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CAMBRIDGE HOUSING AUTHORITY

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OFFICE OF THE CITY MANAGER

December 3, 2009

Mr. Robert W. Healy, City Manager
City of Cambridge
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: City Council Policy Order 0-14, dated November 16, 2009 and
Policy Order 0-1, dated November 23, 2009

Dear Mr. Healy:

I am writing in response to your correspondence regarding two City Council Policy Orders referenced above which address the Cambridge Housing Authority's (CHA) plans to federalize 438 units of state supported public housing. We appreciate the City's interest and support of the CHA's ongoing capital planning effort and share the Council's concerns regarding immigrant households living in our state subsidized public housing. We are working diligently to develop a plan to mitigate the impact federalization will have on these households. A detailed point-by-point response to the Council Orders is attached along with recent materials and correspondence on the federalization effort.

We have been working with the representatives of the City Council and City Staff to address the physical conditions and fiscal deficit in the CHA's state public housing since you appointed a State Public Housing Subcommittee in December 2004 (see City Council Policy Order 0-2 dated 11/8/04). The fiscal situation has been exacerbated due to the current state fiscal crisis and all state modernization funding dating back to the FY98 funding round has been cancelled. Decades of insufficient operating and capital support has pushed most of the Commonwealth's state properties to the brink of inhabitability. The CHA has faired better than most housing authorities, however, due to our Moving to Work flexibility. Moving to Work has allowed us to plow sparse federal funds into the state properties to keep them afloat, but has had the negative consequence of robbing the federal programs of funds allocated to them by the U.S. Congress. In the current fiscal year alone CHA is spending $704,000 in federal funds to support the woefully underfunded state program.

The American Recovery and Reinvestment Act (ARRA) presents us with a unique opportunity to rescue the state portfolio. Federal operating support for its public housing program is nearly twice the support we receive from the Commonwealth on a per unit, per month basis ($199 vs. $374 per

month). For our residents that means an increase in operating funds of nearly $1 million dollars per year. In addition to the significant (and desperately needed) increase in operating support, the federalized state properties will reap the benefit of increased opportunities for capital funding for modernization and will make the properties eligible for energy and other modernization grants that state properties cannot access. Simply put, it would be a dereliction of our responsibility to our current and future residents not to aggressively pursue this once in a generation opportunity to ensure the long-term viability of the City's affordable public housing stock.

It is important to point out that the vast majority of households (including immigrant households) will not be negatively impacted by a transfer from the state to the federal public housing program. As the attached rent impact analysis shows, 81% of all households living in state properties being transferred to the federal program will see a **decrease** in rent. Please note that more than half of the households whose rents will increase will experience an increase of less than $40.00 per month. CHA will also implement rent caps and transition rules to further mitigate impacts on rent. Finally, all households transferring into the federal program will benefit from the relaxed reporting requirements and incentives to earn and save built into CHA's federal Rent Simplification Program.

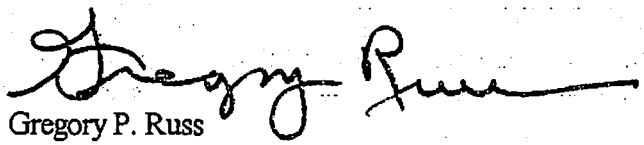
In response to specific concerns raised regarding immigrant households, the federal program permits participation for households with at least one member with eligible immigration status. The only households that are barred from participation in the federal program are those with no eligible household members whatsoever. Unlike many other Massachusetts housing authorities, very few CHA households have no eligible members. Initially, CHA estimated that approximately 10% of the 438 households being transferred to the federal program might not have any eligible household members. We have been surveying resident files and the households themselves to get an accurate count. To date, we have found **no** households that fall into this category and have revised our estimate downwards to 5% of total households.

We still anticipate that we may find some families with no eligible members when we move forward with the federalization of the state units. As evidenced in the attachments to this letter, CHA consistently stated at six public meetings, the Public Hearing and two CHA Board meetings that there will be **no** displacement of any existing households in state public housing as a result of their immigration status. As the November 18, 2009 letter sent to the Massachusetts Department of Housing and Community Development (DHCD) explains, CHA is requesting that DHCD permit us to use Massachusetts Rental Voucher Program (MRVP) funds as a subsidy stream to support the operating costs of units occupied by households with no eligible members. Please note that the letter to DHCD requests use of these funds not just for current residents, but also upon turnover to assist households on our waiting lists. In the unlikely event that DHCD declines our request, we will stand by our commitment and find an alternative means of providing sufficient funds to keep all existing families housed.

We will continue announcing any meetings and posting documents related to the federalization campaign on our website: www.cambridge-housing.org. Thank you again for your correspondence

and please feel free to contact me any time you have questions about the status of this, or any other CHA effort to improve the lives of the thousands of low-income elderly, disabled and family households we proudly serve.

Sincerely yours,



Gregory P. Russ
Executive Director
Cambridge Housing Authority

Attached:

Specific Responses to 11/16/09 and 11/23/09 City Council Orders regarding Federalizing CHA State Public Housing
Transfer of State Public Housing Schedule
Federalization FAQ
Advantages/Disadvantages of Federalization
Rent Impact of CHA's Federalization Proposal
November 18, 2009 letter to DHCD updating the Department on CHA's Federalization plans
Example of Rent Calculation at Various Sites
Public comments and CHA responses from 11/16/2009 Public Hearing
Scope of work for each federalized development

Specific Responses to November 16, 2009 and November 23, 2009 City Council Orders regarding Federalizing CHA State Public Housing

November 16, 2009 – Policy Order 0-14

1. The Cambridge Housing Authority is holding a hearing on the evening of November 16, 2009, in direct conflict with a regularly scheduled City Council meeting.

- CHA scheduled a Public Hearing on 11/16/09 regarding the potential transfer of state public housing developments to the federal public housing program because of the tight time frame that was available to solicit comments from residents and the public to meet the November 23rd due date for proposal submission to HUD. Specifically, this unique opportunity was first confirmed by HUD in an email on Thursday, October15, 2009 which included a deadline of Monday, November 23, 2009 for proposals. In this short time frame of just over one month, the CHA notified all residents in 438 units proposed to be transferred to the federal public housing program, developed materials and data on the impact of such a transfer, advertised and held six resident meetings at CHA developments around the City, held two meetings of the CHA Board of Commissioners and conducted a ten day notice and comment period which culminated in Public Hearing on Monday November 16th. This is the meeting that conflicted with a City Council Meeting. This particular Monday evening was the only possibility for the Public Hearing, given that all comments from the Hearing as well as those received in written form had to be fully considered and addressed in writing for submission with a formal set of recommendations to the CHA Board on Wednesday, November 18th. Please see the following attachments: Transfer of State Public Housing Schedule, dated 11/6/09 and Public Comments and Responses from 11/16/09 Public Hearing.

2. The purpose of the Cambridge Housing Authority's hearing is to discuss the proposed federalizing of state public housing in Cambridge.

- The purposes of the Public Hearing were to present and solicit comments on the federalization of 438 state public housing units and to amend the CHA's Annual Statement of the Capital Fund Formula Grant from the 2009 American Recovery and Revitalization Act which totaled $4.36 million.

3. The federalizing of state public housing in Cambridge has the potential to render many immigrant and low-income individuals and families homeless due to stringent federal reporting and documentation requirements, and it may also extend the length of time that other people on the housing waitlists will need to wait before securing viable housing.

- Households with at least one member with eligible immigration status may be housed in the federal public housing program. The problem is that households with no documented members whatsoever may not receive federal subsidy. CHA has made a **commitment to all current households** that they will not be displaced from their current homes due to immigration status. CHA has made a proposal to DHCD to allow the use of mobile MRVP's to provide a subsidy for current households and over time, households on the waiting list with no documented members. Short of DHCD approving this request or identifying another source of ongoing subsidy, we are unable to commit to housing undocumented households from the waiting list. Please see the following attachment: November 18, 2009 letter to DHCD updating the Department on CHA's Federalization plans.

4. Cambridge is a Sanctuary City committed to protecting its immigrant residents; Cambridge is also a city that is regularly working to find homes for its homeless and under-housed population, and local officials are mindful of the great difficulties that this population already faces in this regard.

- See response to item 3 above.

5. After a thoughtful review and discussion process, the City of Somerville has opted not to select federalizing of its state public housing.

- The Somerville Housing Authority submitted a request to HUD to federalize two state public housing developments.

6. That the City Manager be and hereby is requested to ask the Cambridge Housing Authority to postpone making a decision on federalizing until the City Council has had a sufficient opportunity to analyze and discuss this matter, and to determine what short-term and long-term impact such a move would have upon the city.

- The CHA had a "once in a lifetime" opportunity to pursue the federalization of a substantial portion of its state public housing portfolio, an opportunity that is not likely to be repeated. This opportunity would eliminate the current state public housing operating deficit of $704,000 or more **every year** and result in significant opportunities to secure capital funding for these developments. As such, the CHA Board of Commissioners, fully cognizant of their responsibility to serve current public housing residents and ensure the preservation of this precious asset for future generations, voted to proceed with the submission of federalization proposals to HUD for 438 units at their meeting on November 18, 2009.

7. That the City Council go on record expressing its regret that the Cambridge Housing Authority scheduled a public hearing on this important matter at a time when City Councilors were not able to attend the housing hearing.

- See response to item 1 above.

November 23, 2009 – Policy Order 0-1

8. That the City Manager be and hereby is requested to update the City Council on the total number of units that will be renovated due to the new stimulus money.

