportunity to examine before the hearing any PHA documents, including records and regulations, that are directly relevant to the hearing.

The tenant is allowed to copy any such document at the tenant's expense (.25 cents per page). If the PHA does not make the document available for examination upon request by the complainant, the PHA may not rely on such document at the grievance hearing. There will be no charge for documents e-mailed by the PHA. The family

the PHA action or failure to act against which the complaint is directed.

If the dispute is over the amount of rent or other charges which the Housing Authority claims is due, the complainant shall deposit the amount in dispute in an escrow account pending settlement of the dispute by the Grievance Hearing Panel. If the complainant fails to do so, the Panel may determine that the complainant has waived his/her right to the Hearing. Such determination shall not constitute a waiver of complainant's right to thereafter contest the Housing Authority's disposition of his/her grievance in an appropriate judicial proceeding.

The hearing shall be conducted informally by the hearing panel and oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. The hearing panel shall require the PHA, the complainant, counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the hearing panel to obtain order may result in exclusion from the proceedings or in a decision adverse to the interest of the disorderly party in granting or denial of the relief sought, as appropriate.

The complainant or the PHA may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing.

The PHA will provide reasonable accommodations for persons with disabilities to participate in the hearing. Reasonable accommodations may include qualified sign language interpreters, readers, accessible locations, or attendants. If the tenant is visually impaired, any notice to the tenant will be in an accessible format.

Decision of the Grievance Hearing Panel

The hearing panel shall prepare a written decision, together with the reasons therefore, within then (10) days after the hearing. A copy of the decision shall be sent to the complainant and the PHA. The PHA shall retain a copy of the decision in the tenant or applicant's folder. A copy of such decision, with all names and

must request discovery of PHA documents no later than 12:00 p.m. on the business day prior to the hearing.

The right to be represented by counsel or other person chosen as the tenant's representative and to have such person make statements on the tenant's behalf.

The right to a private hearing unless the complainant requests a public hearing.

The right to present evidence and arguments in support of the tenant's complaint, to refute evidence relied on by the PHA or project management, and to confront and cross-examine all witnesses upon whose testimony or information the PHA or project management relies.

A decision based solely and exclusively upon the fact presented at the hearing [24 CFR 966.56(b)].

The hearing is conducted informally by the hearing officer. The PHA and the tenant must be given the opportunity to present oral or documentary evidence pertinent to the facts and issues raised by the complaint, and to question any witnesses.

The complainant or the PHA may arrange in advance for a transcript of the hearing at the expense of the party making the arrangement. Any interested party may purchase a copy of the transcript [24 CFR 966.56(e)].

The PHA must provide reasonable accommodation for persons with disabilities to participated in the hearing. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants. If the tenant is visually impaired, any notice to the tenant that is required under this procedure must be in an accessible format [24 CFR 966.56(f)].

The PHA must comply with HUD's requirements regarding limited English proficiency as specified in "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons."

Failure to appear at the hearing:

If the complainant does not appear at the scheduled time of the hearing, the hearing officer will wait up to 30 minutes. If the complainant appears within 30 minutes of

identifying references deleted, shall also be maintained on file by the PHA and made available for inspection by a prospective complainant, his representative or the hearing panel.

The decision must be based solely and exclusively on the facts presented at the hearing.

If the decision of the Hearing Panel is in favor of the complainant, the Housing Authority shall promptly take all action necessary to carry out such decision or refrain from any action necessary to carry out such decision or refrain from any action prohibited by such decision unless the PHA Board of Commissioners determines within thirty (30) days and notifies the complainant of its determination, that:

The grievance does not concern PHA action or failure to act in accordance with or involving the complainant's lease on PHA regulations, which adversely affect the complainant's rights, duties, welfare or status.

The decision of the hearing panel is contrary to applicable Federal, State or local law, HUD regulations or requirements of the annual contributions contract between HUD and the PHA.

