

## MOTION

### Approve Updated HUD HCV Five-Year Plan

**WHEREAS**, the Marlborough Community Development Authority (MCDA) administers a U.S. Department of Housing & Urban Development (HUD) Housing Choice Voucher Program (HVCP), and

**WHEREAS**, HUD requires that when there is any substantial update of a local housing authorities HCVP Administrative Plan that the authorities' HUD mandated Five-Year plan must also be updated with changes conforming to the Civil Rights laws of the United States, and

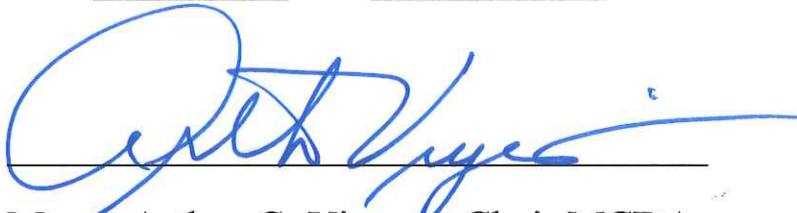
**WHEREAS**, updates to both the HCVP Administrative and Five-Year plan must be advertised with a period of public comment, and

**WHEREAS**, the MCDA has both published and notified in writing to all its HCVP participants of the changes to the HCVP and their right to be heard and make comments about such changes.

**THEREFORE**, be it resolved that after public comment and review the MCDA approves the changes to its HUD HCVP Five-Year Plan

MCDA Board Members Present: 4 Absent 1

Yes: 4 No: 0 Vote Result: Approved

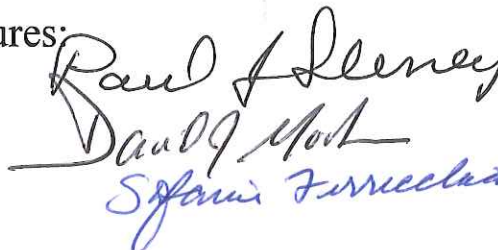


Mayor Arthur G. Vigeant, Chair MCDA

June 28, 2018

DATE

MCDA Board Members Signatures:



Douglas M. Bushman Ex. Dir.

**Certification by State or Local  
Official of PHA Plans Consistency  
with the Consolidated Plan or  
State Consolidated Plan  
(All PHAs)**

U. S Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 2/29/2016

**Certification by State or Local Official of PHA Plans  
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Douglas M. Bushman, the Executive Director  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

Marlborough Community Development Authority

*PHA Name*

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of

Impediments (AI) to Fair Housing Choice of the

City of Marlborough

*Local Jurisdiction Name*

pursuant to 24 CFR Part 91.

Provide a description of how the PHA Plan is consistent with the Consolidated Plan or State Consolidated Plan and the AI.

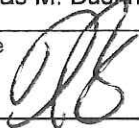
It continues the MCDA's commitment to affordable housing and provides greater access and opportunities for housing without discrimination of protected classes

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Douglas M. Bushman

Signature



Title

Executive Director

Date

6-28-18

**Civil Rights Certification**  
**(Qualified PHAs)**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB Approval No. 2577-0226  
Expires 02/29/2016

**Civil Rights Certification**

**Annual Certification and Board Resolution**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official, I approve the submission of the 5-Year PHA Plan for the PHA of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the public housing program of the agency and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those program, addressing those impediments in a reasonable fashion in view of the resources available and working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.

Marlborough COA  
PHA Name

ma070  
PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Douglas M. Bushman  
Name of Authorized Official

