



Public Housing Association of Residents (PHAR)

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TO: Jerryl Bennett, CRHA Board of Commissioners, Constance Dunn
FROM: Brandon Collins, PHAR Organizer/Intern Program Coordinator
RE: HUD Review of CRHA
DATE: March 25, 2013

The Limited Review of Charlottesville Redevelopment and Housing Authority summarized in the February 8, 2013 report contains a variety of suggestions for improvement of CRHA operations. We believe that the report also contains a variety of issues that will greatly impact the lives of public housing residents in Charlottesville. We would like to see the CRHA improve its performance overall but have concerns that many of the suggestions being made may negatively affect the well being of residents and contribute to a further risk of homelessness for the Charlottesville area. Page numbers are given to refer to the appropriate items contained in the limited review.

Rent Calculations

A number of instances were cited in the limited review indicating that CRHA staff is currently unable to correctly and fairly determine rent. This can lead to further instances of financial hardships due to collection of back rent, or the continuing of overcharging. Further training needs to be given to the rental specialist on all HUD and CRHA policies, which would include the fair and consistent offering of the Earned Income Disallowance and opportunities for family self sufficiency programming (page 7). PHAR supports the reconsideration for admission anyone who has been wrongly denied tenancy in CRHA properties (page 5). PHAR further supports the repayment or crediting of individuals who have been overcharged. Lease and rent calculation policies (page 6) in need of update should be drafted with ample resident input and be approved by the Board of Commissioners before being put into place, preferably as a part of the updating of the ACOP. An immediate reexamination (page 9) will likely cause turmoil in the community and should be approached with caution and heightened communication with residents. No increase to the minimum rent (page 11) should be put in place due to the already overburdened financial situation of public housing residents. Any increase should be based on CRHA board approval and at the most should not exceed \$50. Any change in calculations or leases should be communicated to all residents, fully, in advance. Stipends (page 11) for resident training and education not paid by the CRHA itself should not be counted towards income, even when in excess of \$200 per month, as per 24 CFR Regulation § 964.150 Funding tenant participation: *(b) (2) Pursuant to §913.106, stipends are not to be construed as salaries and should not be included as income for calculation of rents, and are not subject to conflict of interest requirements.* A change to zero income (page 11) calculation procedure is already underway, despite no approval or discussion being given from the CRHA Board of Commissioners. These changes have also not been communicated to residents, causing confusion and an increase in reports to PHAR. The lack of dignity and respect being shown to residents on this matter due to the sensitive documentation and questioning of residents should be eliminated, and could be diffused with ample communication to residents upon board approval. Further inconsistencies in rent calculation (page 37) should take into consideration seasonal and part-time

employment in which hours may vary, and opportunities for the earned income disallowance. Proper training of CRHA staff could greatly improve consistency and fairness in rent calculation. PHAR would support greatly any joint training on this, and any, issue in the future.

Collections and Eviction

PHAR has consistently called on the CRHA to revise and implement a comprehensive eviction prevention policy. This policy should be based on timely collection of rents, but not with the heavy hand of mass eviction. Rent calculation mismanagement as cited in the report (and in section 1 of this letter) leads to a variety of improper collection and eviction procedures. Lack of staff training and collaboration with the prevention coordinator leads to disorganized approach to rent collection. Collection procedures (page. 1) need to be revised under a more integrated approach to collections and eviction. Any changes made to leases (page 6.) should be preceded by ample resident input and approved by the CRHA Board of Commissioners before implementation. Staff training and adherence to community service policies need to be understood and implemented fairly. PHAR receives numerous reports of inaccurate information being given to residents regarding community service hours. HUD's call for greater screening and eviction actions (page 23) on security matters should be applied evenly and consistently. Reports of favorites being played with certain residents abound, there should be no double standard for resident behavior in public housing. Application screening should be based solely on HUD guidelines rather than the discretion of the ED as pertains to the criminal background of potential renters. Steps should be taken to reduce unwanted behavior through programming or services rather than screening out or evicting residents for bad behavior. Sending residents or past residents to collection agencies (page 36) will no doubt contribute to a broadening of financial burdens in the Charlottesville area and will be to the benefit only to collection agencies. The prevention coordinator's ability to work with residents needs to be strengthened as part of a comprehensive eviction prevention policy. No conflict of interest (page 37) exists between the prevention coordinator and PHAR, the incident cited is a misunderstanding of an interaction between the prevention coordinator and the outreach worker at the Westhaven Clinic. Both positions have extensive confidentiality provisions that were adhered to. All eviction efforts should be approached from the purpose of preventing and reducing evictions rather than increasing evictions.

