

Amendment to the Annual PHA Plan for Fiscal Year 2015 and the Five Year Annual PHA Plan for FY 2015-2019



Shola Olatoye
Chair & Chief Executive Officer

Date: October 30, 2015

PHA Annual Plan		U.S. Department of Housing and Urban Development Office of Public and Indian Housing		OMB No. 2577-0226 Expires 8/30/2011		
1.0	PHA Information PHA Name: New York City Housing Authority PHA Code: NY005 PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input checked="" type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): 01/2016					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: 177,666 Number of HCV units: 88,467					
3.0	Submission Type: Significant Amendment to the FY 2015 Annual PHA Plan and the Five Year Annual PHA Plan for FY 2015-2019 <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only					
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)					
		Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program
						PH HCV
		PHA 1:				
		PHA 2:				
		PHA 3:				
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.					
5.1	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: <i>The New York City Housing Authority ("NYCHA")'s mission is to increase opportunities for low and moderate income New Yorkers by providing safe, affordable housing and facilitating access to social and community services. More than 400,000 New Yorkers reside in NYCHA's 328 public housing developments around the five boroughs, and another 235,000 receive subsidized rental assistance in private homes through the NYCHA-administered Section 8 Housing Choice Voucher Program. To fulfill its vital mission and better serve residents while facing dramatic reductions in traditional government funding, NYCHA is developing new financing options and building innovative partnerships across the public, private, and non-profit sectors. These strategies are helping NYCHA to address many key challenges, from preserving aging housing stock through timely maintenance and modernization of developments, to increasing resident access to a multitude of community, educational and recreational programs, as well as job readiness and training initiatives.</i>					
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. N/A					
6.0	PHA Plan Update (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions. PLEASE SEE ATTACHMENT A					
7.0	Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. Include statements related to these programs as applicable. PLEASE SEE ATTACHMENT B					
8.0	Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable. PLEASE SEE ATTACHMENT C					

8.1	<p>Capital Fund Financing Program (CFFP). <input checked="" type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements. PLEASE SEE ATTACHMENT C</p>
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. N/A</p>
9.1	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan. N/A</p>
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan. N/A</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification” PLEASE SEE ATTACHMENT D</p>
11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>

Supporting Documents Available for Review

Members of the public wishing to examine the Supporting Documents may do so, during regular business hours, by contacting NYCHA's central office, located at 250 Broadway, New York, New York, at (212) 306-3701 to schedule an appointment to review the documents.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input type="checkbox"/> check here if included in the public housing A & O Policy <i>NYCHA's rent determination policy is found among the management policies that are referred below.</i>	Annual Plan: Rent Determination
	Schedule of flat rents offered at each public housing development <i>NYCHA's Flat Rent schedule is set out Section 4 (A) (1) (C) of the Annual Plan.</i> <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures	Annual Plan: Grievance

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	<input type="checkbox"/> check here if included in the public housing A & O Policy	Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant <i>NYCHA participates in the Comprehensive Grant Program</i>	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
X	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
X	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act <i>NYCHA developments do not meet the statutory criteria.</i>	Annual Plan: Conversion of Public Housing
X	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

NOTICE

New York City Housing Authority Proposed Amendment to the Agency Plan for FY 2015 and the Draft Agency Annual Plan for FY 2016

AVAILABILITY OF THE DRAFT AGENCY ANNUAL PLAN FOR PUBLIC INSPECTION

The public is advised that the *Proposed Amendment to the FY 2015 Agency Annual Plan* and the *Draft Agency Annual Plan for FY 2016* will be available for public inspection at NYCHA's principal office, located at 250 Broadway, New York, NY, starting June 26, 2015 between the hours of 9:30 a.m. to 4:30 p.m. Please call (212) 306-3701 to make an appointment to review the *Proposed Amendment to the FY 2015 Agency Annual Plan* and the *Draft Agency Annual Plan for FY 2016* and supporting documents. The *Proposed Amendment to the FY 2015 Agency Annual Plan* and the *Draft Agency Annual Plan for FY 2016* will also be available at the following locations:

- On NYCHA's webpage, which is located on <http://www.nyc.gov/nycha>
- At the Management Office of each NYCHA public housing development during regular business hours.
- At the Community Centers/Borough Offices listed below during the hours of 9:00 am to 7:30 pm:

Manhattanville Community Center 530 West 133rd Street New York, New York Taft Senior Center 1365 5th Avenue New York, New York Sedgwick Community Center 1553 University Avenue Bronx, New York	Soundview Community Center 1674 Seward Avenue Bronx, New York Queens Community Operations Borough Office 70-30 Parsons Boulevard Flushing, New York	Staten Island Community Operations Borough Office 126 Lamport Avenue Staten Island, New York Brownsville Senior Center 528 Mother Gaston Boulevard Brooklyn, New York
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PUBLIC COMMENT

The public is invited to attend any of the five scheduled town hall discussions at which the public may raise questions regarding the *Proposed Amendment to the FY 2015 Agency Annual Plan* and the *Draft Annual Plan for FY 2016*. These discussions will be held from 6:00 pm to 8:00 pm on the dates and locations shown below **unless noted otherwise**.

Thursday, July 9, 2015		Thursday, July 16, 2015	
<i>Brooklyn</i> St. Francis College 180 Remsen Street Brooklyn, New York 11201		<i>Queens</i> Joint Industry Board 158-11 Jewel Avenue Flushing, New York 11365	
Monday, July 20, 2015	Wednesday, July 22, 2015	Monday, July 27, 2015	
Staten Island Gerard Carter Community Center 230 Broad Street Staten Island, New York 10304	<i>Bronx</i> Cardinal Hayes High School 650 Grand Concourse Bronx, New York 10451	<i>Manhattan</i> Borough of Manhattan Community College, 199 Chambers Street, New York, NY 10007	

The public is also invited to comment on the *Proposed Amendment to the FY 2015 Agency Annual Plan* and the *Draft Annual Agency Plan for FY 2016* at a public hearing to be held on August 11, 2015 from 5:30 p.m. to 8:00 p.m. at:

Pace University - Schimmel Center for the Arts
3 Spruce Street
New York, New York 10038

Each location listed above is both handicapped accessible and can be reached using public transportation. For transportation information go to <http://tripplanner.mta.info> or call the MTA/NYC Transit Travel Information Line (718) 330-1234.

Written comments regarding the *Proposed Amendment to the FY 2015 Agency Annual Plan* and the *Draft Annual Agency Plan for FY 2016* are encouraged. To be considered, **submissions must be received via United States Postal mail or fax no later than August 30, 2015**. Faxed submissions will be accepted at (212) 306-7905. Comments may be sent to the following address and comments may also be emailed to annualplancomments@nycha.nyc.gov.