- The CHA is proposing to use stimulus funding for:
  - renovation of 438 state public housing units as part of their transition to the federal public housing program;
  - 26 units at 121 Jackson Street, 19 Valentine Street, and 6-8 Fairmont Street;
  - 60 units at Harry S. Truman Apartments;
  - 180 units at L.B. Johnson Apartments; and
  - 115 units at Jackson Gardens and Lincoln Way.

  This totals 819 units with $26,076,000 in funding of which $21,710,000 was via a national competition and $4,366,000 through a formula allocation.

9. That the City Manager be and hereby is requested to update the City Council on how many three bedroom family units the city will lose – in addition to the twelve that will be lost at Jackson Gardens.

- Currently, Jackson Gardens and Lincoln Way total 105 units with a unit mix of 38 two bedroom units and 67 three bedroom units. The CHA's proposed plan totals 115 units with 15 one bedroom, 43 two bedroom, 56 three bedroom and 1 four bedroom unit:

	Lincoln Way		Jackson Gardens		Combined	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
1 BR	0	6	0	9	0	15
2 BR	17	19	21	24	38	43
3 BR	43	44	24	12	67	56
4 BR	0	1	0	0	0	1
Total	**60**	**70**	**45**	**45**	**105**	**115**

This results in a net gain of ten units, but a net loss of 10 "large family" units (3 and 4 br). All of these units will be lost at Jackson Gardens because the existing units are very small and there is little room on this compact site for expansion. Existing three bedroom units at Jackson Gardens range in size from 760 to 818 s.f., substandard by today's standards for a three bedroom household. They are not even large enough to accommodate a washer and dryer hookup, have no place for a kitchen table except in the cramped living room, and very little storage space. Due to limited expansion of the building envelope and bay additions in key locations, the proposed three bedroom units will increase by roughly 50% to 1,120 to 1,380 s.f. CHA believes a major rehab effort should result in livable apartments that meet the needs of residents.

- CHA has no plans at this time to reduce three bedroom family units in other public housing developments. However, there are 12 two bedroom units at Fairmont, Valentine and Jackson Street that are similarly substandard and are proposed to be rehabbed into one bedroom units.

10. That the City Manager be and hereby is requested to update the City Council on how many Section 8 vouchers and MRVP vouchers will be taken off the market to help finance the renovation.

- In the CHA's FY10 MTW Annual Plan, which had its notice and comment period and Public Hearing in December 2008, the attached chart was presented which showed that between 400 and 782 vouchers would be required to ensure the long-term viability of both the CHA's federal and state public housing portfolios, as part of the CHA's Housing Preservation Fund Program. The chart further detailed the five housing developments which were most likely to utilize vouchers over the next five years (Jackson Gardens, Lincoln Way, Jefferson Park, Manning and LB Johnson Apartments). As a result of stimulus funding secured in September 2009, CHA has reduced this estimate to 250 – 375 vouchers and will continue to pursue all funding opportunities to minimize the use of vouchers going forward. After all, a crucial component of the CHA's mission is to increase the number of low-income families and individuals served in Cambridge.

11. That the City Manager be and hereby is requested to inform the City Council on how the Cambridge Housing Authority will work with the families at Jackson Garden to identify new housing with the least disruption.

- The CHA has been working with the residents of Jackson Gardens and their newly formed Tenant Council, as well at members of the Alliance of Cambridge Tenants, Cambridge Somerville Legal

Services and CEOC on a Jackson Gardens' revitalization plan and associated relocation plan for the past year. The relocation plan was approved by the residents on November 7, 2009 and by the CHA Board of Commissioners on November 18, 2009. This plan was developed to comport with the guidelines issued by DHCD and the Federal Uniform Relocation Act and addresses CHA and resident responsibilities during the relocation process. To date, CHA has met with each household individually and has issued vouchers to those families interested in this option. Relocation will be ongoing until construction starts in May 2010. A copy of the relocation plan is attached.

12. That the City Manager be and hereby is requested to keep the City Council informed of all these updates formally on a regular basis – given that these changes are happening so quickly due to the stimulus money and that many of the Cambridge Housing Authority information meetings are held on Monday nights when the City Council is in session.

- The CHA does not hold meetings to purposely conflict with City Council Meetings. On the contrary, City Council input is welcome and encouraged. Due, however, to the number of evening meetings the CHA has on its agenda each month, it is sometimes necessary to meet on a Monday night. See item #1 above for a more specific response. Also, please note that information from all CHA meetings is available with the CHA's calendar of meetings on the CHA website at: www.cambridge-housing.org

Transfer of State Public Housing Schedule

Updated: November 6, 2009

Oct 29	Tenant Meeting: Woodrow Wilson Court, 7:30 p.m.
Nov 4	Tenant Meeting: 45 Linnaean Street, 6:30 p.m.
Nov 5	Tenant Meeting: Russell Apartments, 2050 Mass Ave., 3 p.m.
Nov 6	10 Day Public Notice Period beings to amend ARRA Formula Grant Annual Statement
Nov 9	Tenant Meeting: Manning Apartments, 237 Franklin St., 3 p.m. Tenant Meeting: St. Paul's Residence & Scattered Sites/Condos, 7 p.m. at St. Paul's Residence, 34 Mount Auburn Street
Nov 10	Tenant Meeting: 116 Norfolk Street, 3 p.m.
Nov 16	Public Hearing: Pisani Center, 131 Washington Street, 7 p.m.
Nov 17	End of Public Notice Period. Comments due by 12:00 p.m.
Nov 18	CHA Board Meeting, 6 p.m.
Nov 23	Submit applications to HUD

<u>Proposed housing developments to be transferred:</u>

Woodrow Wilson Court (200-1)

Manning Apartments (667-1)

116 Norfolk Street (667-2)

45 Linnaean Street (667-3)

Russell Apartments (667-4)

Hingham and Inman Street (705-2)

St. Paul's Residence (667-6)

Willow Street Homes (705-1)

State Elderly Condos (667-5)

State Family Condos (705-2/3)

FEDERALIZATION SUMMARY

- CHA is proposing to submit 12 proposals covering the following properties:

	Current	Proposed
Woodrow Wilson Court (200-1)	69 units	68 units
Manning Apartments (667-1)	199 units	198 units
116 Norfolk Street (667-2)	37 units*	37 units
45 Linnaean Street (667-3)	24 units	20 units
Russell Apartments (667-4)	51 units	51 units
State Elderly Condos (667-5)	5 units	5 units
St. Paul's (667-6/705-2)	21 units	20 units
Willow Street Homes (705-1)	15 units	14 units
State Family Condos/Scattered Site (705-2/3/4)	25 units	25 units
Total	446 units	438 unit

- CHA held 6 tenant meetings to ensure that all affected state public housing residents could learn more details about the proposed federalization and most importantly the impact the federalization would potentially have on them. Various handouts including Frequently Asked Questions, a matrix summarizing advantages and disadvantages, a sample budget, and examples or rent calculations were presented to residents.

- A 10-day public notice period began on November 6th, and culminated with a public hearing at Pisani Center on Monday, November 16th. Written comments were due by noon on Tuesday, November 17th.

- The benefits of the proposed federalization are substantial, and were discussed at the last Board meeting. The bottom line - federalization will preserve and protect the current state public housing portfolio since it will provide adequate operating subsidy, provide more predictable capital funding, and present opportunities for new grants and loans.

- There are some trade-offs to the proposal which we also previously discussed. These include changes in how rent gets calculated as well as the imposition of a minimum rent. Other changes would impact mixed immigrant families and families where no member has HUD-required immigration status.

- Many of the comments received at the public hearing and in written response to the CHA's proposal were specific to those issues, and include:

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* Please note that CHA's earlier request used incorrect information. The actual number of units at 116 Norfolk Street is 37 units, not the 39 units from the initial request. We apologize for this error, and any confusion it may have caused.

CAMBRIDGE HOUSING AUTHORITY

Transfer of State Public Housing

CHA has a one-time, special opportunity to transfer most of its state public housing to federal public housing. Cambridge Housing Authority is considering this transfer, because the federal government provides funding adequate to support public housing units, unlike the amount Massachusetts provides for state-funded public housing. The federal government provides:

- Adequate operating subsidies: Operating subsidies are the funds that housing authorities get over and above what tenants pay for rent. The federal government provides nearly twice as much operating subsidy as the state. Currently, CHA receives $199 per month for each state public housing unit compared to $374 per month from the federal government for CHA's federal units.
- Predictable capital funding. Capital funding is the money that housing authorities receive to renovate units and make other building improvements. The state does not have the funds to meet the capital needs of CHA's state public housing.
- Opportunity to request federal grants. Federal public housing is eligible for a variety of federal grants that cannot be used for state public housing.

How is State Public Housing Program different from Federal Public Housing?

Federal public housing and state public housing are similar in many ways. Cambridge Housing Authority uses the same grievance procedures, transfer policies, and eviction process for both types of housing. In both types of housing, Cambridge Housing Authority:

- Counts your household's income
- Makes deductions
- Calculates your rent based upon your income after deductions

However, there are some differences.

RENT CALCULATION

Rents are calculated differently in federal and state public housing.

In **federal public housing:**

- Your rent is based upon your adjusted income and the size of your apartment. The attached charts show the rents for different apartment sizes and incomes.

In **state public housing:**

- If your rent includes utilities, you pay 32% of your income for rent in family housing and 30% in elderly housing.
- If you pay for utilities separate from rent, you pay 30% of your adjusted income for rent in family housing and 25% in elderly housing.

In both state and federal public housing, Cambridge Housing Authority counts your income and makes deductions. There are some differences in the way that the state and federal public housing programs count income and make deductions. For example:

- State public housing allows medical deductions for medical expenses over 3% of your gross income. Federal public housing allows a similar medical deduction ONLY for people who are elderly (60 or older) or disabled.
- Federal public housing allows stepped medical deductions when you have unreimbursed medical expenses in excess of $2,500 per year.

