



RESIDENT ADVISORY BOARD COMMENTS

RESIDENT ADVISORY BOARD COMMENTS (RAB) -2019 ANNUAL AND 5-YEAR PLAN

The RAB had the following comments on the Admissions and Continued Occupancy Plan (ACOP), Lease Agreement Schedule of Residential Charges and the Fees and Fines List.

1. **Wait List**-The Privately managed sites keep a list separately from MHA.
 - a. This is the common practice but needs to be communicated to all residents as each site/development maintains its own waiting list. MHA does not keep a list of names and requests only unit and bedroom size and other demographic information from the privately managed sites.
 - b. The sites are to inform MHA when the lists are opened or closed.

2. **Informal Hearing process.**
 - a. All references to time should be specified as business or calendar days in both correspondence and legal documents. MHA agreed and corrected the ACOP and Lease Agreement to match this request. Business and calendar days are specified in both the ACOP and the Lease Agreement.
 - b. Notifications from the Agency should not use the date on the correspondence to begin the deadline count.
 - c. Residents should be able to use the postmarked date to request an informal hearing when they receive a letter because in some areas of the city and county mail is not delivered promptly. There have also been cases when the mail has been placed incorrectly in another person's mailbox and that has added to the time of delivery. Hospitalization is another factor. (General Counsel Dean had suggested in meetings with RAB that the postmarked envelop was one way to begin the deadline and that extenuating circumstances should be treated on a case by case basis.) This was agreed upon by the Agency.
 - d. Initially there was a concern that times were moving from ten (10) days to two (2) or five (5) days until it was explained about the number of people on the list and that suggestion was taken into consideration that it was business days that would be tied to the notification response time for the informal hearing process and not calendar days. They were also informed of the total number of people on the waitlist.

3. **Denial of People on the Authorization of Agency (AOA) List.**
 - a. As the list was recently purged there was no issue adding this condition to the ACOP.
 - b. It is acknowledged by the RAB that some AOA offenses do not allow for them to be purged under federal and state law and that they will

4. **Over-income Families being looked at for 24 months before the subsidy ceases for the unit.**
 - a. The RAB was okay with the practice but was concerned of the family was made to move. If a family becomes self-sufficient and leaves Public Housing, it was thought that this would make room for another family that needs it.
 - b. If the family wanted to continue to live in the unit, they should pay market rate and not just 30 percent of his/her income.

5. **HUD mandate to use the Enterprise Income Verification system (EIV) system to verify benefits and income.**
 - a. This change was accepted as is. It was presented as a HUD mandate.

6. **Collection Agency**
 - a. The usage of a collection agency for people owing MHA money was thought to be a good practice and maybe a way to discourage people from moving while owing the agency money.

7. **Acceptance of rental payments with reservations.**
 - a. The RAB thought that this should be explained in more details on the individual properties because of the past actions of MHA accepting the money and not pursuing eviction.

8. **Repayment agreements, certification and renewal of lease agreements with reservations.**

- a. As in the case of acceptance of rental payments, it was thought that more time needed to be spent explaining this to the residents on an on-going basis in (i.e. like not performing community service or disruptive behavior) could lead to a lease not being renewed).
- b. The RAB thought that the by enforcing these and other conditions, people would be better prepared to move into the private sector.
- c. It was also stated that some people would lose housing because they think that all the have to do is file bankruptcy.

9. Discrepancies, Fraud and Errors Policy

- a. The RAB understood the need for a policy that addresses fraud, discrepancies and errors in regard to income and rent discrepancies.
- b. As the term landlord in the policy refers to MHA as well as private owners of ACC and Housing Choice Voucher the residents asked if there was an outside source that would be used to investigate the allegations.
 - i. MHA investigations begin internally and then based upon the information obtained are turned (criminal) over to external agencies (police, the HUD IG, etc.)

10. Fees and Fines

- a. In light of recent losses at two senior facilities due to resident neglect, the RAB strongly encourages MHA to enforce the fines and fees associated with these type of action.
- b. The fee for lockout was changed to \$25.00 outside of normal business hours. No charge should occur during normal business hours.
- c. Fines and Fees were discussed with Housing Operations' staff and it was made clear that all had to have a common understanding of what defines normal wear and tear. Definitions and an explanation needs to be provided to all Housing Operation staff so that charges are consistent across all property developments. There should be no labor charge for routine maintenance events such as light bulbs being changed.

11. Security Deposits

- a. The RAB objected to the elimination of the process that would allow people to pay the security deposit over a specified time period. The proposed action eliminates this current practice.
- b. They also object to the Security Deposit being raised to equal one month's rent for new admissions, if the rent is higher than the minimum of \$100.00 minimum for a deposit.

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Date 4-9-2019

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Date 4/9/19

Agency Response to the Resident Advisory Board Comments

Staff from the Memphis Housing Authority met with the Resident Advisory Board on several occasions after providing a copy of the proposed to the Admissions and Continued Occupancy Policy, Lease Agreement and other documents prior to the Public Meetings (February 4 and 20th , 2019) and the March 15, 2019 Public Hearing.

The change the meeting process was announced to the RAB at the October22, 2018 meeting. It went from 22 meeting to 2 Public Meetings and the Public Hearing. The RAB was asked assist with trying to find the best locations that were accessible and centrally located to a number of properties. The Emmanuel Center and the Central Library were chosen. Representation were present at all of the meetings. The lack of transportation to the Public Meeting sites was a criticism and it was agreed to add more meetings, preferably at the high rises managed by MHA and the privately managed senior facilities.

Copies of all of the documents were placed at all of the sites that contain Public Housing units. The main library branch and the website were the other means to ensure that residents and the general public had access to the information.

Each proposed change was explained and the RAB suggestion of business days and calendar days were incorporated into the documents.

The RAB is requesting that ongoing communication be done for all of the facilities about change by Property Management especially the Lease Agreement.

MHA through the Housing Operations and Legal Department will continue to work on the Security Deposit concern for future admissions.