Title Executive Director

DB  
Signature

Date 6-28-18



# 5-Year PHA Plan (for All PHAs)

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

OMB No. 2577-0226  
Expires: 02/29/2016

**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

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

<b>A.</b>	<b>PHA Information.</b>
<b>A.1</b>	<p>PHA Name: <u>Marlborough CDA Housing Division (MCDA)</u> PHA Code: <u>MA 070</u></p> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/2016</u>          PHA Plan Submission Type: <input type="checkbox"/> 5-Year Plan Submission <input checked="" type="checkbox"/> Revised 5-Year Plan Submission</p> <p>THE MCDA HAS REVISED ITS SECTION 8 ADMINISTRATIVE PLAN TO INCLUDE ADMISSIONS PREFERENCE CHANGES, THE PROJECT BASED VOUCHER PROGRAM AND REVISIONS TO ENSURE COMPLIANCE WITH CURRENT HCVP REGULATORY REQUIREMENTS AMONG OTHER CHANGES.</p> <ul style="list-style-type: none"> <li>THE MCDA'S ADMINISTRATIVE PLAN HAS BEEN REVISED TO ADDRESS REGULATORY CHANGES, HUD NOTICES AND POLICIES RELATED THERETO PUBLISHED SINCE ITS ADOPTION. PREFERENCES HAVE BEEN AMENDED TO CONTINUE TO PROVIDE FOR A MARLBOROUGH RESIDENCY PREFERENCE BUT ALSO TO ADD A FURTHER PRIORITY FOR VETERANS AND ACTIVE SERVICE PERSONS THAT LIVE OR WORK IN MARLBOROUGH.</li> <li>PROJECT-BASED VOUCHERS ARE A COMPONENT OF A PUBLIC HOUSING AGENCIES (PHAS) HOUSING CHOICE VOUCHER PROGRAM. A PHA CAN GENERALLY ATTACH UP TO 20 PERCENT OF ITS VOUCHER ASSISTANCE TO SPECIFIC HOUSING UNITS IF THE OWNER AGREES TO EITHER REHABILITATE OR CONSTRUCT THE UNITS, OR THE OWNER AGREES TO SET-ASIDE A PORTION OF THE UNITS IN AN EXISTING DEVELOPMENT. UNDER THE PROJECT-BASED VOUCHER PROGRAM, THE MCDA ENTERS INTO AN ASSISTANCE CONTRACT WITH THE OWNER FOR SPECIFIED UNITS AND FOR A SPECIFIED TERM. THE MCDA REFERS FAMILIES FROM ITS SITE-BASED WAITING LIST TO THE PROJECT OWNER TO FILL VACANCIES. THE MCDA MAY PROJECT BASE UP TO THE MAXIMUM ALLOWABLE UNDER NEW REGULATIONS TO INCLUDE GENERALLY 20% OF ITS TENANT BASED VOUCHER ALLOCATION PLUS AN ADDITIONAL 10% FOR PROJECTS THAT SERVE DISTINCT POPULATIONS SUCH AS THE ELDERLY. THE GENERAL LOCATION OF THE PROJECT-BASED UNITS WILL BE AREAS OF LOW POVERTY OR WHERE THERE IS SIGNIFICANT REVITALIZATION AN INCREASED ECONOMIC OPPORTUNITY FOR LOW-INCOME FAMILIES AS DEFINED BY THE MCDA'S ADMINISTRATIVE PLAN. PROJECT BASING IS CONSISTENT WITH THE MCDA'S PHA PLAN BECAUSE THE PROPOSED LOCATION OF ANY PROJECT-BASED UNITS WILL COMPLY WITH THE GOALS OF DECONCENTRATING POVERTY, EXPANDING HOUSING OPPORTUNITIES, AND AFFIRMATIVELY FURTHERING FAIR HOUSING.</li> <li>THE MCDA HAS ADOPTED A HOMEOWNERSHIP PROGRAM THAT IT MAY IMPLEMENT IN THE FUTURE IN ACCORDANCE WITH HUD GUIDELINES AND REGULATIONS.</li> </ul> <p><b>Availability of Information.</b> In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p><b>*THE REVISED ADMINISTRATIVE PLAN AND THE REVISED PHA PLAN ARE READILY AVAILABLE TO THE PUBLIC. THE REVISED PHA PLAN, (INCLUDING ALL PLAN ELEMENTS), THE REVISED ADMINISTRATIVE PLAN, AND ALL INFORMATION RELEVANT TO THE PUBLIC HEARING MAY BE INSPECTED BY THE PUBLIC DURING REGULAR BUSINESS HOURS AT THE MCDA'S CENTRAL ADMINISTRATIVE OFFICES LOCATED AT 250 MAIN STREET, MARLBOROUGH, MA 01752. ALL CURRENT HCVP PROGRAM PARTICIPANTS ARE RAB BOARD MEMBERS AND ARE PROVIDED WITH INFORMATION ABOUT ALL CHANGES AND NOTIFIED BY INDIVIDUAL LETTER OF THE ANNUAL PUBLIC HEARING.</b></p>