**Public Housing Agency Plan Comments
Church Street Station
P.O. Box 3422
New York, New York 10008-3422**

Bill de Blasio, Mayor

Shola Olatoye, Chair and Chief Executive Officer

AVISO

Enmienda propuesta al Plan de la Agencia para el año fiscal 2015 y el Borrador del Plan de la Agencia para el año fiscal 2016 de la Autoridad de Vivienda de la Ciudad de Nueva York

DISPONIBILIDAD DEL BORRADOR DEL PLAN DE LA AGENCIA PARA SU INSPECCIÓN PÚBLICA

Se anuncia al público que la *Enmienda propuesta al Plan Anual de la Agencia para el año fiscal 2015 y el Borrador del Plan Anual de la Agencia para el año fiscal 2016* estarán disponibles para su inspección pública en la oficina central de NYCHA ubicada en 250 Broadway, New York, NY, a partir del 26 de junio de 2015 entre las 9:30 a.m. y las 4:30 p.m. Si desea concertar una cita para revisar la *Enmienda propuesta al Plan Anual de la Agencia para el año fiscal 2015 y el Borrador del Plan Anual de la Agencia para el año fiscal 2016* y los documentos de respaldo, llame al (212) 306-3701. La *Enmienda propuesta al Plan Anual de la Agencia para el año fiscal 2015 y el Borrador del Plan Anual de la Agencia para el año fiscal 2016* también se encontrarán disponibles en los siguientes lugares:

- En el sitio de NYCHA en Internet, que se encuentra en <http://www.nycha.gov/nycha>
- En la oficina de la administración de cada residencial de vivienda pública de NYCHA durante el horario de oficina.
- En los centros comunitarios/oficinas municipales que se enumeran a continuación en el horario de 9:00 a.m. a 7:30 p.m.:

<p>Centro Comunitario de Manhattanville 530 West 133rd Street Nueva York, Nueva York</p> <p>Taft Senior Center 1365 5th Avenue Nueva York, Nueva York</p> <p>Centro Comunitario de Sedgwick 1553 University Avenue Bronx, New York</p>	<p>Centro Comunitario de Soundview 1674 Seward Avenue Bronx, New York</p> <p>Operaciones Comunitarias de Queens Oficina Municipal 70-30 Parsons Boulevard Flushing, New York</p>	<p>Operaciones Comunitarias de Staten Island Oficina Municipal 126 Lamport Avenue Staten Island, New York</p> <p>Centro para la Tercera Edad de Brownsville 528 Mother Gaston Boulevard Brooklyn, New York</p>
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COMENTARIO PÚBLICO

El público está invitado a participar de cualquiera de las cinco asambleas públicas en las cuales se podrán realizar preguntas acerca de la *Enmienda propuesta al Plan Anual de la Agencia para el año fiscal 2015 y el Borrador del Plan Anual para el año fiscal 2016*. Estas asambleas se llevarán a cabo entre las 6:00 p.m. y las 8:30 p.m. en las fechas y localidades que se muestran a continuación, **a menos que se indique lo contrario**.

Jueves 9 de julio de 2015		Jueves 16 de julio de 2015	
<i>Brooklyn</i> St. Francis College 180 Remsen Street Brooklyn, New York 11201		<i>Queens</i> Joint Industry Board 158-11 Jewel Avenue Flushing, New York 11365	
Lunes 20 de julio de 2015	Miércoles 22 de julio de 2015	Lunes 27 de julio de 2015	
<i>Staten Island</i> Centro Comunitario Gerard Carter 230 Broad Street New York, New York 10304	<i>Bronx</i> Cardinal Hayes High School 650 Grand Concourse Bronx, New York 10451	<i>Manhattan:</i> Borough of Manhattan Community College, 199 Chambers Street, New York, NY 10007	

También invitamos al público a expresar sus comentarios acerca de la *Enmienda propuesta al Plan Anual de la Agencia para el año fiscal 2015 y el Borrador del Plan Anual de la Agencia para el año fiscal 2016* durante una audiencia pública que se celebrará el **11 de agosto de 2015** entre las 5:30 p.m. y las 8:00 p.m. en:

Pace University - Schimmel Center for the Arts
3 Spruce Street
New York, New York 10038

Todas las localidades que se mencionan anteriormente son accesibles para personas con limitaciones físicas y se puede llegar a ellas utilizando transporte público. Si desea obtener información acerca de opciones de transporte dirjase a <http://tripplanner.mta.info> o llame a la línea de información sobre transporte público de la MTA/NYC al (718) 330-1234.

Alentamos la presentación de comentarios escritos sobre la *Enmienda propuesta al Plan Anual de la Agencia para el año fiscal 2015 y el Borrador del Plan Anual de la Agencia para el año fiscal 2016*. Para que se los tome en consideración, **los comentarios deben recibirse mediante correo postal de los Estados Unidos o fax a más tardar el 30 de agosto de 2015**. Los comentarios escritos pueden enviarse por fax al (212) 306-7905. Los comentarios pueden enviarse a la dirección que aparece a continuación y también pueden enviarse por correo electrónico a annualplancomments@nycha.nyc.gov.

Public Housing Agency Plan Comments
Church Street Station
P.O. Box 3422
New York, New York 10008-3422

Bill de Blasio, Alcalde

Shola Olatoye, Presidenta y Primera Ejecutiva



ANNUAL PLAN MEETINGS



Join the conversation and get informed on issues impacting your home and community.

Highlights of the meeting presentation can be found at on.nyc.gov/nycha-fy16

Public Hearing

Tuesday, August 11, 2015

5:30 p.m. to 8:00 p.m.

Pace University

Michael Schimmel Theater

3 Spruce Street (near Gold Street)

New York, NY 10038

A translation of this document is available in your management office and online at www.nyc.gov/nycha

La traducción de este documento está disponible en su oficina de administración y en Internet en www.nyc.gov/nycha

所居公房管理處和房屋局網站
(網址: www.nyc.gov/nycha) 備有文件譯本可供索取

Перевод этого документа находится в Вашем домоуправлении и на интернете www.nyc.gov/nycha

Covering:

NYCHA's Draft FY 2016 Annual Plan and Amendment to FY 2015 Annual Plan

All Town Hall Discussions
take place 6–8 pm.

Brooklyn

Thursday, July 9, 2015
St. Francis College
180 Remsen St.
Brooklyn, NY 11201

Queens

Thursday, July 16, 2015
Joint Industry Board
158-11 Jewel Ave.
Flushing, NY 11365

Staten Island

Monday, July 20, 2015
Gerard Carter Community Center at
Stapleton Houses
230 Broad Street
Staten Island, NY 10304

Bronx

Wednesday, July 22, 2015
Cardinal Hayes High School
650 Grand Concourse
Bronx, NY 10451

Manhattan

Monday, July 27, 2015
Borough of Manhattan
Community College
199 Chambers Street
New York, NY 10007



REUNIONES DEL PLAN ANUAL



Participe en la conversación e infórmese sobre los asuntos que afectan a su hogar y comunidad.

La información más destacada que se presentará en la reunión está en on.nyc.gov/nycha-fy16

Audiencia pública

**Martes, 11 de agosto de 2015
de 5:30 p.m. a 8:00 p.m.**

**Pace University
Michael Schimmel Theater
3 Spruce Street (cerca de Gold Street)
New York, NY 10038**

Tema:

Borrador del Plan Anual de NYCHA para el año fiscal 2016 y Enmienda al Plan Anual para el año fiscal 2015

Todas las asambleas se celebrarán de 6:00 a 8:00 p.m.