Therefore, if you have high medical expenses but are not 60 or older or disabled, you may have a rent increase.

- Also, federal public housing does not allow deductions for dependents. However, there are deductions for child care expenses over $2,500.

- In federal public housing, you have to recertify every 2 years (instead of every year, as in state public housing). Also, if your income goes up, you do not have to report your increased income until your recertification date and you do not have to report assets valued at less than $50,000.

- Federal public housing has a minimum rent of $50 for one year. After a year the rent increases to the lowest amount on the Rent Schedule.

If you have a rent increase due to the change from state to federal public housing, CHA will make certain that any increase is minimized and will, *if* needed, phase in any rent increase over a 3-year period.

IMMIGRANT STATUS

As part of the switch to federal public housing, the Cambridge Housing Authority will be required to ask residents currently in state public housing about their immigration status.

The federal government provides housing assistance only to people who are U.S. citizens or have eligible non-citizenship status. "Eligible non-citizenship status" includes people with many different types of immigration status but it does not include people who are not documented.

If some members of your household ARE documented even though you are not, your household is eligible for federal public housing, but the federal public housing rules would require you to pay a higher rent. Under CHA's Moving-to Work rent simplification program, such a household with mixed family status (some members with legal status and some without proper legal status) would pay a rent based upon 40% of the household's adjusted income.

If all members in your household do not have legal status in the United States, your household would not be eligible for federal public housing. **The Cambridge Housing Authority understands that this will create a hardship, but is committed to keeping all affected households in their current developments. This may mean CHA will find another way to fund the operating costs of your unit.**

LEASE

The federal and state public housing leases are very similar, and include the same grievance procedure, transfer provisions, and eviction process. However, the federal public housing lease is different than the state public housing lease in that it permits eviction for criminal activity *on or off* the property. The federal lease provides that the tenant can be evicted for the conduct of a guest even if they are not aware of their guest's conduct. The state lease provides for eviction for the acts of a guest if a resident knew or should have known that the guest would engage in the misconduct.

What impact will this switch to federal public housing have on residents? On me?

CHA will recertify your income to comply with the rules and regulations of the federal public housing program as modified by CHA's Moving to Work Agreement with the U.S. Department of Housing and Urban Development CHA will need to gather citizenship/immigration status declarations from all members of each household.

For citizens and eligible non-citizens, information on household composition and income will be reported to HUD.

Residents who are undocumented will be able to continue to reside at their current development. CHA will seek to use other funding to assure continued support for all households in which some or all members are undocumented.

Will I have to move?

No. You will not have to move from your development. The source of operating subsidy for your apartment will change and you will have to recertify, but otherwise, there should be no change for most residents.

When might this happen?

Proposals to switch a state public housing development to the federal public housing program are due to HUD by November 23rd. If a proposal is accepted, HUD representatives will inspect the buildings in question in December or January. Beginning in late January and continuing through the early months of 2010, CHA will transfer selected state public housing to federal public housing.

What steps do residents need to take? When will these changes take effect?

CHA will be holding a series of meetings to discuss the possible transfer of developments from the state to federal public housing program. Notices of the meetings will be posted at each development and on CHA's website: www.cambridge-housing.org.

Residents should attend the scheduled meetings to discuss the proposed switch from state public housing to federal public housing. You should ask any questions that you have and share any concerns at those meetings.

If you are concerned about your immigration status and the transfer from state to federal public housing, please contact one of the following CHA staff persons: Nancy Tierney (for English and Spanish speakers) at 617-520-6268 or ntierney@cambridge-housing.org, Naomie Stephen (for Creole speakers) at 617-520-6252 or nstephen@cambridge-housing.org, or Tito Evora (for Portuguese speakers) at 617-520-6283 or tevora@cambridge-housing.org.

Rent Schedule - Elderly Public Housing

Utilities already substracted

Income Range		Bedroom size 0	1	2
$0	$2,499	$50 for 12 months		
$2,500	$4,999			
$5,000	$7,499	$125	$125	$125
$7,500	$9,999	$188	$188	$188
$10,000	$12,499	$250	$250	$250
$12,500	$14,999	$313	$313	$313
$15,000	$17,499	$375	$375	$375
$17,500	$19,999	$438	$438	$438
$20,000	$22,499	$500	$500	$500
$22,500	$24,999	$563	$563	$563
$25,000	$27,499	$625	$625	$625
$27,500	$29,999	$688	$688	$688
$30,000	$32,499	$750	$750	$750
$32,500	$34,999	$813	$813	$813
$35,000	$37,499	$875	$875	$875
$37,500	$39,999	$982	$938	$938
$40,000	$42,499	$982	$1047	$1,000
$42,500	$44,999	$982	$1047	$1113
$45,000	$47,499	$982	$1047	$1113
$47,500	$49,999	$982	$1047	$1113
$50,000	$52,499	$982	$1047	$1113
$52,500	$54,999	$982	$1047	$1113
$55,000	$57,499	$982	$1047	$1113

ransfer from State Public Housing to Federal Public Housing

Advantages	Disadvantages
• **Adequate Operating Funding**: Operating subsidies are the funds that housing authorities get over and above what tenants pay for rent. The combination of these funds enables the CHA to pay the day-to-day expenses for a property. The federal government provides nearly twice as much operating subsidy as the state. This means that the CHA will be able to cover the full cost of operating the properties without having to re-allocate other CHA resources. • **Predictable Capital Funding.** Capital funding is the money that housing authorities receive to renovate units and make other modernization improvements. Under state public housing, CHA often does not have the money needed to make all the improvements that CHA and residents would like to make. With more operating subsidy, CHA will also be able to use the money it now spends to cover operating expenses on capital improvements. • **Lower Rent:** Most residents will likely pay a slightly lower rent in federal public housing than in state public housing because the rent calculation guidelines are different. • **Incentive to Work:** Residents recertify every 2 years in federal public housing. If a resident's income goes up between their re-certification dates, they do not usually have to report the increase in income to CHA until their next recertification date. • **Incentive to Save:** Residents only have to report income from assets when they have assets that total more than $50,000 in value. • **No Need to Move:** This transfer of CHA's state public housing to federal public housing will not require you to move from your development. The switch will enable the CHA to protect and preserve these valuable affordable housing units.	• **Higher Rent for Some**: There are some differences between the state and federal public housing program in what gets counted as income, or what is deducted from income. These differences may mean an increase in rent for a small number of residents For example, in federal public housing, **only people who are over 60 or disabled can take medical deductions** for expenses over $2,500. If you have high medical expenses, but are not over 60 or disabled, you may have a rent increase. • **Minimum Rent:** Federal public housing has a **minimum rent requirement of $50/month.** • **Community service:** If you are not elderly, disabled, working, or taking care of a disabled family member, you will have to self-certify that you do 8 hours of community service and/or "self-sufficiency" programs per month. • **Immigration Status and Eligibility:** Only US Citizens and eligible non-citizens may receive housing assistance through the federal government. This means that CHA will have to ask your immigration status. 1. If some members of a household have legal status, the family is eligible for federal public housing, but they will likely have to pay a higher rent. 2. If everyone in a household does not have legal status, then the family is not eligible for federal public housing. ***However***, such a household would not need to move, as CHA will find another way to fund the operating costs of their unit. • **Criminal Behavior/Eviction:** In federal housing, a resident may be evicted for criminal activity <u>on or off</u> the property. You can be evicted for the conduct of a guest even if you are unaware of the guest's conduct.

Updated: November 18, 2009

RENT IMPACT OF CHA'S FEDERALIZATION PROPOSAL*

Total Households, 513

	Decrease	No Change	Increase	
$0	[illegible]	3	[illegible]	$0
$1-$10	38		14	$1-$10
$11-$20	36		16	$11-$20
$21-$30	41		10	$21-$30
$31-$40	48		8	$31-$40
$41-$50	69		35	$41-$50
$51-$60	66		1	$51-$60
$61-$70	44		4	$61-$70
$71-$80	30		0	$71-$80
$81-$90	20		1	$81-$90
$91-$100	21		0	$91-$100
$101	[illegible]	[illegible]	3	$101
	418	**3**	**92**	
	81%	1%	18%	

*Excludes Jefferson Park

Notes:

18 rent increases are based on new ceiling rents.

21 rent increases are the result of the new minimum rents.

Of the 35 increases in the $41-$50 category, 16 are based on the minimum rent and 17 are the results of changes in ceiling rents.

CAMBRIDGE HOUSING AUTHORITY

675 MASSACHUSETTS AVENUE, CAMBRIDGE, MA 02139 • P 617 864 3020 / TDD 800 545 1833 X112 • F 617 868 5372

November 18, 2009

Ms. Amy Schectman, Associate Director
Division of Public Housing and Rental Assistance
Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, Massachusetts 02114

Re: Update to CHA's Proposal to Federalize State Public Housing and Request to Use Project Reserves and MRVP Resources to Support Planned Federalization of State Public Housing Portfolio

Dear Ms. Schectman:

This letter provides an update to Cambridge Housing Authority's (CHA's) proposal to federalize a substantial portion of its state public housing program and request your approval to utilize: (1) $124,000 in reserves to pay for the replacement of defective sprinkler heads at two locations and (2) a portion of the Cambridge Housing Authority's Massachusetts Rental Voucher Program (MRVP) mobile resources to assist state public housing residents who will not qualify for federal public housing assistance due to their immigration status.

