

Louisville Metro Housing Authority

Public Comment Welcome From November 10, 2017 – December 11, 2017

The Louisville Metro Housing Authority (LMHA) is making draft copies of the following documents available for public comment from November 10, 2017 through December 11, 2017:

1. An amendment to the Housing Authority's FY 2018 Moving to Work (MTW) Annual Plan to implement an expanded public housing no-smoking policy and to propose a new MTW activity that would increase housing options for relocating Beecher Terrace households;
2. Proposed changes to the Public Housing Admissions & Continued Occupancy Policy;
3. Proposed changes to the Public Housing Lease; and
4. Proposed changes to the Housing Choice Voucher Program (Section 8) Administrative Plan.

You can find copies of these documents on LMHA's website (www.lmha1.org); at the agency's public housing management offices; and at the following office locations from Monday thru Friday during normal business hours:

- Main Office (420 South Eighth Street, Louisville, KY, 40203); and
- Section 8 Office (801 Vine Street, Louisville, KY, 40204)

You can also ask that we mail printed copies of these documents to you.

A meeting to discuss these proposals and to accept public comment will be held on November 16, 2017 at 6:00 PM at Avenue Plaza (400 S. 8th St., Louisville, KY, 40203) in the Community Room on the 2nd floor. This location is fully accessible, and a Maay Maay interpreter will be present. Additional accommodations for persons with disabilities or for those needing interpretation in other languages will be made available upon advance request.

Written comments may be mailed to the attention of Sarah Galloway at the Housing Authority's main office (420 S. 8th St., Louisville, KY, 40203) or emailed to Ms. Galloway at galloway@lmha1.org.

For additional information regarding the public meeting or public comment period, please contact Ms. Galloway by mail, email, or by phone at (502) 569-4372.

Louisville Metro Housing Authority

Proposed Amendment to
Moving to Work
Annual Plan

Fiscal Year 2018

(July 1, 2017 – June 30, 2018)

Addition of Activity #50-2018:
Increasing Housing Options for Relocating Beecher Terrace
Families

Addition of Appendix II:
Public Housing No-Smoking Policy

Public comment welcome from
November 10, 2017 – December 11, 2017



Activity #50-2018: Increasing Housing Options for Relocating Beecher Terrace Families

A. Description

HUD awarded LMHA a \$29,575,000 Choice Neighborhoods Initiative (CNI) Implementation Grant in December 2016 for the revitalization of the Beecher Terrace public housing development and the wider Russell neighborhood. All 758 public housing units currently on the Beecher Terrace site will be razed and replaced with a vibrant, sustainable mixed-income, mixed-use community.

To ensure the initiative results in no net loss of affordable housing in the community, all 758 Beecher units slated for demolition will be replaced one-for-one in mixed-income communities - on the Beecher site; in the Russell neighborhood; and in non-impacted census tracts throughout Louisville. As provided in the Housing Authority's CNI Implementation Grant application, each of these replacement units must remain affordable to low-income households for a minimum of 40 years.

In addition, all replacement units must be provided by the end of the CNI Implementation Grant period - which closes on September 30, 2023 – and all relocated Beecher Terrace residents will have an admissions preference for replacement units (whether on- or off-site) for life.

While the demolition of Beecher will ultimately result in no net loss of affordable units, replacement units will be added to the Housing Authority's inventory incrementally throughout the grant period as the construction of new residential buildings is completed and existing, previously unassisted units are either acquired or provided a 40-year Project-Based Voucher HAP contract.¹

Meanwhile, the pace of relocation is proceeding rapidly, as units must be emptied before each new phase of demolition and construction can begin.

To this end, Beecher families are being relocated in three phases. The first began in May 2017 (121 units); the second phase will follow in 2018 (370 units); and the third phase will occur in 2019 (267 units).²

After examining the composition of current Beecher households in each of the three phases, LMHA staff has determined that a larger proportion of households than originally anticipated will need one-bedroom units. While today's site has 355 one-bedroom units, there are a number of other current Beecher families who are over-housed resulting in an estimated 409 families who are one-bedroom-eligible based on their household size and composition.

While the first phase of relocation included a relatively small number of one-bedroom-eligible families (49), phases II and III will include significantly more families moving to one-bedroom units – an estimated 180 families in each phase.

¹ For additional information regarding the replacement unit schedule, please refer to the "Louisville CNI Grant Replacement Housing Schedule," which can be found on page 28 of this Annual Plan.

² Beecher households will be relocated in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), as described at 49 CFR Part 24, and in accordance with Section 104(d) of the Housing and Community Development Act, whose requirements are specified at 24 CFR Part 42.

LMHA is committed to offering these families as wide a range of housing options as possible, including Housing Choice Voucher (HCV) units (often referred to as Section 8). Thus, the Housing Authority is proposing several changes to its HCV Program to ensure that the local housing market is able to absorb the approximately 95 one-bedroom-eligible Beecher households who are projected to seek an HCV unit in 2018 and the additional 95 families expected to do the same in 2019.

Over the next few years, the HCV Program will be tasked with absorbing more new one-bedroom-eligible families than has historically been the case. In FY 2017, one hundred thirty-two families newly-admitted into the Housing Authority's tenant-based voucher programs leased a one-bedroom unit. Of these, 59 received vouchers through admissions preferences or special voucher set-asides designed to serve vulnerable populations (such as victims of domestic or sexual violence, those with severe mental illness, and pregnant/post-partum mothers exiting an addiction recovery program).

