DETCOG
REGIONAL HOUSING AUTHORITY

FYB October 1, 2020

Five-Year PHA Plan

and

Annual PHA Plan

Display Copy

Comment Period April 22, 2020 - June 11, 2020

Resident Advisory Board - April 9, 2020

Housing Advisory Committee Meeting - April 16, 2020

Housing Advisory Committee Meeting - May 7, 2020

Public Hearing - June 11, 2020

DETCOG Board of Directors consideration for approval - June 25, 2020

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.

A PHA Information.

A.1

PHA Name: DETCOG Regional Housing Authority
PHA Code: TX512
PHA Plan for Fiscal Year Beginning: (MM/YYYY): 10/2020
PHA Submission Type: ☒ 5-Year Plan Submission ☐ Revised 5-Year Plan Submission

Availability of Information. 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.

The following are the specific locations where the public may obtain copies of the 2020 5-Year PHA Plan:

- Administrative Office – 1405 Kurth Drive, Lufkin, TX 75904
- www.dethousing.org
- www.detcog.gov

☐ **PHA Consortia:** (Check box if submitting a joint PHA Plan and complete table below)

Participating PHAs	PHA Code	Program(s) in the Consortia	Programs Not in the Consortia	No. of Units in Each Program	
				PH	HCV
Lead HA:					

B	**5-Year Plan.** Required for all PHAs completing this form
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. The DETCOG Regional Housing Authority's mission is to promote equal access to adequate and affordable housing, economic opportunity and a suitable living environment that encourages self-sufficiency to the low-income families ***in the Deep East Texas Region***. The RHA's Family Self Sufficiency program continues to grow with participants transitioning off the program to self-sufficiency. The agency's goal is to increase the number of family participants to 125 by the end of ***2020***. The RHA continues its ongoing annual workshop. RHA continues to provide suitable living environments and choices for families by providing budgeting/financial and credit management) to voucher holders for the homeownership program. The RHA ***currently has twenty-one (21)*** families ***participating*** in its homeowner program. RHA continues to provide higher payment standards for remaining desegregative housing opportunity areas to eligible families remaining in the DHO Settlement. RHA provides higher payment standards (10% above FMR) for designated counties to assure equal opportunity and access to affordable housing which increases housing choices to all other voucher families. RHA will conduct annual workshops directed to landlord education, appreciation, and fair housing review. The RHA continues to work in partnership with the Veterans Administration for VASH and continues to maintain its Non-Elderly Disabled (NED) Program. The DETCOG Regional Housing Authority will increase its utilization rate for all programs overall to assure that a greater number of low-income families are provided rental assistance. The RHA continuously takes necessary measures, via development and implementation of procedures, to demonstrate and ensure compliance with Section 8 HCV program regulations.
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. **PHA GOAL #1: EXPAND THE SUPPLY OF ASSISTED HOUSING** The PHA established the following objectives to strive in meeting goal #1: ▪ ***Apply for additional rental vouchers*** ▪ ***Leverage private or other public funds to create additional housing opportunities*** ▪ ***Apply for project-based vouchers*** ▪ ***Apply for FUP vouchers***

B.2	PHA GOAL #2: IMPROVE THE QUALITY OF ASSISTED HOUSING

The PHA established the following objectives to strive in meeting goal #2:

- ***Improve voucher management (SEMAP score)***
- ***Increase customer satisfaction***
- ***Concentrate on efforts to improve specific management functions (e.g., voucher unit inspections)***

PHA GOAL #3: INCREASE ASSISTED HOUSING CHOICES

The PHA established the following objectives to strive in meeting goal #3

- ***Provide voucher mobility counseling***
- ***Conduct outreach efforts to potential voucher landlords***
- ***Increase voucher payment standards***
- ***Implement voucher homeownership program***
- ***Implement project-based vouchers***

PHA GOAL #4: PROVIDE AN IMPROVED LIVING ENVIRONMENT

The PHA established the following objectives to strive in meeting goal #4

- ***Implement measures to promote income mixing in assisted housing by assuring access for lower income families into higher income developments/neighborhoods***

PHA GOAL #5: PROMOTE SELF-SUFFICIENCY AND ASSET DEVELOPMENT OF ASSISTED HOUSEHOLDS

The PHA established the following objectives to strive in meeting goal #5

- ***Increase the number and percentage of employed persons in assisted families***
- ***Provide or attract supportive services to improve assistance recipients' employability***
- ***Provide or attract supportive services to increase independence for the elderly or families with disabilities***

PHA GOAL #6: ENSURE EQUAL OPPORTUNITY AND AFFIRMATIVELY FURTHER FAIR HOUSING

The PHA established the following objectives to strive in meeting goal #6

- ***Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, and disability***

B.3 **Progress Statements.** Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.

