

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: City of Midland Housing Authority
PHA Code: TX379
PHA Plan for Fiscal Year Beginning: (MM/YYYY): 07/2019
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 2019 5-Year PHA Plan:

- Administrative Office – 700 W. Scharbauer Drive, Midland, Texas 79705

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 <u>all</u> PHAs completing this form
B.1	<p>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.</p> <p>The mission of the City of Midland Housing Authority is to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.</p>
B.2	<p>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.</p> <p>PHA GOAL #1: EXPAND THE SUPPLY OF ASSISTED HOUSING</p> <p>The PHA established the following objectives to strive in meeting goal #1:</p> <ul style="list-style-type: none"> ▪ Reduce public housing vacancies <p>PHA GOAL #2: IMPROVE THE QUALITY OF ASSISTED HOUSING</p> <p>The PHA established the following objectives to strive in meeting goal #2:</p> <ul style="list-style-type: none"> ▪ Improve public housing management (PHAS score) ▪ Increase customer satisfaction ▪ Concentrate on efforts to improve specific management functions (e.g., public housing finance; voucher unit inspections) ▪ Renovate or modernize public housing units <p>PHA GOAL #3: INCREASE ASSISTED HOUSING CHOICES</p> <p>The PHA established the following objectives to strive in meeting goal #3</p> <ul style="list-style-type: none"> ▪ Implement public housing site-based waiting lists <p>PHA GOAL #4: PROVIDE AN IMPROVED LIVING ENVIRONMENT</p> <p>The PHA established the following objectives to strive in meeting goal #4</p> <ul style="list-style-type: none"> ▪ Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments ▪ Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments ▪ Implement public housing security improvements ▪ Designate developments or buildings for particular resident groups (elderly, persons with disabilities)

<p>B.2</p>	<p align="center">PHA GOAL #5: PROMOTE SELF-SUFFICIENCY AND ASSET DEVELOPMENT OF ASSISTED HOUSEHOLDS</p> <p>The PHA established the following objectives to strive in meeting goal #5</p> <ul style="list-style-type: none"> ▪ Provide or attract supportive services to increase independence for the elderly or families with disabilities <p align="center">PHA GOAL #6: ENSURE EQUAL OPPORTUNITY AND AFFIRMATIVELY FURTHER FAIR HOUSING</p> <p>The PHA established the following objectives to strive in meeting goal #6</p> <ul style="list-style-type: none"> ▪ 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 provide a suitable living environment for families living in 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
<p>B.3</p>	<p><u>Progress Statements.</u> Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p align="center">PHA GOAL #1: OPERATE THE CITY OF MIDLAND HOUSING AUTHORITY IN FULL COMPLIANCE WITH ALL EQUAL OPPORTUNITY LAWS</p> <p>The PHA established the following objectives to strive in meeting goal #1:</p> <ul style="list-style-type: none"> ▪ The City of Midland Housing Authority Executive Director and/or staff will attend annual fair housing training (training material will be provided for those not attending) ▪ The City of Midland Housing Authority will ensure that all required postings are posted within the office of the Housing Authority and also that the equal opportunity logo and language is inserted on each notice published by the Housing Authority ▪ Ensure equal opportunity and affirmatively further fair housing ▪ Undertake affirmative measures to ensure access housing regardless of race, color, religion, national origin, sex status and disability <p><u>Progress Statement:</u> The Executive Director and staff attended Fair Housing training and obtained material. The Authority assured that required postings were posted within the office of the Authority with proper logo and language. The Authority continues to ensure equal opportunity and affirmatively further fair housing by using and applying information provided from Fair Housing trainings to ensure that Authority undertakes affirmative measures to assure housing is accessible regardless of race, color, religion, national origin, six status and disability.</p>

<p>B.3</p>	<p align="center">PHA GOAL #2: IMPROVE COMMUNITY QUALITY OF LIFE AND ECONOMIC VIABILITY</p> <p>The PHA established the following objectives to strive in meeting goal #2:</p> <ul style="list-style-type: none"> ▪ The City of Midland Housing Authority shall achieve proper curb appeal for all its public housing units through landscaping, lawn maintenance, trash pick-up and other means ▪ Renovate public housing units ▪ Convert landscape to low water use <p><u>Progress Statement:</u> The Authority contracts outside landscape service to achieve proper curb appeal and utilize sprinkler system. Renovate units is ongoing.</p> <p align="center">PHA GOAL #3: MANAGE THE CITY OF MIDLAND HOUSING AUTHORITY IN AN EFFICIENT AND EFFECTIVE MANNER</p> <p>The PHA established the following objectives to strive in meeting goal #3</p> <ul style="list-style-type: none"> ▪ The City of Midland Housing Authority will continue to maintain rent collections at 99% or more ▪ The City of Midland Housing Authority strives to eliminate pest infestations in all developments ▪ The City of Midland Housing Authority will continue to decrease the number of days for unit turn around ▪ The City of Midland Housing Authority will maintain its vacancy rate at not more than 2% <p><u>Progress Statement:</u> Rent collection normally remains at 99% majority of the time of FY. Monthly pest control. We make an effort to decrease vacant turn-around time to a minimum.</p> <p align="center">PHA GOAL #4: PROVIDE A SAFE AND SECURE ENVIRONMENT IN THE CITY OF MIDLAND HOUSING AUTHORITY PUBLIC HOUSING UNITS</p> <p>The PHA established the following objectives to strive in meeting goal #4</p> <ul style="list-style-type: none"> ▪ The City of Midland Housing Authority will continue to reduce crime within its properties <p><u>Progress Statement:</u> Install security cameras.</p>
<p>B.4</p>	<p>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 tx379b01)</p>

<p>B.5</p>	<p>Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <p><u>Substantial Deviation</u></p> <ul style="list-style-type: none"> ▪ 50% deletion from or addition to the goals and objectives as a whole ▪ 50% or more decrease in the quantifiable measurement any individual group or objective <p><u>Significant Amendment/Modification</u></p> <ul style="list-style-type: none"> ▪ 50% variance in the funds projected in the Capital Fund Annual Statement ▪ Any increase or decrease over 50% in the funds projected in the Financial Resources Statement and or the Capital Fund Program Annual Statement ▪ Any changes in a policy or procedure that requires a regulatory 30 day posting ▪ Any changes inconsistent with the local approved consolidated plan
<p>B.6</p>	<p>Resident Advisory Board (RAB Comments.</p> <p>(a) Did the RAB(s) provide comments to the 5-Year PHA Plan? (See attachment tx379a01)</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations. <i>N/A</i></p>
<p>B.7</p>	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan (See attachment tx379c01).</p>
<p>Challenged Elements. No Challenged Elements</p>	

Attachment: tx379a01
City of Midland Housing Authority
Resident Advisory Board Consultation Process and Comments – FYB 2019

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
December 18, 2018

2. Resident Advisory Board Selection

Selection made from resident/participant response **December 21, 2018**

3. Meeting Organization

Schedule date to meet with Resident Advisory Board for input to PHA Plan

Notify Resident Advisory Board of scheduled meeting **December 18, 2018**

Hold Resident Advisory Board meeting **January 10, 2019**

4. Notification of Public Hearing

Schedule date for Public Hearing and place ad **December 23, 2018 and December 30, 2018**

Notify Resident Advisory Board **January 10, 2019**

Hold Public Hearing meeting **February 25, 2019**

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

There were no comments/recommendations received.

