



SOUTH PORTLAND HOUSING AUTHORITY

100 Waterman Drive, Suite 101, South Portland, ME

04106 (207) 773-4140 - FAX (207) 773-4006

ME Relay - Call 711

www.spha.net

FYB

10/1/2024

SPHA

Annual Plan

The Annual PHA Plan provides 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. This document provides an overview of the changes to the Annual PHA Plan.

Public Comment Period: May 10, 2024- June 25, 2024

Resident Advisory Board Meeting: June 25, 2024

Public Hearing: June 25, 2024

SPHA Board Approval: June 26, 2024

Streamlined Annual PHA Plan (HCV Only PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 03/31/2024
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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, including changes to these policies, 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. The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																																						
A.1	<p>PHA Name: South Portland Housing Authority PHA Code: ME020 PHA Plan for Fiscal Year Beginning: (MM/YYYY): 10/2024 PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Housing Choice Vouchers (HCVs) 739 PHA Plan Submission Type: <input checked="checked" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p>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 of 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 the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.</p> <p>The Annual Plan and relevant information is available at the SPHA main office located at 100 Waterman Drive, Suite 101, South Portland, ME 04106 and also posted on the housing authority website: www.spha.net</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Participating PHAs</th> <th style="width: 10%;">PHA Code</th> <th style="width: 20%;">Program(s) in the Consortia</th> <th style="width: 20%;">Program(s) not in the Consortia</th> <th style="width: 10%;">No. of Units in Each Program</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	Lead HA:																													
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B.	Plan Elements.
B.1	<p>Revision of Existing PHA Plan Elements.</p> <p>a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Informal Review and Hearing Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Substantial Deviation.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Significant Amendment/Modification.</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element(s):</p> <p>Exhibit 1 – Admissions Plan Exhibit 2 – Financial Resources Exhibit 3 – Substantial Deviation & Significant Amendment/Modification Exhibit 4 – Deconcentration Policy Exhibit 5 – Project Based Vouchers</p>
B.2	New Activities. – Not Applicable
B.3	<p>Progress Report.</p> <p>Provide a description of the PHA’s progress in meeting its Mission and Goals described in its 5-Year PHA Plan.</p> <p>Exhibit 6 – Progress Report</p>
B.4	Capital Improvements. – Not Applicable
B.5	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N N/A</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>
C.	Other Document and/or Certification Requirements.
C.1	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
C.2	<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.</p>

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.
 Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

C.4 Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.
 (a) Did the public challenge any elements of the Plan?
 Y N

 If yes, include Challenged Elements.

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing (AFFH).
 Provide a statement of the PHA’s strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.

Fair Housing Goal:
<i>Describe fair housing strategies and actions to achieve the goal</i>

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Describe fair housing strategies and actions to achieve the goal

Instructions for Preparation of Form HUD-50075-HCV Annual PHA Plan for HCV-Only PHAs

A. PHA Information. All PHAs must complete this section. (24 CFR §903.4)

A.1 Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **Number of Housing Choice Vouchers (HCVs)**, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. (24 CFR §943.128(a))

B. Plan Elements. All PHAs must complete this section. (24 CFR §903.11(c)(3))

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

Statement of Housing Needs and Strategy for Addressing Housing Needs. Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR 5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR § 903.7(a)).

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR §903.7(a)(2)(i)) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA’s reasons for choosing its strategy. (24 CFR §903.7(a)(2)(ii))

Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. (24 CFR §903.7(b))

Financial Resources. A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. (24 CFR §903.7(c))

Rent Determination. A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. (24 CFR §903.7(d))

Operation and Management. A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. (24 CFR §903.7(e)).

Informal Review and Hearing Procedures. A description of the informal hearing and review procedures that the PHA makes available to its applicants. (24 CFR §903.7(f))

Homeownership Programs. A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. ([24 CFR §903.7\(k\)](#))

Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements. A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA's partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA's partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program's size (including required and actual size of the FSS program) and means of allocating assistance to households. ([24 CFR §903.7\(d\)\(i\)](#)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. ([24 CFR §903.7\(d\)\(iii\)](#)).

Substantial Deviation. PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan. ([24 CFR §903.7\(r\)\(2\)\(i\)](#))

Significant Amendment/Modification. PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan.

If any boxes are marked "yes", describe the revision(s) to those element(s) in the space provided.

B.2 New Activities. This section refers to new capital activities which is not applicable for HCV-Only PHAs.

B.3 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. ([24 CFR §903.11\(c\)\(3\)](#), [24 CFR §903.7\(r\)\(1\)](#))

B.4 Capital Improvements. This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. ([24 CFR §903.7\(p\)](#))

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. ([24 CFR §903.13\(c\)](#), [24 CFR §903.19](#))

C.2 Certification by State of Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. ([24 CFR §903.15](#)). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations. impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. ([24 CFR §903.7\(o\)](#)).

C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing" Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides 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 for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 6.02 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

**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 3/31/2024

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

I, Joshua Reny, the Assistant City Manager
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2025-2029 and/or Annual PHA Plan for
fiscal year beginning 10/1/2024 of the South Portland Housing Authority is consistent with
the PHA Name

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair
Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

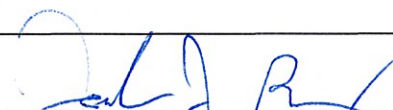
City of South Portland, Maine
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3) and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or
State Consolidated Plan.