While successfully relocating Beecher residents is the Housing Authority's top priority, LMHA is also dedicated to serving especially vulnerable populations within the Louisville community. Increasing the number of HCV units available to Beecher residents will ensure that an adequate supply of units is available to meet both goals.

Thus, LMHA is proposing the following two mechanisms to increase the range of housing options available to relocating Beecher Terrace families and to increase the ability of the Housing Authority's HCV Program to absorb additional one-bedroom-eligible households:

Increased Payment Standard for One-Bedroom-Eligible Households (Relocating Beecher Terrace Households Only)

LMHA will offer a two-bedroom payment standard to all one-bedroom-eligible households moving from the Beecher Terrace public housing development to an HCV unit in relocation phase II or III.³ Both the regular two-bedroom payment standard (set at 100% of FMR) and the increased two-bedroom payment standard offered to families leasing in high opportunity census tracts (set at 110% of FMR) will be available to these households.

One-bedroom-eligible families will only be permitted to use the two-bedroom payment standard to lease a two-bedroom unit. If a family chooses to lease a one-bedroom unit, they will receive the one-bedroom payment standard. Although LMHA does not anticipate any relocating households will select a zero-bedroom unit, should they do so, they will receive the zero-bedroom payment standard.

Of the 360 one-bedroom-eligible households to be relocated from Beecher in relocation phases II and III (approximately 180 in each phase), LMHA estimates 190 will elect a tenant-based voucher for their move. Of these 190 households, the Housing Authority further anticipates that approximately 150 families will opt for the two-bedroom payment standard and lease a two-bedroom unit.

LMHA thus estimates the total annual cost of this component of Activity #50-2018 (once fully implemented for both relocation Phase II and Phase III) as follows:

³ Relocation Phase I began in May 2017, and LMHA anticipates this phase of relocation will be complete by the time this proposed MTW Plan amendment is submitted to HUD in mid-December 2017. Thus, this activity will only apply to families relocating from Beecher in phases II and III.

Total Annual Cost of Increased Payment Standards Post-Beecher Relocation

	Payment Standard (FY 2018)	
	Regular (100% of FMR)	High-Opportunity Census Tracts (110% of FMR)
2-BR Payment Standard	\$821	\$903
Minus		
1-BR Payment Standard	\$656	\$722
Equals		
Incremental Monthly Cost of Increase from 1-BR to 2-BR Payment Standard	\$165	\$181
Multiplied by 12 Equals		
Incremental Annual Cost of Increase from 1-BR to 2-BR Payment Standard	\$1,980	\$2,172
Multiplied by		
Number of 1-BR Eligible Households Leasing a 2-BR Unit	138 (69 per relocation phase)	12 ¹ (6 per relocation phase)
Equals		
Annual Cost by Payment Standard Type	\$136,620	\$13,032
Total Annual Cost of Activity	\$149,652	

¹ Approximately 4% of families in LMHA’s overall HCV Program choose to lease in high-opportunity census tracts. Given the increased emphasis on mobility counseling for relocating Beecher residents, cost estimate assumes 8% of families will move to high-opportunity census tracts.

HCV Owner Incentive Fee (HCV Program-Wide)

Once the increased payment standard component of this MTW Activity has been taken into account, LMHA estimates 40 one-bedroom-eligible Beecher households will choose to forego the two-bedroom payment standard and lease a one-bedroom HCV unit (20 families in relocation Phase II and 20 families in relocation Phase III).

To encourage owner participation in the HCV Program and increase the inventory of one-bedroom units available to these relocating Beecher families within the Louisville Metro area, LMHA will pay a \$1,000 incentive fee to owners who lease a one-bedroom unit to a family entering LMHA’s HCV Program (to include relocating Beecher families). For the purposes of this activity, a family will be considered to be “newly-admitted” and the unit eligible for an incentive fee if:

- The family is signing a lease under the HCV Program for the first time;
- The family is moving from one LMHA housing program to another (e.g., moving from the Public Housing Program to the HCV Program);

- The family is using the portability provisions provided through the HCV Program to move with continued HCV assistance from another Public Housing Agency's jurisdiction to LMHA's jurisdiction; or
- The family has experienced an interruption of voucher assistance where the Public Housing Agency formerly assisting the family submitted an End of Participation action to HUD using form HUD-50058 or HUD-50058 MTW.

The incentive fee will be paid in two installments of \$500 each, with the first installment paid during the first month of the HAP contract and the second installment paid following the first anniversary of the HAP contract's effective date. Should the HAP contract be terminated for any reason within the first year, the owner will not receive the second \$500 installment.

B. Relation to Statutory Objectives

This activity will increase housing choices for low-income families by expanding the overall number of one-bedroom units under lease in the Housing Authority's HCV Program, and by making two-bedroom units throughout Louisville affordable to relocating one-bedroom-eligible Beecher Terrace families, who might otherwise find it difficult to secure a one-bedroom HCV unit in the private rental market.

C. Anticipated Impact on the Stated Objectives

Increased Payment Standard for One-Bedroom-Eligible Relocating Beecher Households

This component of Activity #50-2018 will increase housing choice for an estimated 360 one-bedroom-eligible households yet to be relocated from Beecher Terrace by giving these families the option to lease a two-bedroom HCV unit.