Brooklyn

**Jueves 9 de julio de 2015
St. Francis College
180 Remsen St.
Brooklyn, NY 11201**

Queens

**Jueves 16 de julio de 2015
Joint Industry Board
158-11 Jewel Ave.
Flushing, NY 11365**

Staten Island

**Lunes 20 de julio de 2015
Centro Comunitario Gerard Carter en
Stapleton Houses
230 Broad Street
Staten Island, NY 10304**

Bronx

**Miércoles 22 de julio de 2015
Cardinal Hayes High School
650 Grand Concourse
Bronx, NY 10451**

Manhattan

**Lunes 27 de julio de 2015
Borough of Manhattan
Community College
199 Chambers Street
New York, NY 10007**

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Executive Summary

NYCHA's Amendment to the Annual PHA Plan for FY 2015 and the Five Year Annual PHA Plan for FY 2015-2019

The New York City Housing Authority (NYCHA) is amending its Annual PHA Plan for Fiscal Year 2015 and its Five Year Agency Plan for Fiscal Years 2015-2019 because it was a successful applicant in the Rental Assistance Demonstration (RAD) for the Ocean Bay Apartments (Bayside) development. As a result, NYCHA will be converting public housing subsidies to Project Based Vouchers (PBV) at Ocean Bay Apartments (Bayside) under the guidelines of PIH Notice 2012-32, REV-2 (Notice) and any successor Notices. Upon conversion to PBVs, NYCHA will adopt at a minimum the resident rights, participation, waiting list and grievance procedures per the RAD Notice and outlined in this Amendment. Additionally, NYCHA certifies that it is currently compliant with all fair housing and civil rights requirements and is under a Voluntary Compliance Agreement and consent decrees. RAD conversion at Ocean Bay Apartments (Bayside) will not have a negative impact on NYCHA's compliance with existing voluntary compliance agreements or consent decrees.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing NYCHA with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, the Authority's Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that NYCHA may also borrow funds to address their capital needs. NYCHA currently has no debt under an Energy Performance Contract for Ocean Bay Apartments (Bayside).

NYCHA's Amendment to the Annual PHA Plan for FY 2015 and the Five Year Agency Plan for Fiscal Years 2015-2019 is available for public review at NYCHA's Central Office and at each development's management office, as well as on NYCHA's web page (www.nyc.gov/nycha). NYCHA also provided a copy of the Amendment to each public housing Resident Association President.

NYCHA held a town hall meeting with the residents of Ocean Bay Apartments (Bayside) and the public on June 24, 2015 and held five additional town hall meetings in July in each borough and a public hearing at Pace University in Manhattan was held on August 11, 2015. NYCHA accepted written comments on the Proposed Amendment at its post office box and by fax and email through August 30, 2015. Please see the Notice on page 6. NYCHA met with the Resident Advisory Board ("RAB") members for their comments on May 21, 2015 and September 17, 2015.

NextGeneration NYCHA- Rental Assistance Demonstration (RAD) Program

In May 2015, we were excited to announce NextGeneration (NextGen) NYCHA—our 10-year strategic plan to improve the way NYCHA is funded, operates, rebuilds and engages with residents. As NYCHA faces its worst financial crisis in our history, NextGen provides a financial roadmap to deliver NYCHA residents the housing and services they have long deserved, while sustaining New York City public housing for the long term. An important strategy included in the NextGen plan is the pilot of RAD at the Ocean Bay Apartments (Bayside) development, which will generate much-needed funds for maintenance and repairs.

RAD is a U.S. Department of Housing and Urban Development ("HUD") program that enables NYCHA to generate revenue to reinvest back into our developments by leveraging the Section 8 program. In 2013, NYCHA started the process of meeting with residents and community members at Ocean Bay Apartments (Bayside) in Far Rockaway, Queens to discuss ways the Authority could renovate, repair, and improve the quality of life at the development through the RAD program. Through its participation in RAD, NYCHA will

be able to safeguard long-term housing affordability at this property, improve and modernize apartments, and stabilize the development by placing it on solid financial footing.

With program approval from HUD, NYCHA can begin to address the significant capital repair needs at Ocean Bay Apartments (Bayside) by converting the development's funding source from public housing funds to a special Project-Based Section 8 program. As a special voucher program under HUD, residents can remain in their apartments with tenancy protections in line with those provided to public housing residents, while NYCHA raises new sources of funding to repair the buildings and modernize apartments. HUD requires NYCHA to maintain the same number of affordable apartments prior to conversion, assure long-term affordability, guarantee the property is owned by a non-profit or public entity, and ensure information is shared with residents throughout the process.

NYCHA will continue to convene resident meetings and sessions to address questions and share information about the RAD conversion process. NYCHA will also ensure updates are shared in a regular newsletter to the residents at Ocean Bay Apartments (Bayside).

NYCHA is committed to preserving public housing. Ocean Bay (Bayside) Apartments has 1,395 apartments in 24 buildings. These buildings are over 50 years old. In its last assessment, NYCHA estimated that it would need \$174 million to make capital improvements over the next 20 years. NYCHA does not receive sufficient, reliable funding to make these necessary capital improvements. RAD will benefit the residents of Ocean Bay Apartments (Bayside) by ensuring that their homes will be fully rehabilitated, improved and brought up to modern standards and conditions.

ATTACHMENT A
PHA PLAN UPDATE

A) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:

- Hope VI, Mixed Finance Modernization or Development, Demolition and Disposition, Conversion of Public Housing, Homeownership, Project Based Vouchers, and RAD
- Capital Improvements
- Significant Amendment to the Agency Plan
- Comments from the Resident Advisory Board (RAB) and the Public

B) Identify the specific locations where the public may obtain copies of the Amendment to the FY 2015 Annual PHA Plan and the Five-Year Annual PHA Plan for FY 2015-2019.

The *Amendment to the FY 2015 Annual PHA Plan and the Five Year Annual PHA Plan for FY 2015-2019* is available for public inspection at NYCHA’s principal office, located at 250 Broadway, New York, NY between the hours of 9:30 a.m. to 4:30 p.m. The *Amendment to the FY 2015 Annual PHA Plan and the Five Year Annual PHA Plan for FY 2015-2019* is also available at the following locations:

- On NYCHA’s webpage, which is located on <http://www.nyc.gov/nycha>
- At the Management Office of *each* NYCHA public housing development during regular business hours.

Manhattanville Community Center 530 West 133rd Street New York, New York Taft Senior Center 1365 5th Avenue New York, New York Sedgwick Community Center 1553 University Avenue Bronx, New York	Soundview Community Center 1674 Seward Avenue Bronx, New York Queens Community Operations Borough Office 70-30 Parsons Boulevard Flushing , New York	Staten Island Community Operations Borough Office 126 Lamport Avenue Staten Island, New York Brownsville Senior Center 528 Mother Gaston Boulevard Brooklyn, New York
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ATTACHMENT B
**HOPE VI, MIXED FINANCE MODERNIZATION OR DEVELOPMENT,
 DEMOLITION AND/OR DISPOSITION, CONVERSION OF PUBLIC HOUSING,
 HOMEOWNERSHIP, PROJECT-BASED VOUCHERS AND RENTAL ASSISTANCE
 DEMONSTRATION (RAD)**

A) RENTAL ASSISTANCE DEMONSTRATION (RAD)

I- Rental Assistance Demonstration (RAD) at Ocean Bay Apartments (Bayside)

The Rental Assistance Demonstration (RAD) is a voluntary program administered by the United States Department of Housing and Urban Development (HUD). The goals of RAD are to safeguard long-term housing assistance, improve and modernize properties and stabilize developments by placing them on a more secure financial footing. This is done by converting public housing subsidies to Section 8 funding under a long-term Housing Assistance Payment Contract. The transition to RAD offers NYCHA an opportunity to draw upon a more predictable funding stream under the Section 8 platform and secure other non-Federal sources to finance capital improvements. Ocean Bay Apartments (Bayside) Apartments has 1,395 apartments in 24 buildings that are over 50 years old. The RAD program will help address significant capital needs at Ocean Bay Apartments (Bayside) which are estimated to be \$174 million over the next 20 years.

