

MTW Supplement Starting July 1, 2022

ATTACHMENT B AGENCY PUBLIC COMMENT ANALYSIS AND RELATED DECISIONS

Some comment received by e-mail were related to individual circumstances and obtaining housing. Information was given to those individuals as appropriate.

The Annual Plan and MTW Supplement were posted for the required time period. As there was low participation in the process after the first Public Hearing, individual notices were e-mailed to participants because of the importance of participation in the MTW process. This resulted in more attendance at the second Public Hearing and more submitted comments. Slides summarizing the MTW activities were provided to those who submitted comments to assist with understanding the content of the MTW Supplement.

One request was made to revise activity 2022-10 to add: "and/or where the PHA's nonprofit development arm or single-asset entity is the managing general partner to the limited partnership." After reviewing this comment it was decided not to revise this activity to include this comment since the wording included in the activity is from HUD's MTW Operations Notice, which the AHA is required to comply with. Additionally, the wording is under a Safe Harbor requirement for the activity that the AHA cannot request to be waived. In other words, if the AHA made this change, it would be out of compliance with the MTW Operations Notice and HUD has already stated in the notice that it will not waive its requirement for the awards be made to a "single-asset entity of the PHA."

In response to comments made to activity 2022-13, a revision of the implementation timeline is being made in the FY2023-2024 plan.

A second set of comments to activity 2022-13 was received. The above revision in regards to the implementation timeline would address some of the same concerns. Additionally, it was requested that the AHA include language about tenant selection criteria and TCAC preferences. The AHA already allows for a local live/work preference as allowed under PBV regulations and it would not look to revise this preference at this time. The AHA also has a limited displaced preference, once again as allowed under PBV regulations, that it would not look to revise at this time. This activity allows for owner referrals to the AHA and not CES referrals to the AHA; therefore, if the owner is

having difficulty getting referrals from CES, the burden will fall on the owner to provide AHA documentation of its methods from outside of CES while still meeting the applicable federal laws. If families remain on a wait list that would normally be used to provide applicants to the type of complex where CES referrals are not being received, outreach will be made to the families on the wait list to see if any of them meet the requirements of the unit.

One commentator had concerns about Activity 2022-02 3.b. Alternative Reexamination Schedule for Households and its affects on families. The Hardship Exemption policy was revised slightly to address these issues in that 1) it now allows for hardship requests under the first income decrease and 2) language was added to address what documentation will be accepted for eligibility of a hardship request.

One commentator had concerns about Activity 2022-04 4.a. Vacancy Loss and Activity 2022-05 4.c. Other Landlord Incentives. (Note: In the draft version of the MTW Supplement, Activity 2022-05 was mislabeled 4.b., but has been corrected to match the MTW Operations Notice to 4.c.) The commentator requested that the activities be revised to exclude landlords whose units are vacant due to “prior violation of tenant's rights” including units that were abated or cancelled or had “other citations for substandard conditions.” The AHA is not making a change to the activity in response to this comment. While it is important to ensure that housing meets standards, units that are removed from the program by abatement or cancellation are not generally allowed back on the program as the unit would still not meet the standards. Verifying the reason for a vacancy with other agencies to ensure that there are no citations for the unit would delay the leasing process for all landlords and be counter to the goal of the landlord incentive program.

The Resident Advisory Board (RAB) met December 8, 2022. Two member of the RAB were present. One member wanted to know who had to approve the Safe Harbor Waiver for activity 2022-01 2.b. Payment Standards and what the chances of it being approved were. The RAB member was informed that the Department of Housing and Urban Development (HUD) would have to approve this waiver request, but that it was within the bounds of what could be requested and that AHA was not the only PHA to make this request. One RAB member stated that since the family was only receiving retirement, the family should be excluded from all MTW Activities. The MTW program and its applicability to Housing Choice Voucher (HCV) and Project-Based Voucher (PBV) participants was explained. A RAB member questioned how long families might have to wait on a wait list due to Activity 2022-10 9.c. Elimination of PBV Selection Process for PHA-owned Projects without Improvement, Development, or Replacement. It was explained that the activity would, if anything, provide more units for families and should not increase the time families are on the wait lists. RAB members were concerned that Activity 2022-13 Allow Owner Referrals Under PBV Program would shift the burden of wait list management to owners and that owners may not like this shift. Four owners had already commented with their support of this activity. It was explained

that owners doing development layer subsidy types and this can make filling units from a wait list difficult, especially if the funding resource requires a referral from the Coordinated Entry System (CES). A RAB member questioned what the standard for over-crowding is in regards to Activity 2022-14 Project-Based Voucher Right Sizing. It was explained that this is part of the Housing Quality Standards (HQS) and would not change under this MTW activity. At the end of meeting, RAB members had concerns about a specific complex, so these comments were not addressed as the comments were not related to the HCV or PBV program or the launch of MTW activities.