<input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)					
Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
				PH	HCV
Lead PHA:					

<b>B. 5-Year Plan.</b> Required for <u>all</u> PHAs completing this form.	
<b>B.1</b>	<p><b>Mission.</b> State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years.</p> <p>THE OVERALL MISSION OF THE MCDA IS TO MAINTAIN SAFE, SANITARY AND AFFORDABLE HOUSING THROUGH THE HOUSING PROGRAMS IT ADMINISTERS INCLUDING THE FEDERAL SECTION 8 PROGRAM. WELL-MANAGED AND MAINTAINED SECTION 8 HOUSING UNITS PLAY AN INTEGRAL PART IN THE CITY OF MARLBOROUGH'S AFFORDABLE HOUSING STOCK AND AFFORDABLE HOUSING GOALS. IT IS THEREFORE IMPERATIVE THAT THE PROGRAM REGULATIONS ARE MAINTAINED AND THAT INSPECTIONS PLAY A KEY ROLE IN ENSURING SAFE AND SANITARY HOUSING. THE MCDA ALSO HAS AS ITS MISSION THE GOAL OF INCREASING THE NUMBER AND QUALITY OF AFFORDABLE AND ACCESSIBLE AFFORDABLE UNITS, FREE FROM DISCRIMINATION. THE MCDA WILL SEEK LOCAL, STATE AND FEDERAL PARTNERSHIPS THAT LEVERAGE OTHER PUBLIC AND PRIVATE RESOURCES IN ORDER TO EXPANCE HOUSING OPPORTUNITIES AND DECONCENTRATE POVERTY.</p>
<b>B.2</b>	<p><b>Goals and Objectives.</b> Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years.</p> <p>SEE ATTACHMENT B.2</p>
<b>B.3</b>	<p><b>Progress Report.</b> Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>SEE ATTACHMENT B.3</p>
<b>B.4</b>	<p><b>Violence Against Women Act (VAWA) Goals.</b> Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.</p> <p>SEE ATTACHMENT B.4</p>
<b>B.5</b>	<p><b>Significant Amendment or Modification.</b> Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <p>SEE ATTACHMENT B.5</p>

<p><b>B.6</b></p>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?</p> <p>Y   N   UNKNOWN AT THIS TIME – TO BE COMPLETED AFTER JUNE 28</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <p>* THE MCDA'S RESIDENT ADVISORY BOARD CONSISTS OF ALL MCDA HCVP PARTICIPANTS. THE MCDA HAS NOTIFIED ALL SECTION 8 VOUCHER HOLDERS THAT THEY HAVE BEEN APPOINTED AS MEMBERS OF THE RESIDENT ADVISORY BOARD (RAB) AND HAS INFORMED THEM OF THEIR ROLE AND RESPONSIBILITIES REGARDING THE DEVELOPMENT OF THE PHA PLAN. THE MCDA HAS ALSO PROVIDED RESIDENTS WITH NOTICE OF THE PUBLIC HEARING AND BOARD MEETINGS (AT LEAST 48 HOURS IN ADVANCE) AND PROVIDED COPIES OF MATERIALS FOR REVIEW. <i>(The following is draft language to be inserted after the Public Meeting: THE MCDA HELD A PUBLIC MEETING ON JUNE 28, 2018 INCLUSIVE OF A PRESENTATION OF REVISED ADMINISTRATIVE PLAN AND PHA PLAN. ALL THOSE IN ATTENDANCE WERE IN AGREEMENT WITH THE REVISIONS TO THE ADMINISTRATIVE PLAN AND PHA PLAN AS PROPOSED AND NO COMMENTS RELATING TO THE PROPOSED REVISIONS TO THE TWO DOCUMENTS WERE MADE.</i></p>
<p><b>B.7</b></p>	<p><b>Certification by State or Local Officials.</b></p> <p><u>Form HUD 50077-SL</u>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>