Owner Incentive Fee

This component of Activity #50-2018 will also increase housing choice for low-income families by expanding the overall number of one-bedroom units under lease in the Housing Authority's HCV Program by approximately 40 units by late 2019.

D. Anticipated Schedule for Achieving the Stated Objectives

Increased Payment Standard for One-Bedroom-Eligible Households

Increased payment standards for one-bedroom-eligible households will be offered to families moving during the second and third relocation phases. The current Russell CNI Implementation Grant Program Schedule anticipates that families included in the second phase will be relocated between April 2018 and September 2018, while families included in the third phase will be relocated between March 2019 and September 2019.

Owner Incentive Fee

Upon HUD approval of this activity, LMHA will begin offering incentive fees to owners who lease one-bedroom units to newly-admitted HCV families. LMHA will stop offering new incentive fees to owners once all Beecher Terrace households have been relocated (The current Russell CNI Implementation Grant Program Schedule anticipates relocation will be completed in September 2019). The Housing Authority will continue to pay out second installments of the incentive fee to eligible owners for approximately one additional year (through late 2020).

MTW activity #50-2018 will be closed out once the second incentive fee installment has been paid to all eligible owners, approximately one year after Beecher relocation is completed.

E-I. Activity Metrics Information

LMHA will track the following HUD Standard Metrics related to housing choice. This activity is not expected to further the statutory objectives related to self-sufficiency or cost effectiveness.

Housing Choice #1: Additional Units of Housing Made Available				
Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
# of new housing units made available to 1-BR-eligible HHs at or below 80% AMI as a result of the activity (increase).	Housing units of this type prior to implementation of the activity (#). This # may be zero.	Expected housing units of this type after implementation of the activity (#).	Actual housing units of this type after implementation of the activity (#).	Whether the outcome meets or exceeds the benchmark.
	Landlord Incentive Fee (HCV Program-Wide)			
	As of FY 2017: 132 (# of newly-admitted 1-BR HCV families)	152 (# of newly-admitted 1-BR HCV families)	TBD	TBD
	Increased Payment Standard (Relocating Beecher Families Only)			
	As of FY 2017: 0 (1-BR-eligible HHs relocating to 2-BR HCV unit)	75 (1-BR-eligible HHs relocating to 2-BR HCV unit)	TBD	TBD
Housing units of this type prior to implementation of the activity (#). This # may be zero.	Expected housing units of this type after implementation of the activity (#).	Actual housing units of this type after implementation of the activity (#).	Explanation to be provided	
Data Source(s): Emphasys; Beecher relocation records				

Housing Choice #3: Decrease in Wait List Time				
Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Average applicant time on wait list in months (decrease).	Average applicant time on wait list prior to implementation of the activity (in months).	Expected average applicant time on wait list after implementation of the activity (in months).	Actual average applicant time on wait list after implementation of the activity (in months).	Whether the outcome meets or exceeds the benchmark.
	Landlord Incentive Fee (HCV Program-Wide)			
	As of FY 2017: 84 months	84 months ¹	TBD	TBD
	Increased Payment Standard (Relocating Beecher Families Only)			
	As of FY 2017: N/A (Relocating Beecher HHs are not placed on HCV waitlist; they receive Tenant Protection Vouchers.)	N/A	N/A	N/A
Average applicant time on wait list prior to implementation of the activity (in months).	Expected average applicant time on wait list at FYE (in months).	Actual average applicant time on wait list at FYE (in months).	Explanation to be provided	
Data Source(s): Emphasys				

¹ Increasing the number of units on the HCV Program is not expected to reduce HCV waitlist time during FY 2018, as LMHA expects the majority of these additional units will be leased to relocating Beecher households.

Housing Choice #5: Increase in Resident Mobility					
Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?	
Number (#) of households (HHs) able to move to a better unit and/or neighborhood of opportunity as a result of the activity (increase).	HHs able to move to a better unit and/or neighborhood of opportunity prior to implementation of the activity (#). This # may be zero.	Expected HHs able to move to a better unit and/or neighborhood of opportunity after implementation of the activity (#).	Actual increase in HHs able to move to a better unit and/or neighborhood of opportunity after implementation of the activity (#).	Whether the outcome meets or exceeds the benchmark.	
	Landlord Incentive Fee (HCV Program-Wide)				
	As of FY 2017: 132 (# of newly-admitted 1-BR HCV families)	152 (# of newly-admitted 1-BR HCV families)	TBD	TBD	
	Increased Payment Standard (Relocating Beecher Families Only)				
	As of FY 2017: 0 (1-BR-eligible HHs relocating to 2-BR HCV unit)	75 (1-BR-eligible HHs relocating to 2-BR HCV unit)	TBD	TBD	
# of HHs able to move to a better unit and/or neighborhood of opportunity prior to implementation.	# of HHs able to move to a better unit and/or neighborhood of opportunity during FY	# of HHs able to move to a better unit and/or neighborhood of opportunity during FY	Explanation to be provided		
Data Source(s): Emphasys; Beecher relocation records					

J-K. Authorizations Cited and Explanation

Attachment C, Section D.2.a, which authorizes the Housing Authority “to adopt and implement any reasonable policy to establish payment standards, rents or subsidy levels for tenant-based assistance that differ from the currently mandated program requirements in the 1937 Act and its implementing regulations. The Agency is authorized to adopt and implement any reasonable policies to calculate the tenant portion of the rent that differ from the currently mandated program requirements in the 1937 Act and its implementing regulations. *This authorization waives certain provisions of Sections 8(o)(1), 8(o)(2), 8(o)(3), 8(o)(10) and 8(o)(13)(H)-(I) of the 1937 Act and 24 C.F.R. 982.508, 982.503 and 982.518, as necessary to implement the Agency's Annual MTW Plan.*”

- Authorization necessary both to provide a flat incentive fee to owners in addition to HAP (in effect increasing the subsidy provided to these owners during the first year a unit is leased to a newly-admitted family) and to provide a two-bedroom payment standard to one-bedroom-eligible HCV families.