Below, please find specific information related to the Public Housing Development(s) selected for RAD:

Name of Public Housing Development: Ocean Bay Bayside	PIC Development ID: NY005010980	Conversion type (i.e., PBV or PBRA): PBV	Transfer of Assistance: (if yes, please put the location if known, and # of units transferring) No
Total Units: 1,395	Pre- RAD Unit Type (i.e., Family, Senior, etc.): Family	Post-RAD Unit Type if different (i.e., Family, Senior, etc.) Family	Capital Fund allocation of Development: (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project) \$306,356,088 / 178,446 x 1,395 = \$2,394,936
Bedroom Type	Number of Units Pre-Conversion 1,395	Number of Units Post-Conversion 1,395	Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, etc.)
Studio/Efficiency	40	40	0
One Bedroom	216	216	0
Two Bedroom	593	593	0
Three Bedroom	406	406	0
Four Bedroom	126	126	0
Five Bedroom	14	14	0
Six Bedroom			
(If performing a Transfer of Assistance):	(Explain how transferring waiting list) N/A		

II - Resident Rights, Participation, Waiting List and Grievance Procedures PBV Resident Rights and Participation

1. No Re-screening of Tenants upon Conversion. Pursuant to the RAD statute, at conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR § 982.201, concerning eligibility and targeting, will not apply for current households. Once that remaining household moves out, the unit must be leased to an eligible family.

2. Right to Return. Any residents that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Where the transfer of assistance to a new site is warranted and approved, residents of the converting development will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete. Residents of a development undergoing conversion of assistance may voluntarily accept an offer to permanently relocate to another assisted unit, and thereby waive their right to return to the development after rehabilitation or construction is completed. Permanent involuntary displacement of residents may not occur as a result of a project's conversion of assistance.

3. Renewal of Lease. Under RAD, the owner must renew all leases upon lease expiration, unless cause exists. This provision must be incorporated into the tenant lease or tenancy addendum, as appropriate.

4. Phase-in of Tenant Rent Increases. If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 5 years. For purposes of this section "standard TTP" refers to the Total Tenant Payment (TTP) calculated in accordance with regulations at 24 CFR §5.628 and the "most recently paid TTP" refers to the TTP recorded on line 9j of the family's most recent HUD Form 50058. If a family in Ocean Bay Apartments (Bayside) was paying a flat rent immediately prior to conversion, NYCHA shall use the flat rent amount to calculate the phase-in amount for Year 1, as illustrated below. Families will not pay more than 30% of their adjusted gross household income for rent.

Five Year Phase in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP or flat rent and the standard TTP
- Year 2: Year 2 AR and any IR prior to Year 3 AR – 40% of difference between most recently paid TTP and the standard TTP
- Year 3: Year 3 AR and any IR prior to Year 4 AR – 60% of difference between most recently paid TTP and the standard TTP
- Year 4: Year 4 AR and any IR prior to Year 5 AR – 80% of difference between most recently paid TTP and the standard TTP
- Year 5 AR and all subsequent recertifications – Full standard TTP

5. Public Housing Family Self Sufficiency (PH-FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs. NYCHA does not have PH-FSS participants but residents will be able to enter into the Housing Choice Voucher (HCV) FSS program after conversion. Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for

future public housing ROSS-SC grants, nor will its residents be eligible to be served by future public housing ROSS-SC grants. Currently, the Ocean Bay Community Development Corporation is a recipient of a ROSS-SC grant and serves the Ocean Bay Consolidation. Since the services that the coordinators provide are not funded solely by the ROSS-SC grant, NYCHA will allow the Ocean Bay Apartments (Bayside) residents to continue to access these services. Additionally, NYCHA will request a waiver from HUD to allow these units to continue to be counted towards the unit count for future grants.

6. Resident Participation and Funding. Residents of Ocean Bay Apartments (Bayside) will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding in accordance with the Notice. The owner must provide \$25 per occupied unit annually for resident participation, of which at least \$15 per occupied unit shall be provided to a legitimate tenant organization at the covered property. These funds must be used for resident education, organizing around tenancy issues and training activities.

7. Resident Procedural Rights. At a minimum, residents will have the following procedural rights, which NYCHA may expand for the benefit of residents.

a. Termination Notification. HUD has incorporated additional termination notification requirements to comply with section 6 of the U.S. Housing Act of 1937 as may be amended (Act) for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257, related to owner termination of tenancy and eviction, the termination procedure at a minimum for RAD conversions to PBV will require that the owner provide adequate written notice of termination of the lease which shall not be less than:

- i.** A reasonable period of time, but not to exceed 30 days:
 - If the health or safety of other tenants, the owner’s employees, or persons residing in the immediate vicinity of the premises is threatened; or
 - In the event of any drug-related or violent criminal activity or any felony conviction;
- ii.** 14 days in the case of nonpayment of rent; and
- ii.** 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.

b. Grievance Process. HUD is incorporating additional procedural rights to comply with the requirements of section 6 of the Act.

For issues related to tenancy and termination of assistance, PBV program rules require the owner to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, and require that:

- i.** In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi),¹ an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to an owner action in accordance with the individual’s lease or the contract administrator in accordance with

¹ § 982.555(a)(1)(iv) is not relevant to RAD as the tenant-based certificate has been repealed.

RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.

- For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), NYCHA as the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).
 - For any additional hearings required under RAD, the owner will perform the hearing.
- ii. An informal hearing will not be required for class grievances or for disputes between residents not involving the owner or contract administrator.
- iii. The owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).
- iv. The owner provides opportunity for an informal hearing before an eviction.

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

8. Earned Income Disregard (EID). Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to rent phase-in, as described in Section 1.6.C.4 of the Notice; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time.

Under the Housing Choice Voucher program, the EID exclusion is limited to only persons with disabilities (24 CFR §5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV project, the provision in §5.617(b) limiting EID to only disabled persons is waived. The waiver and resulting alternative requirement only applies to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants who at one time received the EID but are not receiving the EID exclusion at the time of conversion (e.g., due to loss of employment); tenants that move into the property following conversion, etc.) is covered by this waiver.

9. Jobs Plus. Jobs Plus grantees awarded FY 2014 and future funds that convert the Jobs Plus target projects(s) under RAD will be able to finish out their Jobs Plus period of performance at that site unless significant relocation and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the HUD Secretary's discretion, choose to end the Jobs Plus program at that project.