The South Portland Housing Authority Annual and Five-Year Plans are consistent with the City
of South Portland Comprehensive Plan as both plans seek to create affordable, safe housing for
the residents of South Portland.

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: Joshua Reny	Title: Assistant City Manager
Signature: 	Date: 7/6/2024

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Certifications of Compliance with
PHA Plan 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 3/31/2024

**PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations
including PHA Plan Elements that Have Changed**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___ 5-Year and/or X Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning 10/1/2024, 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 (24 CFR § 91.2).
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 (AI) to Fair Housing Choice, or Assessment of Fair Housing (AFH) when applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
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 provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. 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.
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, 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, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.
7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.
8. For PHA Plans that include 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 2011-65);

- 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; and
 - 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 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 10. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
 11. 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.
 12. 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.
 13. 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.
 14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
 15. 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.
 16. 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.
 17. The PHA will keep records in accordance with 2 CFR 200.333 and facilitate an effective audit to determine compliance with program requirements.
 18. 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.
 19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
 20. 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.
 21. 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).

South Portland Housing Authority
PHA Name

ME020
PHA Number/HA Code

Annual PHA Plan for Fiscal Year 10/1/2024-9/30/2025

5-Year PHA Plan for Fiscal Years 20__ - 20__

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 Executive Director

Michael Hulsey

Name Board Chairman

Mary Jo Jakab

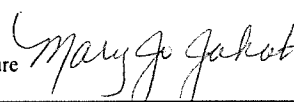
Signature



Date

6/24/24

Signature



Date

6/24/24



SOUTH PORTLAND HOUSING AUTHORITY

100 Waterman Drive, Suite 101, South Portland, ME 04106

(207) 773-4140 • FAX (207) 773-4006

ME Relay – call 711

Summary of Significant Changes to SPHA Administrative Plan

PRE-HOTMA POLICIES: The following is a summary of the significant changes made to the South Portland Housing Authority Administrative Plan that will be effective October 1, 2024. Except as noted below, SPHA will continue to follow the policies in the SPHA Administrative Plan, amended and adopted by the SPHA Board of Commissioners on June 22, 2022 until the full implementation of HOTMA – *see included SPHA Notice regarding Policies related to HOTMA Implementation.*

- Added human trafficking to Violence Against Women Act (VAWA) language to better align with current guidelines such as the implementation guidance for VAWA 2022 published in the Federal Register on January 4, 2023.
- Revised the policy that the PHA will deny assistance if a member of the family has been evicted from federally assisted housing in the last five years to reduce the number of years to three.
- Revised to include policy regarding reinstatement to the waiting list.
- Revised to include policy on remote briefings.
- Revised to include 5-bedroom voucher in reference chart for determining appropriate bedroom size for a family.

HOTMA COMPLIANT POLICIES: The following is a summary of the significant changes made to the South Portland Housing Authority Administrative Plan that will become effective only upon SPHA’s full implementation of HOTMA. – *see included SPHA Notice regarding Policies related to HOTMA Implementation.*

- Complete re-write of existing plan into a more nationally recognized format. This created a change in the chapters throughout the plan, and now includes references to regulations and guidance source documents. Except as specified below, only minor and clarifying changes were made to maintain consistency in the new format.
- Updated to include mandatory and discretionary policies as required by the Housing Opportunity through Modernization Act (HOTMA), including the Final Rule issued February 14, 2023, Notice PIH 2023-27, and other sources of HUD guidance on the topic.

SPHA Notice regarding Policies related to HOTMA Implementation

The following explains the implementation timeline for PHA policies related to the Housing Opportunity through Modernization Act of 2016 (HOTMA).

- On July 29, 2016, HOTMA was signed into law. HOTMA made numerous changes to statutes governing HUD programs, including Sections 3, 8, and 16 of the United States Housing Act of 1937, which governs the public housing and housing choice voucher (HCV) programs.
- On February 14, 2023, HUD issued a final rule in the *Federal Register* amending regulations for HUD's public housing and Section 8 programs to implement Sections 102, 103, and 104 of HOTMA. With the exception of certain sections related to public housing over-income families, which were effective on March 16, 2023, the effective date of the final rule is January 1, 2024.
- However, HUD emailed executive directors in July stating that PHAs must bring their programs into compliance with HOTMA as quickly as possible, but no later than January 1, 2025. At the time, HUD was requiring PHA policies to be updated no later than January 1, 2024.
- On Friday, September 29, 2023, HUD issued Notice PIH 2023-27 to provide guidance to PHAs on how to implement HOTMA. **With the publication of the implementation guidance, PHA policies are no longer required to be completed by 1/1/24.** How quickly PHAs are required to have their PHA plans and policies updated now depends on the PHA's fiscal year start date. PHAs must have their plan and policies updated the **earliest** of:
 - 75 days prior to the start of their fiscal year (beginning with 7/1/24 PHAs);
 - 75 days prior to their compliance date (if the PHA selects a compliance date prior to the start of their fiscal year); or
 - October 18, 2024 (for PHAs with fiscal year start dates of 1/1/25 and 4/1/25).
- HUD is in the process of replacing the Inventory Management System/PIH Information Center (IMS/PIC) with the Housing Information Portal (HIP). This means a PHA cannot transition to HOTMA until the HIP system is operational and accepting certifications, and the PHA's software has transitioned to HIP. PHAs must work in conjunction with their software vendors in order to begin submitting new 50058s to the HIP system once it is ready.
- Although HOTMA will not be implemented by the PHA until an unknown date, the PHA is required by HUD to update both the ACOP and administrative plan by a specific date (as noted above). This also means that the PHA's policies will likely be completed and approved well ahead of when the PHA actually implements HOTMA.
- ***During the transition period between when the PHA adopts its new HOTMA-compliant policies and the date the PHA fully implements HOTMA, the PHA will have two policies in place – one that is updated for HOTMA and their pre-HOTMA policy. The PHA will adopt but will not follow their HOTMA policy during this transition period. The PHA will instead continue to follow their current policies until the PHA-selected implementation. Pre-HOTMA policies will remain fully effective during the transition period.***