**CITY OF MIDLAND HOUSING AUTHORITY
ANNOUNCES A PUBLIC HEARING**

DATE: February 25, 2019

TIME: 10:00 AM CT

PLACE: City of Midland Housing Authority
700 W. Scharbauer Drive
Midland, TX 79705

The purpose of the hearing is to obtain input from the city residents in reference to the Five-Year Plan Submission to be submitted to the U.S. Department of Housing and Urban Development for fiscal year 2019. Total funds being allocated for this year are estimated at \$ 204,628 for Operating Funds and \$ 141,827 for Capital Funds. All residents are encouraged to attend this hearing. A copy of the Five-Year Plan will be available for review from 9:00 a.m. to 4:00 p.m. prior to public hearing at the address below. Persons can also submit written comments prior to public hearing to:

City of Midland Housing Authority
700 W. Scharbauer Drive
Midland, TX 79705

For further information please call Teresa Thompson-Davis, Executive Director at (432) 682-0011.

Published in the Midland Reporter Newspaper on the following dates:
Dec 23, 2018 AND Dec 30, 2018



Attachment: tx379b01

City of Midland Housing Authority

Violence Against Women

Reauthorization Act (VAWA) of 2013

Policy and Emergency Transfer Plan

**HOUSING AUTHORITY OF THE CITY OF MIDLAND
Midland, Texas**

**VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT
(VAWA) OF 2013 POLICY**

Adopted by PHA Board of Commissioners

Resolution No.: 2017-06

Date of Adoption: June 5, 2017

Effective Date of Implementation:

Authorized Use by Housing Authority of the City of Midland

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VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT 2013 (VAWA) POLICY

INTRODUCTION

The Violence Against Women Reauthorization Act of 2013 (VAWA) protects applicants, residents, participants and affiliated individuals who are victims of domestic violence, dating violence, sexual assault, and stalking (collectively VAWA crimes) from being denied housing assistance, evicted or terminated from housing assistance based on acts of such violence.

VAWA expands remedies for victims of VAWA crimes by requiring housing agencies (HAs) to have an emergency transfer plan and permit for bifurcation of a lease. This will allow reasonable time for tenants to establish eligibility for assistance under a VAWA-covered program or to find new housing when an assisted household must be divided as a result of the violence or abuse covered by VAWA.

This Policy is required by the Violence Against Women Reauthorization Act of 2013 and contains all the mandatory protections and remedies afforded to applicants, residents, participants, and affiliated individuals who are victims of domestic violence, dating violence, sexual assault, and stalking.

For the purposes of the Violence Against Women Reauthorization Act 2013 Policy, the term “tenant” shall refer to an assisted family and the members of the household on their lease, but does not include guests or unreported members of a household. In addition, a live-in aide or caregiver is not a tenant, unless otherwise provided by program regulations, and cannot invoke VAWA protections.

OBJECTIVES

The Housing Authority of the City of Midland (hereinafter referred to as PHA), in an effort to maintain a safe environment for applicants, tenants, PHA employees, PHA contractors, and others who may be affected by a VAWA crime, shall establish policies and procedures to implement the provisions of the Violence Against Women Reauthorization Act of 2013 in compliance with Fair Housing Act and Equal Opportunities (FHEO), Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA), HUD regulations/notices, the PHA Plan, the Admission to and Occupancy of Public Housing (ACOP), the Section 8 HCVP Administrative Plan, and State and local housing laws.

The PHA will maintain compliance with all applicable requirements of VAWA and assist in reducing domestic violence, dating violence, sexual assault, stalking, and homelessness by:

- Providing and maintaining housing opportunities for victims of domestic violence, dating violence, sexual assault, or stalking;
- Creating and maintaining collaborative partnerships between the PHA, victim service providers, law enforcement authorities, and other supportive groups to promote the safety and well-being of victims of domestic violence, dating violence,

- sexual assault, or stalking (whether actual or imminent threat) who are assisted by the PHA;
- Protecting the physical safety of victims of domestic violence, dating violence, sexual assault, or stalking (whether actual or imminent threat) who are assisted by the PHA;
- Responding appropriately to incidents of domestic violence, dating violence, sexual assault, or stalking, affecting families or individuals assisted by the PHA.

APPLICABILITY

The VAWA Policy shall be applicable to the following HUD programs (hereinafter referred to as covered housing programs):

- Section 202 Supportive Housing for the Elderly (12 U.S.C. 1701q), with implementing regulations at 24 CFR part 891.
- Section 811 Supportive Housing for Persons with Disabilities (42 U.S.C. 8013), with implementing regulations at 24 CFR part 891.
- Housing Opportunities for Persons with AIDS (HOPWA) program (42 U.S.C. 12901 et seq.), with implementing regulations at 24 CFR part 574.
- HOME Investment Partnerships (HOME) program (42 U.S.C. 12741 et seq.), with implementing regulations at 24 CFR part 92.
- Homeless programs under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.), including the Emergency Solutions Grants program (with implementing regulations at 24 CFR part 576), the Continuum of Care program (with implementing regulations at 24 CFR part 578), and the Rural Housing Stability Assistance program (with regulations forthcoming).
- Multifamily rental housing under section 221(d)(3) of the National Housing Act (12 U.S.C. 17151(d)) with a below-market interest rate (BMIR) pursuant to section 221(d)(5), with implementing regulations at 24 CFR part 221.
- Multifamily rental housing under section 236 of the National Housing Act (12 U.S.C. 1715z-1), with implementing regulations at 24 CFR part 236.
- HUD programs assisted under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.); specifically, public housing under section 6 of the 1937 Act (42 U.S.C. 1437d) (with regulations at 24 CFR Chapter IX), tenant-based and project-based rental assistance under section 8 of the 1937 Act (42 U.S.C. 1437f) (with regulations at 24 CFR chapters VIII and IX), and the Section 8 Moderate Rehabilitation Single Room Occupancy (with implementing regulations at 24 CFR part 882, subpart H).
- The Housing Trust Fund (12 U.S.C. 4568) (with implementing regulations at 24 CFR part 93).