10. When Total Tenant Payment Exceeds Gross Rent. Under normal PBV rules, NYCHA may only select an occupied unit to be included under the PBV HAP contract if the unit's occupants are eligible for housing assistance payments (24 CFR §983.53(d)). Also, NYCHA must remove a unit from the contract when no assistance has been paid for 180 days because the family's total tenant payment (TTP) has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent) (24 CFR §983.258). Since the rent limitation under the Notice may often result in a family's TTP equaling or exceeding

the Gross Rent for the unit, for current residents (i.e. residents living in the public housing property prior to conversion), HUD is waiving both of these provisions and requiring that the unit for such families be placed on and/or remain under the HAP contract when TTP equals or exceeds than the Gross Rent. Further, HUD is establishing the alternative requirement that the rent to owner for the unit equal the family's TTP until such time that the family is eligible for a housing assistance payment. HUD is waiving as necessary to implement this alternative provision, the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR §983.301 as modified by Section 1.6.B.5 of the Notice.² In such cases, the resident is considered a participant under the program and all of the family obligations and protections under RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP contract. Assistance may subsequently be reinstated if the tenant becomes eligible for assistance.

Following conversion, 24 CFR §983.53(d) applies and any new families referred to the RAD PBV project must be initially eligible for a HAP payment at admission to the program, which means their TTP may not exceed the Gross Rent for the unit at that time. Further, a PHA must remove a unit from the contract when no assistance has been paid for 180 days. If units are removed from the HAP contract because a new admission's TTP comes to equal or exceed the Gross Rent for the unit and if the project is fully assisted, HUD is imposing an alternative requirement that NYCHA must reinstate the unit after the family has vacated the property.

11. Under-Occupied Unit. Under 24 CFR §983.259, if a family is in an under-occupied unit at the time of conversion the family may remain in this unit until an appropriate-sized unit becomes available in the development. When an appropriate sized unit becomes available, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time.

III - PBV: Other Miscellaneous Provisions

1. Access to Records, Including Requests for Information Related to Evaluation of Demonstration. NYCHA agrees to provide to HUD, upon a reasonable request, data to support program evaluation, including but not limited to project financial statements, operating data, Choice-Mobility Voucher utilization, and rehabilitation work.

2. Additional Monitoring Requirement. NYCHA's Members must approve the operating budget for the covered project annually in accordance with HUD requirements.³

3. Davis-Bacon Act and Section 3 of the Housing and Urban Development Act of 1968 (Section 3). The Davis-Bacon Act prevailing wage requirements apply to all initial repairs and new construction that are identified in the financing plan to the extent that such repairs or construction qualify as development. "Development" encompasses work that constitutes remodeling that alters the nature of housing units in the project, reconstruction, or a substantial improvement in the quality or kind of original equipment and materials, and is initiated within 18 months of the HAP contract. Development activity does not include replacement of equipment and materials rendered unsatisfactory because of normal wear and tear by items of substantially the same kind. Section 3 applies to all initial repairs and new construction that are identified in the financing plan to

² For example, a public housing family residing in a property converting under RAD has a TTP of \$600. The property has an initial Contract Rent of \$500, with a \$50 Utility Allowance. Following conversion, the residents is still responsible for paying \$600 in tenant rent and utilities.

³ For PBV conversions that are not FHA-insured, a future HUD notice will describe project financial data that may be required to be submitted by a PBV owner for purposes of the evaluation, given that PBV projects do not submit annual financial statements to HUD/REAC.

the extent that such repairs qualify as construction or rehabilitation. In addition, Section 3 may apply to the project after conversion based on the receipt of the use of federal assistance for rehabilitation assistance.

4. Establishment of Waiting List. In establishing the waiting list for the converted project, NYCHA will utilize the project-specific waiting list that exists at the time of conversion. The waiting list must be established and maintained in accordance with PBV program requirements.

If a project-specific waiting list for the project does not exist, NYCHA will establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on NYCHA's public housing community-wide waiting list have been offered placement on the converted project's initial waiting list. For the purpose of establishing the initial waiting list, NYCHA will determine the most appropriate means of informing applicants on the public housing waiting list given the number of applicants, NYCHA's resources, and community characteristics of the proposed conversion under RAD. Such activities should be pursuant to NYCHA's policies for waiting list management, including the obligation to affirmatively further fair housing.

NYCHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Applicants on NYCHA's centralized public housing waiting list who wish to be placed onto the newly-established waiting list are listed in accordance with the date and time of their original application to the centralized public housing waiting list. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and the obligation to provide meaningful access for persons with limited English proficiency (LEP).

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, NYCHA shall administer its waiting list for the converted project in accordance with 24 CFR § 983.251(c).

5. Mandatory Insurance Coverage. The project shall maintain at all times commercially available property and liability insurance to protect the project from financial loss and, to the extent insurance proceeds permit, promptly restore, reconstruct, and/or repair any damaged or destroyed property of a project.

6. Agreement Waiver. For public housing conversions to PBV, there will be no Agreement to Enter into a Housing Assistance Payments (AHAP) contract. Therefore, all regulatory references to the Agreement (AHAP), including regulations under 24 CFR Part 983 Subpart D are waived. Instead, NYCHA and the owner will enter into a HAP contract before construction begins.

7. Future Refinancing. Owners must receive HUD approval for any refinancing or restructuring of permanent debt within the HAP contract term to ensure the financing is consistent with long-term preservation. (Current lenders and investors are also likely to require review and approval of refinancing of the primary permanent debt.)

8. Administrative Fees for Public Housing Conversions. For the initial Calendar Year in which a project's assistance has been converted, RAD PBV projects will be funded with public housing money. For example, if the project's assistance converts effective July 1, 2015, the public housing Annual Contributions Contract (ACC) between the PHA and HUD will be amended to reflect the number of units under HAP contract, but will be for zero dollars, and the RAD PBV contract will be funded with public housing money for July through

December 2015. For this transition period, the ACC will primarily serve as the basis for covering the units and requiring PHA compliance with HUD requirements, but it will not be (as it is in the regular PBV program) the funding vehicle for the PBV RAD vouchers. Given this, and given the fact that PHAs will be receiving full public housing funding for the PBV units during this transition period, PHAs will not receive ongoing Section 8 administrative fee funding during this time.

Generally, PHAs receive ongoing administrative fees for units under a HAP contract, consistent with recent appropriation act references to "section 8(q) of the [United States Housing Act of 1937] and related appropriations act provisions in effect immediately before the Quality Housing and Responsibility Act of 1998" and 24 CFR 982.152(b). During the transition period mentioned in the preceding paragraph, these provisions are waived, and PHAs will not receive section 8 ongoing administrative fees for PBV RAD units.

After this transition period, the section 8 ACC will be amended to include section 8 funding that corresponds to the units covered by the section 8 ACC. At that time, the regular section 8 administrative fee funding provisions will apply.

9. Choice-Mobility. One of the key features of the PBV program is the mobility component, which provides that if the family has elected to terminate the assisted lease at any time after the first year of occupancy in accordance with program requirements, NYCHA must offer the family the opportunity for continued tenant-based rental assistance, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance.