L. Information for Rent Reform

N/A. This activity does not include rent reform.

Appendix II: Public Housing No-Smoking Policy

Due to the increased risk of fire, increased maintenance costs, the health effects of secondhand smoke, and to comply with HUD no-smoking requirements,⁴ LMHA is adopting this No-Smoking Policy **effective July 31, 2018**, after which date the use of Prohibited Tobacco Products is banned in all Restricted Areas. This Policy applies to all residents, members of residents' households, residents' guests, and any other person under the tenant's control, as well as to visitors, service personnel, and employees.

The term "Prohibited Tobacco Product" means any item that involves the ignition and burning of tobacco leaves, such as (but not limited to) cigarettes, cigars, and pipes. The term Prohibited Tobacco Product also includes any waterpipe (hookah) and any Electronic Nicotine Delivery System, such as any e-cigarette, e-cigar, e-pipe, or vape pen.

The term "Restricted Area" means any living unit and interior areas (including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures), as well as outdoor areas within 25 feet from living units and administrative office buildings. In cases where the LMHA property boundary is less than 25 feet from a given building, the Restricted Area shall extend to the property boundary. In addition, Restricted Areas may include other areas of the rental property if such additional areas have also been designated as locations where the use of Prohibited Tobacco Products is banned.

Residents are responsible for the actions of their household, their guests, and other persons under the tenant's control. Failure to adhere to any conditions of this No-Smoking Policy will constitute a violation of the resident's Lease Agreement.

Without limiting the other remedies available to LMHA for violations of the Lease Agreement, any resident who uses a Prohibited Tobacco Product in a Restricted Area or any resident whose household member, guest, or other person under the tenant's control uses a Prohibited Tobacco Product in a Restricted Area, will be charged according to the following schedule:

⁴ 81 FR 87430 *Instituting Smoke-Free Public Housing*, 5 December 2016; PIH 2017-03, *HUD Guidance on Instituting and Enforcing Smoke-Free Public Housing Policies*

	Fee
1 st Violation	Warning letter only (no fee)
2 nd Violation	\$15.00
3 rd Violation	\$30.00
4 th and Subsequent Violations	\$45.00

Rental property management will provide written notice of all violations and charges. Notification will be mailed to the resident a minimum of 30 days prior to when the charge is due. All charges must be paid in full once they appear on the monthly rent statement.

Repeated violations may result in Lease termination if resident compliance with the No-Smoking Policy cannot be obtained over a reasonable period of time.

As further provided in the Housing Authority's Grievance Procedures, residents have an opportunity for a hearing on a grievance of any proposed adverse action against the resident.

DRAFT

LOUISVILLE METRO HOUSING AUTHORITY (LMHA)

Proposed Revisions to: PUBLIC HOUSING ADMISSIONS & CONTINUED OCCUPANCY POLICY

- 8.0:** Eligibility for Admission
- 10.0:** Tenant Selection and Assignment Plan
- Appendix D:** Flat Rent Schedule
- Appendix E:** No-Smoking Policy

Public comment welcome from
November 10, 2017 – December 11, 2017

Proposed revisions are denoted in red

8.0 ELIGIBILITY FOR ADMISSION

8.1 ELIGIBILITY CRITERIA

[..]

J. ~~No Smoking Requirement~~

~~At the time of admission to the Housing Authority's Public Housing Program, the applicant must sign an addendum to the public housing lease affirming that neither they nor any member of their household will smoke anywhere in their dwelling unit or in any common areas of their building, nor will any resident permit guests or visitors under their control to do so.~~

~~Those transferring between units will also be required to sign a no-smoking lease addendum unless they are transferred involuntarily by the Housing Authority for reasons beyond the family's control or cause. For these transfers only, signing the no-smoking lease addendum will be optional for residents moving to a smoking unit (i.e., a unit that has not yet been designated no-smoking).~~

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The LMHA will select families based on the following preferences within each bedroom size (0-bedroom, 1-bedroom, 2-bedroom, etc.). These preferences are based on local housing needs and priorities:

[...]

~~F. *Working families receive a preference for 3-bedroom, scattered-site, single-family detached houses only. (Category 3 preference)*~~

~~All adult family members must be full-time students or employed (working at least 20 hours per week) or elderly (62+) or disabled. See Glossary for definition of Work/Working.~~

~~Working families will only be selected from the central waiting list when there are no eligible families on the LMHA's internal Scattered Site Unit Referral List.~~

[...]