UPDATE OF PROPOSED PROGRAM

CHA is proposing under the American Recovery and Reinvestment Act (ARRA) to seek HUD approval to federalize a total of 438 units of its state public housing portfolio through the Capital Fund Recovery Formula Funding. The specific developments to be federalize are as follows:

	Current	Proposed
Woodrow Wilson Court (200-1)	69 units	68 units
Manning Apartments (667-1)	199 units	198 units
116 Norfolk Street (667-2)	37 units*	37 units
45 Linnaean Street (667-3)	24 units	20 units
Russell Apartments (667-4)	51 units	51 units
State Elderly Condos (667-5)	5 units	5 units
St. Paul's (667-6/705-2)	21 units	20 units
Willow Street Homes (705-1)	15 units	14 units
State Family Condos/Scattered Site (705-2/3/4)	25 units	25 units
Total	446 units	438 units

* Please note that CHA's earlier request used incorrect information. The actual number of units at 116 Norfolk Street is 37 units, not the 39 units from the initial request. We apologize for this error, and any confusion it may have caused.

As noted, CHA is proposing to federalize 438 units, rather than the 446 units currently under Contracts for Financial Assistance with DHCD. The proposed seven-unit difference results from the following factors:

- Woodrow Wilson Court – The one unit difference relates to the original superintendent apartment located in the basement. This apartment was abandoned over 20 years ago, and is no longer an appropriate housing resource.

- Manning Apartments – The one unit difference relates to an existing superintendent apartment. The superintendent's unit would not be eligible for federal operating subsidy.

- 45 Linnaean Street – The four-unit difference relates to substandard apartments located in the basement of 45 Linnaean Street. These units, which cannot be accessed by elevator, have historically been very difficult to rent, and have on-going water infiltration issues. One unit requires the resident to be responsible for a sump pump that serves all units.

- St. Paul's Residence – The one unit difference relates to a very small (under 80 square feet) room that has historically been very difficult to rent, and frequently results in a quick move-out from those tenants.

- Willow Street Homes – The one unit difference relates to the accessibility improvements being completed at the site as part of the on-going comprehensive modernization. The work required that two units be reconfigured into one to provide the sufficient clearances and turnaround radii required by accessibility codes.

CHA has presented its proposed plans to residents at the affected developments and has held a public hearing relating to the use of the ARRA funds for these purposes. A significant concern of the community regarding CHA's proposal is the impact it will have on families who do not have the required HUD-immigration status. A proposal to address this concern is outlined in further detail below.

REQUEST TO UTILIZE PROJECT RESERVES

CHA has had a firm complete pre-REAC inspections at the properties proposed for federalization. Most of the findings are being addressed through currently budgeted funds or proposed ARRA-funded work (including the earlier $1.35 million committed by DHCD in response to our October 28th request). However, there was on finding that the CHA has determined cannot be addressed through currently budgeted funds – specifically need to replace defective sprinkler heads at Manning Apartments and 116 Norfolk Street. The estimated cost of this is work is $124,000. We are requesting approval to use funds from project reserves to cover these required improvements.

We have also modified our proposed scope of work that we presented to DHCD on October 28th to reflect the findings of the pre-REAC inspections and the proposed use of project reserves. We have also reallocated some of the proposed scope of work and funding allocation to ensure that the other needed work items are address through available funds. An updated summary of the scope of work and cost is attached.

REQUEST FOR DHCD FUNDS TO SUPPORT IMMIGRANT HOUSEHOLDS

As noted earlier, a significant concern of the Cambridge community regarding CHA's proposal to transfer a substantial portion of its state public housing units to the federal public housing program relates to the impact that the transfer will have on immigrant households since the federal public housing program does not allow a housing authority to use any federal assistance to support a household that has no member with the required HUD-immigration status. While the CHA initially estimated that up to 10% of its current households might fall into this category, it now believes the number may be less than 5%.

CHA, given its designation as a Moving to Work Agency, has developed a unique proposal that would allow DHCD and CHA to address the concerns of the community as well as protect the interest of this very vulnerable population. Specifically, the CHA is requesting DHCD's approval to use a portion of its current mobile MRVP program to cover the cost of current and future immigrant households (those without the required HUD status) in federal public housing. CHA's current mobile program consists of 26 vouchers, with 2 of those vouchers used by immigrant households, with an estimated DHCD cost of $580 per unit month.

CHA is proposing to convert approximately 15 to 20 of the mobile MRVP vouchers, depending upon the families needing assistance due to their immigration status, from the MRVP program to the federal HCV program to free up a state resource to support CHA's federalization efforts of its state public housing portfolio. The MRVP voucher would be used to off-set the loss of federal operating subsidy when a family without the required immigration status remains in the federalized units, either currently or upon turnover.

The CHA is prepared to commit to implement this program with no additional cost to the state beyond its current financial commitment.

CONCLUSION

A unique opportunity exists to use federal resources to alleviate both the operating and capital obligations of the Commonwealth of Massachusetts. The CHA is developing a plan to transfer 438 units of state public housing to the federal program. However, to accomplish this program, the CHA needs the support of DHCD.

Specifically, the CHA is seeking DHCD approval as follows:

1. To use $124,000 from project reserves to complete the necessary improvements to transfer the properties to the federal program. The improvements funded by the reserves are needed to allow Manning and 116 Norfolk Street to identified deficiencies from a recent pre-REAC inspection.

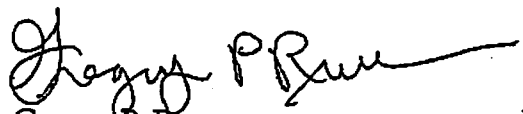
2. To convert approximately 15 to 20 of the mobile MRVP vouchers, depending upon the families needing assistance due to their immigration status, from the MRVP program to the HCV program to free up a state resource to support CHA's federalization efforts of its state public housing portfolio. The CHA would then use the available MRVP resources to continue to house existing tenants affecting by the federalization, mitigate a potential significant hardship for affected families, and provide a continuing housing resource for

continue to house existing tenants affecting by the federalization, mitigate a potential significant hardship for affected families, and provide a continuing housing resource for impacted households in the future. CHA's proposal would not require any additional MRVP financial assistance beyond the current financial requirements.

We look forward to review of our proposals. Please feel free to telephone me at (617) 864-3020 or Terry Dumas of my staff at (617) 520-6263 with any questions or if you require additional information.

Thank you for you consideration.

Sincerely,



Gregory P. Russ
Executive Director

cc. Deborah Goddard, DHCD
Chris McClave, DHCD
Mary-Anne Morrison, DHCD
Charlie Vasiliades, DHCD
Paul McPartland, DHCD
Leslie Bos, DHCD
Susan C. Cohen, Esq., CHA
Michael Johnston, Esq., CHA
Terry Dumas, CHA
Margaret Donnelly Moran, CHA

CAMBRIDGE HOUSING AUTHORITY

EXAMPLES OF RENT CALCULATIONS
STATE PUBLIC HOUSING VERSUS. FEDERAL PUBLIC HOUSING

EXAMPLE #1:

Single person, age 68 living in a 1 BR unit at Manning Apartments
Annual Family Income is $14,770
Annual health care expenses of $3,250

STATE RENT

$292

$14,770 x 3% = $443
Health Deduction - $3,250 - $443 = $2,807
Elderly Family Deduction - $300

$14,770
(2,807)
(300)
$11,663 ÷ 12 = $972

$997 x 30% = $292

FEDERAL RENT

$250

Annual Income =	$14,770
Less Medical Deduction	(2,500)
Adjusted Income	$12,270

1 BR Rent from Chart = $250

EXAMPLE #2:

Single person, age 42 living in a 0 BR unit at 116 Norfolk Street
Annual Family Income is $8,500
Annual health care expenses of $750

STATE RENT

$193

$8,500 x 3% = $255
Health Deduction - $750 - $255 = $495
Disabled Family Deduction - $300

$8,500
(495)
(300)
$7,705 ÷ 12 = $642

$642 x 30% = $193

FEDERAL RENT

$188

Annual Income =	$8,500

0 BR Rent from Chart = $188

CAMBRIDGE HOUSING AUTHORITY

EXAMPLES OF RENT CALCULATIONS
STATE PUBLIC HOUSING VERSUS. FEDERAL PUBLIC HOUSING
(cont'd)

EXAMPLE #3:

Three persons, including 2 children age 13 and 15 living in 3 BR unit at WWC
Annual Family Income is $21,500
No childcare expenses
Annual health care expenses of $1,850

STATE RENT

$492

$21,500 x 3% = $645
Health Deduction - $1,850 - $645=$1215
Dependents - $300 x 2 children = $600

$21,500
(1,215)
(600)
$19,685 ÷ 12 = $1,640

$1,640 x 30% = $492

FEDERAL RENT

$443

Annual Income = $21,500

3 BR Rent from Chart = $443

EXAMPLE #4:

Single person, age 75, living in 1 BR unit at 2050 Mass Avenue
Annual Family Income is $12,400
Annual health care expenses of $2,250

STATE RENT

$213

$12,400 x 3% = $375
Health Deduction - $2,250 - $372=$1878
Elderly Family Deduction - $300

$12,400
(1,878)
(300)
$10,222 ÷ 12 = $852

$860 x 25% = $213

FEDERAL RENT

$199

Annual Income = $12,400

1 BR Rent from Chart = $199

ARRA BUDGET REVISION

PUBLIC COMMENTS

C = Comment, R = Response

Public Process & Participation, Public Hearing on November 16, 2009

PROPOSAL DETAILS

C: One commenter asked if all the state public housing units are proposed for federalization.