The regulations the 24 Code of Federal Regulations (CFR) Part 5, subpart L, are supplemented by the specific regulations for the HUD-covered housing programs. The program-specific regulations address how certain VAWA requirements are to be implemented and whether they can be implemented for the applicable covered housing program, given the statutory and regulatory framework for the program. When there is conflict between the regulations of 24 CFR Part 5, subpart L and the program-specific regulations, the program-specific regulations govern.

Where assistance is provided under more than one covered housing program and there is a conflict between VAWA protections or remedies under those programs, the individual seeking the VAWA protections or remedies may choose to use the protections or remedies under any or all of those programs, as long as the protections or remedies would be feasible and permissible under each of the program statutes.

VAWA POLICY PROVISIONS

A. VAWA Protections

Only tenants who are assisted by the PHA can invoke the VAWA protections that apply solely to tenants. However, an individual is entitled to VAWA protections if the individual is an applicant for PHA housing assistance.

Nondiscrimination and Equal Opportunity Requirements: VAWA protections are not limited to women but apply to all victims of domestic violence, dating violence, sexual assault and stalking regardless of sex, gender identity, or sexual orientation.

Consistent with the nondiscrimination and equal opportunities requirements, victims cannot be discriminated against on the basis of any protected class, including race, color, national origin, religion, sex, familial status, disability, or age.

Consistent with HUD's Equal Access Rule, HUD-assisted and HUD-insured housing are to be made available to all otherwise eligible individuals and families regardless of actual or perceived sexual orientation, gender identity, or marital status.

VAWA protections also apply when the victim and perpetrator are of the same sex. VAWA protections are provided to victims regardless of citizenship or immigration eligibility.

Self-Petitioners: Section 214 of the Housing and Community Development Act of 1980 states that HUD may not allow financial assistance to ineligible non-citizens, but assistance must not be denied while verifying immigration status.

VAWA also provides protections for "self-petitioners" who are noncitizens and claim to be victims of "battery or extreme cruelty" by their spouse or parent who is a U.S. citizen or lawful permanent resident (LPR). VAWA covers the following types of battery or extreme cruelty: domestic violence, dating violence, sexual assault, and stalking.

Self-petitioners can indicate that they are in "satisfactory immigration status" when applying for assistance or continued assistance from a Section 214 covered housing provider. "Satisfactory immigration status" means an immigration status which does not make the individual ineligible for financial assistance. After the PHA verifies the

immigration status in the Department of Homeland Security (DHS) Systematic Alien Verification for Entitlements (SAVE) System, the PHA will make a final determination as to the self-petitioner's eligibility.

Housing assistance and all other VAWA protections will be granted to the self-petitioner throughout the verification process until a final determination of the LPR status is made.

If the final determination is to deny the VAWA self-petitioner or the LPR petition, the PHA will alert the petitioner and take actions to terminate the voucher assistance or evict the petitioner from public housing in accordance with existing PHA public housing requirements.

Live-In Aides: Live-in aides are entitled to VAWA protections if the live-in aid is an applicant for PHA housing assistance. Live-in aides could be an affiliated individual of a tenant and if the live-in aide as an affiliated individual is a victim of domestic violence, dating violence, sexual assault, or stalking. The tenant with whom the affiliated individual is associated cannot be evicted or have assistance terminated on the basis that the affiliated individual was a victim of a VAWA crime.

B. Notification of Occupancy Rights and Certification Form Requirements

The Notice of Occupancy Rights Under the Violence Against Women Act (Form HUD-5380) explains the VAWA protections including, the rights to confidentiality and any VAWA protection limitations to applicants, tenants, and affiliated individuals.

The Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternative Documentation (Form HUD-5382) is to be completed by the victim to document an incident of domestic violence, dating violence, sexual assault, or stalking that:

- States that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;
- States that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection meets the applicable definition for such incident; and
- Includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide.

The PHA will provide each applicant and tenant the Notice of Occupancy Rights and the Certification Form at each of the following times:

- At the time the applicant is denied assistance or admission;
- At the time the individual is provided assistance or admission;
- With any notification of eviction or notification of termination of assistance; and
- During the 12-month period following December 16, 2016, either during the annual recertification or lease renewal process, whichever is applicable, or, if there will be no recertification or lease renewal for a tenant during the first year

after December 16, 2016, through other means, including but not limited to assisted housing briefing materials, PHA notices/newsletters, and/or websites.

In accordance with Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency), the PHA shall make available The Notice of Occupancy Rights and the Certification Form in multiple languages.

The PHA will include a description of the VAWA protections afforded to victims of VAWA crimes in HUD-required leases, lease addendums, or tenancy addendums as applicable.

C. Denial of Admission, Termination of Assistance or Eviction

The PHA will not deny admission to, deny assistance under, terminate from participating in, or evict from housing on the basis or as direct result of the fact that an applicant or tenant is, or has been, a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

Criminal Activity: The PHA will not deny tenancy or occupancy rights to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking if:

- 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
- 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.

Incidents of Actual or Threatened VAWA Crimes: The PHA will not consider an incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking as:

- A serious or repeated violation of a lease executed by the victim or threatened victim of such incident; or
- Good cause for terminating the assistance, tenancy, or occupancy rights of the victim or threatened victim of such incident.

The PHA will deny admission or assistance to any member of the applicant household who is a perpetrator of domestic violence, dating violence, sexual assault, or stalking.

In adopting local standards, supportive of or in addition to the mandated reasons for denial of admission, the PHA will deny admission or assistance to an individual in the applicant family whose screening process provides relevant information reflecting a history of crimes involving domestic violence, dating violence, sexual assault, stalking, or other crimes of physical violence to persons or property.

D. Confidentiality

The PHA will retain in the strictest confidence all information pursuant to VAWA including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking.

The PHA will not allow any individual administering assistance on behalf of the PHA, in the employ of the PHA, or any persons contracted by the PHA to have access to confidential information unless it is explicitly necessary for these individuals to have access to the information under applicable Federal, State, or local law.

The PHA will not enter the VAWA confidential information into any shared database or disclose the information to any other entity or individual, except to the extent that the disclosure is:

- Requested or consented to in writing by the individual in a time-limited release;
- Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program; or
- Otherwise required by applicable law.