APPENDIX D: FLAT RENT SCHEDULE

Flat Rent Schedule
For Developments Where LMHA Pays Utility Costs on Tenant's Behalf

Number of Bedrooms	Flat Rent
0	\$441 \$462
1	\$503 \$525
2	\$634 \$657
3	\$868 \$895
4	\$984 \$1,007

APPENDIX E: NO-SMOKING POLICY

~~Certain Louisville Metro Housing Authority (LMHA) dwelling units have been designated no-smoking. At these public housing units, residents are not permitted to smoke anywhere in their unit or in any common areas of such buildings, nor shall any resident permit guests or visitors under their control to do so.~~

~~Residents living in dwelling units designated no-smoking are required to sign an addendum to their public housing lease affirming that they will abide by this No Smoking Policy.~~

~~Due to the increased risk of fire, increased maintenance costs, the health effects of secondhand smoke, and to comply with HUD no-smoking requirements,¹ LMHA is adopting this No-Smoking Policy **effective July 31, 2018**, after which date the use of Prohibited Tobacco Products is banned in all Restricted Areas. This Policy applies to all residents, members of residents' households, residents' guests, and any other person under the tenant's control, as well as to visitors, service personnel, and employees.~~

~~The term "Prohibited Tobacco Product" means any item that involves the ignition and burning of tobacco leaves, such as (but not limited to) cigarettes, cigars, and pipes. The term Prohibited Tobacco Product also includes any waterpipe (hookah) and any Electronic Nicotine Delivery System, such as any e-cigarette, e-cigar, e-pipe, or vape pen.~~

~~The term "Restricted Area" means any living unit and interior areas (including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures), as well as outdoor areas within 25 feet from living units and administrative office buildings. In cases where the LMHA property boundary is less than 25 feet from a given building, the Restricted Area shall extend to the property boundary. In addition, Restricted Areas may include other areas of the rental property if such additional areas have also been designated as locations where the use of Prohibited Tobacco Products is banned.~~

~~Residents are responsible for the actions of their household, their guests, and other persons under the tenant's control. Failure to adhere to any conditions of this No-Smoking Policy will constitute a violation of the resident's Lease Agreement.~~

~~Without limiting the other remedies available to LMHA for violations of the Lease Agreement, any resident who uses a Prohibited Tobacco Product in a Restricted Area or any resident whose household member, guest, or other person under the tenant's control uses a Prohibited Tobacco Product in a Restricted Area, will be charged according to the following schedule:~~

¹ 81 FR 87430 *Instituting Smoke-Free Public Housing*, 5 December 2016; PIH 2017-03, *HUD Guidance on Instituting and Enforcing Smoke-Free Public Housing Policies*

	Fee
1 st Violation	Warning letter only (no fee)
2 nd Violation	\$15.00
3 rd Violation	\$30.00
4 th and Subsequent Violations	\$45.00

Rental property management will provide written notice of all violations and charges. Notification will be mailed to the resident a minimum of 30 days prior to when the charge is due. All charges must be paid in full once they appear on the monthly rent statement.

Repeated violations may result in Lease termination if resident compliance with the No-Smoking Policy cannot be obtained over a reasonable period of time.

As further provided in the Housing Authority's Grievance Procedures, residents have an opportunity for a hearing on a grievance of any proposed adverse action against the resident.

DRAFT

LOUISVILLE METRO HOUSING AUTHORITY (LMHA)

Proposed Revisions to: PUBLIC HOUSING LEASE

Lease Addendum: No-Smoking Policy

Per a Final Rule published in the Federal Register on December 5, 2016, entitled *Instituting Smoke-Free Public Housing*, Public Housing Agencies must implement a no-smoking policy across all of their public housing developments (with the exception of mixed-finance developments) by July 31, 2018. The no-smoking policy must be incorporated into the leases of affected public housing residents.

This proposed no-smoking lease addendum will apply to all LMHA public housing residents except those living at Family Scholar House, the Friary, Park DuValle, Sheppard Square, St. Francis, Stephen Foster, Village Manor, Wilart Arms, and Liberty Green (excepting that dwelling units in the Liberty Green Community Center will be subject to this no-smoking lease addendum).

Many of the excepted sites listed above have already implemented their own no-smoking policies, and LMHA will continue to advocate for smoke-free policies across its public housing inventory.

**Public comment welcome from
November 10, 2017 – December 11, 2017**

NO-SMOKING LEASE ADDENDUM

Date _____ Development _____ Unit # _____

Head of Household _____

THE FOLLOWING TERMS, CONDITIONS AND RULES ARE HEREBY INCORPORATED INTO THE LEASE FOR THE ABOVE UNIT EFFECTIVE JULY 31, 2018.

1. **Definitions** — The term "Prohibited Tobacco Product" means any item that involves the ignition and burning of tobacco leaves, such as (but not limited to) cigarettes, cigars, and pipes. The term Prohibited Tobacco Product also includes any waterpipe (hookah) and any Electronic Nicotine Delivery System, such as any e-cigarette, e-cigar, e-pipe, or vape pen.

The term "Restricted Area" means any living unit and interior areas (including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures), as well as outdoor areas within 25 feet from living units and administrative office buildings. In cases where the LMHA property boundary is less than 25 feet from a given building, the Restricted Area shall extend to the property boundary. In addition, Restricted Areas may include other areas of the rental property if such additional areas have also been designated as locations where the use of Prohibited Tobacco Products is banned.

