

Comments and Responses to the BHA FY 2019 Annual Plan.

The following document contains the comments and responses received on the BHA's FY 2019 Annual Plan. BHA staff met with the Resident Advisory Board from September through December discussing the Plan process and documents and sent copies of the Plan to the RAB and Local Tenant Organizations. The Plan was put out for public comment on November 1, 2018 and the comment period closed on December 15, 2018 with a public hearing held December 10, 2018 at 125 Amory Street in Roxbury at 11 am and another at Boston City Hall at 6 pm.

The BHA took several steps to notify the public of the FY 2019 Annual Plan and the opportunity to comment. The BHA placed an advertisement in the Boston Globe, included a notice with the rent statement of public housing residents, sent a mailing to Section 8 participants in Boston and nearby towns and mailed out flyers to public housing resident organizations notifying them of the Public Hearing and the proposed Plan Amendment. The BHA also sent letters to many local officials and advocacy groups. The Plan was made available for review at Boston Public Library Copley Square branch, BHA's headquarters at 52 Chauncy St., and on its website www.bostonhousing.org.

Assessment of Fair Housing

Comment: PR: While the 5-Year Plan did not discuss the process of Fair Housing analysis, BHA and the City of Boston devoted significant resources to this during 2017, and had anticipated finalizing a plan when HUD delayed implementation of its regulation late last year. BHA and the RAB revised their Memorandum of Agreement (MOA) to include RAB involvement in this process. The BHA Administrator had said, early in 2018, that even though HUD's process was shelved for the time being, the City and BHA intended to complete a Fair Housing analysis early this year and share it with the RAB and the public—but there has been no further word on this. In particular, there are significant challenges to ensuring equal housing opportunities throughout the greater Boston area in housing development and siting. While BHA has provided some detail on fair housing initiatives like ECHO (intended to help families access opportunity areas with Section 8 vouchers), there should be a time frame for completion of the report/plan and recommendations included in the Progress Report.

Response: The Boston Housing Authority is committed to completing the Assessment of Fair Housing (AFH). The BHA

and the City of Boston will share a draft of the AFH with residents and partners seeking their input. BHA staff hope to share this draft in Spring 2019. The Boston Housing Authority has also been working on developing its Expanding Choice in Housing Opportunities (ECHO) program over the last year. We are currently finalizing a number of aspects of the program, including implementing small area fair market rents, hiring mobility counselors, and designing a digital interface to make it easier for voucher holders to find neighborhoods that provide strong economic opportunities for their children. We plan on rolling out the program over the coming months.”

Budget

Comment: PR: On p. 3, it's stated that BHA is unable to keep its operating reserves at the HUD recommended level. What is the HUD recommended level and what are BHA's current levels?

Response: The BHA fully understands the importance of maintaining a healthy reserve and HUD designation and has done so, despite continual and sometimes deep federal cuts to both operating and capital funds for public housing nationwide. We have implemented many creative and cost saving

programs and initiatives to continually improve and sustain BHA's housing including a number of energy savings programs, issuance of Bonds, redevelopment and rehabilitation efforts, all with a reduced staffing level. At the end of the day, there is no full substitute for adequate funding. HUD recommends that Housing Authorities have 4 months of routine expenses. We have approximately 2 months of routine expenses.

Comment: (also Ops) PR: On the bottom of p. 3, it's stated that BHA's goal is to achieve and maintain high performer status for public and leased housing. In response to GBLS' inquiry, John Kane provided an updated PHAS score of 76 out of 100, published on November 8, 2018, and standard performer status; in 2017, BHA had a PHAS score of 75. It should be noted that BHA can only retain "standard" designation if it has a score of at least 60, and has gotten 60% or more of the points in each of the areas of physical, financial, and management assessment, and at least 50% of the Capital Fund points. See 24 C.F.R. § 902.11(b). Particularly in the area of financial performance, BHA has been skirting close to the margin, as is also shown in its financial audits for the past two years. While some of this may be due to staffing vacancies and leaves that are being addressed, BHA cannot

afford to plummet into "troubled performer" status.

Response: See above response. BHA staff are available to review performance and the PHAS system and scoring with the RAB.

Comment: S: Financial Resources (p. 24)
Some description here would help. I assume line 2a, for almost \$12.9 million under "CGP/DDTF" is what used to be known as Replacement Housing Factor (RHF) funds, i.e., transitional capital funding that comes in for units that are removed from the public housing inventory as part of demolition/disposition. In 2013, as part of revision to the Capital Fund regulation, HUD replaced the term RHF with Demolition/Disposition Transition Funding (DDTF), See B.25, p, 81, below. In Joe Bamberg's presentation to the RAB on November 8, he indicated that one of the reasons for the odd number of RAD units being proposed for Phase III redevelopment at Old Colony was to maximum utilization of RHF funding for Old Colony and HUD rules regarding what RHF funds can be matched with, but that it was BHA's intent that tenants in "affordable units" would be similarly treated regardless of subsidy source with regard to their rights.³ Here or elsewhere in the Plan, it would be helpful to know where these funds

came from and how BHA is planning on spending them. Including use limitations.

Response: The \$12.9 million is comprised of \$10.1 of Federal Capital Fund Program (CFP) funds and \$2.8 million of Replacement Housing Factor (RHF) funds. The majority of the CFP funds are from the Federal fiscal year 2017. The remaining \$2.8 million is RHF funds from FFY14-FFY17 and is budgeted for redevelopment at Old Colony. RHF funds are to be used for redevelopment of public housing sites.

Capital Construction

Comment: In the past, the RAB used to get something that was called the Performance and Evaluation Report about capital funds. So, each year, BHA would give tenants and task forces plans for how it planned to spend modernization money for federal public housing developments for the next five years. They still get that. In addition, BHA would give the RAB reports on – for past years – what was happening to that money. That is, was it being spent? Was it being obligated? Was it being reprogrammed? Sometimes there were needs to reprogram funds because maybe another development had a more pressing emergency need; maybe the costs were a little different and so forth. In order for people to

have a full picture at their site when they would talk with their manager, they would want to have both that plan going into the future, and the plan for the past, so they could remind themselves, “Okay, did our roofs get done? Didn’t we agree on that?” Or, “Isn’t there bathroom work that’s outstanding,” or things like that.

A few years ago, HUD said that BHA no longer needed to provide those performance reports as part of the annual plan. That’s fine because the RAB is flooded with enough paper from the BHA as it is; there’s a lot of pieces of paper that they have to read really quickly. But, the problem is that people aren’t getting those reports at all. So, the performance reports – there wasn’t a time each year where people could expect to see what’s happened with our money for each year. Particularly that’s important when RAB members are meeting with their task forces and having to report back on what’s going on at a site.

So, the second recommendation was that there’d be a set time each year that BHA would get that Performance and Evaluation Report. Ideally, what would be great would be to have one chart that puts together the past money and the future money, so that task forces and resident representatives could have all that information together.

Response: Regarding the P&Es: BHA doesn’t do a five-year P&E report. BHA does a P&E each CFP year. In fact, we are about to have finished CFP 14 – I think November 30 is our deadline to complete that P&E (for CFP 2014). BHA can review with the RAB how we can set up some form of report of that P&E for each year closed, sometime maybe in the Spring (February to May), before BHA begins the planning for CFP 20 through 24. That you can see. This, BHA believes, would provide a record of where we are, every year, with our obligation, because we have two years to obligate for the CFP year, and two years to spend that obligation. So, BHA has to commit all the money within two years of the CFP. BHA staff will do our absolute best to see if we could set up some structure with the RAB, to meet with them sometime in the Spring, before we start the planning for the next five-year plan, that they (the RAB) can see what was done four years ago – spent – and, maybe, two years ago, obligated.

Center for Community Engagement

Comment: PR: On pp. 5-7, the summary of the accomplishments of the Center

for Community Engagement and Civil Rights (CCECR) notes some new accomplishments (a city-wide summit in the fall of 2017, and working with City Hall on implementation of the City’s Communications Access Ordinance). However, two of the key staff members for the Center left the BHA during the past year, and for much of the year, their work has had to be handled by others who are already fully involved doing other important work. The Progress Report should discuss this challenge and what the BHA is doing NOW to get the Center back in operation so that its past gains/successes are not lost.

BHA has committed resources to helping resident leaders get training on resident participation with the Mel King Institute, with sessions underway this fall.

As mentioned last year, it would help to identify, both here and under Education & Jobs, how both the public housing community and Section 8 residents are served—and particularly what programs will be available for residents as they transition in Mixed Finance, RAD, and redeveloped sites.

Response: The BHA has hired 2 new full-time Resident Capacity Coordinators and 2 full time Resident Corps Members who are working with the BHA’s Family and Elderly/Disabled

local tenant task forces (LTOs), Resident Empowerment Coalition, and Section 8 Tenants Inc. (S8TI). These staff in collaboration with other BHA staff and external partners are working to identify needs for LTO elections, provide technical assistance, and training opportunities such as the Mel King Institute among others.

With respect to identifying those program services and resources that may be available to residents as they transition to Mixed Finance, RAD and redeveloped sites, it may depend on the specific program and location or type of redevelopment that residents are associated with. That said many of the partners with whom BHA collaborates with such as the Boston Tax Help Coalition's free tax preparation and financial advising, the Boston Home Center, ABCD, Community Health Centers, Charlestown Adult Education Center, SummerWork Youth Programs, and This Way Ahead youth training program, are all able to serve our residents regardless of the particular housing type they are currently in.

Communications

Comment: PR: On p. 10, there is a discussion about cost-effective training options to

improve responsiveness and customer/constituent satisfaction. RAB members and resident leaders have expressed interest in involvement with this process.

Response: BHA Senior level staff are working on implementing a customer service training, that will include several components related to communications and cultural awareness. RAB is welcome to submit suggestions regarding content ideas or specific scenarios that they believe would be helpful for staff related to interactive training discussions based on their own experiences or feedback from applicants, residents and voucher holders.

Community Services

Comment: S: Homeownership (pp. 38-41) This has been unchanged for a while (description of BHA's Section 8 homeownership option). One thought would be to expand eligibility to include FSS public housing participants; as with Section 8 FSS participants, they are the likeliest candidates to have built up escrow savings that could be applied to help purchase a home.

Response: No, Public Housing FSS participants are not able to join the Section 8

homeownership program. However, BHA Public Housing FSS participants are able to pursue homeownership options and we are working with a number of partners including the Boston Home Center, NACA, and the Roxbury Center for Financial Empowerment to assist them in achieving homeownership.

Comment: S: Community Service and Self-Sufficiency (pp. 42-46) Here again, it would be helpful to highlight where there were changes from the past. It appears that the Community Services Policy (p. 46) is unchanged, and the changes are to descriptions of the various programs that BHA has and the number of participants.

Response: Yes, the Community Services Policy is unchanged. Updates have been made to Services and Programs table including increases in the number of residents in the FSS and Jobs Plus Program over the prior year.

Comment: S: The Jobs Plus Pilot at Charlestown (p. 44) may come to its end soon (unless it is possible for HUD and DOL to extend it), and it would be helpful to include information about its expected expiration date.

Response: BHA is currently working with HUD to extend the grant for a fifth year, which

would allow the program to operate through September 2020.

Comment: S: On p. 45, BHA notes that there are supposed to be 50 public housing participants in FSS, but the last number provided is from 10/23/17 is 44 (with 4 more in process). This needs to be updated from last year's Plan. BHA says, in response to a question about maintaining minimum program size, and what steps are being taken, that this is not applicable for Section 8, and minimum program requirements are fulfilled. There is no response, as to public housing; even if BHA has met minimum requirements, since it is below the "required number of participants" for public housing, it should provide some response about what it intends to do to achieve 50 public housing participants.

Response: The template has been updated. As of 10/23/18, there are 50 public housing participants.

Grievance Procedures

Comment: (also RED/Legal) S: On pp, 34-35, in addition to the policies listed there, there are two separate policies for Mixed Finance sites regarding Resident Participation and Grievances, and these should

either be listed separate here under Public Housing Maintenance and Management or in a special section for Mixed Finance.

In addition, it should be noted that given that DHCD has revised its tenant participation regulations, BHA will need to revise its Tenant Participation Policy over the next year (and revisions are likely needed to be consistent with Mixed Finance discussions/requirements).

Response: BHA staff are completing the HUD template as provided. BHA staff are aware of DHCD changes to tenant participation and will be working on the Tenant Participation Policy to incorporate those changes.

Comment: S: Grievance Procedure (pp. 36-37) The descriptions here of the differences from federal requirements are helpful. It would be clearer to put the second sentence first (discussing the option of the grievant to have a hearing either before a panel or a hearing officer). The repositioned first sentence should be revised to read: "Decisions of the Grievance Panel or a Hearing Officer (except those relating to an eviction) may be appealed to a designee of the Administrator." In the section about the Mixed Finance grievance procedure,

BHA may want to cross-reference the language later in the Supplement about RAD Grievance Rights.

Response: BHA agrees with the comments regarding the repositioning and restatement of the indicated sentences and will make the suggested change to the Public Housing grievance procedures section.

Comment: S: Grievance Procedure (pp. 36-37) More importantly though, for both the Supplement and the Progress Report is that BHA has not yet implemented the changes to the Grievance Procedure which were initially proposed in the FY 2017 PHA Plan (and then obtained HUD approval in April, 2018). In particular, while BHA has expanded the pool of individuals eligible to serve on the Hearing Panel (and has successfully recruited and trained new members), it has not: (a) eliminated evictions from being subject to a 2nd level of appeal; (b) notified grievants of their rights to elect either a Hearing Panel or a Hearing Officer to hear their cases. Such information ultimately would be included in the forms used for grievances (and in the grievance decision forms), and there would be implementation dates, so that cases in the system prior to a particular date would follow the old rules and those after (with the revised notice) would follow the new rules. BHA indicates

that the hold-up is that DHCD has not yet signed off on these changes—and since BHA utilizes a unified grievance procedure used for both its federal and state public housing portfolio, this is needed. The RAB should ask to be informed of developments here and, assuming DHCD approval is obtained, what the implementation date will be (and the revised forms should be shared with GBLs and interested RAB members).