# Instructions for Preparation of Form HUD-50075-5Y

## 5-Year PHA Plan for All PHAs

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

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

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

### B. 5-Year Plan.

- B.1 **Mission.** State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years. (24 CFR §903.6(a)(1))
- B.2 **Goals and Objectives.** Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years. (24 CFR §903.6(b)(1)) For Qualified PHAs only, if at any time a PHA proposes to take units offline for modernization, then that action requires a significant amendment to the PHA's 5-Year Plan.
- B.3 **Progress Report.** Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. (24 CFR §903.6(b)(2))
- B.4 **Violence Against Women Act (VAWA) Goals.** Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. (24 CFR §903.6(a)(3))
- B.5 **Significant Amendment or Modification.** Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.
- B.6 **Resident Advisory Board (RAB) comments.**
- (a) Did the public or RAB provide comments?
  - (b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.17(a), 24 CFR §903.19)

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

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

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

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## **Attachment Exhibit B.2**

### **The Goals and Objectives of the MCDA**

- To provide improved living conditions while maintaining the Section 8 Program rent at affordable levels. The MCDA in managing the Section 8 Vouchers will ensure that the living conditions of the Voucher holders are maintained by the standards set by HUD and when applicable, the building and health codes of the City of Marlborough.
- To manage the Section 8 program to ensure legal compliance with all applicable Federal and local laws and regulations. In managing the program, the MCDA will additionally strive to provide the highest level of customer service.
- To maintain a local geographical preference for those that reside in the City of Marlborough Massachusetts while ensuring that all civil rights laws and regulations are followed in maintaining this local preference. The Administrative Plan establishes a local preference for those that live and/or work in the City of Marlborough.
- To ensure that Section 8 participants abide by all program regulations including those that prohibit criminal activity. The MCDA believes that receipt of a Section 8 Voucher is a privilege and will hold all participants accountable for all family obligations and requirements set forth by HUD. The MCDA believes a well-run Section 8 program should be a stabilizing influence on the community.
- To inspect Section 8 units to ensure that participating landlords adhere to the program's regulations and are compliant with HQS standards including the State Sanitary Code and the City of Marlborough health and building codes. The MCDA has set out an inspection plan that exceeds HUD's standards. Landlords will be held accountable for blight and housing conditions that do not meet the standards set in the MCDA's Administrative Plan. The MCDA will work cooperatively with the City of Marlborough (the unit of local government) to achieve these goals.
- To assist Section 8 Voucher families to obtain and maintain employment. Assisting Section 8 participants to reduce and/or end their reliance on government assistance is a priority for the MCDA. The MCDA will continue to seek opportunities to leverage resources and partner with local supportive service providers to achieve this goal. The MCDA will again apply for Family Self Sufficiency (FSS) funds if made available by HUD. The MCDA will continue to strive to create new and expanded affordable housing opportunities for low, very low and extremely low-income families through acquisition, conversion, redevelopment and rehabilitation activities.
- The MCDA may at its discretion implement a Section 8 Homeownership program in accordance with all HUD regulations and guidelines.



- The MCDA may implement a Section 8 Project Based Voucher program. Project-based vouchers are a component of a public housing agencies (MCDAs) housing choice voucher program. A MCDA can generally attach up to 20 percent of its voucher assistance to specific housing units if the owner agrees to either rehabilitate or construct the units, or the owner agrees to set-aside a portion of the units in an existing development. Under the project-based voucher program, the MCDA enters into an assistance contract with the owner for specified units and for a specified term. The MCDA refers families from its site-based waiting list to the project owner to fill vacancies. Because the assistance is tied to the unit, a family who moves from the project-based unit does not have any right to continue housing assistance. However, they may be eligible for a tenant-based voucher when one becomes available.