E. Certification of Claim of a VAWA Crime

If an applicant or tenant claims to be a victim of domestic violence, dating violence, sexual assault, or stalking and is entitled to the VAWA protections or remedies, the PHA may request, in writing, that the applicant or tenant submit any one of the following as documentation of domestic violence, dating violence, sexual assault, or stalking. It is at the discretion of the applicant or tenant as to which one of the following forms of documentation to submit:

- The Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternative Documentation (Form HUD-5382); or
- A document:
 - Signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional or mental health professional (collectively “professional”) from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse;
 - Signed by the applicant or tenant; and
 - That specifies, under penalty of perjury, that the professional believes in the occurrence of an incident of domestic violence, dating violence, sexual assault, or stalking that is the grounds for protection and remedies and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking; or
- A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- At the discretion of the PHA, a statement or other evidence provided by the applicant or tenant.

If the PHA does not receive the documentation requested within 14 business days after the applicant or tenant received the request in writing for the documentation from the PHA, the PHA may

- Deny admission by the applicant or tenant;
- Deny assistance to the applicant or tenant;

- Terminate the participation of the tenant; or
- Evict the tenant or a lawful occupant that commits a violation of a lease.

The PHA at its discretion may extend the 14-business-day deadline.

If the PHA receives documentation that contains conflicting information (including certification forms from two or more members of a household with each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator), the PHA may require the applicant or tenant to submit third-party documentation within 30 calendar days of the date of the request for the third-party documentation.

Note: The PHA is not required to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

F. Family Break-Ups and VAWA

The PHA will determine which family members continue to receive assistance if the family breaks up. If the family breaks up as a result of an occurrence of domestic violence, dating violence, sexual assault, or stalking, the PHA will ensure that the victim retains the assistance.

Other policies regarding family break-up are contained in the PHA's public housing Admissions and Continued Occupancy Policy (ACOP) and the Section 8 HCV Administrative Plan.

G. Limitations of VAWA Protections

The tenant may invoke VAWA protections on more than one occasion and the PHA will not subject additional conditions that would adversely affect the tenant's tenancy because they have invoked VAWA protections. There are no limitations on the number of occasions a victim can invoke VAWA protections.

The PHA will comply with a court order in respect to:

- The rights of access or control of property, including cooperating with law enforcement to enforce civil protection orders issued to protect the victim of domestic violence, dating violence, sexual assault, or stalking; or
- The distribution or possession of property among members of the household.

The PHA may evict or terminate assistance to a tenant for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking that is in question against the tenant or an affiliated individual of the tenant. The PHA will not subject the tenant who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, or is affiliated with an individual who is or has been a victim of domestic violence, dating violence, sexual assault or stalking, to a more demanding standard than other tenants when determining whether to evict or terminate assistance.

The PHA may terminate assistance or evict a tenant if the PHA can demonstrate an actual and imminent threat to other tenants, PHA employees, or those employed at or providing services to the PHA would be present if that tenant or lawful occupant is not terminated from assistance or evicted. An actual and imminent threat refers to a physical danger that is real, would occur within an immediate time frame and could result in death or serious bodily harm. Words, gestures, actions or other indicators can be considered an actual and imminent threat. In determining whether an individual would pose an actual and imminent threat, the PHA will consider the following factors:

- The duration of the risk,
- The nature and severity of the potential harm,
- The likelihood that the potential harm will occur, and
- The length of time before the potential harm will occur.

The PHA will utilize termination of assistance or eviction only when there are no other actions the PHA can employ to reduce or eliminate the threat, including but not limited to transferring the victim to a different unit, barring the perpetrator from the property, and contacting law enforcement in order to keep the property safe to prevent the perpetrator from acting on a threat.

The PHA will terminate tenancy or assistance, or refuse to renew a lease or assistance, to any household member who is the perpetrator of domestic violence, dating violence, sexual assault, stalking, or who engages in criminal acts of physical violence against family members or others.

H. Removal of Perpetrator (Lease Bifurcation)

Notwithstanding any restrictions on admission, occupancy, or terminations of occupancy or assistance, or Federal, State, or local law to the contrary, the PHA may bifurcate a lease, or remove a household member from a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to such a member who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual.

The PHA may bifurcate a lease without regard to whether a household member is a signatory to the lease and without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant.

The PHA's dwelling lease shall contain provisions for eviction, removal, termination of occupancy rights, or termination of assistance in accordance with the procedures prescribed by Federal, State and local law applicable to terminations of tenancy and evictions. The Tenancy Addendum (Form HUD-52641-A) shall be attached to all leases for dwelling units occupied by PHA-assisted families in the HCV program.

The PHA retains all rights to add the name of the perpetrator to its "Banned and Criminal Trespass" list that is provided to the local law enforcement.

I. Reasonable Time to Establish Eligibility for Assistance or Find Alternative Housing Following Bifurcation of Lease

If the PHA exercises the option to bifurcate the lease and the individual who was evicted or for whom the assistance was terminated was the eligible tenant, the PHA shall provide to any remaining tenant or tenants that were not already eligible a period of 90 calendar days from the date of bifurcation of the lease to:

- Establish eligible immigration status; or
- Establish eligibility under another housing program; or
- Find alternative housing.

The 90-calendar-day period is the total period provided to the remaining tenants to establish eligible immigration status. The 90-calendar-day period will not be available to a remaining household member if prohibited by statutory requirements. The 90-day-calendar period will not apply beyond the expiration of the lease unless permitted by program regulation.

The PHA may extend the 90-calendar-day period up to an additional 60 calendar days unless the PHA is prohibited from doing so due to regulations or unless the time period would extend beyond the expiration of the lease.

J. Emergency Transfer Plan (ETP)

The PHA's Emergency Transfer Plan addresses situations that involve significant risk to tenants who are, have been, or reasonably believe they will be victims of domestic violence, dating violence, sexual assault, or stalking. The PHA may approve an emergency transfer for tenants, regardless of sex, gender identity or sexual orientation, to move from their current unit to a "safe unit." A safe unit is a unit the victim of domestic violence, dating violence, sexual assault, or stalking believes to be safe.

The ability of the PHA to honor the request for an emergency transfer depends upon a preliminary determination that:

- The tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking; and
- Whether the PHA has another unit that is available and is safe to offer the tenant for temporary or permanent occupancy.

The Emergency Transfer Plan provides that a tenant receiving rental assistance through or residing in a unit subsidized under the PHA who is a victim of domestic violence, dating violence, sexual assault, or stalking will qualify for an emergency transfer if:

- The tenant expressly requests the transfer (Form HUD-5383, Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking); and
- The tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying; or

- In the case of a tenant who is a victim of sexual assault, either the tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying, or the sexual assault occurred on the premises during the 90-calendar-day period preceding the date of the request for transfer.