PHA GOAL #1: EXPAND THE SUPPLY OF ASSISTED HOUSING

The PHA established the following objectives to strive in meeting goal #1:

- Coordinate and leverage private or public funds to create additional housing opportunities
- Acquire or build units or developments for expansion of housing units

Progress Statement: ***The DETCOG Regional Housing Authority will (a) continue to coordinate with private and/or public agencies to seek funds to create additional housing opportunities; and (b) will apply for additional affordable housing through an affiliate non-profit agency if available.***

PHA GOAL #2: IMPROVE THE QUALITY OF ASSISTED HOUSING

The PHA established the following objectives to strive in meeting goal #2:

- Access voucher management for continuous improvement of procedures
- Increase customer satisfaction and improve customer awareness and satisfaction
- Concentrate on efforts to improve specific management functions
- Provide replacement vouchers; if funding source available

Progress Statement: ***The DETCOG Regional Housing Authority will (a) continue annually to assess all voucher management systems for continuous improvement; (b) continue to perform its annual educational workshop geared to voucher families with emphasis on family self-sufficiency; and (c) continue efforts to seek voucher funding for targeted populations identified by community. The DETCOG Regional Housing Authority has implemented online portals accessible to program applicants, participants and landlords for improved customer service. The PHA also improved customer service/awareness through the use of website and social media outlets.***

PHA GOAL #3: INCREASE ASSISTED HOUSING CHOICES

The PHA established the following objectives to strive in meeting goal #3

- Provide voucher mobility counseling
- Conduct outreach efforts to potential voucher landlords
- Increase voucher payment standards to allow families to rent throughout service area

Progress Statement: ***The DETCOG Regional Housing Authority will (a) continue to provide voucher mobility counseling in the FSS program annually; (b) continue to provide outreach to local housing industry and/or landlords with a goal to bring in new housing vendors; (c) continue use of exception payment standards to allow housing choices to DHO families remaining under the Young Lawsuit Settlement; and (d) continue use of increased FMR's to regular voucher families for increased housing choices. The PHA will apply for and***

B.3	*implement project-based vouchers and Family Unification Program upon approval by the DETCOG Board of Directors and HUD.* **PHA GOAL #4: PROVIDE AN IMPROVED LIVING ENVIRONMENT** The PHA established the following objectives to strive in meeting goal #4 ▪ Designate developments or buildings for particular resident groups, if feasible **Progress Statement:** ***The DETCOG Regional Housing Authority will continue to work in partnership with the DETCOG Area Agency on Aging department and its Navigator Program to assure improved living environment and provision of supportive services for elderly and disabled individuals. The PHA will continue to conduct bi-annual inspections and, where warranted, annual inspections to insure HQS compliance. The PHA will consider alternative inspections in the event of a presidentially declared disaster, local, state or national emergency and/or public health crisis to insure an improved living environment and homeless prevention.*** **PHA GOAL #5: PROMOTE SELF-SUFFICIENCY AND ASSET DEVELOPMENT OF ASSISTED HOUSEHOLDS** The PHA established the following objectives to strive in meeting goal #5 ▪ Increase the number and percentage of employed persons in assisted families ▪ Provide or attract supportive services to improve assistance recipients' employability ▪ Provide or attract supportive services to increase independence for the elderly or families with disabilities ▪ Coordinate and maintain self-sufficiency programs ▪ Coordinate supportive services with DETCOG AAA & Navigator Program for elderly and disabled families **Progress Statement:** ***The DETCOG Regional Housing Authority will (a) continue to increase the number/percentage of employed persons in assisted families through its annual tenant workshop; (b) continue to utilize resource agencies in its annual workshop to offer financial literacy, homeownership and employment opportunities/choices to families; (c) continue outreach efforts to increase the number of participants in the FSS program up to 150 families (currently 94); (d) work with participants in establishing goals for employment and increased income; (e) continue to provide and/or attract supportive services to elderly and disabled families through its partnership with Area Agency on Aging for the elderly and the Housing Navigator Program for disabled families; and (f) continue to maintain the FSS program by seeking continued funding as available.***

B.3	**PHA GOAL #6: ENSURE EQUAL OPPORTUNITY AND AFFIRMATIVELY FURTHER FAIR HOUSING** The PHA established the following objectives to strive in meeting goal #6 ▪ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status and disability ▪ Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required ▪ Analyze and compile housing data on low income families in Deep East Texas service region ▪ Assess and identify barriers/impediments to fair housing through a local market study ▪ Develop and coordinate fair housing workshop to educate/outreach to voucher families and regional low-income families ▪ Coordinate and perform outreach/marketing of the housing choice voucher program to public/private sector as well as maintain partnerships with social services agencies in achievement of this effort **Progress Statement:** ***The DETCOG Regional Housing Authority will (a) continue to undertake efforts to Affirmatively Further Fair Housing per HUD guidelines and regulations; and (b) continue its partnership with the Area Agency on Aging and Housing Navigator Program to ensure equal access for the elderly and disabled.***
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 ***(See attachment tx512b01)***.
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. **Substantial Deviation** ▪ Any change to the Mission Statement ▪ 50% deletion from or addition to the goals and objectives as a whole; and ▪ 50% or more decrease in the quantifiable measurement of any individual goal or objective **Significant Amendment/Modification** ▪ Any increase or decrease over 50% in the funds projected in the Financial Resource Statement; ▪ Any change in policy or operation that is inconsistent with the applicable Consolidated Plan

B.6	**Resident Advisory Board (RAB Comments.** (a) Did the RAB(s) provide comments to the 5-Year PHA Plan? ***(See attachment tx512a01)*** Y N ☐ ☐ (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.
B.7	**Certification by State or Local Officials.** Form HUD 50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan.
	Challenged Elements.

Streamlined Annual PHA Plan *(HCV Only 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-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

(1) ***High-Performer PHA*** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a higher performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.

(2) ***Small PHA*** – A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.

(3) ***Housing Choice Voucher (HCV) Only PHA*** – A PHA that administers more the 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.

(4) ***Standard PHA*** – A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceeds 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.

(5) ***Troubled PHA*** – A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent

(6) ***Qualified PHA*** – A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined, and is not PHAS or SEMAP troubled.

A	PHA Information.