B.1 Revision of PHA Plan Elements

Financial Resources

The South Portland Housing Authority will continue to utilize existing HUD funding sources, as well as tenant rent, in the implementation of the Housing Choice Voucher Program, as well as the general operations of the agency. South Portland Housing Authority converted the remaining 250 Public Housing units within our portfolio to Project-Based Vouchers and now has no Public Housing units in the portfolio.

The amounts shown below are estimates based on current HUD funding and financial resources:

HUD Section 8 Admin Funds	\$	954,980.43
HUD Section 8 Housing Assistance Payments	\$	9,113,469.32
	\$	10,068,449.74

In addition to these resources, SPHA may apply for grants and debt financing from several sources to fund resident programming and for the development of new affordable housing projects. These sources may include:

- HUD Emergency Safety and Security Grant
- Federal Home Loan Bank of Boston: Affordable Housing Program
- Maine Housing: Low-Income Housing Tax Credit Program
- City of South Portland: Community Development Block Grant Program
- City of South Portland: Tax Increment Financing
- Various local, state, and national charitable foundations
- Faircloth-to-RAD Funding.

B.1 Revision of PHA Plan Elements

Substantial Deviation/Significant Amendment/Modification

Significant amendments, modifications or substantial deviations are defined as discretionary changes in the plans or policies of the housing authority that fundamentally change the mission, goals, objectives or agency plans requiring the Board of Commissioners' formal approval. This includes a substantial change in the direction pertaining to its goals and objectives or changes that would significantly impact rent, admission policies, or organization of the waiting list(s) in the Housing Choice Voucher Program. An exception to this definition will be made for any new activities that are adopted to reflect changes in HUD regulatory requirements or as a result of a declared emergency (such changes will not be considered significant amendments or modifications by SPHA).

B.1 Revision of PHA Plan Elements

Deconcentration Policy

It is South Portland Housing Authority's policy to provide for deconcentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments, subject to the understanding that all Authority properties by definition are “lower income.” Toward this end, we will skip families on the waiting list to reach other families with a lower or higher income. We will accomplish this in a uniform and non-discriminating manner.

South Portland Housing Authority will affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement.

South Portland Housing Authority **may** offer one or more incentives to encourage applicant families whose income classification would help to meet the deconcentration goals of a particular development.

Various incentives may be used at different times, or under different conditions, but will always be provided in a consistent and nondiscriminatory manner.

B.2 New Activities

Project-Based Vouchers

A Housing Authority may provide project-based assistance for up to 20 percent of its Consolidated Annual Contributions Contract (ACC) authorized units, and may project base an additional 10% of their authorized units for projects that serve households who are homeless; include a veteran; provide supportive housing for persons who have a disability or who are elderly; or are in a census tract with a poverty rate of 20% or less.

The Authority intends to project base up to the maximum 30% of its ACC authorized units. The general location of these PBV's is expected to be within the City of South Portland, Town of Scarborough, and surrounding areas within York and Cumberland counties. This is consistent with our annual plan to expand the supply of assisted housing and improve voucher utilization.

South Portland Housing has currently committed **63 units** of its available PBV authority and intends to project-base an additional **60 units** over the next five (5) to ten (10) years.