The tenant who is a victim of sexual assault may make an imminent harm request regardless of when or where the sexual assault occurred, and the PHA may permit more than 90 calendar days from the date of the sexual assault.

The PHA cannot guarantee that the emergency transfer request will be approved or how long it will take to process the request for an emergency transfer. The PHA will 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 the unit. If the tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit.

The tenant may qualify for either an internal emergency transfer or external transfer.

- An internal emergency transfer is the relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.
- An external emergency transfer is the relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is the tenant must undergo an application process in order to reside in the new unit.

The tenant may seek an internal emergency transfer and an external emergency transfer concurrently if a safe unit is not immediately available.

If a safe 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 will not transfer the tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If the PHA does not have a safe and available unit for a tenant requesting an emergency transfer, the PHA will assist the tenant in identifying other housing providers who may have a safe and available unit to which the tenant could move. At the tenant's request, the PHA will assist the tenant in contacting local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

VAWA strict confidentiality measures are included in the Emergency Transfer Plan so as not to disclose the location of the new unit to the abuser.

The PHA will make the Emergency Transfer Plan available upon request and, when feasible, make the Plan publicly available.

The PHA will keep a record of all emergency transfers requested under its Emergency Transfer Plan and the outcome of the requests. The PHA shall retain these records for a period of three (3) years or for a period of time as specified by program regulations. The PHA must report the requests and outcomes to HUD annually. The PHA will provide reasonable accommodation for individuals with disabilities.

An emergency transfer request must not be construed to supersede any PHA eligibility or other occupancy requirements.

K. PHA Relationships with Service Providers

The PHA will seek and establish partnerships with private, governmental, and victim advocacy organizations which provide counseling, shelter, and/or services to victims of domestic violence, dating violence, sexual assault, or stalking.

In its efforts to maintain a safe environment for its tenants, the PHA will become familiar with other housing providers that provide both private market units or other government-assisted units, not solely HUD-assisted units, that can be used to assist victims of domestic violence, dating violence, sexual assault, or stalking to move quickly.

L. PHA's Safety and Crime Prevention Measures

The PHA will include in its 5-Year Plan a statement of the goals, activities, objectives, policies, or programs that will enable the PHA to serve the needs of victims of domestic violence, dating violence, sexual assault, or stalking.

The PHA will include in its Annual Plan a statement of any domestic violence, dating violence, sexual assault, and stalking prevention programs and descriptions of any activities, services, or programs provided or offered by the PHA, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking that:

- Help victims of domestic violence, dating violence, sexual assault, or stalking obtain or maintain housing;
- Prevent domestic violence, dating violence, sexual assault, or stalking; or
- Enhance victim safety in assisted housing.

M. Relationship with Other Applicable Laws

Neither the Violence Against Women Reauthorization Act of 2013 (VAWA) nor the VAWA Policy adopted by the PHA shall preempt or supersede any provision of Federal, State, or local law that provides greater protections than that provided under VAWA for victims of domestic violence, dating violence, sexual assault, or stalking.

N. Changes in Laws and Regulations

In the event an applicable law or regulation is modified or eliminated, or a new law or regulation is adopted, the revised law or regulation shall, to the extent inconsistent with this Policy, automatically supersede this Policy.

The PHA will revise this Policy periodically as approved by the PHA Board of Commissioners.

DEFINITIONS

1937 Act

The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.).

Actual and Imminent Threat

Refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

Affiliated Individual

- 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
- Any individual, tenant, or lawful occupant living in the household of that individual.

Applicant

A person or a family that has applied for housing assistance.

Available Unit

A unit that is not occupied and is available to tenants per program requirements, eligibility, unit restrictions, and term limitations.

Covered Housing Provider

Refers to the individual or entity under a covered housing program that has responsibility for the administration and/or oversight of VAWA protections and includes PHAs, sponsors, owners, mortgagors, managers, State and local governments or agencies thereof, nonprofit or for-profit organizations or entities. The program-specific regulations for the covered housing programs identify the individual or entity that carries out the duties and responsibilities of the covered housing provider as set forth in part 5, subpart L. For any of the covered housing programs, it is possible that there may be more than one covered housing provider; that is, depending upon the VAWA duty or responsibility to be performed by a covered housing provider, the covered housing provider may not always be the same individual or entity.

Bifurcate

To divide a lease as a matter of law, subject to the permissibility of such process under the requirements of the applicable HUD-covered program and State or local law, such that certain tenants or lawful occupants can be evicted or removed and the remaining tenants or lawful occupants can continue to reside in the unit under the same lease requirements or as may be revised depending upon the eligibility for continued occupancy of the remaining tenants and lawful occupants.

Covered Housing Programs

- Section 202 Supportive Housing for the Elderly (12 U.S.C. 1701q), with implementing regulations at 24 CFR part 891.
- Section 811 Supportive Housing for Persons with Disabilities (42 U.S.C. 8013), with implementing regulations at 24 CFR part 891.

- Housing Opportunities for Persons With AIDS (HOPWA) program (42 U.S.C. 12901 et seq.), with implementing regulations at 24 CFR part 574.
- HOME Investment Partnerships (HOME) program (42 U.S.C. 12741 et seq.), with implementing regulations at 24 CFR part 92.
- Homeless programs under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.), including the Emergency Solutions Grants program (with implementing regulations at 24 CFR part 576), the Continuum of Care program (with implementing regulations at 24 CFR part 578), and the Rural Housing Stability Assistance program (with regulations forthcoming).
- Multifamily rental housing under section 221(d)(3) of the National Housing Act (12 U.S.C. 17151(d)) with a below-market interest rate (BMIR) pursuant to section 221(d)(5), with implementing regulations at 24 CFR part 221.
- Multifamily rental housing under section 236 of the National Housing Act (12 U.S.C. 1715z-1), with implementing regulations at 24 CFR part 236.
- HUD programs assisted under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.); specifically, public housing under section 6 of the 1937 Act (42 U.S.C. 1437d) (with regulations at 24 CFR Chapter IX), tenant-based and project-based rental assistance under section 8 of the 1937 Act (42 U.S.C. 1437f) (with regulations at 24 CFR chapters VIII and IX), and the Section 8 Moderate Rehabilitation Single Room Occupancy (with implementing regulations at 24 CFR part 882, subpart H).
- The Housing Trust Fund (12 U.S.C. 4568) (with implementing regulations at 24 CFR part 93).

Dating Violence

- 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 shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship.