Response: The comment includes an accurate description of the status of this matter. The BHA will provide information to the RAB and GBLs on the implementation date and any revised forms following DHCD approval.

Human Resources:

Comment: S: Boston Housing Authority Organizational Chart (p. 118) The Organizational Chart is dated 10/5/18. It reflects the retirement of Wilbur Commodore as BHA General Counsel; Caesar Cardozo is Interim General Counsel. I am not sure that the prior chart had the distinction between Gail Livingston's position (as Deputy Administrator) and Kate Bennett's (as Senior Deputy Administrator; the chart includes how vacancies were filled in the Center for

Community Engagement. It may be helpful to describe Greg Davis' role as Special Assistant to Administrator, Community Affairs, as it doesn't seem to connect to other BHA Departments that would presumably be related (like the Center for Community Engagement).

Response: BHA staff do not think a change is warranted to the organizational chart. Thank you for the comment.

Leased Housing

Comment: Good morning again. [Several: Good morning. 10:12] The reason I am here – I received a letter and my apartment [inaudible phrase 10:20] and on Section 8. My [inaudible 10:26] is Dorchester [inaudible 10:35]. I do have problem with the situation [inaudible 10:40]. And, I'm tired of go to the meeting, report this, have never done anything. I have roaches in my apartment, and my stove doesn't work, especially the oven. I usually make – bake my cake. I cannot because the top of the oven doesn't work.

And then, when I call, I spoke to my listing officer and he told me what to do. But I'm afraid of doing something. If I speak many times in the meeting, I speak with my listing officer, and the manager

doesn't do anything – did not do anything, did not replace the stove. Instead of that, they sent somebody from – yeah – to show me how to use the stove. That's not the first stove I am using! It's a cheap one! And now the second stove they give to me, and if I open the door, the door slams by itself. I can't get it fixed.

It has been from Dorchester to come here. I don't have time. I didn't come here to waste my time. And, my comment should – they should do something with it. Said something to a manager and they should do something better, because Section 8, they get lot of money for that. They raise housing all the time, and then they raise my – yet, what I used to pay, they raise it every year! I don't know understand why the manager did not decide to give me the good utility to use. That's my problem. Thank you.

Response: Thank you. We'll make sure that that information gets to the manager at Lower Mills and we'll look into making sure that the maintenance items are taken care of.

Comment: Hello. My name is Steven Tracey. I'm a member of the local BHA Resident Advisory Board. I'd like to start with something the great [Inaudible 0:13:41] said: The only real change is change itself. For that, we have the Yin of preference to low income

[inaudible 0:13:51], homeless, disabled, and/or elderly. Now we have the yang of who's the [over 0:13:55] income family. The need for housing is great in Boston, and the standard of living is also. The rising economic climate has changed emphasis. The climate, like the tidal surge of environmental change, can be dangerous. As an elderly, disabled voucher holder, I can only hope this climate change doesn't endanger my status. I can only hope that well-intentioned work of the local BHA is also not damaged by the climate crisis. May we all be spared the curse of managing [inaudible phrase 0:14:28] overly intelligent robots.

Response: Thank you for your comment.

Comment: Hello. Good morning. I'm a Section 8 – I have a Section 8 voucher and I had a situation a couple of years ago with my house where I was trying to get out of this apartment for about four, three-and-a-half years. I was going down to City Hall. I was complaining. I was doing housing search. What I found out, the steps had changed to move. So, when I was contacting my housing worker, he was giving me false information. So, I had to go out of my [inaudible 0:15:22] community to find out the true fact. So, I asked the supervisor – I was going to supervisors –

and I asked the supervisor to change my housing rep because he was blocking me from moving. And, then I had to go to his supervisor. They was telling me that I couldn't change supervisors because of the landlord in the area.

So, my problem is, I end up moving out of the apartment with a lot of – just – I had to do a lot of footwork. I had to go to City Hall. I had to go...I had to do a lot. That being said, I just really want to know, do you all have a book on the policies? Because I had to do a lot of running around. I wasn't familiar with emails. So, I kind of trusted this housing worker. He wasn't reporting my wages. I end up having to pay back rent, which was not true. So, I just went through a lot of problems. You know? By the grace of God, I ended up coming out of it but like I said, you're putting your trust into these housing workers and not knowing information. Is there a booklet? I know they recite you to the website, but I'm here at the meeting because I need more information. It took a lot to get out this apartment.

Response: The Leased Housing Administrative Plan for the Housing Choice Voucher Program is posted online. That is your best source of information about how the program works and what our policies are. Leasing Officers and supervisors are also an excellent source of information

when you do run into difficulties. I'm sorry you had a frustrating experience.

Comment: [Inaudible 0:25:45] Dorchester. My landlord is nice, but sometimes... sometimes bother me. He say I need to move because the Boston Housing, the Section 8 pay less money now; the house is very expensive. Not only this, but...sometime asking maybe – because I have some issue and some pays, I don't know why, they don't call people. So, people make application but they don't – I have not [inaudible 0:26:28] everything but never they call me for move for another place. So, my problem only is this, because about rent, I pay my rent on time. I don't want but... My [lend 0:26:44] money to social [inaudible 0:26:46], I pay my bills every month. Thank you.

Response: Thank you for your comment.

Comment: Yes. My name is Ray – Ray Dukes is my name. I'm speaking on behalf of my cousin, Ron Hickson. He have a voucher. He's not able to be here because he's being treated at this time. What he been doing at the place where he live at is in Roxbury on Walnut Street, 241, 1E. That place is a way – he have a drug problem and an alcohol problem. Every time he walk by the door, he meet some of the

friends that he used to be – he wanted to get out of that apartment and he wants to see if he can find apartments someplace else so he can be able to not meet these peoples every day. Is there any way that he can – you know – find an apartment, or y'all could find him an apartment somewhere otherwise that place where he at?

Response: Why don't you and I take a minute to talk after the meeting? I'll get the particulars. I wouldn't be able to answer your question without additional information.

Comment: God bless everybody. My question is, like, in another city, they have, like, people who have voucher; they allow them to buy houses. You know, sometime, like, the voucher approve people for like \$2,000, \$2,000-something, and it is a question. Do you know what I mean? It's like, in Santa Docita, they have that program that people can buy a house with voucher. But, can Boston do that, too?

Response: The short answer is, yes. The Leased Housing Department has a homeownership program. As one of our homeownership participation requirements, we ask that you first participate in our family self-sufficiency program. If you have a tenant-based voucher right now, or a project-based voucher, you can

apply to be a family self-sufficiency participant. Again, we can speak a little bit after the meeting about exactly what you need to do. But, if you are then a successful graduate of FSS, you would apply then to participate in our homeownership program and yes, you would be able to use your voucher assistance to help you with your monthly mortgage payment.

Comment: My question – this is the first time I come to the meetings since I been on the program. My question: I will like to know if any way I can change my lease officer, please?

Response: I'll take your information at the end of the meeting and I'll bring it back to the appropriate supervisor and you can have a conversation with them about it.

Comment: [Speaking Spanish 0:48:47.]

Interpreter: Okay. She says that she had inspection in March in the apartment. Now she received another notice for another inspection in December. So, she wants to make sure if there has been any changes made because two inspections in one year is kind of [inaudible, out of microphone range 0:49:12]. She has a Section 8 voucher.

Response: For the voucher program, we're required by HUD to do an inspection in no less than 12 months, which means we usually attempt to get into a unit before the 12-month mark. So when we do – we're often out as early as nine months, and that's to ensure that we get all of our inspections done.

Comment: Thank you very much. My name is Domingo Cintron. I am here because I have some concerns about where I live. We have a new manager who has been here for about a year or so, maybe less. Lately, there have been people walking around, eating food, with their hands, out of a bowl, in common areas. We never had that before. I've been there since 2010. We have animals – dogs – they're supposed to be companions, but they're in common areas; that never happened before. They're eating food with their owners and other residents – certain residents. That never happened before. The manager has favorites. We were told that's illegal, by some attorney. Then, the manager sent around utility letters. Our utilities are included, but she told one resident that she and another woman – a higher up – went by the gentleman's door and smelled smoke and he doesn't even smoke. We have an increase in rodents and insects, due to the construction over there, next door. We were

told, in the beginning, they were going to work from 7:00 to 7:00; now they're working until 7:30, 8:00. We've gone and had meetings with them and it's just getting later and later and worse and worse. I don't know; I'm very concerned. I'm a formerly homeless Vietnam-era veteran. I'm very concerned. If I go back out on the streets, I probably won't make it back this time. I'm really seriously starting to worry because this seems to be very illegal activity. Everywhere I've gone – I think one of you said it – they just send me around the mulberry bush. "You've got to talk to him" and "talk to her" and "talk to her." I'm getting nowhere. My alleged representation is out the window; they've gone here and they've gone there. I just wanted to share that with you. I hope you can help me. It's Section 8 and I get an annual recertification from the BHA. The place where I live has disableds, senior citizens... I'm 66 years old – a senior citizen. I have a Section 8 housing voucher. I was in a shelter for homeless veterans for quite some time. Before I was there, I was in the streets. If you want to call it "public housing," I have a Section 8 voucher. I've had it since the '90s. Thank you.

Response: So, sir, with a Section 8, as I'm sure you know, the BHA doesn't own the property but, that being said, we certainly are also concerned with folks' living conditions.

You and I can talk a little bit afterwards. I can take your name and your address. If we think we need to send our inspectors out to take a look at the property, we can do that. There are a few things that we can possibly do to help you with some of your concerns. Why don't you see me after and I'll make sure I get your name and your address. Thank you.

Comment: When we had one of our last meetings, we did not agree on the major topic – would be the future of housing. We were merely asked for ideas. One of the biggest ideas was – and no one should agree with the way housing is going... We agreed that the main topic should be RAD because some fellow tenants do not understand what RAD is, that RAD is public housing converted into mixed-income apartments, some Section 8-like apartments, and some Section 8 apartments that are taking money away from existing Section 8 tenants, causing more competition for existing tenants, landlords, and new homes and existing Section 8 tenants. But there's plenty of no-interest loans for new developers, but now you have to earn \$50,000 to get an affordable apartment. That's not fair. That's not average. The average is \$30,000 and I know a lot of people that are earning under \$30,000. I know I was certainly one of them, and I was also denied fuel

assistance because I earned \$10 too much. So, it seems, either way, you're out of luck. You're dammed if you do, dammed if you don't, dammed if work, dammed if you're not this certain age, dammed if you... The age, the environment, the disability, the non-disability... "Oh, it's not great enough. It's not low enough. It's not high enough." So, that's how I really feel: dammed either way. I love my building but, you know, I'm being thrown out because of landlord loan repayment under 40b – the landlord loan repayment, they've paid off their no-interest loan, so they want us to get the hell out but there's no place to move to, nothing that's even similar to my home, nothing in my area. I don't drive. I don't feel comfortable driving. I make a horrible driver. If you want your rearview mirror smashed, let me know. I'm really good at that when I'm driving.

Historically, our tenants have never paid for water and sewer, and now we're having to pay for this, also, in the new buildings, while the landlord gets the no-interest loan perks and privileges. The Housing Authorities cannot do their job because they think absolutely every tenant can be in private housing. If you say it should be almost everyone, but not absolutely everyone, then someone that you don't want to see is your neighbor. Someone that I don't want to see is my neighbor. If you actually did

this, then the private landlord wouldn't have the excuse to say, "Every Section 8 tenant is a bad tenant." You don't do this in private housing, because then the landlord just pays to be exempt from the mixed-income building in a private market.

I love my neighbors and that's why I want to stay where I'm at. I actually love my landlord and I love my building, because it's comfortable. It's not luxury. It's not new. It's almost 60 years old. But I'm always told that we're bad tenants because you shouldn't accept just everyone. You know, you should especially accept tenants with a good tenant record, tenants with credit, perhaps, like myself. I have lots of references. But none of this seems to matter at all. So, yeah, the landlord would pay money to be exempt from this income requirement. As a result, tenants do not have choice in where to live. They don't have choice because people are put in public housing that don't belong there, and then the landlord says, "Oh, well 100 percent of the people you have to accept, instead of 99.9 percent of people? So, therefore, we're going to give you no choice in where you live because nothing is like your building anymore – no mixed-income, no private building, no normal..." It's quiet. I'm being forced to choose between the zoo in my house – AKA public housing, with screaming and yelling and swearing, like some

of the people have noticed in their developments, and just creating a ruckus – or ruckus outside my building, with maybe construction at, I don't know, 5:00am, six days a week because they do construction whenever they feel like it.

So, as a result, I have nowhere to move because you can't do your job with your own tenants in private housing and put who needs to live there and who is a good tenant. So, there are three different levels of disability, but now I cannot qualify unless I'm 100 percent. One, perhaps, in a wheelchair or someone with a mental illness or a doctor's note for living with the crazies because the private landlords receive more money than my current landlord. That's ridiculous. There's no way that you should receive more money for doing this, rather than to have currently mixed-income buildings like mine – low- to moderate- and market-rate apartments for tenants that have a proven track record.

I love my building, which is quiet, which suits my disability in order to think and sleep, but, of course, quiet is never part of the disability recommendations or requirements because, well, that would be inconvenient. I like people in this one and only building, in the area that is quiet. Many of the people have lived here longer than I have. The building is known as the [Inaudible name 00:32:36], and

it is the only one of its kind and, yes, we all generally get along. The landlord thinks of us as good tenants and, yet, reasonable landlords do not get any increases in our Section 8 certificates. Nowhere to move to, and I do not drive, and it gives me trouble.