Currently under PBV HAP contract = 38

- 20 - Betsy Ross House
- 9 - Thornton Heights Commons
- 9 - Jocelyn Place

Under an Agreement to Enter into HAP contract (AHAP) = 0

Covered by a notice of proposal selection (24 CFR §983.51(d)) = 25

- 25 - Landry Woods

Progress Report on 2020-2025 5-Year Annual Plan Goals and Objectives

1. **PHA Goal:** Expand the supply of assisted housing by leveraging private or other public funds to create additional housing opportunities.
 - **Thornton Heights Commons:** The project is a 42 unit multifamily building with ground-floor commercial space located in South Portland, Maine. The residential apartments are comprised of 33 subsidized and 9 market-rate units. Of the subsidized apartments, nine (9) are Project Based Voucher (PBV) units. The project was funded through Low Income Housing Tax Credits (LIHTC), federal HOME funds, non-Federal funds, and leveraged funds. This project was placed in service on 11/30/2021.
 - **Sunset Place:** The Authority partnered with Habitat for Humanity for the construction of 9 single-family homes on individual house lots. The house lots have been sold to Habitat and will subsequently be sold to qualified households making no more than 80% of the area median income.
 - **Jocelyn Place:** The project is a 60 unit senior (55+) multifamily building located in Scarborough, Maine. All of the residential apartments are subsidized and restricted to those making 60% of the Area Median Income or less. Of these, nine (9) of the units are set aside for PBVs. The project is being funded through LIHTC, federal HOME funds, non-federal funds, and leveraged funds. This project is currently in the initial lease-up stage and is expected to be fully occupied by the end of August 2024.
 - **Landry Woods:** The project is a 43 unit senior (55+) multifamily building located in South Portland, Maine. The project is located on vacant land within the Authority's existing Landry Village Public Housing community. The project will be funded through LIHTC, MaineHousing, non-federal, leveraged funds, and possibly Project Based Vouchers. SPHA received HUD SAC approval and disposed of the land necessary for the project. Construction is expected to begin in the winter of 2024.
 - **Betsy Ross House Expansion:** The project is a 53 unit senior (60+) multifamily building located in South Portland, Maine. The project will be an expansion of the existing 123 unit Betsy Ross House. The project will be funded through LIHTC, MaineHousing, and leveraged funds. This project is currently under construction.
 - **Bowdoin Townhouses:** This is a 3 unit manufactured housing project located in South Portland, Maine. The project created additional 3-bedroom family units which SPHA will use to assist individuals who are homeless, at-risk of homelessness, rent-burdened, or over/under-housed in the housing authorities Housing Choice Voucher program.
 - **Several other projects are in the pipeline.**

2. **PHA Goal:** Improve the quality of assisted housing by maintaining our high-performer status under PHAS & SEMAP.

Progress: The Authority continues to train staff and perform internal reviews to insure efficient and accurate program administration. We received high performer status on our most recent PHAS and SEMAP submissions. South Portland Housing Authority has also hired a Compliance Specialist to review tenant files for accuracy and assist in the creation of internal processes and procedures to ensure that all program rules and regulations are followed.

3. **PHA Goal:** Increase assisted housing choices by conducting outreach efforts to potential voucher landlords.

Progress: The Authority continues to communicate with landlords that own multiple apartments/buildings in the surrounding communities and reach out to establish new relationships with independent landlords. The Authority has information packets available to provide to landlords interested in renting to voucher holders, which provide basic program information. The Authority implemented a new program, in 2021, in which we began to provide incentives to landlords that rent to Section 8 participants. This program also assists with the payment of a security deposit, repairs if necessary so that a unit can pass HQS guidelines, and damage costs if expenses exceed the security deposit at the time of participant move out. This program has created much good will with area landlords and encouraged landlords to continue (or begin) to participate in the Housing Choice Voucher program. The Authority was also awarded grant funding for a Housing Navigator Pilot Program for two-years. We hired a Housing Navigator to serve the needs of the community. One of the primary tasks of this position is to work on establishing relationships with local agencies and landlords and to maintain an up-to-date list of available apartments.

4. **PHA Goal:** Promote self-sufficiency and asset development of assisted households by providing or attracting supportive services to increase independence for elderly or families with disabilities.

Progress: This is an ongoing effort by our Resident Service Coordinator team which has expanded to include a Resident Services Director, two Resident Service Coordinators and one full-time Activities Coordinator. We provide assessment, referral and support services for elderly and disabled residents in order that they are able to age-in-place as long as possible. As a result, residents are much happier living in their own apartments, are able to exercise their independence and cognitive abilities longer in later life and ultimately save tax payers, Medicare and Maine Care the substantial costs of otherwise funding nursing home care. We work closely with area providers to provide social service programs within our projects when possible and to focus on the needs of the residents within our communities. A variety of Resident activities and transportation to these activities are also provided monthly at no or at very-low cost to residents. In addition, we post employment opportunities and seek to hire qualified persons in accordance with Section 3.

5. **PHA Goal:** Ensure equal opportunity and affirmatively further fair housing by maintaining staff skills working with diverse populations.

Progress: This goal is reached through Fair Housing, disability rights, and reasonable accommodation trainings and seminars provided by professional organizations. All staff attended a diversity and cultural sensitivity training in September 2021 and attend an in-house training on affirmatively furthering fair housing each year. Additionally, Occupancy staff attended a HUD Fair Housing Webinar in May 2022. Program managers then attended a 3-day Fair Housing Live Webinar through the National Center of Housing Management in July 2023. SPHA also ensures that staff are educated about our Limited English Proficiency Plan and working with interpreters.

6. **PHA Goal:** Manage the South Portland Housing Authority's Public Housing programs in an efficient and effective manner by promoting a motivating work environment with a capable and efficient team of employees to operate as a customer-friendly and fiscally prudent leader in the affordable housing industry.

Progress: The Authority insures that all staff are given the tools, training and motivation to operate in the most efficient and effective manner. We have worked to promote and recruit the best-qualified

people, and to recognize and encourage the value of diversity in the workplace. The Authority recently had a salary survey conducted to insure that we are providing a fair and competitive salary for all staff. Salary ranges for each position were updated and pay rates are reviewed on an annual basis. The Authority also provides a competitive benefits package and provides training and development opportunities for career enhancement. The Authority provides a work atmosphere that is safe, healthy and secure, as well as conscious of long-term family and community goals. We have established, administered and effectively communicated policies, rules and practices that treat employees with dignity and equality while maintaining company compliance with employment and labor laws, corporate directives, and labor agreements. During COVID-19, the Authority placed a strong focus on insuring a safe and healthy environment by following all CDC guidelines and implementing safety protocols, which change rapidly. The office has been closed to the public and meetings are by appointment only. This has resulted in changes to existing processes and procedures, which have ultimately led to greater efficiencies in the workplace. Additionally we held multiple COVID-19 vaccination clinics in collaboration with Northern Light Health and offered not only all of our staff, but all of our residents the opportunity to get their COVID-19 vaccinations and boosters. Almost 100% of staff took advantage of this opportunity. South Portland Housing Authority has continued to ensure employee satisfaction by increasing agency-provided benefits such as 100% paid short-term and long-term disability benefits and multiple retirement plan opportunities.