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 in common, by a person who is cohabitating with or has cohabitated 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. The term "spouse or intimate partner of the victim" 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.

External Emergency Transfer

An emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is, the tenant must undergo an application process in order to reside in the new unit.

Fair Housing Act

Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.).

Family

Includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or

A group of persons residing together, and such group includes, but is not limited to:

- A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
- An elderly family;
- A near-elderly family;
- A disabled family;
- A displaced family; and
- The remaining member of a tenant family.

Gender Identity

The gender with which a person identifies, regardless of the sex assigned to that person at birth and regardless of the person's perceived gender identity. Perceived gender identity means the gender with which a person is perceived to identify based on that person's appearance, behavior, expression, other gender-related characteristics, or sex assigned to the individual at birth or identified in documents.

Guest

A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Household

The family and PHA-approved live-in aide and/or foster children/adults.

HUD

The Department of Housing and Urban Development

Internal Emergency Transfer

An emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.

Live-In Aide

A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- Is determined to be essential to the care and well-being of the persons;
- Is not obligated for the support of the persons; and
- Would not be living in the unit except to provide the necessary supportive services.

Other Person under the Tenant's Control

The person, although not staying as a guest (as defined in this section) in the unit, is, or was at the time of the activity in question, on the premises (as premises is defined in this section) because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the tenant's control.

Premises

The building or complex or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.

Public Housing

Housing assisted under the 1937 Act, other than under Section 8. "Public housing" includes dwelling units in a mixed-finance project that are assisted by a PHA with capital or operating assistance.

Public Housing Agency (PHA)

Any State, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

Perpetrator

Perpetrator means a person who commits an act of domestic violence, dating violence, sexual assault, or stalking against a victim.

Reasonable Belief of Imminent Harm

It does not matter when the initial act occurred if the current belief of the victim of a threat of imminent harm is reasonable.

Responsible Entity

For the public housing program and the Section 8 HCV (tenant-based assistance) program, responsible entity means the PHA administering the program under an Annual Contributions Contract with HUD.

Safe Unit

A unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

Satisfactory Immigration Status

An immigration status which does not make the individual ineligible for financial assistance.

Sexual Assault

Any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

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.

Sexual Orientation

One's emotional or physical attraction to the same and/or opposite sex (e.g., homosexuality, heterosexuality, or bisexuality).

Tenant

An assisted family and the members of the household on their lease, but does not include guests or unreported members of a household. A live-in aide or caregiver is not a tenant, unless otherwise provided by program regulations, and cannot invoke VAWA protections.

VAWA

The Violence Against Women Act of 1994, as amended (42 U.S.C. 13925 and 42 U.S.C. 14043e et seq.).

VAWA Crimes

Domestic violence, dating violence, sexual assault, or stalking.

NOTICE

The Nelrod Company has made its best efforts to comply with regulations, laws, and Federal/local policies. The Nelrod Company does not offer advice on legal matters or render legal opinions. We recommend that the Housing Authority's general counsel and/or attorney review this policy prior to approval by the Board of Commissioners.

The Nelrod Company is not responsible for any changes made to these policies by any party other than The Nelrod Company.

**HOUSING AUTHORITY OF THE CITY OF MIDLAND
Midland, Texas**

**EMERGENCY TRANSFER PLAN
FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE,
SEXUAL ASSAULT, OR STALKING**

Adopted by PHA Board of Commissioners

Resolution No.: 2017-16

Date of Adoption: June 5, 2017

Effective Date of Implementation: _____

Authorized Use by Housing Authority of the City of Midland

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HOUSING AUTHORITY OF THE CITY OF MIDLAND EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

EMERGENCY TRANSFERS

The Housing Authority of the City of Midland (hereinafter referred as 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 Reauthorization Act of 2013 (VAWA), 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.

For the purposes of the Violence Against Women Reauthorization Act of 2013, the term "tenant" shall refer to an assisted family and the members of the household on their lease, but does not include guests or unreported members of a household.

The ability to request a transfer is available regardless of race, color, national origin, religion, familial status, marital status, disability, age, sex, actual or perceived sexual orientation, or gender identity.

The ability of the PHA to honor such requests 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 upon 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).

ELGIBILITY FOR EMERGENCY TRANSFER

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:

1. The tenant expressly requests the emergency transfer (Form HUD-5383, Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking); and
2. The tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit; or
3. 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.

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 (Form HUD-5383, Emergency Transfer Request) for a transfer to a safe location.

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.

The PHA will request, in writing, that the tenant submit any one of the following as documentation of domestic violence, dating violence, sexual assault, or stalking. It is at the discretion of the tenant as to which one of the following forms of documentation to submit.:

- The Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternative Documentation (Form HUD-5382); or
- A document:
 - Signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional or mental health professional (collectively "professional") from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse;
 - Signed by the tenant; and
 - That specifies, under penalty of perjury, that the professional believes in the occurrence of an incident of domestic violence, dating violence, sexual assault, or stalking that is the grounds for protection and remedies and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking; or
- A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- At the discretion of the PHA a statement or other evidence provided by the tenant.

The PHA will provide reasonable accommodations to this Plan for individuals with disabilities.

CONFIDENTIALITY

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, unless the victim 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 public housing or the Housing Choice Voucher program.

The PHA will not allow any individual administering assistance on behalf of the PHA, in the employ of the PHA, or any person contracted by the PHA to have access to confidential information unless it is explicitly necessary for these individuals to have access to the information under applicable Federal, State, or local law.

The PHA will not enter the VAWA confidential information into any shared database or disclose the information to any other entity or individual except to the extent that the disclosure is:

- Requested or consented to in writing by the individual in a time-limited release;
- Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program; or
- Otherwise required by applicable law.

This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant.

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

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. However, the PHA will 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. A safe unit is a unit the victim of domestic violence, dating violence, sexual assault, or stalking believes to be safe. 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.

The tenant may qualify for either an internal emergency transfer or external emergency transfer.

- **Internal Emergency Transfer:** Is the relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.
 - The PHA will allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available.
 - The PHA will take the following actions to assist a tenant in making an internal emergency transfer under VAWA when a safe unit is not immediately available:
 - **Tenant-Based to Project-Based Voucher:** If the victim is receiving tenant-based rental assistance, and is eligible for project-based voucher assistance, the tenant will be given priority to receive project-based voucher assistance over individuals on the project-based voucher assistance waiting list.
 - **Section 8/HCV:** If the victim is receiving Section 8/HCV tenant-based rental assistance, the PHA will not deny the tenant's portability option to move to a safe unit located in another PHA's jurisdiction. The tenant may utilize his/her portability option as long as the tenant is in compliance with all other requirements under the tenant-based rental assistance program and has moved to the new jurisdiction to protect the health or safety of the tenant or tenant family members who has been

a victim of domestic violence, dating violence, sexual assault, or stalking, and the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains in the same unit that the tenant is currently occupying.