Existing tenants are now facing no-fault eviction, which ought to be number-one priority, not other states or other countries that have natural disasters, like Puerto Rico, because this is our state. We've lived here. We are citizens and residents of Massachusetts and Boston and citizen residents should always be number one priority. The homeless are not going through no-fault eviction; they are not number one on the priority list. Drug treatment centers should be [Inaudible phrase 00:33:32] for those getting money that have drug problems, but the treatment centers should not be like resorts, but rather locked down until addiction has passed, and maybe cold turkey like Ray Charles on the move – or in the movie or whatever – but I'm just sick of everybody else getting a number one priority, it seems, to me. Having to wait more than eight years, again, for the second time, for a place that I can live.

At the meeting, we agreed that the second agenda for this seminar would also include a section on tenant etiquette and why this is important. Nobody realizes and

nobody is aware enough to realize why tenant etiquette is important, and it's important because tenants want choice in where they live. I certainly want choice and I'm not getting choice. I'm not getting anything similar in my building or in my neighborhood – nothing. To act appropriately in private housing, not ruin it for the rest of us good tenants...

Section 8, which is part of the RAB, should be called Section 9 because it's not really a true Section 8 – land owned by the state or federal government, to avoid confusion. I'm being forced to have to move in the zoo, either outside my home or inside my home, with noisy neighbors. Most of the expiring-use buildings have been rescued, except for my home, which is one of a kind. We are older people, 40-plus, who don't have the money or energy, or even health or the desire to move, being kicked out of our homes. Our building is almost 60 years old. At least you could give our landlord "fix-it" money so maybe we could postpone a little bit longer, because that seems to be the only option. For up to two years, if a tenant is over income, that they can stay in their home for public housing but, oh, not for Section 8. You're kicked out of your home if you even bother to try, after six months, being over-income, whatever that is, because I think \$50,000 is ridiculous when you can't even manage to take

care of the people you already have and you keep making more Section 8 certificates in competition with the people that already have Section 8 certificates and need a place to live. The fact that you, after six months, try to, you know – if you actually have that ability; for some people, I suppose they do – and then kicked out of your home after six months after being over-income, never to have Section 8 again because you won't get it in your lifetime, that's ridiculous because that's leaving them without a home because they're forcing them to move.

I really want the supports out of my home because then, maybe, crazies will leave my home. Private housing was never supposed to have supports in it. I like being left alone. I'm a private person. I like it quiet and I like my neighbors and I like my building. The no-interest loan for the landlord is now \$50 to administer priority preference points and another \$50 for eco green appliances that are supposedly better for the environment, even though they cost the landlord and the tenant more money to run these utilities.

Well, in summary, these people should stick to their bike paths because, evidently, they're not on our side either. Going to so many types of meetings and movie screenings, sometimes they get some kind of bug on my clothes every once in a

while. Reasonable accommodations with the mini washer and dryer – uses a third of a cup of water to clean one outfit but, no, I have to wait until I have several clothes to run a washing machine load and deal with the inspector coming to my house four times this last year.

The salaries at BHA are not available, including Edna's salary. Organizations that are supposed to be on our side: how can they be on our side when they buy in our area so cheaply and the only thing that matters is profit, profit, and they're paying for water and sewer, which, historically, tenants have never paid? I've already said that. Why is it acceptable that today's non-citizens – 63 percent are on some type of government assistance, while often getting \$2,000 per person, just to get settled? Our forefathers had no help in trying to make it, and this includes my family. I don't really think Housing Authorities are very humane, with existing tenants thrown out on the streets with no-fault eviction, having to live in sub-standard conditions; I'm not the only person I know that's dealing with that right now. And two weeks to find another place after you lose your apartment is ridiculous, when there's an eight-year waiting list. Thank you.

Response: Thank you for your comment.

Comment: Good evening, BHA. My name is Yvonne [Inaudible name 00:45:15]. I'd like to ask a question. Is there going to be any workable programs attached with the Section 8 programs that are applicable for residents?

Response: So, the BHA has a program called the Family Self-Sufficiency Program, in both our Section 8 portfolio and our public housing. So, regardless of whether you've got a Section 8 voucher or you're a public housing resident, you could participate in the Family Self-Sufficiency program. We don't provide trainings ourselves, but we have partners throughout the city that do job readiness kinds of trainings. We partner with agencies that help you with your credit. Some people don't have any credit. Some people need help getting their credit cleaned up. We will help you apply for certificate programs, that sort of thing, to move yourself and your family to a better economic situation. If you're interested in more information please speak with me afterwards or you can speak with your Leasing Officer who also can give you additional information.

Comment: I hope you can understand me. My name is [Inaudible name 00:47:42]. I am a single father. I get my Section 8 in December 2016, the 17th. I was a victim of

discrimination in the shelter. My first year is like I wasted... The lady who was in charge – my case manager – her name is Jaclyn; she worked for [inaudible 00:48:12]. After one year she did with me, the first one she did with me the application for Boston Housing. After one year, I went. Nobody asked me. I went just to check about my case. They told me my name is not there. "Are you sure you're [Inaudible name 00:48:31]?" I told her, "Yes, ma'am." It's more than one year that I am in the shelter. "You are not in our system." I say, "How come? More than one year," and it's more than one year. I did my application with my case manager. She told me; she lied to me. After two years, thank god, I got my Section 8. Like I said, I am a single father. I do everything by myself. I work. I take care of my son. I do everything and I don't have enough money. When I got it, they gave me three months; they asked me to find a house. I tried to. I did everything to find a house. No one... A lot of them not accept the Section 8 and, even when I find somebody to accept it, they told me I have to bring, for him, the paycheck, credit report – thank[fully] I have very nice credit report, very nice credit score. The lady who was in charge at BHA, my case manager, she pushed me. She told me, "Listen, if you didn't find it right away, your apartment, you're going to lost

your Section 8." It was not easy for me. I was scared. I don't want to [go] back to the shelter because it's three years. I get sick. I get diabetic in the shelter. No one in my family has diabetes. But, it was like a jail, and more than jail, for me and for my son. I want to [inaudible 00:50:17] Dorchester, [inaudible phrase 00:50:20], Roxbury, West Cottage Street. After that, that's when I got my Section 8. Then, when I looked for the apartments, it was not easy. When I got it, I finished to paint the apartment by myself. After one week – she called me after one week and I lost my Section 8. I said, "No way." I get apartment. This apartment, just to not lose my Section 8, I got it. I pay more than what's the real cost of this apartment – Section 8. This lady, she did, for some reason – she didn't get her money for the first month and she [inaudible phrase 00:51:15] because she lives upstairs, I live downstairs, and she told me, "Homeless, get out of my house," and she said very bad words. My son, he was scared and crying. I never, ever feel comfortable, my son and me, in this house right now because this same thing. Strongly, they do a lot of things to make me not feel comfortable in this house. Now, I tried to break the lease. I went to BHA to ask them to break the lease. They told me, "No, you can't." They asked her to break the lease. She don't want to break the lease because she

make the money. She knows no one is going to give to her this money she makes. Now, it's left, too much, for me. I started to look for other apartments. Please, I need your help. I am sure it's going to not... I don't want to stay in this apartment. My son, he's waiting at the end of the list to move from this house. I need – really need – your help, to get another apartment, because I'm sure I cannot... I want to move from this house.

Thank you so much. My name is [Inaudible name 00:52:45]. These people, the landlord, the owner of the house, I called the police today and they have my phone. I registered them. When my case – my stabilization case manager, she has the voice, her voice, and the bad word she told to me. It's other years in the shelter, more worse than the shelter in this house for me and for my son.

Thank you so much.

Response: After the first twelve months, you can break your lease with a 30-day written notice to your landlord. We can talk about how that's done properly. You and I can speak about that afterwards. It sounds like you're nearly at that point, if not past that. As far as housing search, unfortunately, that is not something that the Housing Authority provides. We do have an apartment listing and, again, I can talk to you a little bit more about that

afterwards. We post that on our website. City Hall maintains something called "Metro List" similar to our apartment listing and we can give you the information for that. The Section 8 program is designed so that the voucher holder has housing choice and it replicates the private market, as much as possible.

The housing market right now is extremely tight. We are painfully aware of that, as are most of our clients. I'm happy to take your name and number, and have your Leasing Officer contact you.

Comment: Because a lot of people didn't accept Section 8. When you find the opportunity – "Here, you have Section 8?" "No." When you don't speak, very well, English, it's different than what you say. People will do what they want, against the law, even if it's against the law.

Response: Well, that is discriminatory and is against the law. You certainly can seek advice from Greater Boston Legal Services. You can report that to MCAD. There are avenues that you can pursue, as well as looking for housing. But, you're right; people can't say to you, "I won't take Section 8." I'm sure it happens, and that's why we encourage people to report it to the Massachusetts Commission Against Discrimination, because it is illegal and it isn't fair. We

can talk a little bit more offline. I have some information back at the office that may be helpful.

Comment: Hi. Good afternoon. My name is Josephina DePina. I am happy because [inaudible phrase 01:15:36] to everybody because my Section 8 is okay. Thank you for helping me. [Inaudible phrase 01:15:57] thank you for my Section 8. Thank you everybody. [Inaudible phrase 01:16:19] thank you everybody, America. We come here happy, for my apartment, for my husband, together.

Response: Thank you for the comment.

Comment: PR: Page 4 discusses the ebbs and flows of voucher issuance/ utilization. Last year, GBLS had suggested that it would be good for BHA to have periodic reports to help the RAB track what's happening with the program—perhaps quarterly. This hasn't happened. There is no updated data here about voucher screening, issuance, and leasing for 2018, unlike the details about what occurred between April 2015 through October 2016 (other than saying that the BHA is in shortfall again in 2018). It could be very beneficial for BHA to convene a meeting with residents and advocates about shortfall, rising rents, and per unit cost and what this means

for BHA and for the City of Boston.

Response: Leased Housing is always willing to speak to the RAB on a particular topic when invited.

Comment: S: The term "Mitigation voucher applicants" (p. 5—see also p. 22) should be explained. As I understand it, these are the vouchers assigned to non-elderly disabled applicants for elderly/disabled public housing who must wait longer for placement due to the changed designation percentages (from 30% non-elderly disabled to 20% non-elderly disabled). Information should be provided about how many mitigation vouchers have been issued each year, since this is relevant to tracking compliance with the Designated Housing Plan.

Response: Mitigation vouchers are explained in section 3.3.5 of the Housing Choice Voucher Program Administrative Plan which is an attachment to the Annual Plan. Leased Housing is always willing to speak to the RAB on a particular topic when invited.

Comment: S: On pp. 6-10, Strategies: It would be helpful to know what changes BHA has made in this document from the prior year. Is the language on pp. 8-9, "Rapid Rehousing", "Moving On for the City of Boston", and "City of Boston

Coordinated Access System Referral and NED Program in Section 8", new? If so, it would help to have a description of any new initiatives or collaborations. (See also pp. 19-20, describing preferences for Section 8.)

Response: All priority and preference descriptions may be found in Section 3.3.5 of the Housing Choice Voucher Program Administrative Plan which is an attachment to the Annual Plan.

Comment: S: On pp. 19-20, it's not clear if the "other preferences" are listed here in order, or are essentially equally ranked—it would help to clarify this. Some of the categories appear to match the Section 8 Administrative Plan and PHA Plan amendments done earlier in 2017-2018. It's also not clear if what's listed here has been reconciled with what's on pp. 21-22, and if not, there should be some redrafting.

Response: Please see response to above comment.

Comment: S: Rent Determination (pp. 25-29) Under Section B.4.B, Section 8, while HUD does not mandate it, as in the past, it would be helpful to get data on rent burden and success rates for BHA Section 8 participants, and compare it with past data and trends. In addition, to the extent that the new ECHO program

(seeking to access Section 8 units in opportunity areas) may utilize different exception payment standards, this should be discussed.

Response: Leased Housing is always willing to speak to the RAB on a particular topic when invited.

Comment: S: On p. 43, BHA mentions 1536 as the estimated size for the Leading the Way Home Section 8 set-aside. However, in Section 8 Administrative Plan amendments earlier this year, BHA proposed to significantly reduce the Leading the Way Home Section 8 set-aside to reflect current realities; this figure may no longer be accurate, and should be reviewed.' The same may be true for other categories here (for example, SAMSHA (p. 44) no longer exists, but there are other programs which are likely to be similarly targeted).

Response: The Administrative Plan states "no less than 25" for our Leading the Way Home objective, giving the flexibility to exceed that number should funding allow. The plan reflects the current number of Leading the Way Home participants.

Comment: S: Designated Housing for Elderly and Disabled Families (pp. 74-76) Finally, as noted above, it is important to know if BHA is honoring its pledge to alleviate

longer waiting periods for non-elderly disabled applicants through issuance of mitigation vouchers and whether those applicants are being successful in securing appropriate units during the Section 8 search period. All of this data should be collected and available, since it will be part of the assessment at the end of the Designated Housing Plan and any plans for extension or modification.

Response: Leased Housing is always willing to speak to the RAB on a particular topic when invited.

Comment: S: Conversion of Public Housing to Tenant Based Assistance (p.78)
This was a subsection of the original PHA Plan established by the Quality Housing and Work Responsibility Act (QHWRA) in 1998. Under it, PHAs were to convert public housing to Section 8 if it could be shown that it was cheaper to administer the program this way. Ever since BHA started to do this analysis, it has concluded that conversion would be more expensive (since Section 8 subsidies are substantially higher than public housing operating and capital funds). The only change here is that BHA has updated the number of occupied units (to show that it doesn't have 15% or more vacancies so as to trigger a mandatory conversion analysis) and Per Unit Monthly

(PUM) cost to reflect current figures.

Response: No response required.