The MCDA may administer a Project-based Voucher program and will determine from time to time that circumstances exist that indicates that project basing of the units is an appropriate option. The MCDA anticipates that it will project base up to the maximum allowed under new HOTMA regulations to include generally 20% of its tenant based voucher allocation plus an additional 10% for projects that serve distinct populations such as the elderly. The general location of the project-based units will be areas of low poverty or where there is significant revitalization or an increased economic opportunity for low-income families as defined by the MCDA's administrative plan. Project basing is consistent with the MCDA's MCDA Plan because the proposed location of any project-based units will comply with the goals of deconcentrating poverty, expanding housing opportunities, and affirmatively furthering fair housing.

### Attachment Exhibit B.3

**Progress Report.** Include a report on the progress the MCDA has made in meeting the goals and objectives described in the previous 5-Year Plan.

The primary objective of the MCDA's 2016 5-Year Plan was to update its Section 8 Administrative Plan. The MCDA has met this goal. The revised Administrative Plan addresses new regulatory changes, HUD notices and MCDA policies relating to these requirements are now reflected in the updated document.

Preferences have been amended to continue to provide for a Marlborough residency preference but also to add a further priority for veterans and active service persons that live or work in Marlborough.

Order of Preference as set forth in the Admin Plan:

- **Priority I** - The MCDA will offer a preference to any family that is (2) living or working in the City of Marlborough **and** (2) has veteran/active serviceperson status.
- **Priority II** - The MCDA will offer a preference to any family that is living or working in the City of Marlborough.

The MCDA continues to fulfill its mission of providing safe, sanitary and crime-free housing by working with community partners and the City of Marlborough. The MCDA continues to seek out opportunities to improve the number and availability of apartments for our Section 8 eligible families in low poverty areas.

The MCDA participates in the Centralized Section 8 Waitlist administered by Massachusetts NAHRO, which allows applicants to apply to any participating MCDA's waiting list (including the waitlist of the MCDA) without the need to travel to that MCDA's location thereby increasing housing opportunities for eligible families in the City of Marlborough and throughout the Commonwealth.



#### Attachment B.4

**Violence Against Women Act (VAWA) Goals.** Provide a statement of the MCDA's goals, activities objectives, policies, or programs that will enable the MCDA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.

The Violence against Women Act of 2013 (VAWA) provides special protections for victims of domestic violence, dating violence, sexual assault and stalking who are applying for or receiving assistance under the housing choice voucher (HCV) program.

The MCDA has revised its Administrative Plan in support of the VAWA Act and its reauthorization in 2013. The MCDA will continue to administer its Section 8 program in ways that support and protect both applicants and participants who may be victims of domestic violence.

The MCDA will ensure that all actual and potential beneficiaries of its HCV program are aware of their rights under VAWA.

The MCDA will post the following information regarding VAWA in its offices and on its website. It will also make the information readily available to anyone who requests it.

- A notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (Form HUD-5380, see Exhibit 16-1)
- A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (see Exhibit 16-2)
- A copy of the MCDA's emergency transfer plan (Exhibit 16-3)
- A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, Form HUD-5383 (Exhibit 16-4)
- The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)
- Contact information for local victim advocacy groups or service providers
- Notification to Program Applicants and Participants [24 CFR 5.2005(a)(1)]

The MCDA is required to inform program applicants and participants of their rights under VAWA, including their right to confidentiality and the limits thereof, when they are denied assistance, when they are admitted to the program, and when they are notified of an eviction or termination of housing benefits.

- The MCDA will provide all applicants with information about VAWA at the time they request an application for housing assistance. The MCDA will also include information about VAWA in all notices of denial of assistance.
- The MCDA will provide all participants with information about VAWA at the time of admission (see section 5-I.B) The MCDA will also include information about VAWA in notices of termination of assistance.
- The MCDA is not limited to providing VAWA information at the times specified in the above policy. If the MCDA decides to provide VAWA information to a participant

following an incident the MCDA will strive to make alternative delivery arrangements that will not put the victim at risk.