2. **No-Smoking Policy** — Due to the increased risk of fire, increased maintenance costs, and the health effects of secondhand smoke, the Louisville Metro Housing Authority (LMHA) is adopting the following No-Smoking Policy effective **July 31, 2018**, after which date the use of Prohibited Tobacco Products is banned in all Restricted Areas. This Policy applies to all residents, members of residents' households, residents' guests, and any other person under the tenant's control, as well as to visitors, service personnel, and employees.
3. **LMHA is not a Guarantor of a Smoke-Free Environment** — Resident acknowledges that LMHA's adoption of a No-Smoking Policy will not make LMHA or any of its managing agents the guarantor of resident's health or of the smoke-free condition of the portions of the property where the use of Prohibited Tobacco Products is banned. However, LMHA and its managing agents will take reasonable steps to enforce the No-Smoking Policy. Neither LMHA nor any of its managing agents is required to take steps in response to the proscribed use of a Prohibited Tobacco Product in a Restricted Area absent actual knowledge of the use of a Prohibited Tobacco Product in a Restricted Area and the identity of the responsible resident.
4. **LMHA Disclaimer** — Resident acknowledges that LMHA adoption of a no-smoking living environment does not in any way change the standard of care that LMHA or any of its

managing agents has under applicable law to render the property any safer, more habitable, or improved in terms of air quality standards than any other rental premises. LMHA specifically disclaims any implied or express warranties that the property will have any higher or improved air quality standards than any other rental property. LMHA cannot and does not warranty or promise that the property will be free from secondhand smoke. Resident acknowledges that the ability of LMHA or any of its managing agents to police, monitor, or enforce this Lease Addendum is dependent in significant part on voluntary compliance by residents, members of residents' households, residents' guests, and other persons under the tenant's control. Residents with respiratory ailments, allergies, or other physical or mental condition relating to Prohibited Tobacco Products are put on notice that neither LMHA nor its management agents assume any higher duty of care to enforce this Lease Addendum than any other obligation of LMHA or any of its management agents under the Lease Agreement.

5. **Lease Violation** — Residents are responsible for the actions of their household, their guests, and other persons under the tenant's control. Failure to adhere to any conditions of this Lease Addendum will constitute a violation of the Lease Agreement.

Without limiting the other remedies available to LMHA for violations of the Lease Agreement, any resident who uses a Prohibited Tobacco Product in a Restricted Area or any resident whose household member, guest, or other person under the tenant's control uses a Prohibited Tobacco Product in a Restricted Area, will be charged according to the following schedule:

	Fee
1 st Violation	Warning letter only (no fee)
2 nd Violation	\$15.00
3 rd Violation	\$30.00
4 th and Subsequent Violations	\$45.00

Rental property management will provide written notice of all violations and charges. Notification will be mailed to the resident a minimum of 30 days prior to when the charge is due. All charges must be paid in full once they appear on the monthly rent statement.

Repeated violations may result in Lease termination if resident compliance with the No-Smoking Policy cannot be obtained over a reasonable period of time.

As further provided in the Grievance Procedures attached to this Lease Agreement by reference, residents have an opportunity for a hearing on a grievance of any proposed adverse action against the resident.

I agree that I have read and understand the Louisville Metro Housing Authority's No-Smoking Policy, and agree to abide by all provisions of such No-Smoking Policy.

Head of Household _____ **Date** _____

Other Adult Household Member _____ **Date** _____

Other Adult Household Member _____ **Date** _____

Property Manager _____ **Date** _____

DRAFT

**LOUISVILLE METRO
HOUSING AUTHORITY (LMHA)**

**Proposed Revisions to:
HOUSING CHOICE VOUCHER (HCV)
PROGRAM
ADMINISTRATIVE PLAN**

Section 4: The Admissions Process
Glossary: Definition of “Independent Student”
Appendix 1: Payment Standards
Appendix 2: Utility Allowance Schedules
Appendix 9: Special Referral Programs

Public comment welcome from
November 10, 2017 – December 11, 2017

Proposed revisions are denoted in red

4. THE ADMISSIONS PROCESS

[...]

C. WAITING LIST MANAGEMENT

[...]

2. Waiting List Organization

[...]

b. Preferences¹

Consistent with the Housing Authority's Moving to Work (MTW) Annual Plan; the Consolidated Plan that covers the LMHA jurisdiction; and local housing needs and priorities, the Housing Authority will give an admissions preference to Applicant Families that meet at least one of the following criteria:

- i. Applicant Families that successfully completed the Housing Authority's HCV Homeownership Program by becoming economically independent, and who still own and reside in the formerly assisted unit, but who now, through extenuating services, need HCV assistance again.
- ii. Applicant Families that have applied to (and met the admissions criteria for) one of the Housing Authority's Special Referral Programs. Information on applying to these Programs can be found in Appendix 7.
- iii. **Public Housing Program Participant Families graduating from the Housing Authority's Special Referral Program with Family Scholar House in good standing. Applicant Family eligibility for this preference must be verified by Family Scholar House.**
- iv. Applicant Families referred by the Family Health Centers Common Assessment Team that include an Adult Household Member who is a Homeless veteran. For the purpose of determining eligibility for this preference, the term "veteran" includes anyone who wore the uniform of any of the military forces. It does not include National Guard members who

¹ 24 CFR 982.202, How Applicants Are Selected: General Requirements and 24 CFR 982.207, Waiting List: Local Preferences in Admission to Program

were never called up for service.² Families that believe they may qualify for this admissions preference should contact:

Family Health Centers Common Assessment Team
1300 S. 4th St., Suite 200
Louisville, KY 40208
Phone: (502) 773-3811
Website: <http://www.fhclouisville.org/health-services/healthcare-for-the-homeless>

- iv. Applicant Families referred by the Family Health Centers Common Assessment Team that are currently assisted through a homeless services voucher. LMHA will not serve more than 100 Families admitted through this preference at any given time.³ Families that believe they may qualify for this admissions preference should contact:

Family Health Centers Common Assessment Team
1300 S. 4th St., Suite 200
Louisville, KY 40208
Phone: (502) 773-3811
Website: <http://www.fhclouisville.org/health-services/healthcare-for-the-homeless>

The LMHA will not deny a local preference, nor otherwise exclude or penalize an Applicant Family, solely because the Family resides in public housing.