Comment: S: (Non-Smoking Policies p.110-112) While HUD has not yet discussed no smoking policies for Section 8 PBV housing, and BHA has no formal policy on that, a number of PBV sites associated with BHA have established no smoking policies. This can create issues where a policy is newly adopted and existing residents find it difficult to comply. Ordinarily, a PBV tenant in occupancy for more than a year who is in good standing may apply for issuance of a tenant-based voucher—and a PBV tenant who is a smoker might find a landlord in the private market who has not established smoking restrictions (for example, an owner-occupied property where the owner smokes). However, a PBV tenant who violates no smoking rules may be found in bad standing, and then not be able to access a tenant-based voucher to relocate to what may be more appropriate housing. BHA should recognize that it is often in its interest, and the interest of the resident, other residents, and the property owner, to permit relocation with a tenant-based voucher so long as the tenant will remain compliant in the interim. This

may be important for RAB/PBV conversions.

Response: Thank you for your comment.

Comment: S: Project Based Vouchers (pp. 112-115)
Most of this text remains the same as in prior versions of the Supplement, and merely discusses the criteria that BHA uses in deciding to create additional Project-Based Voucher (PBV) units. It does reflect that as of the end of FY 2019 (March 31, 2020), BHA anticipates that it will have 1,740 PBV units, which is less than the statutory cap of 2,907. BHA further notes that in 2018 and 2019, it anticipates to have a number of PBV projects that will be excluded from the 20% cap because they are replacement units for converted public housing units under HOTMA. BHA added language to its Section 8 Administrative Plan and did a mid-year amendment to the FY 2017 PHA Plan to utilize this HOTMA authority. As discussed above, to the extent that any public housing redevelopment is done off-site (as is under discussion for Charlestown), this may affect the HOTMA exemption. BHA should furnish the RAB with a report, at the end of FY 2018, as to all additional PBV units created in FY 2018. In particular, units that are not merely public housing replacement units should

provide details on location, size, features, etc.

Response: Leased Housing is always willing to speak to the RAB on a particular topic when invited.

Comment: (LH Admin Plan) Proposed Revisions to the Section 8 Administrative Plan (It should be noted that BHA already made a number of changes to its Section 8 Admin Plan as part of Amendment #1 to the FY 2018 PHA Plan.) In Chapter 11.8, BHA is proposing two changes to its Residual Tenancy Policy:

(a) It used to be that remaining members of a tenant household could not seek residual tenancy status unless the head of household died or became incapacitated. BHA will now authorize them to seek it as well if the head of household departs for other non-BHA housing and the remaining household members listed at the last annual recertification have been there for more than 12 months. See change to 11.8.1(a) (p. 129).

(b) It used to be that in all cases, remaining household members were ineligible for residual tenancy if the departing tenant had an outstanding balance owed to the BHA or there was a pending subsidy termination. The BHA debt will no longer be a basis for disqualification where the

former tenant has passed away. See change to 11.8.3 (p. 129)

As with the similar changes proposed by BHA for the public housing residual tenancy policy, GBLS strongly supports these changes. However, it should be noted that there is one other change in the ACOP on Residual Tenancy that aren't covered here, and should be,, i.e., if there has been a proposed addition to the household whose income has been counted in determining rent, but the proposed addition process wasn't completed (for example, the original head of household passed away before the process was completed), the person should be considered for eligibility for residual tenancy.

Response: Thank you for the comment.

Legal

Comment: (also Occ., Lsd. Hsg., Ops, S: Safety and Crime Prevention (pp. 47-57) It would be helpful to review the standard notification forms used by BHA to inform applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA (see p. 56, Section XII of VAWA Policy). A number of the private managers of BHA sites use slightly

different forms; BHA had requested managers share what their standard VAWA (and Limited English Proficiency (LEP) and Reasonable Accommodation (RA) Policy) forms and notices are to insure consistency and compliance. (This information has not been shared with GBLS if it has been provided, and it would be helpful for us to have it as part of advising Mixed Finance resident leaders).

Response: Occupancy/ Operation forms were shared with GBLS staff in 2018 and we will gladly share them with resident leaders. BHA agrees that residents' concerns need to continue to be met and that there are common forums, like the Mixed Finance Partners meetings, to insure that policies are implemented. The BHA commits to ensuring that policies at the mixed-finance sites are compliant with all federal regulations. The BHA, in conjunction with our Mixed Finance Partners, is actively reviewing policies and notifications to insure consistency and compliance with said policies. We will gladly share once review and approval is completed.

Occupancy

Comment: I wanted to thank the BHA staff who worked on the change on the residual tenancy policy, both on the ACOP (Admissions and Continued Occupancy on the Public Housing side), and on the Section 8 administrative plan. The changes that are made are very much appreciated. I think they will help a number of people that have gotten into some difficult situations, not of their own making, that will make sure that people can get housing into the future.

Response: Thank you for the feedback.

Comment: (also MIS) PR: The first 3 pages of the Progress Report are useful background. The RAB and the public should be told if any of this has changed from what was provided in past years, and if so, what. If this format is used in the future, there should be a section added each year which explains changes in any background information from prior years. As noted in GBLs' comments last year, in the background piece on the first page, it may help to have some additional statistics—i.e., how many elderly, how many non-elderly disabled, and how many families with children are served in each of the programs. For the public housing program, it should be noted that the demographics are different than for the public housing eligible population for Boston: thus, as

reflected in the Supplement above, 43% of eligible households are white, 27% are African-American, 18% are Hispanic, and 8% are Asian—but this shows a significantly larger Latino population (42%) and smaller White population (16%). It would also be helpful to have similar demographic information for the Section 8 program and to know how many BHA Section 8 households are located in Boston and how many outside of Boston (and how many in what communities), as well as those demographics—i.e., is the Section 8 program providing an opportunity for families of color to move to largely white suburbs, or are participants concentrated in minority communities outside of Boston? It should be noted that the number of vouchers administered here (over 12,000) doesn't match those in the Template (over 14,000) and those figures should be reconciled.

Response: The Progress Report background is unchanged. BHA staff will take the comment under advisement in terms of data presented when undertaking the next Five-Year Progress Report.

Comment: PR: On p. 9, it is good that BHA updated the Progress Report to include its work with DHCD on the development and implementation of the on-line

housing application process. This will hopefully benefit both the BHA and applicants. Collaboration with both the City of Boston and advocacy partners will also help ensure that those in the greatest need can negotiate what can often be a difficult process, reducing frustrations for all concerned.

Response: Thank you for your feedback. BHA is committed to continue being an active City and state partner in an effort to bring and provide the best services possible to our clients.

Comment: (also MIS) S: On p. 4, as has been noted for a number of years running, the number of Asian families on the Section 8 waiting list is not reflective of the income-eligible population (less than 1% versus 8%), and likely reflects that the current Priority 1 categories used to select for the Section 8 program are not adequately addressing this community's need. BHA and the City had indicated, in the draft Analysis of Fair Housing in late 2017, that revisions to priorities may be needed and that action was planned, but there has been no further information on this.

Response: The BHA continues to work closely with the City and various partners in order to reach and meet the needs of the population in the most need. As you are aware the needs are much greater than the available subsidy. Changes have been

made and BHA will continue to make further changes where possible.

Comment: S: On pp. 5-6, as has been stated in the past, it would be good to have separate breakouts for the waiting lists for family public housing and elderly/disabled public housing, since the priority systems, etc. are likely different and may have different impacts. This could then inform BHA about the likely effect of any revisions to priorities.

Response: The BHA follows the data breakdown template provided by HUD. The BHA has maintained a slightly different priority status within the Elderly/Disabled housing program based on various completed analysis within the public housing program and opened a number of Section 8 Project Based Voucher waiting list to non-priority elderly households based on various completed data analysis given that the elderly is the booming population for the next several years.

Comment: (also Lsd. Hsg.) S: On p. 11 and on p. 18, BHA revised the policy to indicate that it is not accessing FBI records yet since protocols have not been established, but it is requesting records from DCJIS and local law enforcement (for example, where an applicant recently resided in another state).

Response: BHA is following its approved Admissions and Continued Occupancy Policy (ACOP).

Comment: (also RED) S: On p. 12, there is a list of mixed finance developments with separate waiting lists (including Old Colony Phases I-IV), and it's stated that there are no new site-based lists. This list should be checked—I believe as other sites are redeveloped through RAD or Choice Neighborhoods, there would be additional mixed finance sites that should be on this list. While BHA did revise the Supplement regarding other aspects of Mixed Finance, it may be that p. 12 also requires revision.

Response: The following language was included on p. 12 in order to acknowledge future waiting list changes: “any other future public housing property converted with mixed finance - maintain and establish their own waiting lists for public housing units. Waiting lists for all Section 8 project-based voucher and Moderate Rehabilitation units, however, are maintained by BHA. In addition, the BHA will maintain the public housing and Section 8 Project-Based waiting lists for Heritage and Lower Mills as well as for any other BHA public housing property converted to Section 8 Project-Based Voucher.”

Comment: S: On pp. 13-14, for residents and members of the public who might not have followed the evolution of transfers at the BHA, it's important to note the elimination of what were called "emergency" transfers, and the use of three categories— administrative transfers, substantial cause transfers (with a significant amount of over- or under-housing), and transfers of those with a lesser degree of over- or under-housing, and the relative rates and conditions for such transfers.

Response: The current public housing transfer categories are: Administrative Transfers; Special Circumstances formerly known as “Emergency” and Over or Under Housed. Be advised that the “Substantial Cause” transfer category was eliminated several years ago.

Comment: S: Over-Income Policy (p. 109) As noted here, BHA is now required by federal statute and housing, and this is incorporated into the proposed ACOP revisions. See below.

Response: That is correct.

Comment: S: Occupancy by Police Officers (p. 109) BHA is required by federal law to have a policy on this, and as noted here, it is included in the ACOP. However, BHA doesn't have any units officially

occupied by law enforcement officers.

Response: That is correct.

Comment: S: Units with Approved Vacancies for Modernization (p. 115) The text makes clear that the Admissions and Continued Occupancy Policy (ACOP) has language on approved vacancies for modernization, but that BHA doesn't currently have any units officially offline as funded for modernization in HUD's electronic database (PIC).

Response: That is correct.

Comment: ACOP: In Chapter 3, Section 3.1 (p. 21), this would add language that the Preliminary Application is available online through the Common Housing Application for Massachusetts Public Housing (CHAMP). This is a new centralized system made available through DHCD for housing authorities. This is fine.

Response: That is correct.

Comment: (also Grievance Procedures) ACOP: In Chapter 4, Section 4.1.4 (pp. 29, 30, and 31), there would be changed language regarding late appeal requests for public housing applicants. They are to be considered by the Administrator of Grievances and Appeals or his/her designee for a 30 day period beyond the initial appeal

period (presumably an appeal received after then would not be considered). It would help to lay out that if the appeal was based on reasonable accommodation of a disability (for example, the tenant was hospitalized and only recently became able to communicate) and was beyond the 30 day period, it would still be considered, as required by HUD.

New language is added so that if a request for rescheduling was received after the hearing date, it would only be considered if it was received within 30 days of the hearing date, be supported by evidence of compelling circumstances that prevented the applicant from attending the hearing, as well as why the applicant couldn't get in a rescheduling request prior to the hearing. Here again, it would help to lay out that if the reason for the rescheduling was based on reasonable accommodation of a disability, it could still be considered beyond the 30 day period, as required by HUD.

Response: Thank you for your feedback.

Comment: ACOP: In Chapter 4, Section 4.4.3.3. (p. 45), the definition of applicants who are entitled to priority based on homelessness would include those who are using certain Rapid Rehousing Programs. This is consistent with changes that BHA proposed earlier this

year in Amendment 1 to the FY 2018 PHA Plan for the Section 8 programs, complements City policy, and makes sense.

Response: Thank you for your feedback.

Comment: ACOP: In Chapter 8, Section 8.1.1.4, 8.2, 8.4, and 8.5 (pp. 132-134), BHA is proposing certain changes to its Residual Tenancy Policy. Section 8.1.1.4 (p. 132) is revised to say that any listed remaining household members are eligible to be considered in the case of the death or incapacity (institutionalization) of the original household member; if, on the other hand, the request is related to the departure of the original head (such as by a move to non-BHA housing), the remaining person must have been recorded for more than 12 months. The language is also amended so that if the person was in process to be added, but this hadn't been completed, they would be considered eligible as long as their income had been considered in determining household rent in the interim. These appear to be reasonable changes and address some of the more egregious problems identified with the policy in the past.

Response: Thank you for the comment.

Comment: ACOP: Section 8.2 (p. 133) is revised to strike the

word "not", so that, as revised, a residual tenancy applicant could be determined ineligible for having an income exceeding the applicant eligibility limit. This should be reviewed. While income limits for continued occupancy definitely can be applied to remaining household members, ordinarily HUD would consider such households to be "continuously assisted" and not subject to initial occupancy income limits which may be lower.

Response: Thank you for your feedback. Given the high demand for affordable housing and the extremely limited affordable housing resources, in fairness to the thousands of households waiting for a change of obtaining affordable housing, all new tenancies need to meet the new admissions income limits.

Comment: ACOP: Section 8.4 (p. 133) is revised to eliminate the prohibition on residual tenancy where the head of household relocates to non-BHA housing. BHA recognizes that there are legitimate situations where it may be best for the head of household to relocate but remaining members still have a need for public housing. It also eliminates the bar on eligibility where there was a cause/nonpayment eviction against the original leaseholder or an outstanding debt where the leaseholder passed away.

Both of these, again, are reasonable changes intended to address some of the more egregious problems with the policy in the past.

Response: Thank you for your feedback.

Comment: (also Grievance Procedures) ACOP: Section 8.5 (p. 134) would revise/fine-tune language about remaining household members' rights of appeal. If the appeal is about general qualification, it would go through the normal BHA Grievance Procedure. If, on the other hand, the appeal concerned not meeting BHA screening criteria (for example, a remaining household member was found to have unacceptable criminal history), this would go through the applicant tenant selection appeal process. While GBLs appreciates the distinction and agrees with its logic, this may not be a change that BHA can lawfully make. This is because HUD regulations provide that remaining members of a tenant household are considered to be grievants (under 24 C.F.R. Part 966, Subpart B), and therefore disputes that they have go through the grievance procedure. (check DHCD regulations.) We would therefore suggest that this language be left alone.

