

## Chapter 1

### OVERVIEW OF THE PROGRAM AND PLAN

#### PART I: Charter Oak Communities (COC)

##### 1-I.A. OVERVIEW

This part describes COC’s creation and authorization, the general structure of the organization, and the relationship between the COC Board and staff.

##### 1-I.B. ORGANIZATION AND STRUCTURE OF COC

Public housing is funded by the federal government and administered by the **Stamford Housing Authority d/b/a Charter Oak Communities (COC)** for the jurisdiction of **City of Stamford/ County of Fairfield**.

COC is governed by a board of officials that are generally called “commissioners.” Although some PHAs may use a different title for their officials, this document will hitherto refer to the “board of commissioners” or the “board” when discussing the board of governing officials.

Commissioners are appointed in accordance with state housing law and generally serve in the same capacity as the directors of a corporation. The board of commissioners establishes policies under which COC conducts business, and ensures that those policies are followed by COC staff. The board is responsible for preserving and expanding the agency’s resources and assuring the agency’s continued viability and success.

Formal actions of COC are taken through written resolutions, adopted by the board and entered into the official records of COC.

The principal staff member of COC is the Executive Director (ED), who is selected and hired by the board and CEO. The ED oversees the ~~day-to-day~~day-to-day operations of COC and is directly responsible for carrying out the policies established by the commissioners. The ED duties include hiring, training, and supervising COC’s staff, as well as budgeting and financial planning for the agency. Additionally, the ED is charged with ensuring compliance with federal and state laws, and program mandates.

## **1-I.C. COC MISSION**

### **Our Vision**

COC will be recognized as an innovative, diversified, dynamic provider of quality, affordable residential housing and mixed-use properties, as well as a forward-thinking facilitator of strategic resources and partnerships, exemplary management expertise and supportive human services that strengthen and empower residents, enhance neighborhoods and contribute to the health, stability and prosperity of the entire Stamford community. COC will materialize opportunities for growth and stability, achieving enhanced revenue outcomes through core business services excellence.

### **Our Mission**

We will achieve our vision by identifying and sustaining the long-term needs of our residents and our community through

- Increasing the number of affordable housing units available to the greater Stamford community including rental and homeownership opportunities
- Preserving and continuously improving the quality, safety and viability of our newer residences, and replacing older, less efficient or obsolete residences through smart, creative growth that benefits residents and our neighborhoods, reduces personal hardship and minimizes displacement
- Meeting and exceeding the needs and expectations of our residents, partners, investors, local, State and Federal government officials, staff, subcontractors and the community
- Supporting our residents through creative engagement and social services to become more self sufficient, economically self sustaining and respected contributors to their neighbors and the community.

## PART II: THE PUBLIC HOUSING PROGRAM

### 1-II.A. OVERVIEW AND HISTORY OF THE PROGRAM

The United States Housing Act of 1937 (the “Act”) is responsible for the birth of federal housing program initiatives, known as public housing. The Act was intended to provide financial assistance to states and cities for public works projects, slum clearance and the development of affordable housing for low-income residents. There have been many changes to the program since its inception in 1937.

The Housing Act of 1965 established the availability of federal assistance, administered through local public agencies, to provide rehabilitation grants for home repairs and rehabilitation. This act also created the federal Department of Housing and Urban Development (HUD).

The Housing Act of 1969 created an operating subsidy for the public housing program for the first time. Until that time, public housing was a self-sustaining program.

In 1998, the Quality Housing and Work Responsibility Act (QHWRA) – also known as the Public Housing Reform Act or Housing Act of 1998 – was signed into law. Its purpose was to provide more private sector management guidelines to the public housing program and provide residents with greater choices. It also allowed COC more remedies to replace or revitalize severely distressed public housing developments. Highlights of the Reform Act include: the establishment of flat rents; the requirement for COC to develop five-year and annual plans; income targeting, a requirement that 40% of all new admissions in public housing during any given fiscal year be reserved for extremely low-income families; and resident self-sufficiency incentives.

On July 29, 2016, the Housing Opportunity Through Modernization Act of 2016 (HOTMA) was signed into law. HOTMA made numerous changes to statutes governing HUD programs, including sections of the United States Housing Act of 1937. Title I of HOTMA contains 14 different sections that impact the public housing and Section 8 programs. The Final Rule implementing broad changes to income and assets in Sections 102 and 104 of HOTMA, and for PHAs that administer the public housing program over-income provisions in Section 103, was officially published in the *Federal Register* on February 14, 2023. On September 29, 2023, HUD issued notice PIH 2023-27, which provided guidance to PHAs on the implementation of the program changes described in the Final Rule.

## 1-II.B. PUBLIC HOUSING PROGRAM BASICS

HUD writes and publishes regulations in order to implement public housing laws enacted by Congress. HUD contracts with COC to administer programs in accordance with HUD regulations and provides an operating subsidy.. COC must create written policies that are consistent with HUD regulations. Among these policies is COC's Admissions and Continued Occupancy Policy (ACOP). The ACOP must be approved by the board of commissioners of COC.