[...]

² *RX: Housing Veterans*. Report to Mayor Fischer on Ending Veteran Homelessness in Louisville, Kentucky. 5 December 2014.

³ Notice PIH 2013-15, *Guidance on Housing Individuals and Families Experiencing Homelessness through the Public Housing and Housing Choice Voucher Program*

GLOSSARY

[...]

Independent Student.

- A. The individual is 24 years of age or older by December 31 of the award year;
 - B. The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
 - C. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
 - D. The individual is a veteran of the Armed Forces of the U.S. (as defined in subsection (c)(1) of HEA [Higher Education Act]) or is currently serving on active duty in the Armed Forces for other than training purposes;
 - E. The individual is a graduate or professional student;
 - F. The individual is a married individual;
 - G. The individual has legal dependents other than a spouse;
 - H. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by—
 - 1. a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;
 - 2. the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
 - 3. the director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - 4. a financial aid administrator; or
 - I. The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.
- (81 FR 64932, *Eligibility of Independent Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937; Additional Supplementary Guidance*, 21 September 2016)

APPENDIX 1: PAYMENT STANDARDS

Louisville Metro Housing Authority Housing Choice Voucher Program Payment Standards for Fiscal Year 2018 (Effective October 1, 2017)					
Bedroom Size	Fair Market Rent (FMR) FY2018	Rental		Homeownership	
		Payment Standard Regular 100% FMR	Payment Standard Exception 110% FMR	Payment Standard Regular 110% FMR	Payment Standard Exception 120% FMR
0	\$578	\$578	\$636	\$636	\$694
1	\$656	\$656	\$722	\$722	\$787
2	\$821	\$821	\$903	\$903	\$985
3	\$1,119	\$1,119	\$1,231	\$1,231	\$1,343
4	\$1,259	\$1,259	\$1,385	\$1,385	\$1,511
5	\$1,448	\$1,448	\$1,593	\$1,593	\$1,737
6	\$1,637	\$1,637	\$1,800	\$1,800	\$1,964
7	\$1,826	\$1,826	\$2,008	\$2,008	\$2,191
8	\$2,014	\$2,014	\$2,216	\$2,216	\$2,417

APPENDIX 2: UTILITY ALLOWANCE SCHEDULES

Allowances for Tenant-Furnished Utilities and Other Services		U.S. Department of Housing and Urban Development Office of Public and Indian Housing					
LOCALITY		Unit Type			Effective Date		
Louisville Metro Housing Authority		Apartment			01/01/18		
Utility or Service	Monthly Dollar Allowances						
	0 BR	1 BR	2 BR	3 BR	4 BR	5BR	
Heating	a. Natural Gas	35	42	49	56	67	74
	b. Bottle Gas	45	64	82	100	127	145
	c. Electric	30	41	53	65	83	95
	d. Oil/Other	35	49	63	78	99	113
Cooking	a. Natural Gas	3	4	6	7	9	10
	b. Bottle Gas	9	13	17	20	26	30
	c. Electric	5	7	9	11	14	16
	d. Oil/Other	N/A	N/A	N/A	N/A	N/A	N/A
Other Electric	38	44	50	56	65	71	
Air Conditioning	4	5	6	7	8	9	
Water Heating	a. Natural Gas	7	10	13	15	20	22
	b. Bottle Gas	20	28	36	45	57	65
	c. Electric	14	19	25	31	39	45
	d. Oil/Other	15	21	28	34	43	49
Water	15	18	28	37	47	58	
Sewer	33	39	48	60	72	84	
Range/Microwave	5	5	5	5	5	5	
Refrigerator	5	5	5	5	5	5	
Other-Specify							

Actual Family Allowances To be used by the family to compute allowance		Utility or Service	Per Month Cost
Complete below for the actual unit rented.		Heating	\$ _____
Name of Family _____		Cooking	_____
		Other Electric	_____
Address of Unit _____		A/C	_____
		Water Heating	_____
		Water	_____
		Sewer	_____
		Range/Microwave	_____
Number of Bedrooms _____		Refrigerator	_____
		Other	_____
		Total	\$ _____

Louisville Metro Housing Authority (LMHA)
Housing Choice Voucher (HCV) Program Administrative Plan
For Public Comment: November 10, 2017 – December 11, 2017