Response: Thank you for your feedback. BHA has merely added language to reflect the

actual appeal processes which have been in place.

Comment: ACOP: In Chapter 9, Section 9.2 (pp. 139-143), BHA is proposing certain changes in its recertification and Flat rent policies, and adding an over-income policy to be consistent with new HUD regulations. On p. 140, BHA would eliminate one sentence that may have created ambiguity about who carries out quarterly recertifications for "zero income" households; as revised, this makes clear that these households are required to report to management to recertify every 90 days until they have an income. This is fine.

Response: Thank you for the comment.

Comment: ACOP: For federal sites, tenants are generally asked at annual recertification whether they would prefer to have an income-based or "flat rent" (usually the income-based rent is lower, but for households with more income, the flat rent may be less). However, under the new "over-income policy", some households may no longer have a choice—so clarifying language to this effect is added on p. 141. Similarly, while prior law only required those federal public housing tenants on "flat rent" to recertify every three years, this is inconsistent with HUD's new regulations, which require

annual scrutiny of whether a household is over-income—so language about the 3-year provision is stricken on p. 142.

Response: That is correct.

Comment: ACOP: The description of income-based rent is expanded on p. 142 to cover all the options. Rent may in fact be truly income-based (i.e., the higher of 10% of gross annual income or 30% of adjusted annual income, which is the Brooke Amendment formula). Or it may be a Ceiling Rent (which is just another term for flat rent). If one or more household members are non-eligible noncitizens under HUD regulations, the rent is pro-rated (see 24 C.F.R. Part 5, Subpart E). Finally, if the household is covered "over-income", the rent may be set as described in the over-income policy.

Response: That is correct.

Comment: ACOP: The Over-Income Policy is a new section of the ACOP (9.2.1, pp. 142-143), and is required by changes made by Congress in 2016 and put into regulations by HUD in 2018. HUD has not finalized all of the changes, and in particular hasn't yet provided details on what rents can be charged to over-income households. However, the revised HUD regulations require that PHAs change their policies for their federal public housing tenants—and that is the reason

for the ACOP changes. Housing authorities are required to determine whether a household has been over-income for two years (two annual recertifications), and there is a two-year grace period. If the household's income drops below the over-income level during the two year period (24 consecutive months), it is not over-income, and there would need to be a fresh two-year period of being over-income before the family would be subject to the policy. If a family is over-income for one year, BHA must give it written notice of this and a warning about how the over-income policy will affect it if the family remains over-income at the next annual recertification. If a family has been over-income for 24 consecutive months or longer and is subject to the Over-Income Policy, but then has a decline in income so that it is no longer over-income, the BHA should adjust the family's status to the normal income-based rent. The family would only be subject to the over-income policy if it again was over-income for 24 consecutive months or longer.

Response: That is correct.

Comment: ACOP: In Chapter 11 (p.1.80), a definition would, be added for, "Rapid Rehousing Assistance", consistent with the inclusion of those using Rapid Rehousing among those with "homeless" priority (see

Chapter 4, Section 4.4.3.3, above). This is a good change, but it may help to have a chart detailing exactly what may be considered to fit within this definition so as to avoid confusion by advocates and applicants who may be utilizing a number of different relocation and/or stabilization programs. In addition, when BHA did the related Section 8 Administrative Plan change (Amendment #1 to FY 2018 PHA Plan), it made clear that the Rapid Rehousing had an overall cap (30 months) on how long a Rapid Rehousing situation could qualify as homeless—it may make sense to add this to the ACOP Glossary as well for clarification.

Response: Thank you for your feedback. The revision will be made.

Comment: ACOP: Whether other changes needed. Right before BHA issued the FY 2019 PHA Plan and supporting documents for public review and comment, HUD issued a new notice on the Enterprise Income Verification (EIV) system, and referenced a new tool called the Income Validation Tool (IVT) to replace the Income Discrepancy Report. See PIH Notice 2018-18, effective October 26, 2018. HUD's notice said that PHAs should review whether policies or procedures need to be changed to reflect the revisions in this Notice. It may be that

changes are needed to the ACOP to reflect this.

Response: Thank you for your feedback. Changes will be made if and where warranted.

Operations

Comment: My problem is that exactly when I have to always renew my apartment in June, but I have – I get my – when I find a new job, like fulltime, I go to the office and then explain everything. And then after that in July, when the summer camp start, I have a problem with my son. And then, my manager said I can keep the fulltime job. She want me to change my status as a per diem, and then I think August, I go to my office, talk to my manager. But before that, she already gave a lot of job – I don't know exactly. I have problem. But my problem, I am here, is because she keep telling me she send me to the court, but she said it's because when I send the paperwork for paystub, she said she needed a letter from my – my – for my work. And then when I go to my manager and then talk, and then she sent the letter she want them to sign. But she said they can't fix exactly how much that I'm going to get paid because I am a per diem; they can't fix. But, they tell them I'm a per diem and then how much

they pay me. But she said no, she doesn't want this letter. She keeps sending me to [inaudible phrase 0:19:48] but the way I'm working exactly, it's in Mass Ave, but downtown it's back of. And then she keeps sending me.

And then after that, I give – because I can't pay for July. But my friend – I give a check, 06/31, but I know exactly, I should send my check or anything to that one, that one. And then she said, when I have the check, I said, "I need a paper for July." She said, "That's fine. You can give me the check, but it is for July." I give her the check and then after, I [inaudible 0:10:27] a video for – because she doesn't want to change my – my – my [inaudible 0:20:33]. It's 06/31 and then I have school – to pay for my school every day. And, if I have trouble, and then she said, "No, they're not going to change because your manager choose exactly how much to pay you." I said, "No!" I many times send her a paystub for paystub, she see how much. I said last time, my rent was \$938. That is a problem because I am working, but my problem is because I give money order 06/31 and then it was October 1st for August. And then after that, when I sign the paper, they still put my name for August, like I still have to pay August. I said, "I was come in here, I give Marie a check, a money order, 06/31." And then Marie said, "But that's

right. I give it to Amanda. Talk to Amanda about that." When I talked to Amanda, Amanda said, "It because when you give it, it's too late, it's because maybe at the end of this month, you will see it will be good." (I don't know exactly.) And then after that, when I go, it was November. They still said I still pay August. I say no, I can't pay because I know I gave you the paystub. And then she said, "I don't know if it's lost, it's your business. Go to the office where you have your money order and then check." I said, "It's because I can find the receipt! I know I give it to you! But, I have the receipt!"

They changed my money order October 10 and then they still said I didn't pay! And then she said she sent me here for that.

Response: Before you leave, if you give me your apartment number and contact information, we'll look into the account and make sure everything gets – and I'll have somebody take a look at that for you, okay? Absolutely.

Comment: I'm from the Harry [Inaudible, speaking very softly 0:23:10] and I [inaudible phrase 0:23:18]. As an example, why I think I understood what she's saying and I think I have the same issue. My job is seasonal, as needed, at the Boston Convention Center. My BHA worker is very great, also, I can say that. Sometime it

takes – when you're not working – they want you to wait three or four months before they can adjust your rent. So, that causes you to be behind because if you don't work for four weeks and you will be a month or two months behind the rent, and you have been working. But I think they should find a way to fix that situation for seasonal workers that people who get work all the time, and my job is based on seniority and I'm [inaudible phrase 0:24:19] but decided that BHA worker [inaudible phrase 0:24:23] but I do have an issue sometime that I'm behind the rent because I don't have enough job. But they will say I didn't know that – you know – you were supposed to report it as it go up or goes down.

Response: Thank you. We can take a look at your account and make sure that... They should be making the adjustments in a timely way if you are – if you're reporting changes in income quickly, they ought to be able to make the adjustments in a timely way. So, we'll get to that part. We'll take a look at your ledger. Thank you.

Comment: So, say if your child – if your child is in school and they graduate high school and they want to go to school to another state, you know, on campus or whatever, college, do you still keep that same apartment or voucher standing

with that, or do they downgrade you because that child is not still there?

Response: For public housing if your child is in college, he or she remains on your lease until they actually leave the household. In the federal program your children can be considered household members until they are 23 years of age while they are in school.

Comment: Hi. My name is Alexander. I live in Franklin Field elderly / disabled. I'm also a member of the RAB. I just want to make a suggestion. Why is isn't it sometimes that staff of BHA Public Housing come out and see and meet the residents or sending out information on everything that's going on? Instead, they wait until like March of next year before the residents get any idea of what's going on. They should be informed more regular, not just depend on the task force, but the residents themselves. Thank you.

Response: Thank you. BHA supports ongoing robust resident engagement.

Comment: I'm from Charlestown in Public Housing. I want to know, have you all started relocating people in Charlestown?

Response: No, not yet.

Comment: Speaking Spanish. 0:51:16]

Interpreter: Good morning everyone. He lives at 129 Ames, Unit 48. His issue is that he has had surgery twice and he is disabled. [Gentleman speaking Spanish 0:51:46.] And, he can't figure out people who are smoking, and he has had – requested a transfer twice. He doesn't want to be living there. He has been living there for 11 years. He says he's tired of that, and he wants his transfer.

Response: Before you leave, if you give me your apartment number and contact information, we'll look into the transfer. I'll have somebody take a look at that for you.

Comment: Hello everybody, again. Reference to what he say, is so difficult to – as resident [inaudible 0:52:46] or anywhere, to live in someplace. I know housing have a [inaudible phrase 0:52:57] in the way that everybody – poor people live there. But, my suggestion is, or my question is, how we can live in peace when a lot of people live like – you know – a lot of building together and people smoking marijuana. That smell is terrible. It can pass through, you know, the wall. And some people are very noisy people, like they don't respect the neighbor. So, how can you be more strong with those people? Because I think

everybody should respect the neighbor. And I think everybody supposed to live fairly, like, you know what I mean? And it's so difficult that sometime you have to keep calling the office, complain about somebody the other time, and making noise. Sometime you would know people are selling drugs in there. It's difficult for us to be more – and accusing people because that's not our job. We are not police. It's so difficult to have kids. They growing up and see other people do bad things. Do you know what I mean? And then how, as you guys, the leaders, the housing, what you can do to prepare, like he is sick. He says that he's two time had surgery and not everybody smoke. I don't care if you people smoke or drink, but I think people – if you doesn't do, you smoke marijuana, go for a way! Take your car or take something to go to the beach, a place that don't bother other people! Not everybody likes to drink. Not everybody like to smoke. Not everybody like music. Or even if we like music, we want to – like, peaceful music or music that at least doesn't bother or doesn't, like you know, the picture you have on the wall, sometime the picture go down because the music is so loud? So, how, as a leader, that you can help to prevent or take those people away from other people that want to live in peace because everybody pay rent but that

doesn't mean that even if I pay rent, I going to destroy the apartment, or destroy other people peace! That not fair. I feel sorry for him because I'm being true, like a neighbor, fighting with a husband at two o'clock, three o'clock in the morning, go up and down smoking, selling drug. That's not fair! Do you know what I mean? You want to live in peace. And we need to fight for that peace because if you fight for that peace, you're going to have peace. But when the people live in the place that they don't respect nobody, so I think those people need to be punished. I'm sorry to say that. I think everybody should respect other people, you know, living condition.

Yes, I think I have this problem too, where I'm living, but it's because sometimes you can see people in the floor, they come upstairs and then sleeping – sleeping over there, and then they do everything. They pee. They poo in the floor, in the building. And then one day, I went after the office and talked to the manager. She told me when I saw him or her, call the police but I'm scared to do that. I don't want to do that, to call police for people, for nobody. I just say like that, because sometimes they're smoking but I don't – downstairs, they are just open. If it's cold, they stay next to the door, you know? But I don't want to do that. I don't want to

do that. I think maybe two months ago, all the way – nobody said nothing but I said – because it's not only me living over there. But when they come, they're not leaving. I don't think [inaudible 0:57:24] over there, but they're coming, but they have friend. You know? And then they can do everything. I think that's it for him. Thank you.

Response: So, it is appropriate to tell management when there are people in the hallways and there are conditions in the hallways that are unsanitary and that need to be cleaned. We need to let management know. When there are smoking issues, you need to report them to management. But also, in a situation where there are outsiders getting into and staying in the hallways, it is helpful to call 911 because you're not police, but our managers aren't police, either. So, we do need to sometimes bring in law enforcement. So, there are things that the BHA can do with respect to smoking, and cleaning up what these folks leave behind in the hallways, and I know that that's a terrible problem. But, we need to get law enforcement involved as well, as the BHA police force has limitations. So, calling 911 is good. You can let them know and it's anonymous and they won't come knock on your door, that's what they tell me. So, please try and do both

and we will try and do our part as well. Thanks.

Comment: Good evening everybody. My name is [Inaudible name 00:19:44] Asman. I just have a little bit of concern for the Boston Housing. One question is always at the back of my head for Boston Housing. That question is [inaudible phrase 00:20:05] the medical leave, does it get approved? [Inaudible phrase 00:20:13] my employers... The Boston Housing, there's an employee that's working there. He asked me... I have to bring a letter. So, I asked him, "Why? I'm applying for unemployment. I qualify." He said, "Well, you're disqualified for unemployment and I won't continue your processing until you bring me the letter." So, then I went to unemployment and, at unemployment, they said, "You have to [Inaudible phrase 00:20:41]." So, they forced me to apply to get unemployment and to get the documentation. My employers made it a horrible relationship because I left on medical leave and my insurance. So, if that is the policy, please, please, I would like the Housing and the [Inaudible phrase 00:21:04]. We need to discuss that and remove the policy for that, but I would like somebody to sit down and talk it out. Thank you very much.

Response: We'll get your apartment number and your contact information – you put your phone number? – to see what is the income verification that they're asking for, because there is specific income verification that's requested for all housing programs.