R: CHA indicated that its ARRA proposal would federalize 11 developments with a current unit count of 448 units. The only CHA state public housing properties not included in this proposal are: (1) Jackson Gardens and Lincoln Way with a total of 105 units which are being federalized through a different methodology and have already been reviewed by HUD, (2) Jefferson Park, 109 units, which is currently slated for demolition in 2 to 5 years, and will likely require a switch to the federal Project Based Voucher program, (3) Roosevelt Towers Mid-Rise and Putnam School, which total 108 units, and were rehabilitated or built with Section 8 vouchers, and follow the federal voucher rules, and (4) Special Needs Housing, 25 units, which are operated in conjunction with the MA Department of Mental Health, and do not require any operating subsidy.

C: One commenter asked if there would be any state public housing left in Cambridge after all this federalization.

R: Given the exceptions noted above, the only fully state public housing left in Cambridge if all the planned rehabilitation proceeds as scheduled (including the plans for Jefferson Park) will be the Special Needs Housing.

C: One commenter asked what rules are followed at Roosevelt Towers-Mid-Rise and Putnam School since it is state public housing but uses federal housing vouchers.

R: CHA noted that the properties follow the federal rules, and have done so since the buildings were rehabilitated in 1981 to 1983.

C: One commenter was curious to the numbers in parentheses after the name of each state development on the CHA's proposed transfer list.

R: CHA noted that these are the state identifying numbers, and indicate the type of development is denoted by the first three digits – 200 being state veteran's housing, 667 being elderly housing, and 705 being scattered site family housing. The number after the three digits just indicates the order the property came onto the CHA's state public housing portfolio.

C: One commenter wondered how this opportunity happened so suddenly.

R: CHA explained that a provision in the federal stimulus bill signed by President Obama in February 2009 allows housing authorities to add federal public housing units above the cap established for each locality by the U.S. Department of Housing and Urban Development (HUD) which is known as the "Faircloth Cap" provided it does so with only federal stimulus funds. DHCD and HUD formally notified CHA of this opportunity on October 15th, and established a November 23rd deadline for proposal submission, as stimulus funds must be fully obligated by March 2010.

C: One commenter indicated that they were still not convinced that it made sense to transfer the state public housing units to the federal program.

R: CHA reiterated its reasons that the switch to the federal program will result in additional operating subsidy and capital grant funds as well as new grant opportunities for these properties. The switch will enable the CHA to obtain the resources needed to operate and preserve the units as affordable housing at a time when state resources are not readily available. CHA noted that it has been using $600,000 to $900,000 of federal funds annually to support state public housing in Cambridge given the paucity of state resources. Given today's challenging economic times, the State has indicated that housing authorities may need to board up units because DHCD cannot provide adequate funding for operations, and the CHA cannot risk the loss of these affordable units.

C: One commenter understood the economic advantage of the proposal, but wondered if there would be any human equation that would push the CHA to reconsider its plans., or consider leaving one property as State public housing.

R: CHA understands the concerns being expressed regarding the impact to current state public housing residents, and will commit to continue to work with its residents and the advocate comunity to mitigate any hardships created from implementation of these plans. The CHA also noted that a proposal that leaves one development as state public housing would not effectively address the concerns being raised, because there is so little turnover on an annual basis.

MIXED FAMILY STATUS

C: One commenter questioned if the rent chart attached to the CHA Handout on the Transfer of State Public Housing reflects that households having mixed immigration status will have to pay a higher rent.

R: CHA noted that the charts attached to that handout do not reflect the higher rents charged to those households with mixed immigration status. CHA does not have any data on the number of households with mixed immigration status in state public housing at this time, and will need to collect information for some households during December. The CHA noted that in federal public housing there are only 19 households with mixed immigration status out of nearly 1900 households. CHA does expect the number in state public housing will be higher.

C: Several commenters expressed about the higher rent burden that the federal government places on households with mixed immigration status, and asked that the CHA modify its current MTW policy that sets the rent at 40% of a household's adjusted income.

R: CHA indicated that the MTW policy on the rent simplification for households with mixed immigration status was established as part of its FY 2009 MTW Annual Plan, and outlined that the policy resulted in rent decreases, many substantial, to 14 of the 19 mixed family households in federal public housing. An issue came up approximately 2 weeks ago that mixed families with higher incomes were being significantly impacted. CHA has reviewed the circumstances impacting these families, and will be implementing a change to the ceiling rents on the mixed family rent chart that will establish a ceiling rent at 110% of current ceiling rent on the standard rent chart. Residents affected by the changed to the ceiling rents on the mixed family rent chart will have their rent adjusted retroactively.

C: While recognizing that CHA's 40% rate established under MTW is better than the way HUD has housing authorities calculate rents for mixed families, several commenters noted that it was not as good as the state rent calculation method. The commenters requested that the CHA use 32% rather than 40%, or have an extra $5 per person per month charge for each undocumented household member.

R: Any state public housing development transferred to the federal public housing program will need to comply with federal requirements as modified by CHA's MTW agreement and our annual plans. The MTW policy on how rent is calculated for households with mixed immigration status was established in CHA's FY 2009 MTW Plan, subject to a public comment and hearing at that time. The CHA will not consider any changes to its MTW policy on mixed families as part of its hearing on its proposed revision to the Annual Statement of the Cambridge Housing Authority's Capital Fund Formula Grant from the American Recovery and Reinvestment Act (ARRA) of 2009.

C: A commenter inquired as to how the CHA developed its rent formula for mixed immigrant families.

R: The CHA developed its rent formula as part of its FY 2009 MTW Plan, and based the rent upon a 40% of adjusted income rather than the standard 30% of the federal program. The formula was intended to mitigate the impact any transition from state to federal public housing may have on mixed immigrant families. As noted earlier, the implementation of this formula in federal public housing has resulted in rent decreases for 14 of 19 affected mixed immigrant families.

IMMIGRATION STATUS

C: One commenter wanted assurances that no immigrant would be moved as the result of the proposed federalization.

R: CHA is aware that there may be households currently living in its state public housing developments who do not meet the federal government requirement regarding their citizenship/immigration status and therefore would not be eligible for federal housing assistance. The CHA understands that this will create a hardship for these households, and has committed to keep all affected households in their current developments. This means that the switch from state public housing to federal public housing will not displace any family from their housing. CHA will need to find another way to fund the operating costs for the units housing familes who do not meet the federal citizenship/immigration requirements.

C: Several commenters expressed continuing concern about the CHA's ability to house households who do not meet the federal citizenship/immigration requirements.

R: CHA has determined that such a household can live in a federal public housing, provided that the CHA does not receive federal subsidy for that unit. The CHA is trying to get DHCD funds to provide the needed subsidy for affected families. It was also suggested that City funding could be used in this manner if available. CHA restated its commitment to serving current families, and to ensuring that no family is displaced because of the transfer of state public housing to federal public housing.

CHA further outlined potential strategies due to its MTW designation to use existing Massachusetts Rental Voucher Program (MRVP) vouchers to provide the needed operating subsidy both for existing families, but also potentially for families from the waiting list. Basically, the CHA would transfer some existing MRVP voucher holders to the Federal Housing Choice Voucher program to free up the state resource. The CHA is working on such a proposal to submit to the MA Department of Housing and Community Development, but needs to complete its research on whether the MRVP vouchers can be

used in federal public housing and can be reissued. Other DHCD funding options could be available once DHCD knows how many state developments are being federalized.

The CHA also pledged the use of fee income to support affected families, but cannot pledge fee income on a long-term basis to house new families from the waiting list.

C: One commenter wondered if Cambridge would be the only place in the State without the ability to house households who do not meet the federal citizenship/immigration requirements.

R: CHA does not have information on the ability of other communities to house such households.

C: One commenter stated that when rent control ended in Cambridge the immigrant community was particularly hard hit as illustrated by reduction in half of the children participating in the School's Amigos program. The commenter was concerned that the proposed transfer of state public housing to federal public housing would further close the door to immigrants living in Cambridge.

R: As noted earlier, CHA will continue to work with DHCD and the City of Cambridge to identify and obtain funds to allow it to continue to serve the same number of households from its waiting list who do not meet the federal immigration requirements as it currently serves.

C: One commenter asked if the proposal to switch from state public housing to federal public housing was meant to find and/or identify illegal immigrants.

R: CHA responded that the proposal was not meant to find and/or identify undocumented immigrants.

C: One commenter noted that many homeless families would be impacted by the federal public housing program restrictions on assistance to households who do not have the required citizenship/immigration status, and asked that the needs of these families who would be applicants on CHA's waiting list be considered.

R: As noted earlier, CHA will continue to work with DHCD and the City of Cambridge to identify and obtain funds to allow it to continue to serve the same number of households from its waiting list as it currently serves who do not meet the federal immigration requirements.

C: Several commenters expressed a willingness to support CHA's request to DHCD to provide funding both now and in the future to house immigrant families excluded from the federal program.

R: CHA is appreciative of the offer of support.

IMPLEMENTATION

C: A commenter wanted to know how the CHA would be obtaining information on to their immigration status from current state public housing residents. They also wanted to know if there was a plan to do the same for applicants currently on the waiting list.

R: CHA indicated that it would contact, as needed, both current residents and wait list applicants to request information on immigration status. CHA noted that its pending software change would be triggering a massive outreach to both residents and wait list applicants so outreach activity was already anticipated. CHA also indicated that it would be sensitive in how it would ask for information given the potential for scaring people. More details of the timing of CHA's plans will be forthcoming.

C: On the ARRA budget forms it notes that the scope of work at the state public housing properties wad denoted as "Scope to be Determined". One commenter wanted to know what this meant. Another commenter wanted to know if the residents could have some voice in how those funds would be spend.

R: CHA noted that the scope of work for each property is still being determined by the CHA as the CHA awaits the results of inspectors that it hired to inspect the properties. The scope will be identified prior to the CHA's Board of Commissioners meeting on November 18th. Absent the need to complete work resulting from the inspection, the CHA will complete work identified in its most recent Capital Plan. This plan was last updated in June 2006.