**Allowances for
Tenant-Furnished Utilities
and Other Services**

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

LOCALITY		Unit Type					Effective Date
Louisville Metro Housing Authority		Duplex/Townhouse/Row					01/01/2018
Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5BR
Heating	a. Natural Gas	35	43	51	58	69	77
	b. Bottle Gas	48	67	86	105	133	152
	c. Electric	31	43	56	68	87	99
	d. Oil/Other	37	52	67	81	104	118
Cooking	a. Natural Gas	3	5	6	7	9	11
	b. Bottle Gas	9	13	17	20	26	30
	c. Electric	5	7	9	11	14	16
	d. Oil/Other	N/A	N/A	N/A	N/A	N/A	N/A
Other Electric		38	44	50	56	65	71
Air Conditioning		4	5	6	7	8	9
Water Heating	a. Natural Gas	7	10	13	15	20	22
	b. Bottle Gas	20	28	36	45	57	65
	c. Electric	14	19	25	31	39	45
	d. Oil/Other	15	21	28	34	43	49
Water		15	18	27	37	47	58
Sewer		33	39	48	60	72	84
Range/Microwave		5	5	5	5	5	5
Refrigerator		5	5	5	5	5	5
Other-Specify							
Actual Family Allowances To be used by the family to compute allowance						Utility or Service	Per Month Cost
Complete below for the actual unit rented.						Heating	\$
Name of Family						Cooking	
						Other Electric	
Address of Unit						A/C	
						Water Heating	
						Water	
						Sewer	
						Range/Microwave	
						Refrigerator	
						Other	
Number of Bedrooms						Contract Rent	\$
						Utility Allowance	\$
						Gross Rent	\$
						Total	\$

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**Allowances for
Tenant-Furnished Utilities
and Other Services**

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

LOCALITY		Unit Type					Effective Date
Louisville Metro Housing Authority		House/New Mobile Home					01/01/2018
Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5BR
Heating	a. Natural Gas	37	46	54	62	75	83
	b. Bottle Gas	52	73	94	115	147	168
	c. Electric	34	48	61	75	96	109
	d. Oil/Other	41	57	73	90	114	130
Cooking	a. Natural Gas	3	5	6	7	9	11
	b. Bottle Gas	9	13	17	20	26	30
	c. Electric	5	7	9	11	14	16
	d. Oil/Other	N/A	N/A	N/A	N/A	N/A	N/A
Other Electric		38	44	50	56	65	71
Air Conditioning		4	5	6	7	8	9
Water Heating	a. Natural Gas	7	10	13	15	20	22
	b. Bottle Gas	20	28	36	45	57	65
	c. Electric	14	19	25	31	39	45
	d. Oil/Other	15	21	28	34	43	49
Water		15	18	28	37	47	58
Sewer		33	39	48	60	72	84
Range/Microwave		5	5	5	5	5	5
Refrigerator		5	5	5	5	5	5
Other-Specify							
Actual Family Allowances To be used by the family to compute allowance Complete below for the actual unit rented.						Utility or Service	Per Month Cost
Name of Family						Heating	\$
						Cooking	
Address of Unit						Other Electric	
						A/C	
Number of Bedrooms						Water Heating	
						Water	
Contract Rent						Sewer	
						Utility Allowance	
Gross Rent						Range/Microwave	
						Refrigerator	
						Other	
						Total	\$

Louisville Metro Housing Authority (LMHA)
Housing Choice Voucher (HCV) Program Administrative Plan
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**Allowances for
Tenant-Furnished Utilities
and Other Services**

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

LOCALITY		Unit Type					Effective Date	
Louisville Metro Housing Authority		Mobile Home- 2002 or older					01/01/2018	
Utility or Service	Monthly Dollar Allowances							
	0 BR	1 BR	2 BR	3 BR	4 BR	5BR		
Heating	a. Natural Gas	41	51	61	71	86	96	
	b. Bottle Gas	86	94	113	138	176	201	
	c. Electric	41	57	74	90	115	131	
	d. Oil/Other	49	66	88	107	137	156	
Cooking	a. Natural Gas	3	5	6	7	9	11	
	b. Bottle Gas	9	13	17	20	26	30	
	c. Electric	5	7	9	11	14	16	
	d. Oil/Other	N/A	N/A	N/A	N/A	N/A	N/A	
Other Electric	38	44	50	56	65	71		
Air Conditioning	4	5	6	7	8	9		
Water Heating	a. Natural Gas	7	10	13	15	20	22	
	b. Bottle Gas	20	28	36	45	57	65	
	c. Electric	14	19	25	31	39	45	
	d. Oil/Other	15	21	28	34	43	49	
Water	15	18	28	37	47	58		
Sewer	33	39	48	60	72	84		
Range/Microwave	5	5	5	5	5	5		
Refrigerator	5	5	5	5	5	5		
Other-Specify								
Actual Family Allowances To be used by the family to compute allowance						Utility or Service	Per Month Cost	
Complete below for the actual unit rented.						Heating	\$	
Name of Family						Cooking		
Address of Unit						Other Electric		
						A/C		
						Water Heating		
						Water		
						Sewer		
						Range/Microwave		
Number of Bedrooms	Contract Rent	\$ _____					Refrigerator	
	Utility Allowance	\$ _____					Other	
	Gross Rent	\$ _____						
						Total	\$	

APPENDIX 9: SPECIAL REFERRAL PROGRAMS

[...]

Louisville Metro Housing Authority Special Referral Programs

Social Service Partner	Population Served	Contact Information			Vouchers Available
		Address	Phone ⁴	Web	
[...]	[...]	[...]	[...]	[...]	[...]
Family Scholar House	One parent Families & youth aging out of foster care. Eligible Family Member Parent must pursue college degree,	403 Reg Smith Circle, 40208	584-8090	www.familyscholarhouse.org	284
Home of the Innocents	Homeless youth ages 18-24 and their dependents	1100 E. Market St., 40206	596-1000	www.homeoftheinnocents.org	10
[...]	[...]	[...]	[...]	[...]	[...]

⁴ Area code is 502 unless otherwise noted.