Comment: I just would like to say something that we didn't bring up, as far as the RAB and, possibly, you could help me with this, John, because I'm not familiar with what it is, and for those who are interested in the meetings that I was telling you about – the Resident Advisory Board. We have a website. Can you tell us the name of the website?

Response: So, the Boston Housing Authority website is www.bostonhousing.org; that's one word: bostonhousing.org. There's a part of that that deals with the different programs, policies, as well as the Resident Advisory Board. And, if you want information, here's a handout about the Resident Advisory Board, about the meetings, how to contact them.

Comment: PR: GBLS has also been concerned that the Five-Year Plan, and the related Progress Report, is remarkably skimpy in terms of detail about what goals BHA intends to achieve each year, and measurement of those goals. This is in comparison with the Plans that BHA used to provide

during court receivership, and for a period of time after receivership, which answered basic questions like whether emergency and routine work-orders were addressed within reasonable time frames, and reported where particular 25 sites were out of compliance, and did similar site-by-site tracking on occupancy data. This data exists, but BHA is not transparent in disclosing this data. Future plans should, in addition to setting a goal of trying to achieve high-performing status for the Public Housing Assessment System (PHAS), set forth specific numerical goals for each of the areas, and report on that performance (including identifying where there are weaknesses site-by-site and strategies for addressing those weaknesses).

Response: Thanks for your comment. BHA staff are available to review performance and the PHAS system and scoring with the RAB.

Comment: (also Lsd Hsg) PR: Both last year and this year, BHA has had perfect Section 8 Management Assessment Program (SEMAP) scores of 100% and high performer status. BHA staff should be congratulated on maintaining high performer status and getting such great scores. For the federal public housing program, BHA should identify, in the Progress Report, its

response to the latest PHAS score and steps it is taking to achieve high performer status for public housing (and to avoid slipping into "troubled status").

Response: Thanks for your comment. BHA staff are available to review the PHAS system and scoring with the RAB.

Comment: PR: On p.4, there is a discussion of full Occupancy. The data provided, however, is only for a point in time that is more than six months ago (March 31, 2018), and more recent or regularly tracked data should be provided (i.e., in each of the last 12 months, has BHA been at the 97% or above level)? While BHA's continued good achievement in this area should be praised—and is part of its perfect Capital Fund score in PHAS--as stated in the past, BHA should provide details throughout the program, so that if there are portions of its portfolio where these goals are not being achieved, they are identified along with steps to improve performance.

Response: See response to above comments.

Comment: PR: On p. 8, it would be helpful to get copies of the Resident Service Coordinator Contracts and know which agencies have been assigned to which sites, and for what time period. As noted in our comments on last year's

Report, it would help for the RAB and LTOs to know when the community/ neighborhood audits are to be done and what is involved in them, as well as to know when the health and well-being service events are to kick off at which sites.

Response: The community neighborhood audits refers to outreach the resident service coordinators performs when he or she sets up health and well-being service events at the site. These events happen at least once a month and each site has a calendar for when these events occur.

Comment: PR: On p. 9, it's good to hear about this new partnership with Boston Medical Center with the liaison working to connect family developments with access to needed services such as mental health and substance abuse services. Is there any material that can be shared with the RAB on this, or could this possibly be an item on the RAB agenda for a future meeting.

Response: Yes, this could be placed on a RAB agenda at a future meeting.

Comment: S: Rent Determination (pp. 25-29) BHA has not made any changes here. For B.4.A, public housing, it may be good to include a reference to the new over-income policy, as required by HOTMA (and as contained in

the ACOP revisions discussed below), so that those referring to the Supplement are aware that flat rents and income-based rents are affected if a household is determined to exceed income caps.

Response: Thank you for the comment. BHA staff reviewed the section and have decided not to make any changes. The HUD notice indicates the ACOP should be updated and it has been.

Comment: S: Operations and Management (pp. 30-35) It appears the charts on pp. 30-31 (showing the development names and addresses, and whether privately managed or not) are unchanged from prior years, the changed portion is likely the list of units, individuals, etc., covered by HUD grants as of April 1, 2018 (pp. 32-33). It should be noted that there is a difference between the figures found here (8,404 federal public housing units) and those on the Template (10,343 federal public housing units); BHA should explain where the difference of almost 2,000 units comes from. There is also a slight discrepancy in the number of voucher units between the two documents (14,558 on the Template and 14,533 on the Supplement); there is a discrepancy between the turnover in vouchers listed here (720/year) and that on p. 3 (110 annual turnover)—these

differences should also be explained.

Response: Thank you for your comment. The 10,343 number is the number of federal ACC public housing units: 8,404 of these are BHA managed and the difference are HOPE VI or mixed finance units. The turnover vouchers that are referenced on pg. 31 refers to the participant turnover per year. The turnover on pg. 3 refers to the waiting list.

Comment: (also Civil Rights) S: Pets (pp. 60-61) In addition, BHA's pet policy was adopted at a time before there were distinctions between assistance animals (not pets) and support animals (not pets), both of which may be requested as a reasonable accommodation for a disability, and which may require departures from these rules. Much of this is incorporated into BHA's revised Reasonable Accommodation Policy, but there is no cross-reference here. It may be time to take a look generally at the pet policy to be sure it is consistent with current law.

Response: The Plan Supplement has been updated to cross reference the BHA Assistance and Service Animal Policy, which is found in the Appendix of the BHA Reasonable Accommodation Policy.

Comment: S: Designated Housing for Elderly and Disabled Families (pp. 74-76) As noted here, in the summer of 2015, HUD approved a revised Designated Housing Plan for the BHA, permitting it to shift the allocation of elderly to non-elderly disabled units in its federal elderly/disabled public housing from a 70%/30% split to a 80°/ 20% split. BHA exempted wheelchair accessible units from the designation (making them available to all eligible applicants needing such features, regardless of age) and also established an additional set aside of 200 Section 8 vouchers targeted to non-elderly disabled public housing applicants who would have to wait longer for public housing admission due to the changed split. As noted in the text, BHA "turns on" and "turns off" elder preference points for a development depending on how close it is to the split. In reviewing the chart, it would help to know what the distinction is between the 2nd column, "wheelchair", and the last three columns (breaking down how many studio, 1-BR, and 2-BR units are wheelchair accessible). The numbers don't add up, and those in the 2nd column may be significantly lower than those in the last 3 columns. It may be that the first column is meant to reflect how many wheelchair accessible units BHA was required to provide at particular sites under

a Voluntary Compliance Agreement (VCA) with HUD, and the last 3 columns reflect how many units at particular sites could be used by persons in wheelchairs.

Response: Please consult the first asterisk under the relevant table.

Comment: (also Legal) S: Non-Smoking Policies (pp. 110-112) HUD issued a mandatory no-smoking policy for all housing authorities in the fall of 2016, and unveiled it in a press conference at Washington Beech. While BHA has had a no-smoking policy in effect for a number of years prior to the HUD policy, in a few minor respects, the HUD policy varies from that in place at the BHA. In addition, there are some problems with the content here, and a few questions:

- HUD has made explicit that the use of hookahs is prohibited. See 24 C.F.R. § 965.653(c)(2). This might not be clear from the definition of "smoking" in Section B, and should likely be revised.
- The original BHA no-smoking policy, as laid out in a PHA Plan amendment from a number of years ago, not only barred smoking within apartments and buildings, but within a certain distance of any public housing buildings (20 feet). HUD's regulation expanded the perimeter within which smoking is barred (to 25 feet). See 24 C.F.R. §

965.653(a). The draft here, however, makes it appear that the "no smoking area" can be subject to definition by each property manager, and it can vary from site to site (and possibly, within a site, from manager to manager—i.e., one manager may said that x is permissible, and another may not). This is not acceptable. BHA should have uniform policies so that tenants are clear about what's allowed and not allowed, and do not have to consult with individual property managers to get this information (or have the interpretation change depending on the staff member involved). I understand that BHA regarded the policy about distance to be automatically revised when the HUD guidance came out, and it is true that BHA does not have to go through "notice and comment" changes to policies where federal law is clear and prescribes certain minimum terms. The language in C about the no smoking area should be revised to conform to HUD requirements.

Response: BHA staff have reviewed the non-smoking policy and do not see a need to make any changes. The implementation of the policy is consistent with HUD's requirements with regard to hookahs being prohibited and no-smoking within 25 feet of buildings.

Comment: (also Civil Rights) S: Non-Smoking Policies (pp. 110-112) While it is clear that disabled residents affected by the no-smoking policy may request reasonable accommodation, it is not clear what range of accommodations may be permissible and not permissible. One accommodation that was permitted was to allow a resident to transfer to a lower floor so that she could get out of the building, and to an area outside where smoking was permissible, more quickly. It may be helpful to give some examples as guidance to managers and residents.

Response: It is BHA's policy to provide accommodations in accordance within the requirements of disability law. If a resident thinks they need a reasonable accommodation they may contact the BHA's Reasonable Accommodation Coordinator who can answer questions on this topic. You may call (617) 988-4377 (TTY: 800-545-1833 ext. 420) at any time in the request process to talk with the Reasonable Accommodation Coordinator. Additionally, the topic of accommodations related to the no-smoking policy and how they are reviewed within the Authority will be covered in management trainings.

Comment: (also Legal) S: HUD has not yet weighed in on the use of e-cigarettes, and neither

has BHA. (HUD's final regulation makes clear that a PHA may choose to establish a policy on e-cigarette usage, even though HUD has not yet done so.) If BHA were ever to consider this, it would need to go through a full public notice and comment process.

Response: No response required.

Real Estate Development

Comment: Hi. I'm Mac McCreight from Greater Boston Legal Services. Just a few comments, both from – that came through the RAB process, as well as from our office. So, the RAB reading committee met and looked over aspects of the plan, and brought back to the board last week, and the board made some recommendations about the BAK / PAK plan. So, one of them has to do with something called the Capital Fund Financing Program. So, back around 2008, what happened was that BHA had an opportunity to borrow money to do capital work. It was thought better to do that work now, before construction costs continued to escalate, and then we'd use its future capital funds as a loan to pay that off over 20 years. That was fine, and it's a 20-year loan.

BHA, though, is redeveloping a lot of its sites. Because it's redeveloping a lot of its sites, not all those sites are going to have capital funds for the future. They may be converted to the Rental Assistance Demonstration Program, or RAD. They may – like this building, Amory Street – be converted to Section 8. So, BHA will no longer have those capital funds.

The question that the RAB had was: Is there going to be a point at which that becomes a risk, because of the loan that's outstanding, and is there a plan to make sure that that 20-year loan gets repaid someday or another? It may very well be that for each site that goes RAD, its component of the grant gets repaid as part of refinancing through RAD or demolition disposition, but it's just having that longer-term plan would be helpful for the RAB to know about.

I also just wanted to make a pitch. I know that the BHA and the RAB are talking about a conference in March, which will be to educate resident leaders throughout the BHA about redevelopment, and to talk about the changes that are going on. I know Mr. Tracey was talking about that climate change issue. There is a big climate change issue. A lot of sites now are going from public housing to Section 8. There are differences between the programs. There's a lot of

uncertainty, a lot of fear. And so, the purpose of this is to get a lot of that information out, to have resident voices at the table, task forces that are have done that process, can answer some of the questions that have been important. And so, I know that word's going to get out later. People are planning a conference at the Anna May Cole Center on a Saturday in March so that the word can get out to as many places as possible. Thank you for the opportunity to speak with you.

Response: So, the CFFP is a type of bond, a debt, that is secured by the BHA's capital grant. It's our stream of future capital grants. There's another type of bond debt that was referenced, and that's the energy performance contract debt. In that case, that's debt that's on individual properties; it's debt that's paid back, based on the stream of cost savings, from energy efficiency measures. It's important to distinguish the two types of debt, because the CFFP debt really depends on the BHA continuing to receive capital funding. We do look at it very closely, because folks probably realize this, but, every single apartment in the BHA public housing portfolio generates a certain amount of capital grant funding from HUD. HUD publishes a list; you can go and you can look at it every year and you can see that one apartment unit at Charlestown,

for instance, generates \$1,900 per year in capital grant money. We make plans based on the future projections of how much capital grant money there will be. That stream of money is what we use to pay off this CFFP debt. We've gotten more years of debt payments to make – actually, maybe nine, because I think the last year is in 2027. It is absolutely right that what happens when the BHA undertakes a redevelopment is we calculate how much of this debt needs to be paid off now, given that we may be losing future grant money. We include that in the development budgets for our redevelopments. CFFP, just so folks understand, it's not just a function of how many apartment units you have in your public housing portfolio, but it also depends on how much money HUD awards the Housing Authority, per apartment, and that fluctuates. This past year, we actually got more money than we had expected. So, we were in good shape and it meant that we didn't have to pay off as much.

One other thing – I know this is technical and we'll write this up in a formal response, but – HUD also provides some funding to Housing Authorities, specifically when the Housing Authority loses public housing units. That funding runs for five years. It's not too complicated. There are calculations that the Housing Authority makes that go hand-in-hand with our

planning activities. So, it's a great question. It's something that, I think, we do need to be, really, more transparent about or explain to residents. It's one of the things that drives our decision-making around redevelopment. I think that it's exactly the sort of thing that we should be articulating in the next five-year plan, and at that conference that was mentioned for March 2019. I look forward to being there. I think that's an exciting opportunity. Thank you to the RAB for thinking of that.