- **Project-Based Voucher:** If the victim is receiving project-based voucher rental assistance, the PHA will not terminate assistance if the tenant, with or without prior notification to the PHA, moves out of a unit in violation of the lease, if the move occurs to protect the health or safety of the tenant or tenant family member who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, and the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains in the same unit that the tenant is occupying. The PHA will offer the tenant the opportunity for tenant-based rental assistance, if available, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance. The PHA may also offer the tenant low rent public housing assistance if the tenant is eligible and there is a unit available.
- **External Emergency Transfer:** Is the relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is, the tenant must undergo an application process in order to reside in the new unit.
 - The PHA will take the following actions to assist a tenant in making an external emergency transfer under VAWA when a safe unit is not immediately available:
 - **Public Housing to Tenant-Based:** If the victim is receiving low rent public housing assistance, and is eligible for tenant-based rental assistance, the tenant will be given priority to receive tenant-based rental assistance over individuals on the tenant-based rental assistance waiting list.
 - **Public Housing to Project-Based Voucher:** If the victim is receiving low rent public housing assistance, and is eligible for project-based voucher rental assistance, the tenant will be given priority to receive project-based voucher rental assistance over individuals on the project-based voucher rental assistance waiting list.
 - **Tenant-Based to Public Housing:** If the victim is receiving tenant-based rental assistance, and is eligible for low rent public housing assistance, the tenant will be given priority to receive low rent public housing assistance over individuals on the low rent public housing assistance waiting list and over current public housing tenants seeking non-emergency transfers.
 - If the victim is receiving low rent public housing assistance, the PHA will enter into a Memoranda of Understanding (MOU) with another PHA to give priority to the eligible tenant to receive low rent public housing assistance over individuals on the other PHA's waiting list for low rent public housing assistance or over current public housing tenants seeking non-emergency transfers.
 - The PHA will seek and establish partnerships with private, governmental, and victim advocacy organizations which provide counseling, shelter, and/or services to victims of domestic violence, dating violence, sexual assault, or stalking.
 - The PHA will become familiar with other housing providers that provide both private market units or other government-assisted units, not solely HUD-assisted

units, that can be used to assist victims of domestic violence, dating violence, sexual assault, or stalking to move quickly under a VAWA emergency transfer.

- The tenant may seek an internal emergency transfer and an external emergency transfer concurrently if a safe unit is not immediately available.

The PHA will give the highest priority to tenants requesting an emergency transfer under VAWA over the following categories of tenants seeking transfers due to:

- **Emergency:** Conditions in the tenant's unit, building, or at the site pose an immediate, verifiable threat to the life, health, or safety of the tenant or family members. Examples of such unit or building conditions include: a gas leak, no heat in the building during the winter, no water, toxic contamination, and serious water leaks.
- **Reasonable Accommodation:** These transfers are made when a tenant needs to move to a different unit as an accommodation to a tenant's disability. This kind of transfer may be requested for a variety of reasons, including but not limited to: the tenant needs to be moved to a ground floor unit because his/her disability prevents him/her from climbing stairs; the tenant needs a unit with certain physical features that cannot be provided in their current unit without undue financial and administrative burden to the PHA.
- **Demolition, Disposition, Revitalization or Rehabilitation:** These transfers permit the PHA to demolish, sell, or do major revitalization or rehabilitation work at a building or site.
- **Occupancy Standards:** These transfers are made when the tenant's family size has changed and it is now too large or too small for the unit occupied. The PHA is required to make this transfer.
- **Tenant-initiated:** A tenant requests a unit transfer that is not out of necessity. The PHA may establish a policy to exclude such transfers from its policy.
- **Incentive:** These transfers to new or rehabilitated units can be made for tenants with excellent residency histories. These transfers are not required.
- **Split Family Transfers:** Not all PHAs make these transfers, which permit very large families that have two adults to split into two households and be transferred to two units. A split family transfer is a type of Occupancy Standards transfer.

If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a safe 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.

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.

If a tenant moved from the assisted unit during the lease term due to domestic violence, dating violence, sexual assault, or stalking, the tenant shall remain liable for the tenant rent until the PHA takes possession of the unit.

The PHA will not terminate the tenant's housing assistance if the tenant turns down a unit in which he/she believe to be unsafe. The PHA will not deny the tenant an emergency transfer if the perpetrator learned of the new unit location or another VAWA incident occurs.

SAFETY AND SECURITY OF TENANTS

During processing of the emergency transfer request and the actual transfer 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 & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE (4673), 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-resoruce-center>.

ATTACHMENT

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

CHANGES IN LAWS AND REGULATIONS

In the event an applicable law or regulation is modified or eliminated, or a new law or regulation is adopted, the revised law or regulation shall, to the extent inconsistent with this Plan, automatically supersede this Plan.

The PHA will revise this Plan periodically as approved by the PHA Board of Commissioners

DEFINITIONS

1937 Act

The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.).

Actual and Imminent Threat

Refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

Affiliated Individual

- 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
- Any individual, tenant, or lawful occupant living in the household of that individual.

Applicant

A person or a family that has applied for housing assistance.

Available Unit

A unit that is not occupied and is available to tenants per program requirements, eligibility, unit restrictions, and term limitations.

Covered Housing Provider

Refers to the individual or entity under a covered housing program that has responsibility for the administration and/or oversight of VAWA protections and includes PHAs, sponsors, owners, mortgagors, managers, State and local governments or agencies thereof, nonprofit or for-profit organizations or entities. The program-specific regulations for the covered housing programs identify the individual or entity that carries out the duties and responsibilities of the covered housing provider as set forth in part 5, subpart L. For any of the covered housing programs, it is possible that there may be more than one covered housing provider; that is, depending upon the VAWA duty or responsibility to be performed by a covered housing provider, the covered housing provider may not always be the same individual or entity.

Bifurcate

To divide a lease as a matter of law, subject to the permissibility of such process under the requirements of the applicable HUD-covered program and State or local law, such that certain tenants or lawful occupants can be evicted or removed and the remaining tenants or lawful occupants can continue to reside in the unit under the same lease requirements or as may be revised depending upon the eligibility for continued occupancy of the remaining tenants and lawful occupants.