C: A commenter noted that Willow Street was under going a substantial renovation and wanted to know if the CHA would be expending the ARRA funds on that bigger project.

R: CHA indicated that the timing is such that the renovation work will be complete prior to federalization. It is expected that funds would be spent on site improvements such as fencing, grading and landscape as the current work did not include any site improvements.

C: A commenter asked who designed the federal rent schedule.

R: CHA designed the rent schedule, and has used it successfully for the past 4 years in its federal program. CHA also presented a chart indicating that, absent consideration of mixed immigrant families since that information is not available, 77% of current state public housing residents will have their rent decreased by an average of $44.

C: A commenter wondered why if the federal program requires recertification every two years they were being recertified every year as a housing choice voucher particpant.

R: CHA noted that the rent simplification program only covers federal public housing, though in the future it would like to consider extending it to the housing choice voucher program.

C: A commenter asked if any relocation, other than what is planned for Jackson Gardens, Lincoln Way or Jefferson, is anticipated.

R: CHA indicated that no additional relocation from the transfer of state public housing to federal public housing would be required as part of the ARRA funded program.

C: A commenter noted that the inspection process on the federal program could benefit from more timely notification and more sensitive implementation especially around timing as CHA indicates that inspections could occur over a 5-day period, rather than one specific day.

R: CHA will note theses concerns. CHA indicated that often times can not control timing how the inspections occur especially the REAC inspections. The maximum notification period is three days.

C: A commenter wanted to know if the lease for federal public housing is the same as state public housing.

R: The CHA noted that the lease is the same except that there is an addendum to the lease for federal public housing incorporating the "One-Strike" provisions. These provisions allow the CHA to proceed with eviction for criminal activity on or off the property. The addendum also provides that the tenant can be evicted for conducted of a guest even if they are not award of their guest's conduct. The state lease provides for eviction for acts of a guest if a resident should have known that the guest would engage in misconduct.

C: Several commenters wanted to know the schedule for implementing the proposed transfers of state public housing to federal public housing.

R: CHA noted that applications are due to HUD on November 23rd. It is CHA's understanding that HUD will review these applications through December, including visiting to inspect developments, and will make final decisions during December and early January. HUD has indicated that it wants to begin closing on these transfers beginning January 15th given the mid-March deadline for funds to be obligated.

Public Process & Participation, Written Comments, dated November 9, 2009, and received November 16, 2009

The CHA received a letter signed by several Cambridge Elected Officials, Board Members of the Alliance of Cambridge Tenants, and representatives from CEOC, CASLS, HomeStart, LIFT, CLSACC, and Mass Alliance of Portuguese Speakers and others. Salient comments from the letter is provided below.

C: Commenters request that the CHA take steps to protect existing immigrant families, current applicants on CHA's wait list, and those families who may need subsidized housing in the future by (1) ensuring the existing CHA tenants who do not have any household members with the HUD-required immigration status have the right to remain in affordable CHA housing; (2) ensuring that federalization does not result in large rent increases for existing immigrant families; (3) ensuring that future immigrant families (both those with and without household members with HUD-required immigration status have affordable rents in CHA public housing; and (4) ensuring that at least the same percentage (or same number) of CHA apartments are available in the future for immigrant families without any HUD-required immigration status.

R: Please see earlier responses applicable to each requested action.

C: Commenters requested that CHA utilize a different rent formula for mixed immigrant families than its current program. They proposed that the rent schedule only require a slightly higher rent for immigrate families at either 32% of income or a surcharge of $5 per month per household member without HUD-immigration status.

R: Please see earlier response.

C: Commenters request that if the CHA cannot NOW commit to ensuring access to its public housing then they strongly urge that the CHA NOT federalize all 441 units it currently proposes but rather retain some number of units as state public housing. It was further noted that Cambridge is a sanctuary city, committed to the rights of immigrants to live in Cambridge with dignity and without fear.

R: Please see earlier response.

Public Process & Participation, Written Comments, Greater Boston Legal Services, dated November 17, 2009

C: Commenters have reiterated concerns regarding the effect the proposed changes will have on immigrants as stated in the November 9th letter.

R: CHA duly notes this.

C: Commenters expressed concerns about the significant rent increases due to the differences in the state rent formula and CHA's rent simplification formula for federal public housing. Specific concerns identified include the imposition of a $50 minimum rent, elimination of a large number of income deductions and exclusions including medical expenses for all (not just elderly or disabled), the exclusion of $8320 of elder wages, and exclusion of child support payments for children living outside the home. Commenters propose that the CHA: (1) establish a transitional period of one year to allow households to prepare for any resultant increases; (2) limit rent increases to $50 per month; (3) expand eligibility criteria for hardships and remedies to include for example medical expenses of families (not just disabled or elderly households; and (4) use a lower formula for rent for mixed-immigrant families, either 32% or 30% with $5/month/person surcharge.

R: CHA duly notes concerns, and has started to analyze the potential impact resulting from these differences. The initial data indicates that 77% of affected households will have rent decreases, and only 23% will have rent increases with the bulk of those increase $50 and below. CHA will continue to assess the impact of the change especially as it gets additional information on families' immigration status, and work to mitigate any hardships which results. CHA will limit any increase in rent to $100 per month for the first two years or alternatively the CHA could delay the transfer to the federal rent simplification for one year for all households transitioning from the state public housing program to the federal program.

C: Commenters requested assurances that the CHA will honor its previous commitment to make the agreed upon changes to the preference/priorities and emergency criteria for admission.

R: The proposal to transfer state public housing units to the federal public housing program does not impact CHA's previous commitments to the preference/priorities and emergency criteria for admission.

C: Commenters request that the CHA commit (in writing) to comply with state regulations at 760 CMR 6.09(3), which allow for important resident council input absent a formal MOU.

R: Once the proposed migration from state public housing to federal public housing is complete, the developments will come under federal rules. On a practical basis, we have treated all tenant councils the same whether federal or state and will continue to do so.

Scope of Work

11/18/2009

DEVELOPMENT	# OF UNITS	PROPOSED IMPROVEMENTS	CONSTRUCTION BUDGET	ARRA FUNDED	RESERVES	DHCD REQUEST
Manning	198	Elevator Upgrade and Sprinkler System Repairs	$ 869,000.00	$ 398,000.00	$ 104,000.00	$ 367,000.00
116 Norfolk Street	37	Elevator Upgrade, Accessibility Improvements and Sprinkler System Repairs	$ 370,000.00	$ 78,000.00	$ 20,000.00	$ 272,000.00
St.Paul's	20	Kitchen and Bathroom Upgrades	$ 120,000.00	$ 40,000.00	$ -	$ 80,000.00
Linnaean Street	20	Kitchen and Bathroom Upgrades	$ 40,000.00	$ 40,000.00	$ -	$ -
2050 Mass Ave	51	Window Replacement	$ 150,000.00	$ 102,000.00	$ -	$ 48,000.00
Willow Street	14	Site Improvements	$ 28,000.00	$ 28,000.00	$ -	$ -
Woodrow Wilson Court	68	Hallway Renovations, Heat Pump/Burner Refurbishment, Masonry Repairs and Site Improvements	$ 136,000.00	$ 136,000.00	$ -	$ -
State Elderly Condo	5	Kitchen and Bathroom Upgrades	$ 32,500.00	$ 10,000.00	$ -	$ 22,500.00
State Family Condo	17	Kitchen and Bathroom Upgrades	$ 110,500.00	$ 34,000.00	$ -	$ 76,500.00
Hingham	4	Painting, Paving and Site Improvements	$ 16,000.00	$ 8,000.00	$ -	$ 8,000.00
Inman	4	LBP Abatement and Kitchen Upgrades	$ 16,000.00	$ 8,000.00	$ -	$ 8,000.00
	438		$ 1,888,000.00	$ 882,000.00	$ 124,000.00	$ 882,000.00

JACKSON GARDENS

RESIDENT RELOCATION POLICIES AND PROCEDURES AGREEMENT

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Attachments

A. Jackson Gardens Proposed Unit Mix

B. Funding Sources

C. The Moving Process – Know Your Rights and Responsibilities

D. Jackson Gardens Permanent Housing and Benefits Guarantee Agreement

I. WHY ARE RELOCATION POLICIES AND PROCEDURES NEEDED?

The purpose of this Relocation Plan is to establish policies and procedures for vacating and reoccupying of Jackson Gardens (JG) in connection with the Cambridge Housing Authority's (CHA) proposed reconfiguration and substantial renovation of Jackson Gardens. The intent of this plan is to facilitate the construction work while, to the greatest extent possible, minimizing the impact the relocation will have on the residents of Jackson Gardens.

The Cambridge Housing Authority, utilizing funding provided by the Commonwealth of Massachusetts' Department of Housing and Community Development (DHCD) and other sources, is planning the reconfiguration and renovation of the existing units at Jackson Gardens. The planned scope of the construction is very extensive. CHA estimates that the construction and soft costs for Jackson Gardens and Lincoln Way will be $55,768,798. All forty-five (45) JG households will be required to relocate to allow the CHA to complete the work.

The construction work will consist of <u>one</u> phase. The tenants living in Building A and Building B will be required to temporarily relocate elsewhere during the same time period. The CHA anticipates that this relocation will start in January 2010 but tenants may elect to move after the CHA's Board of Commissioners approves this Plan (which is anticipated to be on November 18, 2009). The reconfiguration and renovation of the entire development (both buildings) is expected to take 12 to 14 months starting approximately in the beginning of May 2010. The temporary relocation period should last roughly the length of construction, plus moving time. (This is the CHA's current schedule. If there are any significant changes to the schedule, the CHA shall notify all JG tenants in writing as soon as possible).