ACOP

The revision of the ACOP (page 1) should follow all guidelines and timelines set forth by HUD policy, including the addition of comment and discussion by residents and resident organizations. The ACOP should be given a 30 day comment period before board approval. CRHA staff has indicated that this process is underway and that a draft would be available for comment. This has yet to happen. PHAR further asserts that the ACOP is necessary for the submission of the annual plan, which also requires ample resident and RAB input. The deadline for the annual plan is set to expire soon, with no draft, discussion, or 30 day comment period in place. PHAR wishes to be a constructive partner in this process but will not hesitate to hold the board of commissioners accountable for any lack of public input. For no reason should any change in policy or procedure pertaining to the ACOP be enacted before board approval. A new Credit and criminal background check (page 34) procedure has not been discussed nor approved by the CRHA Board of Commissioners. Such changes should be a part of the process for revising the ACOP and should reflect no more than HUD guidelines for credit and criminal background checks.

Maintenance

PHAR is please to see an attention to maintenance issues in the limited review. PHAR has consistently

called for the creation of a maintenance supervisor position (page 21, 38). The CRHA Board has not had any discussion of this matter other than Commissioner Johnson raising the issue from time to time. PHAR sees the potential for a supervisory position combined with capital improvement and procurement duties as a potential for making this a reality. This position could include modernization supervision as well. A comprehensive maintenance plan (page 30) should be in place, PHAR is astonished to observe no such plan exists. Any plan should be based on a thorough evaluation of the needs of residents. Any increase or revision of maintenance fines (page 35) or fees (page 39) should take into consideration the crumbling infrastructure due to inadequate maintenance over decades when applied to “normal wear and tear”. Work order improvements (page 22-23) are needed, and a system for tracking and reaching the CRHA staff quickly should be in place, a system for accountability on work orders should exist, otherwise residents are forced to wait for long periods while a grievance on a maintenance issue is resolved. Utility studies (page 41) have been requested by PHAR and Legal Aid for a number of years. The CRHA unwillingness to evaluate and adjust utility allowances has led to a costly lawsuit for the CRHA. The lawsuit could have been avoided by the CRHA being willing to heed PHAR’s past requests.

Staff training

CRHA staff needs thorough training on all aspects of HUD and CRHA policy and procedure combined with some system of verifying that all policies and procedures are adhered to. PHAR has requested, repeatedly, all trainings to include residents so that we can all be “on the same page”. Any understanding of HUD regulation must also be combined with an emphasis on local CRHA policies as well to eliminate any misunderstandings.

Grievances

PHAR believes that adequate staff accountability and training will lead to a reduction in the need for residents to file grievances (page 35). PHAR further asserts that tenants have the right to file grievances under federal regulations, and find this to be one of the few ways to hold CRHA accountable. Assisting residents in filing grievances by PHAR and Legal Aid should be welcomed by HUD and by the CRHA as a necessary tool for improving accountability and the lives of residents in public housing. Despite consistent calls by PHAR, the CRHA has yet to have in place a formal grievance hearing panel (page 3). This has led to a back log of grievances and a violation of HUD and CRHA policies. Further, many grievances have not been addressed in a timely fashion as proscribed by HUD regulations. Any revision of the grievance procedures and policies should be communicated fully to residents and be preceded by ample resident input.

Resident Relations

Relations remain poor between the CRHA staff, board, residents, and the RAB (PHAR). PHAR believes that numerous improvements can be made, many of which have been indicated above. These include:

- better training of staff on policies and procedures
- fair and consistent implementation of policies and procedures
- greater communication with residents on policy and procedure changes
- greater input from residents and the RAB on policy and other matters in public housing
- willingness to work with and communicate directly with PHAR as partners
- greater communication from and availability of property managers
- improvements and trainings in communication skills for all CRHA staff

Disrespectful and rude behavior is often reported by residents to PHAR. Residents have reported on

retaliation by CRHA staff for speaking out on issues and for being involved in resident organizing and training opportunities. Early efforts to meet with the executive director were met with resistance, and few direct meetings between PHAR and CRHA staff have occurred. We ask that HUD review past minutes from Resident Services meetings to take note of the many issues brought forth by residents that have yet to be addressed despite being brought up consistently.