If the decision of the Hearing Panel is in favor of the Housing Authority, an action to regain possession may not be commenced until after the tenant's right to use and/or occupy the premises has been terminated pursuant to the notice provisions of the lease. Such notice to vacate may not be given prior to the date on which the Grievance Panel's decision is delivered or mailed to the tenant.

Notice to Vacate

When such notice to vacate is given to the tenant, he/she must be informed in writing that:

If he/she fails to vacate the premises within three (3) days, appropriate legal action will be brought against him/her.

If suit is brought against him, he/she may be required to pay court costs and attorney fees incurred.

the scheduled time, the hearing will be held. If the complainant does not arrive within 30 minutes of the scheduled time, they will be considered to have failed to appear.

If the complainant fails to appear and was unable to reschedule the hearing in advance, the complainant must contact the PHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The hearing officer will reschedule the hearing only if the complainant can show good cause for the failure to appear, or it is needed as a reasonable accommodation for a person with disabilities.

"Good cause" is defined as an unavoidable conflict which seriously affects the health, safety, or welfare of the family.

Both the complainant and the PHA must be notified of the determination by the hearing officer. A determination that the complainant has waived his or her right to a hearing will not constitute a waiver of any right the complainant may have to contest the PHA's disposition of the grievance in an appropriate judicial setting [24 CFR 966.56(c)].

Decision of the hearing officer [24 CFR 966.57]:

The hearing officer will prepare a written decision together with the reasons for the decision within 10 business days after the hearing. A copy of the decision will be sent to the complainant and the PHA.

The PHA will retain a copy of the decision in the tenant's file.

The hearing officer may ask the family for additional information and/or might adjourn the hearing and to reconvene at a later date before reaching a decision. If the family misses a deadline ordered by the hearing officer, the hearing officer will make a decision based on the evidence presented.

The written decision may include, but is not limited to:

The names of the complainant, hearing officer, other participants, including complainant's counsel or representative, and witness.

If he she chooses to contest the legal action, the Housing Authority for project management must prove that the reasons upon which it originally relief constituted good cause for eviction under the application law, rules and regulations.

The date, time, and location of the hearing.

A summary of the grievance.

The date on which the informal settlement discussion was held, who was present, and a summary of the results of the informal discussion (preferably quoting the Informal settlement summary letter).

A summary of the evidence, argument and testimony presented at the hearing; and

The reason(s) for the hearing decision, citing the policy or regulation that supports the decision made.

The decision of the hearing officer will be binding on the PHA unless the PHA's Board of Commissioners determines within a reasonable time and notifies the complainant of its determination that:

The grievance does not concern PHA action or failure to act in accordance with or involving the complainant's lease or PHA regulations, which adversely affect the complainant's rights, duties, welfare, or status; or

The decision of the hearing officer is contrary to applicable federal, state, or local law, HUD regulations, or requirements of the annual contributions contract (ACC) between HUD and the PHA.

When the PHA considers the decision of the hearing officer to be invalid due to either of the reasons stated above, it will present the matter to the PHA Board of Commissioners within 10 business days of the date of the hearing officer's decision. The Board has 30 calendar days to consider the decision. If the Board decides to reverse the hearing officer's decision, it must notify the complainant within 10 business days of this decision.

A decision by the hearing officer or Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of nor affect in any way the rights of the complainant to a trial or judicial review in any court proceedings, which may be brought in the matter later [24 CFR 966.57]

RESOLUTION #1287

AMENDMENT TO THE ADMISSIONS AND OCCUPANCY POLICY (ACOP)

WHEREAS, the Pawtucket Housing Authority (PHA) is proposing to revise **Chapter 10: Pet Policy** of the **Admissions and Occupancy Policy (ACOP)**, and

WHEREAS, all proposed revisions are attached to this document, and

WHEREAS, the current ACOP must be amended to clarify the revisions outlined, and

WHEREAS, this revision incorporates a change in the Standards for Pets and the Payment of Pet Fee Deposit as outlined on the attached list of changes;

WHEREAS, the changes were posted for public review and comment for 30 days on the PHA web-site and in all PHA developments.