I just want to add, for people who are here for the first time, that the BHA is not doing conversions just because the BHA wants to do this type of conversions; it's that the funding that is the regular, conventional funding that has been available has changed. HUD has provided new options, and the BHA continues working with their teams – different departments – on how to preserve as many units as possible. When doing redevelopment, we are always thinking of not just preserving the same number but, hopefully, to be able to increase a few more subsidy units, because the need for affordable housing is so great, not just for here in Boston or Massachusetts; it's nationwide. The level of low-income is so high and, for people to be able to afford rent, it's just almost impossible. It's not just the very low-income; it's for the working-

class, really being able to find affordable housing. How do you do more with less and less available funding, to ensure that the properties don't have the work, the maintenance, the capital that needs to be done – construction – to keep up affordable and safe and quality of units? It's, on a regular basis, trying to figure out how do you maintain the number of units that you have, to keep them in good conditions, and HUD has provided – it's either a conversion to RAD or it's a conversion to project-based options. So, I've just been here, listening to the comments. Not only the residents – you, the residents – are going through this transformation, but also the BHA staff are going through the same process of ongoing changes and trying to keep up and learning, as quickly as possible, to ensure that we are providing you with the best information possible. Speaking for pretty much the largest number of BHA staff that we are here because we care to be able to provide the best that we can to the people that we serve. It's not an easy process. It is frustrating, not only for you; it is frustrating for all of us who are involved, and really hope that there is more funding available to do more, not just for the existing residents, but for new admissions, for people who have no other place to go, and to see, nationwide, the number of increased homeless families.

It's homeless families for things that are beyond their control.

Comment: The third thing that the RAB voted on was sort of a long-term plan for preservation. So, there are a lot of BHA sites now that are going through the process of redevelopment. We know that that's going to take a long time for a number of says. Take, for example, Charlestown or Maryellen McCormack, huge sites, over 1,000 units each, and likely, it'll take many years for those sites to get done. BHA has a lot of other things in the picture. They may have to rely on things like tax credit, financing, and so forth. But, there may also sites that that's not going to be happening immediately. So, the example that people were talking about the other day was Commonwealth. Commonwealth had a lot of money that was put into it in the 1980s, not to say that they don't have needs, they do, but it might be that the picture for what happens with the Commonwealth or Franklin Field or something like that might be different. So, people wanted to have a picture of – let's say we were looking 20 years from now. What is the long-term plan for preservation of all of the BHAs public housing portfolio? If there would be a way to have that, we understand that can't be done between now and when you have to get stuff to HUD, but this coming year is a new five-

year plan, and so it might be that as part of that, BHA could come up with an overall plan which talks about here's what our vision is into the future. Here's how we think we're going to get there for not only the ones we have in the pipeline for this, but for other sites so that we can help answer this for people.

Response: So, in response to the third item, I believe that we do have, in development, going on right now, kind of a broader picture of all of our sites and what we are doing and what we're going forward and planning to do, given that we have, like, ten sites right now in the pipeline for redevelopment at various stages. We have 37 other sites in the federal housing program, plus all of our state housing program, that we are looking at a preservation plan or housing preservation plan. We hope to have something in circulation to residents in late 2019 concurrent with next year's 5-Year Plan process.

Comment: So, it is about the comment that Mac just made in March of 2019 to provide education because currently, the BHA has Section 8 tenant-based, Section 8 project-based; it's going to have RAD, it has Public Housing, so to better understand the different programs. That program – because I just came late – and that program that you're talking

about, I know a resident that is going on now, and they're on West Newton Street, and it was a part of Boston Public Housing, and Maloney Properties has taken over. So, what they're talking about, it's going on now to one of the public-based housing that somebody that I know is living there. So, what they say – and my question is, because I asked this person, that... Do people have choices to choose from, and they said no. So basically, I feel as though – I want to know like, how are you all basing on which residents gets to have the Public Housing, Section 8, this type: Do people have a choice, or you're just giving it? Because it feels as though a little bias is going on with you're just choosing who gets this, who gets that. You know. You know? So, I just want to know: How's it being situated and if it's going to be fair to ethnicity groups and people's backgrounds and everything like that, and how you guys are doing it? Because it's going on now. So, changes are getting made so people beware and pay attention and come to these meetings and stuff, because it's real important. And then, you don't want to get screwed or whatever, how you know or not understand what's going on or what they're doing. So, can you please let us know how that is, like, going to be based and things like that?

Response: So ma'am, my name is Joe Bamberg. I'm the Director of Planning & Development for the Housing Authority.

The property you mentioned, West Newton, is indeed going through a transition through HUD's new RAD program. And, all of the apartment units there will transition to this RAD status, or to Section 8. I can assure you that the decision is being driven entirely by financial considerations. The larger units receive better subsidy payments from the federal government than the smaller units under the Section 8 program. So, we are trying – to the greatest extent possible – to have the larger units become Section 8.

But I want to also assure you and everyone that this is considered by BHA and by HUD one single conversion. All of the apartment units at the property are treated as RAD, which – what that means for residents and for us at BHA – is that we guarantee and ensure certain protections to all residents. These are protections that current Public Housing residents enjoy. Those protections are preserved and guaranteed for all residents at the property. And so although it is going through a conversion, a financial conversion, I think for residents, resident households should not see any changes.

There is of course in the case of West Newton a new management agent, as you mentioned. So, it's very important to all of us that everybody be treated absolutely fairly. So, if there are any concerns that a specific person might not be getting fair treatment, then by all means, let the Housing Authority know. But in my understanding and in my experience of what Maloney and others are doing at West Newton, I can assure you that a great deal of attention is being paid to make sure that everybody is treated absolutely fairly. And I'm happy to talk to you after this about the details.

Comment: My name is Elena Martivo. Sometimes it's difficult to understand all the ethnic names and all the different versions of the pronunciation of my name.

I live in the Charlestown development. I have been a resident for four and a half years now. I need to know if BHA is really planning to eliminate the Charlestown project that's giving its residents the promised Section 8 vouchers. I need to tell you about my horrible experience in Charlestown. I moved into the apartment without prior research and paid dearly for it. Unfortunately, for someone like myself, the walls, floors, and ceilings are too thin – too thin – provide no soundproofing, and, in addition, the noise from the

cement plant, which was simply awful. For two years, I was traveling to draw attention; it was horrible. A little less now – the noise from the cement plant is a little less now. Plus, the electromagnetic noise from a nearby transformer volt, I have a recording here – I will let you listen to it; it's very loud – coupled with the low-quality air conditioners on the other side of the apartment create a disturbing noise, akin to that you hear on an airplane. I'm living with that.

Aside from the fact that I was amazed to find out that people could live in such conditions. It violates my right to life enjoyment. I lived in Brooklyn Heights, in brownstones, in Borough Park, New York. I lived in Coney Island. Aside from the fact that I come from the Soviet Union and, obviously, I was born and grew up there and lived in modern buildings. I was surprised to find out that it was possible to exist hearing, literally, completely strange peoples' existence, their lives' details, swearing and living their lives all day long and night. I was very surprised to find out that Americans live like that. Because I lived in New York, as well, I know it's not like that everywhere. But, because it is a hellish experience for me, I would like to know – I need to know – if BHA is really planning to eliminate the Charlestown development. I was promised

that [inaudible phrase 00:13:39] would be the first to go. I need to know, because it has deteriorated my health. I have turned into a nervous wreck. I have sustained a physical injury. I have gone through four emergency room visits. It's very unusual for me. I would like to either – I need to either know that I will get a Section 8 voucher soon, that BHA will go into redevelopment, or I need to flee for my life from Charlestown because it has been a hellish experience. I need to let you listen to this recording. You can even see that the tree is bare. [Plays recording] It's very loud; it's recordable. My apartment is right here. It creates a very strange, very unpleasant noise and I'm living with it, day in and day out. It's impossible to study. I'm trying to study for my professional certification. I'm trying to get out, actually, as a professional. I'm trying to get out of this whole setting, this public... I was very surprised that people could live in these conditions.

You know, I'm not a politician. I'm not a social worker. I just need to know when I'm able to move out of there and if BHA is going to build something there, to eliminate my development. Then I'd have a chance, within a reasonable time – one or two years – I can tell myself to hang on longer. If not, I need to run because it has deteriorated my life and I do not want that to

happen. I just wanted to let you know: it has been a horrible, horrible experience. Apart from the fact that I sweep the stairs, and I'm the only one, and other residents and guests – there are hordes of people, probably illegal immigrants... I called ICE with no effect. I sweep the stairs; they litter. I have a master's degree in computer science, by the way, and I'm studying for professional certification. I sweep the stairs in order not to step over... Bags of feces were placed under my door to harass me and the management is doing nothing. I just want to let you know that I'm hated; it's fine. By the way, I'm Russian. It's fine, you know. I'm an educated person. I know that hatred happens sometimes; it's fine. But I just wanted to let you know that these conditions exist, and this is horrible. It is unbearable. It's probably illegal. I do not want to get involved with the legal side of it; I just wanted to let you know how they live in those buildings. Okay, I'm done. Thank you.

Response: Thank you for your question. The BHA is serious about redeveloping the Charlestown public housing community. We had several months – maybe a year or more – of delay, where we were trying to revisit the best plan for the redevelopment. As I'm sure you know, there's a public process for permitting and, equally important, there's a

process for securing the financing to carry out the redevelopment. So, it's been a little slower than we had hoped, but we recently have redoubled our efforts. We're about to relaunch – maybe that's a better way to say it – the permitting process. I think what's important for you and your neighbors to understand is that Charlestown is very large – there are 1,100 apartment units there – and a redevelopment of that size doesn't happen immediately; it doesn't happen in one phase. We really expect this is going to take many years, five to ten years, but we are committed to carrying out and completing the redevelopment. I would be happy to speak to you, if you have time after this hearing. I could speak to you, one on one, and find out exactly what portion of the development you live in and maybe advise you on what the timing might be. But we are serious. I think it's going to be a couple of years before you see actual construction work happening and I think it's going to be five to ten years before we're all done.

Comment: Good evening everyone. I live in Charlestown. The reason... I wasn't even going to talk, but if there's two other residents here that live in Charlestown... My question is the future of BHA Charlestown. When I came into Charlestown, every year, they said they're going to move, they're going to

redevelop, they're going to... They have our hopes high. Everybody's like, "Oh, yes, we're finally going to live in new, reasonable rooms where our kids don't have to have bunk beds," and all this stuff. Also, I want to say that Charlestown is an historical site, so not every development can come in there and make high-rises because, wherever you look at... I mean, I went down Dorchester area. I went down Roxbury. When I came here, it was '79. It looks gorgeous over there. They do have high-rises, but they can't do that in Charlestown because Charlestown is a historical area, so not anybody can just come in there and do whatever they want in Charlestown.

Also, I would like to ask a question. When is the three-year RAB going to come up? In Charlestown, I don't know, personally, David, if they do go to 125 Armory Street, the RAB [inaudible phrase 00:40:28] of Charlestown, but someone from Charlestown has to be here so they can go and tell us about it. Like I said, I don't know if they are going to the meetings at 125 Armory Street. I just came here because I wanted to listen, and it is true, what she says. You know, I'm not trying to be better than anybody, but, you know, at night, you should see. The mice look like rats and the rats look like squirrels and the squirrels look like cats. Then, the dogs' feces all over the

place... And if you miss one payment of rent, they're the first ones sending you a letter, "Well, why haven't you paid?" You see? Then, if you get a job, you have to... Just like she said, if you get a job, you have to report it and then your rent goes up and then the next neighbor is just doing whatever they want. You see what I'm saying? So, to me, I'm glad that I live in housing because I won't be able to afford living in Charlestown – anywhere, as a matter of fact, because I'm on a fixed income. But I just wanted to say that. Because I'm in the third phase. They said that a new development came in because [Inaudible name 00:42:22] and the Corcorans were there. So, the Corcorans were still there.

Response: You bring up the question of timing, for the redevelopment of Charlestown. Like I said before, I do think we are probably two years away – From the first phase starting construction.

So, there's been a change in the development team. Honestly, I'm not certain what the final phasing is going to look like. I do know that we are going to have some public meetings in the near future and that information will be shared.

Let me assure you that the meetings I have in mind are ones that are for Charlestown residents, so that we can share

information. There will be many for the entire, broader neighborhood as well as Charlestown residents.

One other comment: you did mention the height of buildings. Questions about design and what's appropriate for that neighborhood, those are things that are really important to the permitting process and to the broader conversation of the neighborhood. We still have many months ahead of us to finish up a permitting process, and I promise there will be plenty of opportunities for you and your neighbors to learn more. I encourage you to come out and share your opinions with your neighbors, including neighbors who live outside of the public housing community but are part of the broader neighborhood.

Regarding the RAB, the Resident Advisory Board meets on second Thursdays for now at 125 Amory but the location will change. The meetings are open to the public. You're welcome to attend. The Resident Advisory Board does have two people who have been elected to the Board from your development – from Charlestown. The elections are tentatively scheduled for summer 2019.

Comment: PR: This is the last year of the current 5-year plan, and the BHA/RAB will develop a new 5-Year Plan in the fall of

2019. It is not too soon to think about how that Plan, and related Progress Reports, should be designed.

BHA is engaged in a process now to revamp its entire federal public housing portfolio, and many sites will no longer be public housing under direct BHA control at the end of this, but will be various forms of deeply affordable units with rents set at 30% of income, limited to those with low incomes. Not all models are identical: some of BHA's largest complexes will be torn down, and the land used to develop a larger supply of market housing to make retention of the existing number of deeply affordable housing feasible. Community concerns about density, impacts, and trade-offs will need to be addressed in addition to protections for existing and future low-income families. Because of the phasing of when funds (such as low-income tax credits, etc.), relocation, etc. are available, this will take a long time—but BHA could envision what a likely 20-year plan might look like (assuming current revenue sources), and could then shape a five-year plan accordingly. Not all sites, however, may be redeveloped, and both a 20-year plan and a 5-year plan would need to address how non-redeveloped sites have basic needs addressed. Such plans may include numbers (how many RAD closings, when redevelopment for Phase I, etc.)

where performance can be assessed over time (and where performance is not up to target, explain what occurred).

Response: The BHA is planning to engage in a planning process over the next year to look at both a 5-year and 20-year trajectory for our sites. We agree this is needed. We hope to spend the next several months gathering information and developing initial plans internally, and then sharing these ideas with resident, advocates and others in a public process next Fall so that we can gather input before finalizing a Five-Year and longer term strategy.