7. **PHA Goal:** Enhance the marketability of the South Portland Housing Authority's public housing units by:

Maintaining a level of customer satisfaction that gives the agency the highest score possible in this element of the Public Housing Assessment System.

Maintaining and improving the public housing developments' security and curb appeal through upgraded landscaping, keeping properties in a high quality state of repair, reducing litter and adding amenities to improve residents' living experience.

Progress:

South Portland Housing Authority no longer has any units under the Public Housing Program. However, SPHA historically achieved a High Performer PHAS status. Many improvements were made over the last five years to the buildings and grounds in an effort to provide quality housing, improve residents' living experience and increase curb appeal. All of SPHA's former Public Housing units have been converted through the Section 18, Streamlined Voluntary Conversion, and Rental Assistance Demonstration programs.

8. **PHA Goal:** Maintain a healthy environment by keeping all public housing properties smoke-free.

Progress: This is an ongoing successful effort that includes maintaining communications with tenants about the risks of smoking, rewards of a smoke-free environment, and referrals to smoking cessation programs. South Portland Housing Authority remains committed to maintaining this healthy environment and pursues lease enforcement action against residents that violate the smoke-free policy when necessary.

9. **PHA Goal:** Create additional revenue sources to reduce reliance on Federal funding.

Progress: South Portland Housing Authority receives payments from the Maine Association of Public Housing Directors (MAPHD) for services performed by existing Housing Authority staff. The Biddeford Housing Authority also contracts the Authority to manage two of its buildings.

Additionally, the Housing Authority receives surplus cash distributions from other non-HUD properties that we have an ownership interest in.

10. **PHA Goal:** Explore the options and feasibility for converting some public housing to Rental Assistance Demonstration.

Progress: On May 1, 2024, South Portland Housing Authority completed a repositioning of all remaining Public Housing units. Management had initially collected information to make an informed decision on the feasibility of this option and had multiple repositioning calls with the Department of Housing and Urban Development. The Authority was then assigned a Technical Assistance provider by HUD to further discuss repositioning options. South Portland Housing Authority decided to work towards the repositioning of all Public Housing units with the intent to close-out our Public Housing program by December 31, 2023 and contracted with RECAP Real Estate Advisors (the same TA provider as assigned by HUD) to assist with the repositioning process. The Authority completed the conversion of 42 scattered site Public Housing units through the Section 18 Demolition and Disposition process. These units are now part of the project-based Section 8 program. The Authority also completed the conversion of 54 scattered site Public Housing units through the Rental Assistance Demonstration program on December 1, 2022. South Portland Housing Authority updated the Annual Plan, Administrative Plan and Grievance Process to include required RAD provisions. Management will continue to work with RECAP to complete the conversion. The remaining Public Housing units (250) were converted through the Streamlined Voluntary Conversion in three phases, with the final phase completed on May 1, 2024.

**South Portland Housing Authority
VAWA Statement**

VIOLENCE AGAINST WOMEN ACT (VAWA)

South Portland Housing Authority's goals, objectives, policies, and programs that will enable the Authority to serve the needs of adult and child victims of domestic violence, dating violence, human trafficking, sexual assault, and stalking include:

In accordance with HUD regulations South Portland Housing Authority (SPHA) has implemented VAWA to insure that victims of domestic violence could either maintain their current housing with SPHA or be provided with alternative affordable housing opportunities that best fit the needs of the victim(s). SPHA employs various solutions within the guidelines set forth in the Admission and Continued Occupancy Policies (ACOP) for Public Housing and the Administrative Plan for the Section 8 Housing Choice Voucher. Some of these solutions are:

- Eviction from Public Housing or termination of Section 8 assistance for perpetrators of such acts so the victim(s) may remain in their home.
- Transfer the victim(s) from one Public Housing development to another a reasonable distance away from their present home.
- Allow for portability of Voucher assistance provide mobility of the victim(s) to an undisclosed location in other cities, counties and states throughout the country.

These solutions are often supported through and with cooperation of various agencies particularly the South Portland Police Department and other area agencies on an as needed basis such as:

- Family Crisis Services through the Maine Coalition to End Domestic Violence
- Community Counseling Inc.
- Preble Street Resource Center
- Pine Tree Legal Assistance, Inc.
- Other Housing Authorities

These agencies play an important role to insure the victim(s) remain safe by helping them implement their legal and security options and receive medical, counseling, and/or emergency housing services as needed.

South Portland Housing Authority has made training sessions available to all SPHA staff, so that they can recognize incidents that may indicate the potential for an escalation in violence in the future. In these cases services can be introduced and resident education can take place. Section 8 staff members work closely with other housing authorities to accept the portability of HCV assistance for victims who need to relocate to other jurisdictions.

SPHA works diligently to reduce and prevent acts of domestic violence. When such acts occur, SPHA reacts quickly and proactively to insure the safety and well-being of their housing residents and clients.