NOW, THEREFORE, BE IT RESOLVED, THE PAWTUCKET HOUSING AUTHORITY BOARD OF COMMISSIONERS, HEREBY APPROVE AND ADOPT THE PROPOSED AMENDMENTS TO THE ADMISSIONS AND OCCUPANCY POLICY ON THIS 30th DAY OF JUNE 2021.

PROPOSED REVISIONS TO THE ADMISSIONS AND OCCUPANCY POLICY

CHAPTER 10 – PET POLICY

No.	Chapter	Existing ACOP	Proposed ACOP
1	Chapter 10 Page 10-6	<p>PART II: PET POLICY FOR ALL DEVELOPMENTS</p> <p>10 2C: Standards for Pets:</p> <p>NA</p>	<p>PART II: PET POLICY FOR ALL DEVELOPMENTS</p> <p>10 2C: Standards for Pets:</p> <p>ADD: PHA may not require pet owners to obtain or carry liability insurance.</p> <p>ADD: PHA may not require cats to be declawed.</p>
2	Chapter 10 Page 10-7	<p>PART II: PET POLICY FOR ALL DEVELOPMENTS</p> <p>10 2C: Standards for Pets:</p> <p>Number of Pets: DELETE: Residents may own a maximum of 1 pet. In the case of fish, residents may keep no more than can be maintained in a safe healthy manner in a tank holding up to 10 gallons. Such a tank or aquarium will be counted as 1 pet.</p>	<p>PART II: PET POLICY FOR ALL DEVELOPMENTS</p> <p>10 2C: Standards for Pets:</p> <p>Number of Pets: ADD: <u>Residents may own a maximum of 2 pets, only one (1) of which may be a dog.</u></p> <p>The types of animals allowed as pets shall be limited as follows:</p> <ol style="list-style-type: none"> 1. Dogs: Not to exceed 20 pounds in weight 12 inches in height at maturity. 2. Cats 3. No more than (2) small, caged birds (i.e., canaries, parakeets, finches, etc. (Count as one (1) pet. Birds must be in a cage at all times. No birds of prey or other dangerous species may be kept. 4. Fish - residents may keep no more than can be maintained in a safe and healthy manner in a tank holding up to 10 gallons. Such a tank or aquarium will be counted as one (1) pet. 5. Gerbil, Hamster, or Rabbit.
3	Chapter 10 Page 10-13	<p>PART III: PET DEPOSITS AND FEES IN ELDERLY DISABLED DEVELOPMENTS</p> <p>10-III B: PET DEPOSITS: Payment of Deposit:</p> <p>DELETE: Pet owners are required to pay a pet deposit in addition to any other</p>	<p>PART III: PET DEPOSITS AND FEES IN ELDERLY DISABLED DEVELOPMENTS</p> <p>10-III B: PET DEPOSITS: Payment of Deposit:</p> <p>ADD: Pet owners are required to pay a pet deposit for dogs and cats only in addition to</p>

		required deposits. The amount of the deposit is the higher of the family's total tenant payment or \$50 and must be paid in full before the pet is brought on the premises.	any other required deposits. The initial deposit will be \$50 and an additional \$10 will be paid monthly until the higher of \$200 or one-month's rent is paid in full.
4	Chapter 10 Page 10-15	<p>PART IV: PET DEPOSITS AND FEES IN GENERAL OCCUPANCY DEVELOPMENTS:</p> <p>10-IV B: PET DEPOSITS Payment of Deposit:</p> <p>DELETE: Pet owners are required to pay a pet deposit of \$200 in addition to any other required deposits before the pet is brought on the premises.</p>	<p>PART IV: PET DEPOSITS AND FEES IN GENERAL OCCUPANCY DEVELOPMENTS:</p> <p>10-IV B: PET DEPOSITS Payment of Deposit:</p> <p>ADD: Pet owners are required to pay a pet deposit for dogs and cats only in addition to any other required deposits. The pet deposit is the maximum of \$200 or one month's rent and must be paid in full before the pet is allowed on the premises.</p>