The job of COC pursuant to HUD regulations is to provide ~~decent~~, safe, habitable dwelling units and sanitary housing, in good repair, to low-income families at an affordable rent. COC screens applicants for public housing and, if they are found eligible and accepted, COC offers the applicant a unit. If the applicant accepts the offer, COC will enter into a contract with the applicant known as the lease. At this point, the applicant becomes a tenant of the public housing program.

In the context of the public housing program, a tenant is defined as the adult person(s) (other than a live-in aide who (1) executed the lease with COC as lessee of the dwelling unit, or, if no such person now resides in the unit, (2) who resides in the unit, and who is the remaining head of household of the tenant family residing in the dwelling unit. [24 CFR 966.53]. The Public Housing Occupancy Guidebook refers to tenants as "residents." The terms "tenant" and "resident" are used interchangeably in this policy. Additionally, this policy uses the term "family" or "families" for residents or applicants, depending on context.

Since COC owns the public housing development, COC is the landlord. COC must comply with all of the legal and management responsibilities of a landlord in addition to administering the program in accordance with HUD regulations and COC policy.

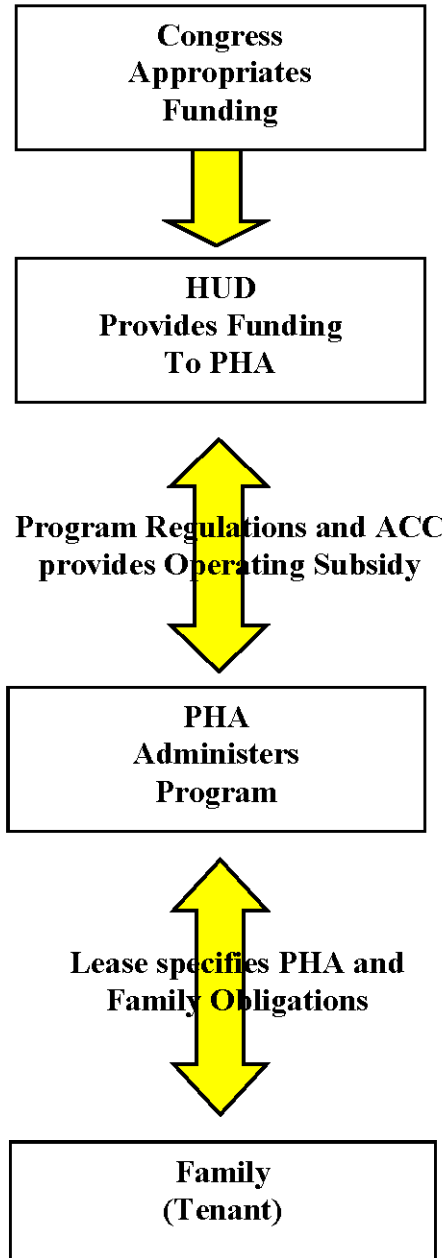
## 1-II.C. PUBLIC HOUSING PARTNERSHIPS

Relationships between the important parties are defined by federal regulations and by contract. To administer the public housing program, COC enters into a contractual relationship with HUD through the ACC. COC also enters into a contractual relationship with the tenant through the public housing lease. These contracts outline the roles and responsibilities of each party.

Federal regulations further identify the important roles of the parties involved. For the program to work and be successful, all parties involved – HUD, COC, and the tenant – must play their important parts.

The chart on the following page illustrates key aspects of these relationships.

## The Public Housing Relationships



## What does HUD do?

Federal law is the source of HUD responsibilities. HUD has the following major responsibilities:

- Develop regulations, requirements, handbooks, notices and other guidance to implement housing legislation passed by Congress
- Allocate operating subsidies to COC
- Allocate capital funding to COC
- Provide technical assistance to COC on interpreting and applying program requirements
- Monitor COC compliance with program requirements and COC performance in program administration.

## What does COC do?

COC's responsibilities originate in federal regulations and the ACC. COC owns and manages public housing developments, administers the program under contract with HUD and has the following major responsibilities:

- Establish local policies
- Review applications from interested applicant families to determine whether applicants are eligible for the program
- Maintain waiting list and select families for admission
- Maintain housing units by making any necessary repairs in a timely manner
- Screen families who apply for tenancy, to determine if they will be good renters
- Offer units to families (minimize vacancies without overcrowding)
- Maintain properties to the standard of ~~decent~~, safe, habitable dwelling units (including assuring compliance with uniform physical conditions standards National Standards for the Physical Inspection of Real Estate (NSPIRE))
- sanitary, and in good repair (including assuring compliance with uniform physical conditions standards)
- Make sure COC has adequate financial resources to maintain its housing stock
- Ensure that families continue to qualify under the program
- Collect rent due from the assisted family and comply with and enforce provisions of the lease
- Ensure that families comply with program rules
- Provide families with prompt and professional service
- Comply with all fair housing and equal opportunity requirements, HUD regulations and requirements, the ~~Annual Contributions Contract, HACC~~UD-approved applications for funding, COC's ACOP, and other applicable federal, state and local laws.