Covered Housing Programs

- Section 202 Supportive Housing for the Elderly (12 U.S.C. 1701q), with implementing regulations at 24 CFR part 891.
- Section 811 Supportive Housing for Persons with Disabilities (42 U.S.C. 8013), with implementing regulations at 24 CFR part 891.

- Housing Opportunities for Persons with AIDS (HOPWA) program (42 U.S.C. 12901 et seq.), with implementing regulations at 24 CFR part 574.
- HOME Investment Partnerships (HOME) program (42 U.S.C. 12741 et seq.), with implementing regulations at 24 CFR part 92.
- Homeless programs under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.), including the Emergency Solutions Grants program (with implementing regulations at 24 CFR part 576), the Continuum of Care program (with implementing regulations at 24 CFR part 578), and the Rural Housing Stability Assistance program (with regulations forthcoming).
- Multifamily rental housing under section 221(d)(3) of the National Housing Act (12 U.S.C. 17151(d)) with a below-market interest rate (BMIR) pursuant to section 221(d)(5), with implementing regulations at 24 CFR part 221.
- Multifamily rental housing under section 236 of the National Housing Act (12 U.S.C. 1715z-1), with implementing regulations at 24 CFR part 236.
- HUD programs assisted under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.); specifically, public housing under section 6 of the 1937 Act (42 U.S.C. 1437d) (with regulations at 24 CFR Chapter IX), tenant-based and project-based rental assistance under section 8 of the 1937 Act (42 U.S.C. 1437f) (with regulations at 24 CFR chapters VIII and IX), and the Section 8 Moderate Rehabilitation Single Room Occupancy (with implementing regulations at 24 CFR part 882, subpart H).
- The Housing Trust Fund (12 U.S.C. 4568) (with implementing regulations at 24 CFR part 93).

Dating Violence

- 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 shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship.

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 in common, by a person who is cohabitating with or has cohabitated 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. The term "spouse or intimate partner of the victim" 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.

External Emergency Transfer

An emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is, the tenant must undergo an application process in order to reside in the new unit.

Fair Housing Act

Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.).

Family

Includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or

A group of persons residing together, and such group includes, but is not limited to:

- A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
- An elderly family;
- A near-elderly family;
- A disabled family;
- A displaced family; and
- The remaining member of a tenant family.

Gender Identity

The gender with which a person identifies, regardless of the sex assigned to that person at birth and regardless of the person's perceived gender identity. Perceived gender identity means the gender with which a person is perceived to identify based on that person's appearance, behavior, expression, other gender-related characteristics, or sex assigned to the individual at birth or identified in documents.

Guest

A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Household

The family and PHA-approved live-in aide and/or foster children/adults.

HUD

The Department of Housing and Urban Development

Internal Emergency Transfer

An emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.

Live-In Aide

A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- Is determined to be essential to the care and well-being of the persons;
- Is not obligated for the support of the persons; and
- Would not be living in the unit except to provide the necessary supportive services.

Other Person under the Tenant's Control

The person, although not staying as a guest (as defined in this section) in the unit, is, or was at the time of the activity in question, on the premises (as premises is defined in this section) because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the tenant's control.

Premises

The building, complex, or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.

Public Housing

Housing assisted under the 1937 Act, other than under Section 8. "Public housing" includes dwelling units in a mixed-finance project that are assisted by a PHA with capital or operating assistance.

Public Housing Agency (PHA)

Any State, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

Perpetrator

Perpetrator means a person who commits an act of domestic violence, dating violence, sexual assault, or stalking against a victim.

Reasonable Belief of Imminent Harm

It does not matter when the initial act occurred if the current belief of the victim of a threat of imminent harm is reasonable.

Responsible Entity

For the public housing program and the Section 8 HCV (tenant-based assistance) program, responsible entity means the PHA administering the program under an Annual Contributions Contract with HUD.

Safe Unit

A unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

Satisfactory Immigration Status

An immigration status which does not make the individual ineligible for financial assistance.

Sexual Assault

Any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

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.

Sexual Orientation

One's emotional or physical attraction to the same and/or opposite sex (e.g., homosexuality, heterosexuality, or bisexuality).

Tenant

An assisted family and the members of the household on their lease, but does not include guests or unreported members of a household. A live-in aide or caregiver is not a tenant, unless otherwise provided by program regulations, and cannot invoke VAWA protections.

VAWA

The Violence Against Women Act of 1994, as amended (42 U.S.C. 13925 and 42 U.S.C. 14043e et seq.).

VAWA Crimes

Domestic violence, dating violence, sexual assault, or stalking.

NOTICE

The Nelrod Company has made its best efforts to comply with regulations, laws, and Federal/local policies. The Nelrod Company does not offer advice on legal matters or render legal opinions. We recommend that the Housing Authority's general counsel and/or attorney review this policy prior to approval by the Board of Commissioners.

The Nelrod Company is not responsible for any changes made to these policies by any party other than The Nelrod Company.

Attachment: tx379c01

City of Midland Housing Authority

Certifications for FYB 2019 Five-Year PHA Plan

**Form HUD-50077-ST-HCV-HP: PHA Certifications of Compliance with
PHA Plans and Related Regulations
(Standard, Troubled, HCV-Only, and
High Performer PHAs) including Civil
Rights Certifications**

**Form HUD-50077-SL: Certification by State or Local Office of PHA
Consistency with the Consolidated Plan or State
Consolidated Plan**

**Certifications of Compliance with
PHA Plans and Related Regulations
(Standard, Troubled, HCV-Only, and
High Performer PHAs)**

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

Resolution # 2019-03

**PHA Certifications of Compliance with the PHA Plan and Related Regulations including
Required Civil Rights Certifications**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year and/or Annual PHA Plan for the PHA fiscal year beginning 2019, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
7. For PHA Plans that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

City of Midland HA
 PHA Name

TX379
 PHA Number/HA Code

Annual PHA Plan for Fiscal Year 2019

5-Year PHA Plan for Fiscal Years 2019 - 2023

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

Name of Authorized Official	Title
MARJORIE McQUERRY	VICE-CHAIR
Signature	Date
<i>Marjorie McQuerry</i>	4-25-19

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

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

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

I, Isaac Garnett, the Director-CDBG
Official's Name *Official's Title*

certify that the 5-Year PHA Plan and/or Annual PHA Plan of the
Midland Housing Authority
PHA Name

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of
 Impediments (AI) to Fair Housing Choice of the

Local Jurisdiction Name
 pursuant to 24 CFR Part 91.

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

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

Name of Authorized Official <u>Isaac G. Garnett</u>	Title <u>Community Development Manager</u>
Signature <u>Isaac Garnett</u>	Date <u>1-16-2018</u>