SPHA regularly updates its VAWA related policies to reflect changes in Federal, State, and/or local law that provide greater protection for victims of domestic violence, dating violence, human trafficking, sexual assault, or stalking.

SPHA made regulatory changes to the ACOP, Administrative Plan and this statement based on the Violence Against Women Act of 2013. Certification under VAWA of 2013 was updated to reflect HUD's updated Violence Against Women Act policy and added new protections.

SPHA modified the ACOP and the Administrative Plan in response to HUD's December 2016 Final Rule on the Violence Against Women Act. SPHA enacted an emergency transfer plan based on HUD's model form for tenants requesting an emergency transfer under the VAWA regulations. SPHA also modified its policies which utilize HUD required documents to ensure that tenants and applicants are aware of their rights under VAWA and to utilize HUD's new certification form for documenting incidents of domestic violence, dating violence, human trafficking, sexual assault, and stalking.

As required by the VAWA Final Rule, SPHA provides Form HUD-5380 "Notice of Occupancy Rights under the Violence Against Women Act" accompanied by Form HUD-5382 "Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking, and Alternate Documentation" at every new admission, annual recertification and with every notice of denial or termination of assistance or tenancy.

**South Portland Housing Authority
VAWA Procedures**

**VIOLENCE AGAINST WOMEN ACT (VAWA) PROVISIONS RE: DENIAL OR
TERMINATION OF ASSISTANCE**

The SOUTH PORTLAND Housing Authority is committed to assisting individuals and families who have been victims of domestic violence by ensuring compliance with all aspects of the Violence Against Women Act. VAWA protections are not limited to women but cover victims regardless of sex, gender identity, or sexual orientation.

An applicant or resident will not be denied admission or terminated on the basis or as a direct result of the fact that the applicant or Resident is or has been a victim of domestic violence, dating violence, human trafficking, stalking or sexual assault, if the victim of such violence otherwise qualifies for admission or occupancy.

Any incidents of, or criminal activity related to, domestic violence, dating violence, human trafficking, sexual assault, or stalking, that is engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be construed as serious or repeated lease violations by the victim and will not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an affiliated individual of the tenant is the victim or threatened victim of the domestic violence, dating violence, human trafficking, sexual assault, or stalking.

SOUTH PORTLAND Housing Authority may terminate the assistance to remove a lawful occupant or tenant who engages in criminal acts or threatened acts of domestic violence, dating violence, human trafficking, sexual assault or stalking to family members or affiliated individuals without terminating the assistance or evicting the victimized lawful occupants. Also, the owner or property manager may evict a lawful occupant or tenant who engages in criminal acts or threatened acts of violence, dating violence, human trafficking, sexual assault or stalking to family members or others without evicting other victimized lawful occupants. This is also true even if the household member is not a signatory of the lease. Under VAWA, both the SOUTH PORTLAND Housing Authority and the owner or property manager are granted the authority to bifurcate the lease. The VAWA victim must be the one who retains the assistance.

There is no limitation on the ability of the Housing Authority to terminate assistance for other good cause unrelated to the incident or incidents of domestic violence, dating violence, human trafficking, sexual assault or stalking, other than the victim may not be subject to a "more demanding standard" than non-victims.

There is no prohibition on the owner evicting if it "can demonstrate an actual and imminent threat to other tenants or those employed at or providing goods or services to the property if that tenant's (victim's) tenancy is not terminated." An actual and imminent threat consists of a physical danger that is real, would occur within an immediate timeframe, 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.

Nothing in this Section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, human trafficking, stalking or sexual assault.

All information provided under VAWA, including the fact that an individual is a victim of domestic violence, dating violence, human trafficking, stalking or sexual assault, shall be retained in confidence by SOUTH PORTLAND Housing Authority and shall not be entered into any shared database or provided to any related entity except to the extent that disclosure is:

- A. Requested or consented to by the individual in writing;
- B. Required for use in an eviction proceeding; or
- C. Otherwise required by applicable law.

SOUTH PORTLAND Housing Authority will provide all applicants and participants with a HUD prescribed Notice of Occupancy Rights and HUD-approved certification form, at the time of full application, admission, annual recertification, notice of denial of assistance and notice of termination of assistance. In addition, the Authority shall make an adopted Emergency Transfer Plan and Emergency Transfer Request available upon request.

The SOUTH PORTLAND Housing Authority shall keep a record of all emergency transfer requests requested under the Emergency Transfer Plan and the outcome of these requests for three years.

INCIDENTS OF DOMESTIC VIOLENCE, DATING VIOLENCE, HUMAN TRAFFICKING, STALKING OR SEXUAL ASSAULT

In responding to an incident or incidents of actual or threatened domestic violence, dating violence, human trafficking, stalking or sexual assault, South Portland Housing Authority will require that an individual making the claim document the abuse. The Authority will make the request for documentation in writing, and allow the individual 14 business days after receipt of the request to submit the documentation. The Authority may extend this time period at its discretion. The individual may satisfy the Authority's request by providing any one of the following three forms of documentation:

1. A written certification, on the HUD-approved certification form, that the individual is a victim of domestic violence, dating violence, human trafficking, sexual assault, or stalking, and that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and must include the name of the

- perpetrator only if the name of the perpetrator is safe to provide and is known to the victim
2. A federal, state, tribal, territorial, or local law enforcement report or court record describing the incident or incidents in question
 3. Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, human trafficking, sexual assault, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical professional. Acceptable documentation also includes a record of an administrative agency, and documentation from a mental health professional. The person signing the documentation must attest under penalty of perjury to the professional's belief that the incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim must also sign the documentation under penalty of perjury.