## What does the Tenant do?

The tenant's responsibilities are articulated in the public housing lease. The tenant has the following broad responsibilities:

- Comply with the terms of the lease
- Provide COC with complete and accurate information, determined by COC to be necessary for administration of the program
- Cooperate in attending all appointments scheduled by COC
- Allow COC to inspect the unit at reasonable times and after reasonable notice
- Take responsibility for care of the housing unit, including any violations of ~~uniform physical condition standards~~ NSPIRE caused by the family
- Not engage in drug-related or violent criminal activity
- Notify COC before moving or termination of the lease
- Use the assisted unit only for residence and as the sole residence of the family. Not sublet the unit or assign the lease
- Promptly notify COC of any changes in family composition
- Not commit fraud, bribery, or any other corrupt or criminal act in connection with any housing programs.

If all parties fulfill their obligations in a professional and timely manner, the program responsibilities will be fulfilled in an effective manner.

## 1-II.D. APPLICABLE REGULATIONS

Applicable regulations include:

- 24 CFR Part 5: General Program Requirements
- 24 CFR Part 8: Nondiscrimination
- 24 CFR Part 35: Lead-Based Paint
- 24 CFR Part 100: The Fair Housing Act
- 4 CFR Part 902: Public Housing Assessment System
- 24 CFR Part 903: Public Housing Agency Plans
- 24 CFR Part 945: Designated Housing
- 24 CFR Part 960: Admission and Occupancy Policies
- 24 CFR Part 965: COC-Owned or Leased Projects – General Provisions
- 24 CFR Part 966: Lease and Grievance Procedures



## **PART III: THE ADMISSIONS AND CONTINUED OCCUPANCY POLICIES**

### **1-III.A. OVERVIEW AND PURPOSE OF THE POLICY**

The ACOP is COC's written statement of policies used to carry out the housing program in accordance with federal law and regulations, and HUD requirements. The ACOP is required by HUD and it must be available for public review [CFR 24 Part 903]. The ACOP also contains policies that support the objectives contained in COC's Agency Plan.

All issues related to public housing not addressed in this ACOP are governed by federal regulations, HUD handbooks and guidebooks, notices and applicable state and local laws. The policies in this ACOP have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding. COC is responsible for complying with all changes in HUD regulations pertaining to public housing. If such changes conflict with this plan, HUD regulations will have precedence. *If not explicitly addressed in this documents, policies pertinent to the State Moderate Rent Program and the Congregate Housing Programs will be governed by the Connecticut Housing Finance Agency's "A Manual for the Management of CHFA Financed Housing and DECD Finance Housing".*

### **1-III.B. CONTENTS OF THE POLICY**

Unlike the housing choice voucher program, HUD regulations for public housing do not contain a list of what must be included in the ACOP. However, individual regulations contain requirements of inclusion in COC's written policy. At a minimum, the ACOP plan should cover COC policies on these subjects:

- The organization of the waiting list and how families are selected and offered available units, including any COC admission preferences, procedures for removing applicant names from the waiting list, and procedures for closing and reopening the COC waiting list (Chapters 4 and 5)
- Transfer policies and the circumstances under which a transfer would take precedence over an admission (Chapter 12)
- Standards for determining eligibility, suitability for tenancy, and the size and type of the unit needed (Chapters 3 and 5)
- Procedures for verifying the information the family has provided (Chapter 7)
- The method for achieving deconcentration of poverty and income-mixing of public housing developments (Chapter 4)
- Grievance procedures (Chapter 14)
- Policies concerning payment by a family to COC of amounts the family owes COC (Chapter 15 and 16)
- Interim redeterminations of family income and composition (Chapter 9)
- Policies regarding community service requirements; (Chapter 11)
- Policies and rules about safety and ownership of pets in public housing (Chapter 10).

## Mandatory vs. Discretionary Policy

HUD makes a distinction between mandatory policies and non-mandatory policies:

- Mandatory policies: those driven by legislation, regulations, current handbooks, current PIH notices, and legal opinions from the Office of General Counsel
- Optional, non-binding guidance: includes guidebooks, FAQs, PIH notices that have expired, and recommendations from individual HUD staff.

HUD expects PHAs to develop policies and procedures that are consistent with mandatory policies and to make clear the optional policies the PHA has adopted. The ACOP is comprised of mandatory policies and optional PHA policy. -HUD 's new direction emphasizes the need for a clearly written and comprehensive ACOP to guide staff in the clear and consistent application of policy.

HUD suggestions, recommendations, written issuances, and guidance are consistent with mandatory federal policy. Therefore, using HUD guidance in the preparation of PHA policy, even though it is not mandatory, provides a PHA with a “safe harbor.” If a PHA adopts ~~its own optional~~ an alternative policy, it must make its own determination that such policy is consistent with legislation, regulations, and other mandatory requirements. There may be very good reasons for adopting a policy or procedure that is different than that suggested by HUD, but PHAs should carefully think through those decisions and be able to articulate how their policy is consistent with federal laws, regulations and mandatory policy.

## **1-III.C. UPDATING AND REVISING THE POLICY**

### COC Policy

**COC will review and update the ACOP as needed, to reflect changes in regulations, COC operations, or when needed to ensure staff consistency in operation.**