The limited review did not include meetings with residents individually nor was any input sought from PHAR as to the operations and management of public housing in Charlottesville. Rather, the HUD review sought only to evaluate PHAR's implementation of the ROSS program (page 14) despite the purpose of the review being to "examine and assess the CRHA's overall management, performance, and compliance...". Please refer to PHAR's March 11 letter concerning PHAR and the ROSS program.

Governance

The lack of "understanding of governance" (page 17) exhibited by the CRHA has led to an overall mismanagement of public housing in Charlottesville. The Board's inability to take an active role in policy decision making and taking due diligence seriously meant that more and more authority has been given to the CRHA staff. This leads to the Board being unable to hold the staff and executive director accountable for any mistakes, bad decisions, or violations of regulations. PHAR believes that adequate training of board members will help to remedy this. We also hold that resident Commissioner Johnson has exhibited a greater understanding of how HUD, and local housing authorities work, making her an asset to the board. Commissioner Johnson's input however is consistently ignored and overlooked.

There have been many instances of her inability to access key documents in a timely fashion. Numerous instances of process violations have taken place, with the most typical being new policy and procedure being enacted without discussion or board approval. Regulation 964 gives the RAB the right to give input on all matters. PHAR is seldom consulted on any policy change or upcoming decision, with a few exceptions. The inability to follow the timeline and procedure for the annual plans is worrisome, and indicative of the board's inability to keep the CRHA compliant with HUD mandates. Again, Commissioner Johnson has been the sole voice on the issue of the annual plans and compliance.

Appearances of conflict of interest are addressed in our March 11 letter. HUD General Counsel has gone on record to indicate that there is no conflict of interest concerning former CRHA Chair Norris. Any possible conflict shown by resident commissioners or PHAR staff is vetted through Legal Aid Justice Center. We would point out that Commissioner Woodard, as the owner of numerous properties that accept Section 8 vouchers, might have a variety of conflicts of interests. Currently serving on the Finance Committee are two former commissioners Jason Halbert and Rick Jones who have not been formally appointed to the committee and who should not be participating in CRHA decision making. A CRHA property manager is currently her husband's supervisor. Minutes of CRHA board meetings are not posted on the CRHA website, nor are committee meeting minutes. To find exact wording of policies and decisions one has to sort through hours of video. Notice and meeting materials are not given to residents or the RAB.

Other

(page 13) PHAR understands the need for better financial management tools, including software update. However, the \$60,000 is hard to justify when residents are being asked to pay more, and face harsher repercussions for late payments of rent.

(page 21) Transfers and turnover times have been pointed to by CRHA as improving, and HUD asks that more be done. PHAR would note that many transfers are done in haste without the proper pre-move in maintenance or resident walk throughs.

(page 24) A new policy for barment has been approved, due to old mismanagement the current list contains a number of people who continue to be illegally barred. Despite the new policy and procedure, violations in the process have already been reported.

(page 32) Drug testing of CRHA staff was not implemented fully. At least one staff member was allowed extra time to take the test, while other reliable maintenance staff were dismissed.

Section 8

The limited review of CRHA management of Section 8 shows a severe mishandling of all aspects related to Section 8. As indicated above, all changes to plans, policies, and procedures should include ample public input and communication with tenants. Any errors in rent calculations should be addressed immediately. Staff should be rearranged to ensure that the affordable housing needs of the Charlottesville community are met in a fair, consistent, and comprehensive manner. The waiting list is being opened this month, all errors concerning the previous waiting list and preferences need to be addressed and considered when implementing new list preferences and procedures. A system for holding CRHA accountable for correcting current non-compliance with the administrative plan and HUD regulations needs to be crafted. The report indicates that CRHA staff is currently unable to correctly and fairly determine rent. Correcting this could lead to further instances of financial hardships due to collection of back rent. Any corrections to rent calculation and collection should be approached with leniency towards tenants who may be put under more financial strain. Further training needs to be given to CRHA staff on all HUD and CRHA policies for Section 8.

The mission of PHAR: To empower low-income residents to protect and improve our own communities through collective action