A.1

PHA Name: DETCOG Regional Housing Authority **PHA Code:** TX512
PHA Plan for Fiscal Year Beginning: (MM/YYYY): 10/2020
PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning above)
Number of Housing Choice Voucher (HCVs): 1873
Number of DHO Vouchers: 5
Number of VASH Vouchers: 102
Total Combined Vouchers: 1980
PHA Submission Type: ☒ Annual Submission ☐ Revised Annual Submission

Availability of Information. PHAs must have the elements listed below in sections B and C 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. 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 website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.

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- www.detcog.gov

☐ **PHA Consortia:** (Check box if submitting a joint PHA Plan and complete table below)

Participating PHAs	PHA Code	Program(s) in the Consortia	Programs Not in the Consortia	No. of Units in Each Program	
				PH	HCV
Lead HA:					

B	Annual Plan Elements
B.1	**Revision of PHA Plan Elements.**

(a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?

Y	N	
☒	☐	Housing Needs and Strategy for Addressing Housing Needs
☒	☐	Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.
☒	☐	Financial Resources.
☐	☒	Rent Determination.
☒	☐	Operation and Management.
☐	☒	Informal Review and Hearing Procedures.
☒	☐	Homeownership Programs.
☒	☐	Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.
☐	☒	Substantial Deviation.
☐	☒	Significant Amendment/Modification

(b) If the PHA answered yes for any element, describe the revisions for each element(s):

Housing Needs and Strategy for Addressing Housing Needs

Housing Needs:

Waiting List for Section 8

Total: 1000
Extremely Low Income: 812-81%
Very Low Income: 157-16%
Low Income: 30-3%
Families with children: 670-67%
Elderly Families: 43-4%
Families with Disabilities: 322-32%
White: 175-18%
Black/African American: 730-73%
American Indian/Alaska Native: 7-1%
Asian: 3-0.3%
Native Hawaiian/Other Pacific Islander: 5-0.5%
Hispanic: 80-8%

The waiting list has been closed for 3 months. The PHA does expect to re-open the waiting list in the PHA plan year.

B.1

Deconcentration and Other Policies that Govern Eligibility, Selection and Admissions

Preferences

as a limited preference specifically for people who are referred by a partnering homeless services organization or consortia of such organizations

Priority	Preference
5	- Victims of domestic violence – ***limited preference specifically for people who are referred by a partnering homeless service organization or consortia of such organizations***
100	- Residency – Families who live, work, or have been hired to work in the ***DETCOG Regional Housing Authority*** jurisdiction
5	- Veterans and veteran families
5	- Disabled families (head, co-head or spouse)

DET***COG Regional Housing Authority*** will use an online application process to accept applicants during the period of the open waiting list. ***DETCOG Regional Housing Authority*** will use a lottery system to select applicants to be placed onto the waiting list. ***Random lottery will be conducted as such:*** After all complete and unduplicated applications are received during the waiting list opening; ***DETCOG Regional Housing Authority*** will conduct a random lottery to select the applicants. Applicants will be randomly assigned a number, and the applicants will be placed on the waiting list in order of the assigned numbers and according to ***preference/lottery method***.

In relationship of preferences to income targeting requirements, the pool of applicant families ensures that the PHA will meet income targeting requirements.

The PHA changed the priority points of the following preferences:

- ***Victims of domestic violence***
- ***Residency – Families who live, work, or have been hired to work in the DETCOG Regional Housing Authority jurisdiction***
- ***Veterans and veteran families***

The PHA deleted the following preferences:

- ***Involuntary Displacement – natural disaster or government action***
- ***Families participating in an anti-poverty project – DETRHA will give preference to no more than five (5) applicant households whose head of household, spouse, or co-head is serving at least 30 hours per week in an anti-poverty project conducted with the PHA's jurisdiction which is sponsored and funded by the Corporation of National and Community Service or another federal agency***

B.1

Financial Resources

Financial Resources: Planned Sources and Uses		
Sources	**Planned $**	**Planned Uses**
1. Federal Grants (FY 2020 grants)		
a) Public Housing Operating Fund		
b) Public Housing Capital Fund		
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	11,028,520.00	
f) Resident Opportunity and Self-Sufficiency Grants	72,000.00	
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		
4. Other income (list below)		
5. Non-federal sources (list below)		
Total resources	**$11,100,520.00**	

Operation and Management

HUD Programs Under PHA Management:

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	N/A	N/A
Section 8 Vouchers	*1873*	
Section 8 Certificates	N/A	N/A
Section 8 Mod Rehab	N/A	N/A
Special Purpose Section 8 Certificates/Vouchers (list individually)	NED (Non-Elderly Disabled) *150*	
Other Federal Programs (list individually)	VASH *102*	

B.1

Homeownership

The PHA administers a homeownership program for Section 8.

The PHA is actively working to increase its Homeownership Program to 25 (*21* in homeownership currently). PHA may revise its homeownership program.

The PHA has established eligibility criteria for participation in its Section 8 Homeownership Program in addition to HUD criteria as listed in the Administrative Plan.

PHA changed number of participants in homeownership currently from 17 to 21.

Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements

Family Self-Sufficiency Programs:

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants	Actual Number of Participants *(As of: 04/04/2020)*
Public Housing	N/A	N/A
Section 8	*0*	*94*

B.2

New Activities.

(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?

Y N Project-Based Vouchers.
☒ ☐

(b) If this activity is planned for the current Fiscal Year, describe the activities. Provide the projected number of project-based units and general locations and describe how project-basing would be consistent with the PHA Plan.