Every JG resident who is temporarily relocated will be guaranteed the option to return to JG once the construction work is complete per the terms outlined in this Agreement. No household will be permanently displaced from JG as a result of the reconfiguration and renovation at Jackson Gardens.

After construction, JG will consist of 45 apartments, as described more fully in Attachment A and below. After construction, there will be 8 one bedroom apartments (where there are none now), 22 two bedroom apartments (where there are 21 now), 12 three bedroom apartments (where there are 24 now), plus 1 one bedroom ADA unit and 2 two bedroom ADA units (where there are none now).

	Number of Bedrooms in Unit	Current Unit Mix	Unit Mix after Reconfiguration
Building B	1 bedroom	0	4
	2 bedroom	6	9
	2 bedroom (ADA unit) *	0	1
	3 bedroom	12	4
	TOTAL – Building B	18	18
Building A	1 bedroom	0	4
	1 bedroom (ADA unit) *	0	1
	2 bedroom	15	13
	2 bedroom (ADA unit)*	0	1
	3 bedroom	12	8
	TOTAL – Building A	27	27
	GRAND TOTAL	45	45

* ADA unit means a unit that is wheelchair accessible.

The CHA and its affiliates shall use various federal, state, and local funds (as listed in Attachment B) for this redevelopment project. During and after construction, JG shall be owned by a Limited Liability Company (LLC) but the LLC shall be managed by a non-profit affiliate of CHA. Until the construction is complete, JG will continue to be state public housing. After the construction is complete, all 45 of the apartments will be operated as federal public housing and 41 of those apartments will also have federal low income housing tax credits. See chart below.

	Tax Credit Units	Non-Tax Credit Units (2 bedroom apartments)	Non-Tax Credit Units (3 bedroom apartments)	Total Units
Federal public housing	41	2	2	45

All 45 units will be subject to the CHA's Moving to Work authority. It is important to note that the eligibility and other rules of the two federal housing programs are different from those currently in effect for JG (which is state public housing). The CHA and its affiliate(s) intend to operate the federal public housing units at JG, after construction, the same as the CHA's current operation of federal public housing under Moving to Work except where the federal low income housing tax credit program imposes different requirements (such as income limits on initial eligibility and continued occupancy and relating to student status). Additionally, the CHA shall consider the adults of all 45 households as members of the Jackson Gardens Tenant Council.

This Resident Relocation Policies and Procedures Agreement ("Agreement") details the policies and procedures the Cambridge Housing Authority will employ in relocating each

household at Jackson Gardens. It will ensure that all households are provided with the same information and afforded the same opportunities in choosing a relocation option. This Agreement is not meant to supercede or limit any rights of tenants, as displaced persons, under state law (e.g. M.G.L. c. 79A, DHCD Regulations at 760 CMR 27.00 Relocation Assistance, and the Bureau of Relocation "Guideline for the Temporary Relocation of Person(s) from Residential Dwelling Unit(s)," dated January 2008) and federal law (e.g. 42 USC 4601 et seq., federal regulations at 49 CFR Part 24 and at 24 CFR Part 42, and HUD Handbook No. 1378).

2. WHO IS RESPONSIBLE FOR RELOCATION?

The following agencies and individuals have responsibility for the JG relocation program:

Mass. Department of Housing and Community Development (DHCD) – serves as the State funding agency for the Project and will serve to provide oversight for the tenant relocations.

U.S. Department of Housing and Urban Development (HUD) – serves as the federal funding agency for the Project and will serve to provide oversight for the tenant relocations and construction.

Cambridge Housing Authority (CHA) – provides the day-to-day management of the family housing development and will act as the Relocation Advisory Agency providing overall coordination of the relocations during construction. Through the use of CHA staff or consultants, CHA will manage the details of the tenant relocations and construction. CHA will secure the necessary contracts to achieve the relocations, will pay for the tenant relocations and assist the tenants during the moves.

Relocation Coordination Manager (RCM) – for the purpose of JG Relocation Plan, CHA will identify a primary point of contact for coordinating the tenant relocations including moves on site, moves off site, and moves back to JG after the construction is complete. The RCM will be responsible for the following:

1) Serve as the point of contact (liaison) among the tenants, DHCD, HUD, the architect, the general contractor and the other parties involved in the relocation and construction for the Project. As the liaison, the RCM will oversee the general coordination of activities to minimize the impact of the relocation on the tenants.

2) Maintain the overall schedule for the relocations. As part of this effort, the RCM will coordinate with CHA's Planning and Development Department to monitor the construction schedule and provide timely notice to the tenants of changes in the proposed relocation schedule.

3) Solicit bids and secure contracts with several moving companies and a cleaning company to ensure a fully coordinated and smooth relocation of the tenants.

4) Oversee meetings to be conducted to brief the tenants on the relocation plans. At the tenant meeting(s), the RCM will explain the relocation process, outline the schedule and discuss the logistics of the relocation.

5) Prepare a "relocation package" for the tenants to include the following:
   a) A brief description of the relocation process (mover, utilities, etc.)
   b) Contact persons and telephone numbers to use during the relocation.
   c) US Mail change of address package.
   d) Notification form with dates for the relocation. Note: This form is to be signed by the tenant.
   e) Relocation checklist.
   f) Claim Form and a description of the Tenants' "rights" as they pertain to this Plan.
   g) Description of the plans for the newly constructed JG.

6) Notify the tenants in writing at least 120 calendar days (4 months) before the relocation.

7) Establish the schedule for activities and coordinate the logistics to accomplish the tenant relocations.

8) Forward a follow-up letter to the tenant 30 calendar days after each move advising the tenant to contact the RC if there are any outstanding issues as a result of the relocation.

Relocation Coordinator (RC) – for the purpose of the JG Project, CHA will identify one or more Relocation Coordinators who will serve as the "staff" to the RCM. The RC will be responsible for the following which applies to moves on site, as well as moves from JG and moves back to JG:

1) Serve as the day-to-day contact person with the individual tenants during the relocation;

2) Meet with the individual tenants (on a one-to-one basis) to discuss the particular relocation schedule, process, and logistics;

3) Report directly to the RCM for related job assignments;

4) Schedule the mover and coordinate the transfer of the utilities;

5) Notify the tenant in writing 30 calendar days prior to the actual relocation;

6) Prior to the move, schedule a time with the tenant to visit the new unit and obtain a signature that the walk-through occurred;

7) Meet with the tenant within three (3) business days after moving into their new apartment and prepare a Statement of Condition;

8) If moving into a new unit at JG, provide the Statement of Conditions to the RCM for action if necessary by the architect and/or contractor;

9) Meet with the tenant again within seven (7) business days to discuss status of the Statement of Conditions and relocation. Verify necessary utilities have been successfully transferred;

10) Serve as the "helping hands" and "friendly face" to the tenants during the relocation; and

11) Assist tenants with CHA vouchers to find comparable replacement dwellings with the voucher.

The RCM and RC are part of the CHA's Operations Department. The CHA intends to have the current JG manager serve as the RCM (at least initially) but may reallocate current CHA staff and/or hire new employees or outside contactors for these two positions.

All JG tenants have the right to have any other person(s) attend any meeting with the RCM or RC.

3. WHO IS ELIGIBLE FOR RELOCATION BENEFITS AND ASSISTANCE ?

All current JG tenants are eligible for relocation benefits and assistance unless they are (1) evicted as described below; (2) not listed on the household's most recent lease addendum or otherwise not approved as an occupant by the CHA; or (3) left JG by their own choice before September 3, 2009.

Eviction: If (1) the household received a notice to quit prior to September 3, 2009 and as a result of that notice, is later evicted; or (2) the household received a notice to quit on or after September 3, 2009 for serious or repeated violation of materials terms of the lease and (3) in either case, the eviction is not undertaken for the purpose of evading the obligation to make available the benefits and assistance set forth in this Agreement and the applicable state and federal relocation laws, then the head of household (and household members) are not eligible for relocation benefits and assistance after the date they are evicted. "Evicted" means physically removed from a dwelling unit by order of a court.

However, by relocating any tenant who receives a notice to quit alleging serious or repeated violations of material terms of his/her CHA lease, the CHA is not waiving its rights to proceed with the eviction based on that notice to quit regardless of any lease, recertification, payment of rent, or other action.

Relocation benefits and assistance include temporary and permanent housing, the right to return to JG after construction in accordance with this Agreement, moving and related expenses, and replacement housing expenses.

All references to JG tenants and households in this Agreement mean those JG tenants eligible as explained above.

4. WILL ANYONE BE PERMANENTLY DISPLACED FROM JACKSON GARDENS?

NO ONE will be permanently displaced from Jackson Gardens in order to complete the reconfiguration and renovation.

The head of each JG household will receive a written guarantee from the Cambridge Housing Authority that he/she and all approved household members and occupants (such as foster children, personal care attendants, or other persons with explicit written permission to occupy the unit) will be able to return to Jackson Gardens after the construction is completed *provided that there is no pending eviction process for repeated or serious violations of material terms of their lease that has not been resolved by an agreement.* See Attachment D.

5. CAN RESIDENTS RETURN TO THEIR SAME APARTMENT?

Most likely no. Because JG will be reconfigured (with different sized apartments), many tenants will not be able to return to their "same" apartment. See Attachment A. Instead, before a tenant moves back to the newly constructed JG, he/she will have the opportunity to notify the CHA of his/her first, second, and third choices for an appropriately sized apartment (and will be able to request placement near desired neighbors). Then, the CHA shall make every effort to accommodate at least one of each tenant's top three choices, giving priority to those tenants who designate an appropriately sized apartment in the doorway where they currently reside.