If as a result of participation in RAD a significant percentage of NYCHA's HCV program becomes PBV assistance, it is possible for most or all of NYCHA's turnover vouchers to be used to assist those RAD PBV families who wish to exercise mobility. While HUD is committed to ensuring mobility remains a cornerstone of RAD policy, HUD recognizes that it remains important for NYCHA to still be able to use tenant-based vouchers to address the specific housing needs and priorities of the community. Therefore, HUD is establishing an alternative requirement for PHAs where, as a result of RAD, the total number of PBV units (including RAD PBV units) under HAP contract administered by NYCHA exceeds 20 percent of the PHA's authorized units under its HCV ACC with HUD.

The alternative mobility policy provides that an eligible voucher agency would not be required to provide more than three-quarters of its turnover vouchers in any single year to the residents of covered projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented, the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received. In order to adopt this provision, this alternative mobility policy must be included in NYCHA's administrative plan.

To effectuate this provision, HUD is providing an alternative requirement to Section 8(o)(13)(E) and 24 CFR part 983.261(c). Please note that this alternative requirement does not apply to PBVs entered into outside of the context of RAD.

10. Reserve for Replacement. The owner shall establish and maintain a replacement reserve in an interest-bearing account to aid in funding extraordinary maintenance and repair and replacement of capital items in accordance with applicable regulations. The reserve must be built up to and maintained at a level determined by HUD to be sufficient to meet projected requirements. For FHA transactions, Replacement Reserves shall be maintained in accordance with the FHA Regulatory Agreement. For all other transactions, Replacement Reserves shall be maintained in a bank account covered under a General Depository Agreement (HUD-51999) or similar instrument, as approved by HUD, where funds will be held by the owner or mortgagee and may be drawn from the reserve account and used subject to HUD guidelines and as directed by HUD.

IV - Relocation Plans

NYCHA is pursuing a plan that will allow for tenant in place rehabilitation, which will require no relocation. If a resident must be temporarily relocated, it will be at no expense to the resident. The relocation options will be to a vacant unit in the same development, a vacant unit in another NYCHA development or a vacant unit in the selected developer's housing stock. This will be finalized after a development partner is selected. NYCHA will submit an Accessibility and Relocation Checklist to HUD for Ocean Bay Apartments (Bayside) with its financing plan as required by the Notice.

V – Site Selection and Neighborhood Standards

This RAD conversion complies with all applicable site selection and neighborhood review standards as required by the Notice.

ATTACHMENT C
CAPITAL IMPROVEMENTS/FUNDS

HUD FORM 50075.2 CAPITAL FUND PROGRAM FIVE-YEAR ACTION PLAN WAS APPROVED BY HUD ON AUGUST 17, 2015.

Members of the public wishing to examine the Supporting Documents may do so, during regular business hours, by contacting NYCHA's central office, located at 250 Broadway, New York, New York, at (212) 306-3701 to schedule an appointment to review the documents.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing NYCHA with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, the Authority's Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that NYCHA may also borrow funds to address their capital needs. NYCHA will also be contributing Federal Emergency Management Agency (FEMA) funding towards the conversion.

NYCHA currently has debt under the Capital Fund Financing Program and will be working with New York City Housing Development Corporation (NYCHDC) to address outstanding debt issues, which may result in additional reductions of capital funds.

There are no Capital Fund grants associated with Ocean Bay Apartments (Bayside) and this development is not included in the current Five-Year PHA Plan and Five-Year Capital Fund Action Plan.

ATTACHMENT D
ADDITIONAL INFORMATION

1) SIGNIFICANT AMENDMENT AND SUBSTANTIAL DEVIATION OR MODIFICATION OF THE AGENCY PLAN

Criteria for Significant Amendment or Modification of the Agency Plan and/or Capital Fund Program Five-Year Action Plan:

NYCHA will amend or modify its agency plan and/or Capital Fund Program Five-Year Action Plan upon the occurrence of any of the following events during the term of an approved plan(s):

1. A change in federal law takes effect and, in the opinion of NYCHA, it creates substantial obligations or administrative burdens beyond the programs then under administration, excluding changes made necessary due to insufficient revenue, funding or appropriations, funding reallocations resulting from modifications made to the annual or five-year capital plan or due to the terms of a judicial decree.
2. Any proposed demolition, disposition, homeownership, Capital Fund financing, development or mixed-finance proposals.
3. Any Capital Fund project not already in the Five-Year Action Plan for an amount greater than \$500 million excluding projects arising out of federally declared major disasters.
4. Any other event that the Authority determines to be a significant amendment or modification of an approved annual plan and/or Capital Fund Program Five-Year Action Plan.
5. As part of the Rental Assistance Demonstration (RAD), the New York City Housing Authority is redefining the definition of a substantial deviation from the PHA Plan to exclude the following RAD-specific items:
 - a. The decision to convert to either Project Based Rental Assistance or Project Based Voucher Assistance;
 - b. Changes to the Capital Fund Budget produced as a result of each approved RAD Conversion, regardless of whether the proposed conversion will include use of additional Capital Funds;
 - c. Changes to the construction and rehabilitation plan for each approved RAD conversion; and
 - d. Changes to the financing structure for each approved RAD conversion.

2) RESIDENT ADVISORY BOARD (RAB) RECOMMENDATIONS

1. Yes No: Did the PHA receive any comments on the Amendment to the PHA Plan from the Resident Advisory Board?

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)

Attached at *Attachment G*

Provided below:

3. In what manner did the PHA address those comments? (select all that apply)

Considered comments, but determined that no changes to the PHA Plan were necessary.

The PHA changed portions of the PHA Plan in response to comments

List changes below:

Other: (list below)

3) STATEMENT OF CONSISTENCY WITH THE CONSOLIDATED PLAN

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

1. Consolidated Plan jurisdiction: (provide name here) *New York City*

2. The PHA has taken the following steps to ensure consistency of this Amendment with the Consolidated Plan for the jurisdiction: (select all that apply)

- The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- The PHA has consulted with the Consolidated Plan agency during the development of this Amendment.
- Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
- Other: (list below)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

The City of New York's Consolidated Plan serves as the City's official application for the four U.S. Department of Housing and Urban Development (HUD) Office of Community Planning and Development entitlement programs. The Consolidated Plan includes an Action Plan, which includes two elements: 1) the description of the use of federal, state, city, private and nonprofit funding for housing, homeless assistance and prevention, supportive housing services, and community development activities; and 2) the Supportive Housing Continuum of Care for Homeless and Other Special Needs Populations which describes the City's coordination of supportive housing services to the homeless and other special needs populations. The Public Housing Agency Plan embodies, in many respects, the concepts of HUD's Consolidated Plan. The Plan provides a planning mechanism by which a housing authority can examine its long-term and short-term needs, specifically the needs of the families it serves, and design both long-term strategies and short-term strategies for addressing those needs. Like the Consolidated Plan, the Agency Plan involves consultation with affected groups in the Plan's development.