The Authority may not require third-party documentation (forms 2 and 3) in addition to certification (form 1), except as specified below in cases of conflicting documentation, nor may it require certification in addition to third-party documentation.

In cases where the Authority receives conflicting certification documents from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, the PHA may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3) and in accordance with any HUD guidance as to how such determinations shall be made. The Authority must honor any court orders issued to protect the victim or to address the distribution of property.

If the individual does not provide the certification within the 14 business days after receipt of the request to submit the documentation, nothing in this Section may be construed to limit the authority of a landlord to evict, or South Portland Housing Authority to terminate the tenancy or occupancy rights for, any tenant or lawful occupant that commits violations of a lease. South Portland Housing Authority may extend the 14 day deadline at its discretion.

Nothing in this subsection shall be construed to require South Portland Housing Authority to demand that an individual produce official documentation or physical proof of the individual's status as a victim of domestic violence, dating violence, human trafficking, sexual assault, or stalking in order to receive any of the benefits provided in this section. At its discretion, South Portland Housing Authority may provide benefits to an individual based solely on the individual's statement or other corroborating evidence.

If the family break-up results from an occurrence of domestic violence, dating violence, human trafficking, stalking or sexual assault, the Housing Authority will ensure that the victim retains assistance. The factors to be considered in making this decision include:

1. Whether the assistance should remain with family members remaining in the original assisted unit.
2. The interest of minor children or of ill, elderly or disabled family members.
3. Whether family members are forced to leave the unit as a result of actual or threatened domestic violence, dating violence, human trafficking, stalking or sexual assault.
4. Whether any of the family members are receiving protection as victims of domestic violence, dating violence, human trafficking, stalking or sexual assault, and whether the abuser is still in the household.

**South Portland Housing Authority
Emergency Transfer Plan
For Victims of Domestic Violence, Dating Violence, Sexual Assault, Human
Trafficking or Stalking**

Emergency Transfers

South Portland Housing Authority (SPHA) is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, human trafficking, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),¹ SPHA allows tenants who are victims of domestic violence, dating violence, human trafficking, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.² The ability of SPHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, human trafficking, sexual assault, or stalking, and on whether SPHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

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

Eligibility for Emergency Transfers

A tenant who is a victim of domestic violence, dating violence, human trafficking, 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 transfer; and
2. The tenant reasonably believes that 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
3. 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 in the same dwelling unit that the tenant is currently occupying, or the sexual assault occurred on the premises within the 90-calendar-day period preceding the date of the request for transfer.

¹ Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, human trafficking, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

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

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

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

Emergency Transfer Request Documentation

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

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under SPHA'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.

Acceptable documentation of the occurrence of domestic violence, dating violence, human trafficking, sexual assault or stalking must be provided if resident has not previously provided such documentation. Acceptable documentation includes any one of the following forms of verification:

1. A written certification, on the HUD-approved certification form, that the individual is a victim of domestic violence, dating violence, human trafficking, sexual assault, or stalking, and that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim.
2. A federal, state, tribal, territorial, or local police report or court record describing the incident or incidents in question.
3. Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, human trafficking, sexual assault, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical professional. Acceptable documentation also includes a record of an administrative agency, and documentation from a mental health professional. The person signing the documentation must attest under penalty of perjury to the professional's belief that the incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim must also sign the documentation under penalty of perjury.

The Authority may not require third-party documentation (forms 2 and 3) in addition to certification (form 1), except as specified below in cases of conflicting documentation, nor may it require certification in addition to third-party documentation.

In cases where the Authority receives conflicting certification documents from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, SPHA may determine which is the true

victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3) and in accordance with any HUD guidance as to how such determinations shall be made. If you fail or refuse to provide third-party documentation where there is conflicting evidence, Landlord does not have to provide you with the protections contained in this notice.

Nothing in this subsection shall be construed to require South Portland Housing Authority to demand that an individual produce official documentation or physical proof of the individual's status as a victim of domestic violence, dating violence, human trafficking, sexual assault, or stalking in order to receive any of the benefits provided in this section. At its discretion, South Portland Housing Authority may provide benefits to an individual based solely on the individual's statement or other corroborating evidence.

Confidentiality

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

Emergency Transfer Timing and Availability

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

If SPHA has no safe and available units for which a tenant who needs an emergency is eligible, SPHA 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, SPHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, human trafficking, sexual assault, or stalking that are attached to this plan.

Emergency transfers may be defined as an internal transfer or as an external transfer depending on the circumstances surrounding the request. Tenants or Participants can seek both internal and external emergency transfers simultaneously if a safe unit is not immediately available. A unit is considered safe if the victim of domestic violence, dating violence, human trafficking, sexual assault, or stalking believes it is safe.

Internal emergency transfers refer to an emergency relocation of a resident to another unit where the resident would not be categorized as a new applicant. The resident may reside in the new unit without having to undergo an application process. Internal emergency transfers generally are only available within the community in which the Resident is residing.

Immediately available unit is defined as a vacant, move-in ready unit.