Our agency is currently ***proposing*** a Section 8 Project Based Voucher Program.

The project-based voucher (PBV) program allows PHAs that already administer a tenant-based voucher program under an annual contributions contract (ACC) with HUD to take up to 20 percent of its voucher program budget authority and attach the funding to specific units rather than using it for tenant-based assistance [24 CFR 983.6]. PHAs may only operate a PBV

B.2	program if doing so is consistent with the PHA's Annual Plan, and the goal of deconcentrating poverty and expanding housing and economic opportunities [42 U.S.C. 1437f(o)(13)]. OWNER PROPOSAL SELECTION PROCEDURES [24 CFR 983.51(b)] The PHA must select PBV proposals in accordance with the selection procedures in the PHA Housing Choice Voucher Administrative Plan. The PHA must select PBV proposals by either of the following two methods. Project –based vouchers will be limited to 25 units. PHA request for PBV Proposals. The PHA may solicit proposals by using a request for proposals to select proposals on a competitive basis in response to the PHA request. The PHA may not limit proposals to a single site or impose restrictions that explicitly or practically preclude owner submission of proposals for PBV housing on different sites. The PHA may select proposals that were previously selected based on a competition. This may include selection of a proposal for housing assisted under a federal, state, or local government housing assistance program that was subject to a competition in accordance with the requirements of the applicable program, community development program, or supportive services program that requires competitive selection of proposals (e.g., HOME, and units for which competitively awarded LIHTCs have been provided), where the proposal has been selected in accordance with such program's competitive selection requirements within three years of the PBV proposal selection date, and the earlier competitive selection proposal did not involve any consideration that the project would receive PBV assistance. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT 25 Percent per Project Cap [24 CFR 983.56] In general, the PHA may not select a proposal to provide PBV assistance for units in a project or enter into an agreement to enter into a HAP or a HAP contract to provide PBV assistance for units in a project, if the total number of dwelling units in the project that will receive PBV assistance during the term of the PBV HAP contract is more than the greater of 25 units or 25 percent of the number of dwelling units (assisted or unassisted) in the project. Exceptions to 25 Percent per Project Cap [FR Notice 1/18/17] Exceptions are allowed and PBV units are not counted against the 25 percent or 25-unit per project cap if: • The units are exclusively for elderly families • The units are for households eligible for supportive services available to all families receiving PBV assistance in the project • The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates

B.2	The Housing Opportunity Through Modernization Act of 2016 (HOTMA) eliminated the project cap exemption for projects that serve disabled families and modified the exception for supportive services. Projects where these caps were implemented prior to HOTMA may continue to use the former exemptions and may renew their HAP contracts under the old requirements, unless the PHA and owner agree to change the conditions of the HAP contract. However, this change may not be made if it would jeopardize an assisted family's eligibility for continued assistance in the project. The PHA may operate a project-based voucher program that utilizes up to 200 tenant-based vouchers. By project-basing some vouchers, the PHA can offer greater choice to program participants. Project-based vouchers provide opportunities for greater resident services designed to help low-income individuals improve their quality of life through education, workforce development, and improved health and wellness. The PHA may decide to project-based vouchers above the 200-voucher limit (but no more than 20 percent of its voucher program budget authority), if HUD publishes a notice making available PBV for HUD-VASH vouchers or for other PBV special purpose vouchers or for a project that would provide affordable housing for low-income or homeless veterans. For the entire policy on project-based vouchers, please refer to the Section 8 Administrative Plan, Chapter 17, located on the PHA website: www.dethousing.org.
B.3	**Most Recent Fiscal Year Audit.** (a)Were there any findings in the most recent FY Audit? Y N N/A ☐ ☒ ☐ (b) If yes, please describe: *N/A*
B.4	**Civil Rights Certification.** Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations,* must be submitted by the PHA as an electronic attachment to the PHA Plan.
B.5	**Certification by State or Local Officials.** Form HUD 50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

B.6	**Progress Report.**

Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.

PHA GOAL #1: EXPAND THE SUPPLY OF ASSISTED HOUSING

The PHA established the following objectives to strive in meeting goal #1:

- Coordinate and leverage private or public funds to create additional housing opportunities
- Acquire or build units or developments for expansion of housing units

Progress Statement: ***The DETCOG Regional Housing Authority will (a) continue to coordinate with private and/or public agencies to seek funds to create additional housing opportunities; and (b) will apply for additional affordable housing through an affiliate non-profit agency if available.***

PHA GOAL #2: IMPROVE THE QUALITY OF ASSISTED HOUSING

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Progress Statement: ***The DETCOG Regional Housing Authority will (a) continue annually to assess all voucher management systems for continuous improvement; (b) continue to perform its annual educational workshop geared to voucher families with emphasis on family self-sufficiency; and (c) continue efforts to seek voucher funding for targeted populations identified by community. The DETCOG Regional Housing Authority has implemented online portals accessible to program applicants, participants and landlords for improved customer service. The PHA also improved customer service/awareness through the use of website and social media outlets.***

PHA GOAL #3: INCREASE ASSISTED HOUSING CHOICES

The PHA established the following objectives to strive in meeting goal #3

- Provide voucher mobility counseling
- Conduct outreach efforts to potential voucher landlords
- Increase voucher payment standards to allow families to rent throughout service area

Progress Statement: ***The DETCOG Regional Housing Authority will (a) continue to provide voucher mobility counseling in the FSS program annually; (b) continue to provide outreach to local housing industry and/or landlords with a goal to bring in new housing vendors; (c) continue use of exception payment standards to allow housing choices to DHO families***