Comment: PR: On page 4, there is the discussion about the alignment between the BHA's and the City's Housing Strategy which seems unchanged from last year's Progress Report. As in that report, this discusses 4,000 redevelopment units and another 4,000 units of "moderate and market housing", but it is not clear how many of the "moderate and market" units are "affordable" and what "affordable" means—more specific data on that would be helpful.

Response: We will compile a more detailed table to post on the BHA web site.

Comment: PR: On p. 5, BHA indicates that it continues to

advocate for Moving to Work status to allow funding flexibility, and that HUD is expected to issue a notice. HUD has in fact issued such a notice, and a number of housing authorities are applying for MTW status on that notice—but the notice doesn't provide any relief for PHAs of Boston's size. It would be helpful to know what strategy will be pursued. Residents in the past have had some skepticism about MTW, but given the pledges BHA has been willing to make about how it will use the authority, it should be possible to work toward Common goals.

Response: BHA remains interested in securing MTW status because of the regulatory flexibility it provides. We will consider each RFP that HUD issues seriously. Any decision to apply for MTW status will include a conversation with the RAB.

Comment: PR: On page 5, there is a good discussion about preservation initiatives at 8 sites, the Choice Neighborhoods work at Whittier Street, and identifying appropriate RAD conversions in its elderly/disabled portfolio. There was more discussion about this in Amendment #1 to the FY 2018 PHA Plan, including the use of the "blended" approach of RAD and tenant-protection vouchers. It is not clear that this section of the Progress Report has been

updated since the fall of 2017, and there is a fairly detailed discussion in the Supplement (see above) and in BHA/RAB meetings over the course of the past year. The RAB/BHA plan to doing a joint conference for residents on redevelopment initiatives in the spring of 2019, and it may be useful to add that to the Progress Report.

Response: We agree and will add to the Progress Report

Comment: (also CCECR) PR: On pp. 5-7 BHA staff have continued to do good work in insuring that as developments are redeveloped through public/private partnerships, residents' concerns continue to be met and there are common forums, like the Mixed Finance Partners meetings, to insure that policies are implemented.

Residents at Amory Street have asked that the standard Mixed Finance Memorandum of Agreement on Tenant Participation be revised to reflect various guarantees that residents and resident organizations can expect long-term from mixed finance owners after changed ownership; BHA is in the process of doing this, and this could be a model for other sites.

Response: We agree.

Comment: PR: On p. 8, BHA's initial progress in 2015 on greenhouse gas reduction was

great, but it would help to know what the goals are supposed to be in each sustainability area and how the BHA has been doing in achieving those goals since then. As noted in our comments on last year's Progress Report, It would help to get additional details on what site-specific RAD proposals for energy, health, and resiliency upgrade are being made, and for those sites that are not going through the RAD process, what the Energy Performance Contract (EPC) will be proposing as well as the time line for all of this and a report back to the RAB as this is closer to being rolled out.

Response: We will work on making this information available to the RAB and on our web site.

Comment: (also Public Safety) S: Safety and Crime Prevention (pp. 47-57) BHA has indicated that this section has not been changed from the prior year. It should be noted that there is a City of Boston Elderly Security ordinance (adopted through the organizing efforts of Mass. Senior Action Council in the 1980's, and periodically a subject of MSAC campaigns) which requires periodic review of security features in elderly/disabled housing, and continued presence of security officers unless other security measures are deemed sufficiently protective. If developments are redeveloped

through RAD, the City's ordinance (and collaboration between BHA, Inspectional Services Department, and the Police Department) should continue to apply, but it may be necessary to get new managers/owners up to speed on these requirements.

Response: We agree and will take this up with our private sector partners.

Comment: S: 10 Pets (pp. 60-61) One comment here is that these rules derive from federal statute and regulations, and are not merely matters where BHA and its residents may negotiate one policy, and a mixed finance owner is free to ignore these rules. It is important, if pet rules are to change due to mixed finance development, that BHA carefully scrutinize the new rules. It would not be proper, for example, to deny a family public housing tenant in an ACC unit in a mixed finance development the right to a common household pet (although reasonable restrictions on number can be applied). Moreover, to the extent that BHA wishes to ensure that tenants are not treated differently because of the type of affordable unit that they occupy (i.e., whether it's a public housing ACC unit or a Section 8 PBV unit, for example), similar pet rules consistent with federal public housing law requirements should be adopted.

Response: The BHA commits to ensuring that pet policies at the mixed-finance sites are compliant with all federal regulations.

Comment: S: HOPE VI or Choice Neighborhoods (p. 64) This indicates that the last HOPE VI grant BHA received (for Phase II at Old Colony) is complete. Therefore, there should not be any HOPE VI reporting in future PHA Plans. There may, however, need to be transition planning for sites that were redeveloped with HOPE VI funds a number of years ago and have ongoing needs (such as listed in the RAD section below for Mission Main, and as may be anticipated for Orchard ----- Gardens/Commons due to its similar age).

BHA indicates, on p. 85 of the Supplement revision distributed by Joe Bamberg on November 8, 2018, that Whittier Street was originally designed for RAD units, but that the Whittier Street redevelopment will no longer include RAD issues. It would be helpful to cross-reference this in the Choice Neighborhoods discussion regarding Whittier Street, and to explain why this decision was made. In addition, the Whittier Street RAD units would have been reached earlier in the RAD pipeline than other applications, and it would be helpful to know whether BHA

proposed to reposition the RAD authority elsewhere and how MUD has responded to the same.

Response: Regarding the HOPE VI sites, BHA will certainly include them in our overall planning efforts. We see them as part of BHA's portfolio. We will engage with the residents at those sites and with the RAB as appropriate, and these HOPE VI sites will no doubt be addressed in various ways through the Annual Plan process going forward, just as Mission Main is included in this current Annual Plan under the RAD section of the Plan.

Regarding Whittier Street, the BHA's highest priority all along has been the replacement through new construction of all the units at the property. A Choice Neighborhoods Grant was always our main objective because it would provide the greatest level of financial resources to meet our goal. However, when we first applied for Choice funding—the first application which was ultimately unfunded—as a “Plan B” we included in that application a request for RAD funding. That application was not funded, but ultimately Whittier did come up in the RAD queue, and HUD approved a RAD commitment. In the ensuing months, BHA applied a second time for Choice Neighborhoods Initiative implementation grant funding, and that second time we were

successful. With the Choice grant in hand, we were able to revert to our “Plan A” which had been full replacement of all the units. RAD, as it turns out, is not an effective tool to carry out full replacement (demolition and new construction) because it does not bring the same level of financial support as conventional Section 8 project-based vouchers. With the Choice grant in hand, BHA was able to shift from RAD to a Section 8 PBV approach instead, which is what we have been pursuing.

BHA was not in a position to transfer the Whittier RAD award to another site. We needed to choose either RAD or project-based Section 8 for Whittier (we could not have both for the same original public housing units).

Comment: S: Mixed Finance Modernization or Development (p. 65) This indicates that there will be mixed finance modernization or development at Whittier Street, Anne M. Lynch Homes at Old Colony (Phase 3), West Newton (RAD and Section 8), Clippership (Section 8), Amory (Section 8), Lenox (RAD and Section 8), and RAD conversions at St. Botolph, Bunte, and Ausonia. However, from the revised Supplement distributed on November 8, 2018, it would appear that this list on p. 65 should be revised. Moreover, where there are further

discussions of the specific mixed finance activities in other parts of the Supplement for Charlestown, Mary Ellen McCormack, Hailey Apartments, Eva White, Mission Main, Long Glen, Heritage, Lower Mills, they should be cross-referenced here. Page 85 of the revised Supplement also refers to Malone, Annapolis, and West Ninth Street as the possible next RAD candidates. The information throughout the Plan should be consistent and/or cross-reference, so that readers are not misled as to BHA's plans/intent (and how plans may evolve, such as for the changes for Whittier Street, for Amory Street, and the "blend" of RAD and Section 8 vouchers permitted by revised HUD guidance (and incorporated into Amendment 1 to the FY 2018 PHA Plan). It should be noted that the whole area of Mixed Finance redevelopment and RAD conversion is complicated, and BHA and the RAB have committed to doing a training/conference in the spring of 2019 to help resident leaders understand why it is being proposed, how it works, what sorts of concerns residents may wish to focus on and what rights/power they have in the process, and how a switch to other subsidy types (RAD, Section 8 project-based vouchers, mobile vouchers, etc.) may affect them. There is significant fear and distrust, and there are unfortunate examples

elsewhere in the country where things haven't gone well. On the other hand, options currently are very limited to help insure the long-term preservation of public housing stock for long-term use targeted and affordable to those with the greatest need. BHA has indicated that it is willing to ensure that long-term tenant protections are incorporated into enforceable documents and that it and the City will remain engaged as partners to help enforce those promises.

Response: BHA remains committed to long-term tenant protections at our buildings transitioning out of BHA ownership. This is accomplished through a variety of enforceable legal documents including the Ground Lease which BHA still owns. We will review the draft plan to correct any inconsistencies.

Comment: S: Demolition and/or Disposition (pp. 66-73) All of the demolition/disposition proposals outlined here which have not yet been submitted (Hailey, McCormack, and Eva White) should first be shared with the RAB for review and comment, as has been BHA's regular process. In addition, if any of them will reduce the number of public housing units—even if they replicate the same number of "affordable" units—they must go through the BHA Monitoring Committee, and BHA should share with the

RAB when this has occurred. If/when BHA gets any response from HUD on approvals, it should share that with the RAB. For any of these, it would be helpful to know how many existing units are involved and what the post-disposition make-up will look like (how many public housing, how many PBV, how many LIHTC).

Response: We will continue to share these plans with the RAB, and can begin sharing the approval letters as requested.

Comment: S: On Charlestown, it would be helpful to share with the RAB updates on Charlestown redevelopment. While HUD gave demolition/disposition approval, recent discussion with the larger community about density concerns has led to consideration of some amount of off-site redevelopment, and that obviously is different than what was in the original submission that was discussed with the RAB.

Response: BHA staff welcome the opportunity to speak with the RAB about Charlestown and other redevelopment efforts and has presented multiple times to the RAB in 2018 and expects to continue the discussions in 2019.

Comment: S: On Clippership at Heritage, I will quote from my comments last year: "I don't recall the BHA bringing this

demolition/disposition proposal to the RAB for review and comment. (BHA did include a 'placeholder' provision for this in the prior PHA Plan, but that's different than getting the actual proposal, as was done with Charlestown. The description here doesn't give any meaningful information about why 20 Section 8 project-based units are being lost and what will be done for both the families and to replace the units. More should be detailed."

Response: The original disposition application for Clippership was part of the Heritage disposition several years ago, which was reviewed with the RAB, and that is likely why it did not come before the RAB a second time. We did, however, have to go back to HUD for an updated release on the land at Clippership and we will make that available to the RAB.

Comment: S: Designated Housing for Elderly and Disabled Families (pp. 74-76) It is also not clear what may happen to designation if a development goes through mixed finance—for example, will similar percentages be applied for RAD or PBV units, and is this automatic or does there have to be a separate HUD approval process?

Response: PBV and RAD properties are not governed by the same Designation Plan.

Each site requires its own plan and process.

Comment: S: Conversion of Public Housing to Project-Based Assistance under RAD (pp. 78-109), as revised by materials provided at 11/8/18 RAB meeting) One question that arose in reviewing this draft was whether a 75% RAD, 25% PBV "blend" could be used for all conversions, and if so, why wasn't this part of the Mission Main proposal (and possibly similar proposals in the future). I checked on this with BHA Real Estate Development staff, and Kathlin Curran responded as follows: "One of the eligibility criteria for this provision is a project would need to be substantially rehabilitated without the use of 9% Low Income Housing Tax Credits (LIHTC) and the total number of hard units that are replaced must meet the RAD substantial conversion of assistance requirements. Substantial rehabilitation is defined here as a proposed RAD scope of work where the hard construction costs, including general requirements, overhead and profit, and payment and performance bonds, exceed of 60% of the 'Housing Construction Costs.'" She went on to say that Winn had determined that these criteria weren't met at Mission Main and it was unlikely they would be met at Orchard Gardens/Commons.

The revised materials provided on November 8, 2018 also include language from HUD's RAD Notice about tenant protections which HUD has said need to be included in the PHA Plan. As BHA revises its Memoranda of Agreement, Grievance Procedure, Regulatory/Operating Agreements, Management Plans, and/or Admissions and Continued Occupancy Policies for Mixed Finance sites, these provisions should also be incorporated, as well as in tenant leases, so that it is clear that the protections are enforceable by tenants and tenant organizations.

Response: Agreed. This is underway in our Asset Management department and we will report on progress.

Comment: (also Legal) S: Non-Smoking Policies (pp. 85-86) HUD has made clear that its mandatory policy does not apply to Mixed Finance properties. See 24 C.F.R. § 965.651. However, BHA's prior policy was intended to apply to both BHA managed and Mixed Finance properties, and BHA is free to adopt a policy for Mixed Finance. The barred no smoking areas for Mixed Finance properties should be the same as what BHA applies elsewhere (i.e., no smoking within the 25 foot perimeter of any buildings). If BHA wishes to adopt different policies at different sites, this would need

to go through a notice and comment procedure. (This issue arose in litigation at the redeveloped portion of Old Colony this year.)

Response: We are happy to look at this in conjunction with resident organizations at these sites.

Comment: S: Other Capital Grant Programs (p. 116-117) This uses the term Replacement Housing Factor (RHF) Funding, which, as noted above (see B.3, p. 24), has been replaced by the term Demolition/Disposition Transitional Funding (DDTF). This indicates that over \$5 million in such funds will be used to assist with the construction of Old Colony Phase III; as outlined above and discussed at the November 8, 2018 RAB meeting, RAD funds will be paired with this funding.

Response: Agreed.