Residents of SPHA owned and/or managed properties:

- Internal Emergency Transfers
If another unit is available for which the participant qualifies, the participant will be presented with an offer to transfer. If a resident reasonably believes a proposed transfer would not be safe, the resident may request a transfer to a different unit. Transfers for these reasons will take priority over all other transfer requests including those made to accommodate a disability and to address over- or under-utilization of a unit.
- External Emergency Transfers
While SPHA owns and manages other properties within the area, they are comprised of multiple types of housing programs and each (1) has its own wait lists and (2) is subject to its own rules, regulations and eligibility requirements. As such, SPHA must process VAWA emergency transfer requests, from one type of housing program to another, as external transfers. The transferring resident will be required to apply and meet eligibility criteria. The participant will be placed on the waitlist with the date and time they were approved for an emergency transfer. Emergency transfers will not take priority over waiting list admissions for these programs.

Tenant-Based Housing Choice Voucher Participants:

- Internal Emergency Transfers
A voucher will be issued to the tenant-based Housing Choice Voucher participant, if they qualify for an emergency transfer, to search for another unit. The participant must notify their current Landlord of their need to move and provide them with written documentation certifying that they meet the criteria for an emergency transfer under VAWA, before they can be approved to be transferred/moved. At the request of the participant, SPHA will assist them in their communication with their current Landlord on their need to move from their unit as quickly as possible. SPHA will provide the participant with any known information on available units in the area and/or assist the participant with information about the portability process if they choose to move to another jurisdiction.
- External Emergency Transfers
Tenant-Based Housing Choice Voucher participants may also request an emergency transfer under another SPHA housing program, for which they will be required to apply and meet eligibility criteria. The participant will be placed on the waitlist with the date and time they were approved for an emergency transfer. Emergency transfers will not take priority over waiting list admissions for these programs.

Project-Based Voucher Participants:

- Internal Emergency Transfers
If another Project-Based voucher unit is available for which the participant qualifies, the participant will be presented with an offer to transfer. If a participant reasonably believes a proposed transfer on the same site would not be safe, or if there are not any Project-Based units available, and the participant has been on the PBV program for at least one year, the participant will be issued a Tenant-Based Housing Choice Voucher as long as funding is available. Transfers for these reasons will take priority over all other transfer requests including those made to accommodate a disability and to address over- or under-utilization of a unit.
- External Emergency Transfers

If there are not any Project-Based voucher units available, or the participant has been on the PBV program for less than one year, the participant may request an emergency transfer to another SPHA housing program (including the Tenant-Based Housing Choice Voucher program) for which they will be required to apply and meet eligibility criteria. The participant will be placed on the waitlist with the date and time they were approved for an emergency transfer. Emergency transfers will not take priority over waiting list admissions for these programs.

Additional Assistance

If SPHA has no safe and available units for which a resident who needs an emergency transfer is eligible, SPHA will assist the resident in identifying other housing providers who may have safe and available units to which the resident could possibly move.

At residents' request, SPHA will also assist residents in contacting the local organizations offering assistance to victims of domestic violence, dating violence, human trafficking, sexual assault, or stalking that are attached to this plan.

Safety and Security of Tenants

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

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

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

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

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

Local Domestic Violence Resource Centers:

<p>Caring Unlimited (York County) P.O. Box 590, Sanford, ME 04073 Admin.: 207-490-3227 Hotline: 1-800-239-7298 mail@caring-unlimited.org www.caring-unlimited.org</p>	<p>New Hope for Women (Knox, Lincoln, Sagadahoc & Waldo Counties) P.O. Box A, Rockland, ME 04841-0733 Admin. & Hotline: 207-594-2128 or 1-800-522-3304 Belfast Office 207-338-6569 Wiscasset Office (207) 882-6222 Bath Office (207) 443-8898 newhope@newhopeforwomen.org www.newhopeforwomen.org New Hope for Women's Facebook</p>
<p>Through These Doors (Cumberland County) P.O. Box 704, Portland, ME 04104 Hotline: 1-800-537-6066 TTY accessible www.throughthesedoors.org</p>	<p>Safe Voices (Androscoggin, Franklin & Oxford Counties) P.O. Box 713, Auburn, ME 04212-0713 Admin.: 207-795-6744 Hotline: 1-800-559-2927 or 207-795-4020 info@safevoices.org www.safevoices.org</p>
<p>Family Violence Project (Kennebec & Somerset Counties) P.O. Box 304, Augusta, ME 04332 Admin.: 207-623-8637 Hotline: 1-877-890-7788; 207-623-3569 fvp@familyviolenceproject.org www.familyviolenceproject.org</p>	<p>Next Step (Hancock & Washington Counties) P.O.Box 1466, Ellsworth, ME 04605 Admin: 207-667-0176 Hotline: 1-800-315-5579 info@nextstepdvproject.org www.nextstepdvproject.org</p>
<p>Hope and Justice Project (Aroostook County) 754 Main Street, Presque Isle, ME 04769 Admin.: 207-764-2977 Hotline: 1-800-439-2323 info@hopeandjusticeproject www.hopeandjusticeproject.org</p>	<p>Spruce Run-Womancare Alliance (Penobscot & Piscataquis County) Bangor office: P.O. Box 653, Bangor, ME 04402 Admin.: 207-945-5102 Dover office: P.O. Box 192, Dover-Foxcroft, ME 04426 Hotline: 1-800-863-9909 or 207-947-0496 or TTY: 207-955-3777 sprucerun@sprucerun.net www.sprucerun.net</p>