Attachment E
Resident Advisory Board Members
RAB DELEGATES/ALTERNATES 2015

	NAME	Development	District	Delegate/ Alternate
1	Lozano, Lilithe	Parkside	Bronx North	Delegate/CCOP
2	Butler, Harvey	Sack Wern	Bronx North	Delegate
3	Hawkins, Iona	Parkside	Bronx North	Delegate
4	Ramsey, Keith	Eastchester	Bronx North	Delegate
5	Gross, Sandra	Baychester	Bronx North	Delegate
6	McElveen, Mildred	Randall Balcom	Bronx North	Delegate
7	Hall, Robert	Gun Hill Road	Bronx North	Delegate
8	McNeill, Walter	Edenwald	Bronx North	Delegate
9	Johnson, John	Mott Haven	Bronx South	Delegate/CCOP
10	Cruz-Acevedo, Celia	Site 402	Bronx South	Delegate
11	Forbes, Maria	Clay Avenue	Bronx South	Alternate
12	Jamerson, Princella	Millbrook	Bronx South	Delegate
13	Peterson, Miguel	Teller Avenue	Bronx South	Delegate
14	Primus, Gwendolyn	Webster/Morrisania	Bronx South	Alternate
15	Smitherman, Joann	Highbridge	Bronx South	Alternate
16	Pouge, Trudy	Franklin Avenue	Bronx South	Alternate
17	Holmes, Barbara	Morris	Bronx South	Alternate
18	Sierra, Sylvia	Adams	Bronx South	Alternate
19	Smith, Pamela	Mitchell	Bronx South	Alternate
20	Torres, Luis	Moore	Bronx South	Delegate
21	Serrano, Ray	Stebbins Hewitt	Bronx South	Delegate
22	Walker, Daniel Barber	Jackson	Bronx South	Delegate
23	Bowman, Reginald	Seth Low	Brooklyn East	Delegate/CCOP
24	Johnson, Naomi	Howard	Brooklyn East	Delegate
25	Clifton, Rose	Howard Avenue Rehab	Brooklyn East	Delegate
26	Green, Desiree	Crown Heights Rehab	Brooklyn East	Delegate
27	Munroe, Carlton	Section 8	Brooklyn East	Delegate
28	Prince, John	Rutland Towers	Brooklyn East	Delegate
29	Walton, Carolyn	Glenwood	Brooklyn South	Delegate/CCOP
30	Feliciano, Wanda	Unity Tower	Brooklyn South	Delegate
31	Reed, Deborah Franklin	Coney Island (Houses)	Brooklyn South	Delegate
32	Aikens, Shirley	Carey Gardens	Brooklyn South	Delegate
33	Boyce, Sheryl	Bayview	Brooklyn South	Delegate
34	Ballard, Raymond	Sumner	Brooklyn West	Delegate/CCOP
35	Keith, Leora	Tompkins	Brooklyn West	Delegate

36	Harrell, Cassandra	Bed Stuyvesant Rehab	Brooklyn West	Delegate
37	Shipman, Lohoma	Bushwick	Brooklyn West	Delegate
38	Stanback, Tyree	Lafayette Gardens	Brooklyn West	Delegate
39	Colon, Naomi	Marcy	Brooklyn West	Delegate
40	Velez, Ethel	Johnson	Manhattan North	Delegate/CCOP
41	Rolle, Bettye	Audubon	Manhattan North	Delegate
42	Green, Nathaniel	Dyckman	Manhattan North	Delegate
43	Herman, Patricia	Lincoln	Manhattan North	Delegate
44	Coaxum, Henry	Thurgood Marshall	Manhattan North	Delegate
45	McNear, Bernadette	Rangel	Manhattan North	Delegate
46	Javier, Abigail	Jefferson	Manhattan North	Delegate
47	Morris, Ann	Manhattanville	Manhattan North	Alternate
48	Johnson, Stanley	Metro North Plaza	Manhattan North	Alternate
49	Davis, Annie	Taft	Manhattan North	Alternate
50	Williams, Barbara	Polo Grounds	Manhattan North	Alternate
51	Fuller, Charlene	Taft Rehabs	Manhattan North	Alternate
52	Barber, Barbara G.	Drew Hamilton	Manhattan North	Alternate
53	Alejandro, Laura	East River	Manhattan North	Alternate
54	Bergin, Rose	Isaacs	Manhattan South	Delegate/CCOP
55	Brown, Lorraine	Section 8	Manhattan South	Delegate
56	Morris, Ann Cotton	Woodside	Queens	Delegate/CCOP
57	Anglero, Karen	Latimer Gardens	Queens	Delegate
58	Larkins, Maggie	Redfern	Queens	Alternate
59	Coger, Claudia	Astoria	Queens	Delegate
60	Jones, Geraldine	Bayside	Queens	Delegate
61	Wilkins, Carol	Ravenswood	Queens	Alternate
62	Parker, Geraldine	Stapleton	Staten Island	Delegate/CCOP
63	Charles, Brenda	Mariner's Harbor	Staten Island	Delegate
64	Cunningham, Sylvia	Todt Hill	Staten Island	Delegate
65	Everette, Beatrice	West Brighton	Staten Island	Delegate
66	Grossman, Florence	New Lane	Staten Island	Delegate

Attachment F

Agendas of Meetings Held with NYCHA's Resident Advisory Board (RAB)

May 21, 2015 Agenda

- Roll Call / Introductions
- Review Agenda
- **Annual Plan Topics:**
 - Operations and Management – OPMOM Update
 - Disposition, Demolition, Homeownership and Mixed Finance Activities – Department for Development
- Comments and Questions



Attachment F

Agendas of Meetings Held with NYCHA's Resident Advisory Board (RAB)

September 17, 2015 Agenda

- Roll Call / Introductions
- Review Agenda
- **Annual Plan Topics:**
 - Rent Determination – Flat Rent Schedule
- Final Comments and Questions to the FY 2016 Annual PHA Plan and the Significant Amendment to the FY 2015 PHA Plan for the RAD at Ocean Bay Bayside



Attachment G

Comments from the Resident Advisory Board (RAB) Members

- The RAB needs clarification on the Rental Assistance Demonstration (“RAD”) program and if the program is encouraging the privatization of buildings (leading to their eventual sale), rather than focusing on preserving buildings.

NYCHA’s Response: The RAD is a program administered by HUD that allows public housing authorities (“PHA’s”) to protect long-term affordability of public housing units that are in need of rehabilitation and financial support. The RAD program allows PHAs to leverage additional funding, in the form of debt and equity, to make vital improvements to units that would otherwise continue to fall into disrepair. RAD shifts the federal funding source used to support the operations and maintenance of apartments in a development from federal public housing funding to a special Housing Choice Voucher program funding. The Housing Choice Voucher program allows PHAs to leverage much-needed additional funds for upgrades, while the public housing program does not.

NYCHA will retain an ownership stake in RAD properties, as HUD requires. There are many ways for NYCHA to continue to hold an ownership interest in RAD properties, such as through participation in the legal entity that owns the properties, a long-term ground lease, or indirect or direct legal authority via contract, partnership or control agreement.

The Housing Assistance Payment Contract, which sets funding for the property and mandates that it serve low-income households, is typically set for a term of 15 or 20 years and will be administered by NYCHA’s Leased Housing Department. Under RAD, HUD requires the developer to renew the contract for an additional 15 or 20 years once it expires.