B.6	*remaining under the Young Lawsuit Settlement; and (d) continue use of increased FMR's to regular voucher families for increased housing choices. The PHA will apply for and implement project-based vouchers and Family Unification Program upon approval by the DETCOG Board of Directors and HUD.* **PHA GOAL #4: PROVIDE AN IMPROVED LIVING ENVIRONMENT** The PHA established the following objectives to strive in meeting goal #4 ▪ Designate developments or buildings for particular resident groups, if feasible **Progress Statement:** ***The DETCOG Regional Housing Authority will continue to work in partnership with the DETCOG Area Agency on Aging department and its Navigator Program to assure improved living environment and provision of supportive services for elderly and disabled individuals. The PHA will continue to conduct bi-annual inspections and, where warranted, annual inspections to insure HQS compliance. The PHA will consider alternative inspections in the event of a presidentially declared disaster, local, state or national emergency and/or public health crisis to insure an improved living environment and homeless prevention.*** **PHA GOAL #5: PROMOTE SELF-SUFFICIENCY AND ASSET DEVELOPMENT OF ASSISTED HOUSEHOLDS** The PHA established the following objectives to strive in meeting goal #5 ▪ Increase the number and percentage of employed persons in assisted families ▪ Provide or attract supportive services to improve assistance recipients' employability ▪ Provide or attract supportive services to increase independence for the elderly or families with disabilities ▪ Coordinate and maintain self-sufficiency programs ▪ Coordinate supportive services with DETCOG AAA & Navigator Program for elderly and disabled families **Progress Statement:** ***The DETCOG Regional Housing Authority will (a) continue to increase the number/percentage of employed persons in assisted families through its annual tenant workshop; (b) continue to utilize resource agencies in its annual workshop to offer financial literacy, homeownership and employment opportunities/choices to families; (c) continue outreach efforts to increase the number of participants in the FSS program up to 150 families (currently 94); (d) work with participants in establishing goals for employment and increased income; (e) continue to provide and/or attract supportive services to elderly and disabled families through its partnership with Area Agency on Aging for the elderly and the Housing Navigator Program for disabled families; and (f) continue to maintain the FSS program by seeking continued funding as available.***

B.6	**PHA GOAL #6: ENSURE EQUAL OPPORTUNITY AND AFFIRMATIVELY FURTHER FAIR HOUSING** The PHA established the following objectives to strive in meeting goal #6 ▪ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status and disability ▪ Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required ▪ Analyze and compile housing data on low income families in Deep East Texas service region ▪ Assess and identify barriers/impediments to fair housing through a local market study ▪ Develop and coordinate fair housing workshop to educate/outreach to voucher families and regional low-income families ▪ Coordinate and perform outreach/marketing of the housing choice voucher program to public/private sector as well as maintain partnerships with social services agencies in achievement of this effort **Progress Statement:** ***The DETCOG Regional Housing Authority will (a) continue to undertake efforts to Affirmatively Further Fair Housing per HUD guidelines and regulations; and (b) continue its partnership with the Area Agency on Aging and Housing Navigator Program to ensure equal access for the elderly and disabled.***
B.7	**Resident Advisory Board (RAB) Comments.** (a) Did the RAB(s) provide comments to the PHA Plan? Y N ☐ ☐ (b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations. ***(See attachment tx512a01)***
	Challenged Elements:

Attachment: tx512a01
DETCOG Regional Housing Authority
Resident Advisory Board Consultation Process and Comments – FYB 2020

1. Resident notification of appointment to the Advisory Board

At beginning of PHA Plan process, sent out letter to all residents/participants of opportunity to serve on Resident Advisory Board **April 2, 2020**

2. Resident Advisory Board Selection

Selection made from resident/participant response **April 2, 2020**

3. Meeting Organization

Schedule date to meet with Resident Advisory Board for input to PHA Plan **April 2, 2020**

Notify Resident Advisory Board of scheduled meeting **April 2, 2020**

Hold Resident Advisory Board meeting **April 9, 2020**

4. Notification of Public Hearing

Schedule date for Public Hearing and place ad **April 22, 2020 - April 27, 2020**

Notify Resident Advisory Board **April 9, 2020 and May 7, 2020**

Hold Public Hearing meeting **June 11, 2020**

5. Documentation of resident recommendations and PHA's response to recommendations

Please provide the residents' recommendations/comments and the PHA response to each comment after each RAB meeting.

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Attachment: tx512b01
DETCOG Regional Housing Authority
Violence Against Women Policy (VAWA)

VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

I. PURPOSE AND APPLICABILITY

The purpose of this policy is to implement the requirements of the Violence Against Women Act (VAWA) with respect to the responsibilities of the PHA regarding domestic violence, dating violence, sexual assault and stalking. This policy shall be applicable to all of the federally-subsidized housing programs administered by the PHA and shall be part of the Housing Choice Voucher Administrative Plan and the Public Housing Admissions and Continued Occupancy Policy by reference. Protections under this policy are available to all victims regardless of sex, gender identity, or sexual orientation and will be applied consistent with all nondiscrimination and fair housing requirements.