When discussing VAWA with the victim, the MCDA will take reasonable precautions to ensure privacy for the applicant or participant. Victim of domestic violence may, but is not required to, designate an attorney, advocate, or other secure contact for communications regarding VAWA protections.

Any request for documentation of domestic violence, dating violence, sexual assault or stalking will be in writing and will:

- specify a deadline of 14 business days following receipt of the request,
- will describe the three forms of acceptable documentation,
- will provide explicit instructions on where and to whom the documentation must be submitted, and
- will state the consequences for failure to submit the documentation or request an extension in writing by the deadline.

The MCDA may, at its discretion, extend the deadline and any extension granted by the PHA will be in writing.

#### **MCDA Policy on VAWA Related Protections against Termination**

VAWA provides four specific protections against termination of HCV assistance for victims of domestic violence, dating violence, sexual assault or stalking. (Note: The second, third, and fourth protections also apply to terminations of tenancy or occupancy by owners participating in the HCV program, as do the limitations discussed under the next heading.)

- First, VAWA provides that a PHA may not terminate assistance to a family that moves out of an assisted unit in violation of the lease, with or without prior notification to the PHA, if the move occurred to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the unit [24 CFR 982.354(b)(4)].
- Second, it provides that an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault or stalking may not be construed either as a serious or repeated lease violation by the victim or as good cause to terminate the assistance of the victim [24 CFR 5.2005(c)(1)].
- Third, it provides that criminal activity directly related to domestic violence, dating violence, sexual assault or stalking may not be construed as cause for terminating the assistance of a tenant if a member of the tenant's household, a guest, or another person under the tenant's control is the one engaging in the criminal activity and the tenant or affiliated individual or other individual is the actual or threatened victim of the domestic violence, dating violence, or stalking [24 CFR 5.2005(c)(2)].
- Fourth, it gives PHAs the authority to terminate assistance to any tenant or lawful occupant who engages in criminal acts of physical violence against family members or others without terminating assistance to, or otherwise penalizing, the victim of the violence [24 CFR 5.2009(a)].



When an individual facing termination of assistance for reasons related to domestic violence, dating violence, sexual assault or stalking claims protection under VAWA, the MCDA will request that the individual provide documentation supporting the claim in accordance with the policies in the Administrative Plan. The MCDA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the individual will suffice

## Attachment B.5

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

Significant amendment shall include changes to rent or admissions policies or organization of the waiting list; additions of non-emergency work items or change in use of replacement reserve funds under the Capital Fund; additions of new activities not included in the current Plan; and any change with regard to demolition or disposition, designation, homeownership programs or conversion activities.

Substantial deviation/modification shall include any change in the planned or actual use of federal funds for activities that would prohibit or redirect the MCDA's strategic goal of increasing the availability of decent, safe and affordable housing for the citizens of the City of Marlborough. Any single or cumulative annual change in the planned or actual use of federal funds as identified in the five-year plan that exceeds 20% of the MCDA's annual program budgets for Section 8 activities. Examples include: the need to respond immediately to Acts of God beyond the control of the Housing Authority, such as earthquakes, civil unrest, or other unforeseen significant events. Also included are mandates from local government officials, and/or the governing board of the Housing Authority, to modify, revise, or delete the long-range goals and objectives of the program.

Any revision to MHA plans and/or policies adopted or implemented, as the result of a Presidential Order, Congressional appropriation or legislation, or HUD revision to Section 8 program regulations **will not** be considered a significant amendment or modification to the 5-year plan.

The MCDA has defined the following actions to be significant changes:

- Changes in admission preferences, (inclusion of a local preference).
- The administration of a Section 8 Project Based Voucher Program involves the reallocation of tenant based vouchers to project based use, therefor resulting in potentially longer waits for tenant based assistance. The MCDA may implement site based waiting lists for the PBV program.
- The MCDA may at its discretion create a Section 8 Homeownership program.