- The RAB is not sure if NYCHA is implementing the RAD process as regulated by HUD. NYCHA should have notified the residents at the RAD proposed development, conduct meetings at the development, conduct public hearings and submit the application to HUD for approval.

NYCHA’s Response: NYCHA has followed the HUD process with respect to the RAD conversion at Ocean Bay Apartments (Bayside). In 2013, NYCHA started the process by meeting with residents and community members to discuss ways to renovate, repair, and improve the quality of life at Ocean Bay Apartments (Bayside) through the RAD program. NYCHA applied for RAD and due to extraordinarily high demand in the program, NYCHA’s application to HUD was waitlisted during Round 1 of RAD applications in 2014. HUD accepted NYCHA’s RAD application for Ocean Bay Apartments (Bayside) in March 2015.

NYCHA presented the RAD proposal at Ocean Bay Apartments (Bayside) to the RAB at the RAB meeting held on May 21, 2015. NYCHA held two public meetings with residents and a Town Hall meeting in June 2015 at Ocean Bay.

NYCHA also released a Significant Amendment to the FY 2015 Annual PHA Plan on the RAD proposal for public review on June 26, 2015. Copies of this Amendment were delivered to the Resident Association presidents including members of the RAB and copies were available for download on NYCHA’s website. NYCHA conducted five town hall meetings on the RAD Amendment and the FY 2016 Draft Annual Plan in each borough in July and also held a public hearing on

August 11, 2015 on the Amendment and Draft Plan. Copies of the RAD Amendment were available for the public and residents at each of these meetings as were copies of the presentation materials. In August 2015, NYCHA held an additional public meeting at Ocean Bay Apartments (Bayside) with residents. NYCHA plans to hold monthly meetings at Ocean Bay Apartments (Bayside) on the general RAD program and on specific topics of concern to residents. NYCHA has continued and will continue to engage residents and key stakeholders as the RAD process goes forward.

- The RAB requested that the RAD materials explain the process in simple language and include information on how residents can participate.

NYCHA's Response: NYCHA agrees with this recommendation. Information on the RAD initiative is available for review on NYCHA's website and it includes a RAD presentation as well as a RAD Frequently Asked Questions (FAQ) document.

<http://www1.nyc.gov/site/nycha/about/nycha-rad.page>

<http://www1.nyc.gov/assets/nycha/downloads/pdf/rad-presentation.pdf>

<http://www1.nyc.gov/assets/nycha/downloads/pdf/nextgen-rad-faq.pdf>

- The RAB requested more training on RAD and that they needed to form a subcommittee on RAD to learn more about the process so they can explain it to residents at their own developments. The RAB requested the Department for Development conduct a training session on RAD for the RAB.

NYCHA's Response: NYCHA agrees with this recommendation and will provide a training session on RAD for the RAB and the RAD subcommittee.

- The RAB noted that residents in RAD developments need to create a strong MOU or contract to make sure they get all of their rights because there are no TPA funds available under the RAD program. The RAB requested an explanation of the tenant protections under the RAD program.

NYCHA's Response: Residents of Ocean Bay Apartments (Bayside) will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding. The owner must provide \$25 per occupied unit annually for resident participation, of which at least \$15 per occupied unit shall be provided to a legitimate tenant organization at the covered property. These funds must be used for resident education, organizing around tenancy issues and training activities. The tenant rights for residents in RAD developments can be found in Amendment to the Annual PHA Plan for FY 2015, which is available here: <http://www1.nyc.gov/assets/nycha/downloads/pdf/Amendment-FY-2015-Draft-Annual-Plan-en.pdf>.

Attachment H

Comments from the Public

- 1. Lenox Road Houses and RAD** - Residents of Lenox Road Houses would like to know if their development is likely to be converted into a RAD development.

NYCHA's Response: In order to participate in RAD, NYCHA must apply to HUD with evidence of resident engagement and a clear need for rehabilitation of the property. Currently, NYCHA has only applied to HUD to implement RAD at one development, Ocean Bay Apartments (Bayside). NYCHA is still analyzing the rest of the portfolio to determine future RAD sites. Once NYCHA selects prospective RAD sites, it will engage residents well in advance of submitting a RAD application to HUD.

- 2. Resident Engagement and RAD** - Residents living in developments that may be converted to RAD developments should be given the opportunity to provide feedback prior to any decisions being made.

NYCHA's Response: NYCHA agrees, and has followed this process with respect to RAD conversion at Ocean Bay Apartments (Bayside). In 2013, NYCHA started the process of meeting with residents and community members to discuss ways to renovate, repair, and improve the quality of life at Ocean Bay Apartments (Bayside) through the RAD program. NYCHA applied for RAD and due to extraordinarily high demand in the program, NYCHA's application to HUD was waitlisted during Round 1 of RAD applications in 2014. HUD accepted NYCHA's RAD application for Ocean Bay Apartments (Bayside) in March 2015.

Since March, NYCHA has continued and will continue to engage residents and key stakeholders as the RAD process goes forward. NYCHA held two public meetings with residents and a Town Hall meeting in June 2015, and held another public meeting in August 2015. NYCHA plans to hold monthly meetings at Ocean Bay Apartments (Bayside) on the general RAD program and on specific topics of concern to residents.

- 3. RAD Developments and Foreclosure** - NYCHA should explain what will occur if a RAD development defaults or goes into foreclosure.

NYCHA's Response: NYCHA would terminate the lease and seek a new developer to manage the building. Under the provisions of a ground lease, NYCHA would have the right to step in if conditions at the new housing deteriorate. Additionally, the RAD Use Agreement is recorded in a superior position to any new or existing financing or encumbrances on the property to ensure the development continues to serve low-income households.

- 4. Ocean Bay Relocation** - NYCHA should provide further detail about the relocation of residents at Ocean Bay Apartments (Bayside) in the RAD program.

NYCHA's Response: NYCHA is developing an RFP for this development which will request that developers do tenant-in-place rehabilitation so that residents do not have to move out during the renovations. If plumbing work or other extensive work is required where residents need to be moved, residents will be informed well in advance, and any move will be temporary. NYCHA is going to

work closely with the residents of this community once it determines exactly what the rehabilitation will be.

- 5. Future RAD Developments** - Residents would like to know if NYCHA will implement other RAD developments after Ocean Bay Apartments (Bayside).

NYCHA's Response: Currently, NYCHA has HUD permission to implement RAD only at Ocean Bay Apartments (Bayside). The Ocean Bay Apartments (Bayside) development will help NYCHA learn how successfully this program can work for possible future RAD conversions. RAD conversions also depend on HUD's capacity to implement the program going forward.

- 6. RAD Developments in Manhattan** - Residents would like to know if there are any plans to do any RAD developments in Manhattan. In addition, a description of how tenant rights are protected in RAD developments needs to be provided.

NYCHA's Response: RAD cannot be implemented without HUD permission, and HUD has approved a limited number of units for RAD conversion. Ocean Bay Apartments (Bayside) is the only NYCHA development for which NYCHA has HUD permission to implement RAD. The RAD conversion at Ocean Bay Apartments (Bayside) will help NYCHA to determine whether RAD can work at other NYCHA developments. Information on residents' rights under RAD can be found on pages 15 to 21 of this Amendment.