II. GOALS AND OBJECTIVES

A. Maintaining compliance with all applicable legal requirements imposed by VAWA

B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, sexual assault and stalking

C. Providing and maintaining housing opportunities for victims of domestic violence, dating violence, sexual assault and stalking

D. Creating and maintaining collaborative arrangements between the PHA, law enforcement authorities, victim service providers and others to promote the safety and well-being of victims of actual or threatened domestic violence, dating violence, sexual assault and stalking

E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, sexual assault and stalking affecting individuals assisted by the PHA

III. DEFINITIONS

A. Domestic Violence - includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child, by a person who is living with or has lived with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

B. Spouse or Intimate Partner - includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

C. Dating Violence - violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

D. Sexual Assault - is any type of sexual contact or behavior that occurs without the explicit consent of the recipient, including when the individual lacks capacity to consent

E. Stalking - engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's individual safety or the safety of others, or suffer substantial emotional distress

F. Affiliated individual - with respect to an individual, means

(1) a spouse, parent, brother, sister, or child of that individual, or a person to whom that individual stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of that individual); or

(2) any other person living in the household of that individual

G. Perpetrator - a person who commits acts of domestic violence, dating violence, sexual assault, or stalking against a victim

H. VAWA Self Petitioner - refers to noncitizens who claim to be victims of "battery or extreme cruelty." Battery or extreme cruelty includes domestic violence, dating violence, sexual assault, and stalking. VAWA allows these noncitizens to self-petition for Lawful Permanent Resident (LPR) status without the cooperation of or knowledge of their abusive relative

IV. NOTIFICATIONS PROVIDED

A. All applicants and tenants of all PHA Housing Programs will be provided HUD-5380, "Notification of Occupancy Rights Under the Violence Against Women Act (VAWA)" and HUD-5382, "Certification of Domestic Violence, Dating violence, Sexual Assault, or Stalking and Alternate Documents" at the following times:

(1) at time of denial of assistance or admission

(2) at time of providing of assistance or admission

(3) at any eviction or termination

(4) at recertification or lease renewal

B. These forms will be provided in the applicable language, if necessary, in accordance with Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency).

V. ADMISSIONS AND SCREENING

A. Non-Denial of Assistance - The PHAwill not deny assistance or admission to any person because that person is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, provided that such person is otherwise qualified for admission.

B. Mitigation of Disqualifying Information

(1) An applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, may request that the PHA take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling.

(2) If requested by an applicant to take such mitigating information into account, the PHA shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic

violence and its probable relevance to the potentially disqualifying information.

(3) The PHA will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

VI. TERMINATION OF TENANCY OR ASSISTANCE

A. VAWA Protections

(1) A tenant may not be denied tenancy or occupancy rights solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking if

a. the criminal activity is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant and

b. the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking

(2) An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be considered as a serious or repeated violation of the lease by the victim or threatened victim or good cause for terminating the assistance, tenancy or occupancy rights of the victim or threatened victim of such incident.

B. Limitations of VAWA Protections

(1) Nothing in the above section limits the authority of the PHA to comply with a court order with respect to the rights of access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking, or the distribution or possession of property among members of a household.

(2) Nothing in the above section limits any available authority of the PHA to evict or terminate assistance to a tenant for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking. However, the PHA will not hold to a more demanding standard, a tenant or an affiliated

individual who is or has been a victim of or domestic violence, dating violence, sexual assault, or stalking

(3) Nothing in the above section limits the authority of the PHA to evict or terminate from assistance any tenant or lawful applicant if

a. PHA can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from the assistance, and

b. no other actions that could be taken to reduce the threat have been successful, including transferring the victim to a different unit, barring the perpetrator from the property, involving law enforcement, or seeking other legal remedies to prevent the perpetrator from acting on a threat.

VII. VERIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

A. Requirement for Verification. Subject only to waiver as provided in paragraph D below, the PHA shall require verification in all cases where an individual requests protection against an action involving domestic violence, dating violence, sexual assault, or stalking. Verification may be accomplished in one of three ways:

(1) Completing HUD-5382, "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking"

(2) Other documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the side effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury that the incident or incidents in question are bona fide and meet the requirements of the applicable definition set forth in this policy.

(3) Police or court record - provided to the PHA by federal, state, tribal, or local police or court record describing the incident or incidents in question.

B. Time Allowed. An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault or stalking, and who is requested by the PHA to provide verification, must provide such verification within 14 business days after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.

C. If the PHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), the PHA has the right to request that the tenant provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. Failure to provide third-party documentation where there is conflicting evidence will result in loss of protection under VAWA and this policy against a proposed adverse action.

D. Waiver of verification requirement. With respect to any specific case, the PHA may waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director or President/CEO. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

VIII. NON-CITIZEN SELF-PETITIONER VERIFICATION

A. Financial assistance to ineligible noncitizens will not be denied while verifying immigration status.

B. Self-petitioners can indicate that they are in "satisfactory immigration status" when applying for assistance or continued assistance. "Satisfactory immigration status" means an immigration status which does not make the individual ineligible for financial assistance. After verifying such immigration status in the Department of Homeland Security (DHS) Systematic Alien Verification for Entitlements (SAVE) System, PHAs will make a final determination as to the self-petitioner's eligibility for assistance.

C. In order to qualify, the noncitizen victim must have been battered or subjected to extreme cruelty by their spouse or parent, who is a U.S. citizen or LPR (Lawfully Permanent Resident).

D. Once a PHA receives a self-petition (INS Form I-360 or I-130) or INS Form 797, PHA will not request any additional information from the VAWA self-petitioner, other than what is required using the SAVE system to complete the verification.

E. When a PHA receives a self-petition or INS Form 797 Notice of Action, the PHA will initiate verification in the SAVE System

F. Final determination from the SAVE System. PHA will receive one of two confirmations:

(1) the VAWA self-petition is verified, in which case the applicant is immediately eligible for housing and no evidence of battery or extreme cruelty shall be requested or collected;

(2) the I-130 is verified, in which case the petitioner submitting a family-based visa petition must provide to the PHA any evidence of "battery or extreme cruelty."

G. Housing assistance and all other VAWA protections will be granted to the self-petitioner throughout the verification process until a final determination of LPR (Lawful Permanent Resident) status is made. If the final determination is to deny the VAWA self-petition or LPR petition, the PHA must alert the petitioner and take actions to terminate voucher assistance or evict the petitioner from public housing in accordance with the existing public housing requirements.

IX. EMERGENCY TRANSFER PLAN

Deep East Texas Council of Governments – Regional Housing Authority
Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Housing Choice Voucher Program

Emergency Transfers

The PHA is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),[3] the PHA allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.[4] The ability of the PHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether the PHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the federal agency that oversees that the **public housing and housing choice voucher (HCV) programs** are in compliance with VAWA.

Eligibility for Emergency Transfers

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L, is eligible for an emergency transfer if the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

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[3]Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

[4]Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify the PHA's management office and submit a written request for a transfer to **any PHA office**. The PHA will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under the PHA's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

Confidentiality

The PHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the PHA written permission to release the information on a time-limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person or persons that committed an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence against Women Act for All Tenants for more information about the PHA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

Emergency Transfer Timing and Availability

The PHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The PHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. The PHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If the PHA has no safe and available units for which a tenant who needs an emergency transfer is eligible, the PHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, the PHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

Emergency Transfers: Housing Choice Voucher (HCV) Program

Tenant-based assistance: If you are a participant in the tenant-based HCV program and request an emergency transfer as described in this plan, the PHA will assist you to move to a safe unit quickly using your existing voucher assistance. The PHA will make exceptions to program regulations restricting moves as required.

At your request, the PHA will refer you to organizations that may be able to further assist you.

Project-based assistance: If you are assisted under the project-based voucher (PBV) program, you may request an emergency transfer under the following programs for which you are not required to apply:

- Tenant-based voucher, if available
- Project-based assistance in the same project (if a vacant unit is available and you determine that the vacant unit is safe)
- Project-based assistance in another development owned by the PHA

Emergency transfers under VAWA will take priority over waiting list admissions for these types of assistance.

You may also request an emergency transfer under the following programs for which you are required to apply:

- PBV assistance in another development not owned by the PHA

Emergency transfers will not take priority over waiting list admissions for these programs. At your request, the PHA will refer you to organizations that may be able to further assist you.

Safety and Security of Tenants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse, and Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE, or visit the online hotline at: https://ohl.rainn.org/online/.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at: https://www.victimsofcrime.org/our-programs/stalking-resource-center.

Attachment: Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

For local assistance, you may contact any of the following 24-hour hotlines:

Family Crisis Center of East Texas
Hotline Number: 800-828-Safe (7233)
Safehouse Phone: 936-639-3550
http://www.familycrisiscenterofeasttexas.com

Crisis Center of South East Texas (Sexual Assault, Stalking) 1-800-7-WE-CARE
http://www.crisiscenterofsoutheasttx.org/

Family Services (Domestic Violence, Dating Violence) 1-800-621-8882
http://www.westrengthenfamilies.org/

ShelterListings.org
https://www.shelterlistings.org/state/texas.html

Angelina County Sheriff's Office
936-634-3332

Hardin County Sheriff's Office
409-246-5100

Houston County Sheriff's Office
936-544-2862

Jasper County Sheriff's Office
409-384-5417

Newton County Sheriff's Office
409-379-3636

Polk County Sheriff's Office
936-327-6810

Sabine County Sheriff's Office
409-787-2266

San Augustine County Sheriff's Office
936-275-2424

San Jacinto County Sheriff's Office
936-653-4367

Shelby County Sheriff's Office
936-598-5600

Trinity County Sheriff's Office
936-642-1424

Tyler County Sheriff's Office
409-283-2172

Texas Association Against Sexual Assault (TAASA)
512.474.7190
http://www.taasa.org/

Texas Council on Family Violence (TCFV) 512.794.1133
http://www.tcfv.org/

National Domestic Violence Hotlines
+1.800.799.SAFE (7233) +1.800.787.3224 (TTY)
http://www.thehotline.org/

Rape, Abuse, and Incest National Network (RAINN)
+1.800.656.HOPE (4673)
http://www.rainn.org/

National Dating Abuse Helpline (Call center based in Austin, TX)
+1.866.331.9474 +1.866.331.8453 (TTY)
http://www.loveisrespect.org/

National Center for Victims of Crime, Stalking Resource Center
202.467.8700
http://www.ncvc.org/src

The National Center for Victims of Crime
202.467.8700
http://www.ncvc.org

U.S. Department of Health & Human Services (free mobile applications)
> Circle of 6
> On Watch
www.hhs.gov/open/initiatives/challenges/againstabuse.html

ATTACHMENT II

EXHIBIT 16-1: NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT, FORM HUD-5380

Deep East Texas Council of Governments – Regional Housing Authority
Notice of Occupancy Rights under the Violence Against Women Act[1]

To all Tenants and Applicants

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.[2] The U.S. Department of Housing and Urban Development (HUD) is the federal agency that oversees that the housing choice voucher program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA."

Protections for Applicants

If you otherwise qualify for assistance under the housing choice voucher program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Protections for Tenants

If you are receiving assistance under the housing choice voucher program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the housing choice voucher program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

Removing the Abuser or Perpetrator from the Household

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[1] Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

[2] Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

The PHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If the PHA chooses to remove the abuser or perpetrator, the PHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, the PHA must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, the PHA must follow federal, state, and local eviction procedures. In order to divide a lease, the PHA may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

Moving to Another Unit

Upon your request, the PHA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, the PHA may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

1. **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.
2. **You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form, or may accept another written or oral request.
3. **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

   OR

   You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

The PHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

The PHA's emergency transfer plan provides further information on emergency transfers, and the PHA must make a copy of its emergency transfer plan available to you if you ask to see it.

Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking

The PHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from the PHA must be in writing, and the PHA must give you at least 14 business days (Saturdays, Sundays, and federal holidays do not count) from the day you receive the request to provide the documentation. The PHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to the PHA as documentation. It is your choice which of the following to submit if the PHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by the PHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or vounteer of a victim service provider, an attorney, a medical professional or a mental helth professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- Any other statement or evidence that the PHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, the PHA does not have to provide you with the protections contained in this notice.

If the PHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), the PHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, the PHA does not have to provide you with the protections contained in this notice.

Confidentiality

The PHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

The PHA must not allow any individual administering assistance or other services on behalf of the PHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

The PHA must not enter your information into any shared database or disclose your information to any other entity or individual. The PHA, however, may disclose the information provided if:

- You give written permission to the PHA to release the information on a time limited basis.
- The PHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires the PHA or your landlord to release the information.

VAWA does not limit the PHA's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, the PHA cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if the PHA can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

1. Would occur within an immediate time frame, and
2. Could result in death or serious bodily harm to other tenants or those who work on the property.

If the PHA can demonstrate the above, the PHA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

Other Laws

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

Non-Compliance with The Requirements of This Notice

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with HUD-Houston Field Office, 1301 Fannin Street, Suite 2200, Houston, TX 77002

For Additional Information

You may view a copy of HUD's final VAWA rule at: https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf.

Additionally, the PHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact your housing specialist.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY).

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at https://www.victimsofcrime.org/our-programs/stalking-resource-center.

For help regarding sexual assault, you may contact Texas Association Against Sexual Assault, (512) 474-7190 (they will contact you to the nearest rape crisis center)

Victims of stalking seeking help may contact the National Center for Victims of Crime, Stalking Resource Center, (202) 467-8700, http//www.ncvc.org/src

For local assistance, you may contact any of the following 24-hour hotlines:

Family Crisis Center of East Texas
Hotline Number: 800-828-Safe (7233)
Safehouse Phone: 936-639-3550
http://www.familycrisiscenterofeasttexas.com

Crisis Center of South East Texas (Sexual Assault, Stalking) 1-800-7-WE-CARE
http://www.crisiscenterofsoutheasttx.org/

Family Services (Domestic Violence, Dating Violence) 1-800-621-8882
http://www.westrengthenfamilies.org/

ShelterListings.org
https://www.shelterlistings.org/state/texas.html

Attachment: Certification form HUD-5382

ATTACHMENT III

CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING, AND ALTERNATE DOCUMENTATION

U.S. Department of Housing and Urban Development

OMB Approval No. 2577-0286
Exp. 06/30/2017
HUD-5382

Purpose of Form: The Violence Against Women Act ("VAWA") protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

Use of This Optional Form: If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

(1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, "professional") from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of "domestic violence," "dating violence," "sexual assault," or "stalking" in HUD's regulations at 24 CFR 5.2003.

(2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or

(3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

Submission of Documentation: The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

Confidentiality: All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in

an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

1. **Date the written request is received by victim:** _____

2. **Name of victim:** _____

3. **Your name (if different from victim's):**_____

4. **Name(s) of other family member(s) listed on the lease:**_____

_____

5. **Residence of victim:** _____

6. **Name of the accused perpetrator (if known and can be safely disclosed):**_____

_____

7. **Relationship of the accused perpetrator to the victim:**_____

8. **Date(s) and times(s) of incident(s) (if known):**_____

_____

10. **Location of incident(s):**_____

In your own words, briefly describe the incident(s):

_____

_____

_____

_____

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____Signed on (Date) _____

Public Reporting Burden: The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

ATTACHMENT IV

EMERGENCY TRANSFER REQUEST FOR CERTAIN VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

U.S. Department of Housing and Urban Development

OMB Approval No. 2577-0286
Exp. 06/30/2017
HUD-5383

Purpose of Form: If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

The requirements you must meet are:

(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking. If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Form HUD-5382, or any one of the other types of documentation listed on that Form.

(2) You expressly request the emergency transfer. Submission of this form confirms that you have expressly requested a transfer. Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.

(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or otherwise expressly request the transfer.

Submission of Documentation: If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

Confidentiality: All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER

1. **Name of victim requesting an emergency transfer:** _____

2. **Your name (if different from victim's)**_____

3. **Name(s) of other family member(s) listed on the lease:**_____

_____

4. **Name(s) of other family member(s) who would transfer with the victim:**_____

_____

5. **Address of location from which the victim seeks to transfer:** _____

6. **Address or phone number for contacting the victim:**_____

7. **Name of the accused perpetrator (if known and can be safely disclosed):**_____

8. **Relationship of the accused perpetrator to the victim:**_____

9. **Date(s), Time(s) and location(s) of incident(s):**_____

_____

10. **Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking a transfer? If yes, skip question 11. If no, fill out question 11.** _____

11. **Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit.**

_____

_____

12. **If voluntarily provided, list any third-party documentation you are providing along with this notice:** _____

This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____Signed on (Date) _____