If no JG unit appropriate in size to the family composition is available at the time of the move back to JG, the household will move back to JG to an apartment larger than appropriate and be placed on the over-housed list according to the CHA occupancy guidelines.

The CHA plans to decrease the number of three bedroom apartments at JG in half. Based on past experience, tenants often do not return after construction and/or their household size changes during the construction period. However, if there are more JG tenants wanting to return to JG after construction than there are units available (in appropriate size or larger), then the CHA shall conduct a public lottery to decide who returns first. Those not selected in the lottery shall designate JG or another CHA development, be placed on the top of the waiting list for that development, and be offered the next available appropriately sized apartment (after any applicant approved for emergency status).

6. WHAT RELOCATION OPTIONS WILL BE AVAILABLE?

As part of the Jackson Gardens construction, every household will need to move *at least once* and, if they want to return to JG, then will need to move twice.

All members of a household will need to vacate the JG apartment at the same time in order to comply with the terms of the lease agreement with the CHA and to accommodate the demolition and new construction.

CHA has identified the following housing options that will be available for all Jackson Gardens residents during the construction at JG. These are:

1. Temporarily relocate to another CHA or CHA affiliate development during construction, and return to Jackson Gardens after the construction is complete.

2. Temporarily relocate off site using a CHA-issued federal mobile or project-based Section 8 voucher or Mass. Rental Voucher (MRVP) during construction, and return to Jackson Gardens after the construction is complete.

3. Permanently relocate to another CHA or CHA affiliate development during construction, and remain at that development.

4. Permanently relocate using a CHA-issued federal Section 8 voucher or Mass. Rental Voucher during construction.

Options 1 and 3. Move to Another CHA or CHA Affiliate Development During Construction on a Temporary or Permanent Basis

Some households may choose to temporarily relocate off-site for the duration of the construction work to another CHA or CHA affiliate development. To the greatest extent feasible, CHA will make units available at other CHA or CHA affiliate developments for temporary relocation. Households will be able to list a preference for specific developments. Unit assignments will be made based on initial preferences. CHA will seek to accommodate such preferences to the greatest extent possible and feasible.

Since the CHA cannot be sure of the location of available off-site units, it cannot guarantee that all households interested in moving to another CHA or CHA affiliate development can be accommodated.

Those households who do temporarily relocate off site to a CHA of CHA affiliate development will later need to decide whether to remain in the apartment on a permanent basis or move back to JG once the construction is finished.

CHA shall consider all JG households as administrative transfers to any of its state public housing, federal public housing, and housing owned by its affiliates notwithstanding any provisions of the Admissions/Tenant Selection Plans to the contrary. The household will need to complete a CHA *transfer application*. The CHA will not re-screen applications for transfer other than for immigration status (and, if applicable, any eligibility requirements that apply to the affiliate site, such as tax credits or Section 8, but not resident selection criteria) and may only deny an application for transfer (a) where applying for federal public housing and there are no household members with the HUD-required immigration

status; (b) where applying for affiliate housing and they do not meet the eligibility requirements for the programs that apply to that site (exclusive of the resident selection criteria) and (c) where there is a pending eviction for a serious or repeated violation of a material term of the lease that has not been resolved by an agreement. The CHA shall approve all applications for administrative transfer except as set forth in this paragraph. Where the CHA denies an application for transfer, it will still provide the tenant with a Comparable Replacement Dwelling if the household is displaced including but not limited to when a tenant is required to move from his/her unit prior to the conclusion of a pending eviction.

Options 2 and 4. Move Using a Voucher During Construction on a Temporary or Permanent Basis

Some households may choose to temporarily relocate off-site for the duration of the construction work with a Section 8 or MRVP. To the greatest extent feasible, CHA will assist households in identifying such units available. Immediately upon the signing of this Agreement, the CHA will conduct outreach to prospective landlords including nonprofits and those who own or manage buildings near JG; and then timely make this information available to those JG tenants seeking to relocate with CHA vouchers.

The CHA shall provide a mobile Section 8 or any available mobile MRVP to every household who chooses one so long as the household is income and immigration eligible. (For purposes of Section 8, the income limit is 80% of area median income). For those wanting apartments with project-based voucher assistance, unit assignments will be made based on initial preferences. CHA will seek to accommodate such preferences to the greatest extent possible and feasible.

Those households who do temporarily relocate off site with a CHA voucher (mobile or project-based) will later need to decide whether to remain in that program on a permanent basis or move back to JG once the construction is finished.

Starting on or about November 19, 2009, the CHA shall promptly make available (a) tenant-based Section 8 housing choice vouchers to all JG tenants who request a voucher (and a tenant-based Mass. Rental Voucher if available and requested by any JG tenant) and (b) placement on the administrative transfer list for project-based Section 8 units owned by entities not affiliated with CHA and notwithstanding any provisions of its Section 8 Administrative Plan or other plans to the contrary. The CHA shall require a *completed application* from each tenant requesting a tenant-based Section 8 voucher or a project-based Section 8 apartment to a non-CHA affiliate, but shall not deny the application except for the federally mandated reasons set forth in 24 CFR §982.555(b) and §982.553 or unless the household does not meet the income (at or below 80% of area median income) or immigration restrictions for the Section 8 housing choice voucher program. When a project-based Section 8 apartment becomes vacant (in non-CHA affiliate housing), the CHA shall provide the property owner with the names of all those on the administrative transfer list (needing that bedroom size).

Comparable Replacement Dwelling

The CHA shall attempt to offer all JG tenants three (3) or more comparable replacement dwellings. No JG tenant shall be required to move unless the CHA has offered him/her at least one (1) comparable replacement dwelling. A comparable replacement dwelling means a dwelling which is available to the tenant, located in Cambridge, and

(a) is decent, safe, and sanitary;

(b) functionally equivalent to the tenant's current JG apartment;

(c) is adequate in size to accommodate the tenant and his/her household;

(d) is in a geographic area not subject to unreasonable adverse environmental conditions;

(e) is in a location generally not less desirable than the location of the tenant's current JG apartment and in a location similar to the tenant's current JG apartment with respect to public utilities, commercial and public facilities (including but not limited to children's current school(s), grocery stores, health care providers, place of worship, and public transportation) and reasonably accessible to the schools and places of employment of the tenant and all household members;

(f) is within the financial means of the tenant;

(g) is appropriate in light of any medical needs of the tenant and household members;

(h) whose landlord will allow the tenant to have, in the dwelling, those cats or other pets that the CHA has approved in writing; and

(i) where free parking for the tenant's current motor vehicles is reasonably available and near the dwelling unit.

If a tenant selected Option 2 above and was issued a mobile voucher but was then unable to lease up a Comparable Replacement Dwelling under that voucher program, then the CHA shall offer that tenant at least one Comparable Replacement Dwelling, so long as the tenant notifies the CHA within four months of the issuance of the voucher.

The CHA shall assist tenants with mobile vouchers to negotiate lease terms which coincide with the anticipated length of the relocation and construction period (which is anticipated to be more than one year).

If, during the JG demolition/construction period, a tenant (who selected option 2 above) receives a notice to quit from a landlord of a Section 8 apartment (for any reason other than serious or repeated violation of material terms of the lease as determined by a court) and provides the CHA with a copy of this notice, then the CHA shall assist the tenant with finding another suitable Section 8 apartment and shall also immediately place the tenant on the waitlists for CHA

public housing and CHA affiliate housing, as an administrative transfer, as of the date of the CHA's receipt of the notice to quit. The CHA shall offer the tenant the next available apartment (of the appropriate size or one bedroom smaller) consistent with his/her position on the wait lists as an administrative transfer.

7. HOW WILL HOUSEHOLDS SELECT THEIR RELOCATION HOUSING OPTION?

The CHA will develop an information package to be given to all Jackson Gardens households to provide the information necessary to make a fully informed decision.

Households are strongly advised to fully utilize the information provided and to carefully and thoroughly consider all relocation housing options before making a selection. Either the Relocation Coordination Manager or the Relocation Coordinator will be available to meet with residents and their families individually to assist in making choices. Residents may have anyone else attend their meetings, including friends, relatives, a member of the **Jackson Gardens Tenant Council [telephone: (617) 497-6386]** or the city-wide Alliance of Cambridge Tenants [telephone: (617) 499-7031]. A description of the information package and the process for selecting a preference for relocation housing are described below.

7.1 Relocation Information Package

The CHA will prepare an information package to distribute to all Jackson Gardens households to provide written information about the various relocation options available, as well as planned meetings to keep tenants updated on relocation.

7.2 Selecting a Relocation Option

Each household will meet privately with the Relocation Coordinator (RC) or Relocation Coordination Manager (RCM) to make a relocation housing selection. The RC or RCM will outline the entire relocation process, and review with the household the resources and choices available for relocation. At this meeting, the household will sign a worksheet that will document:

(a) Each resident's tentative decisions in order of preference to relocate with a voucher, or to relocate to a CHA or CHA affiliate development and, if known, may indicate whether such any off site relocation is temporary, permanent, or unknown at this time. (Until the JG construction is completed, the resident will not have to make a final decision as to whether his/her relocation is temporary or permanent).

(b) Any preferences for specific development or unit assignments and timing of the moves.

(c) If the household is considering federal housing programs during the construction period and there are some members who are not U.S. citizens and permanent legal residents.

(d) Any special health, school, public transportation, neighborhood, or similar considerations for relocation housing.

(e) Information regarding need for packing assistance and any large, unusual, or difficult items to be moved. (The CHA will provide packing services as necessary, but requires some general information regarding level of need to adequately schedule the services).

(f) The number and type of pets which each tenant currently has.

(g) The need for temporary storage during the construction period, including but not limited to refrigerators, freezers, washing machines, and clothes dryers.

(h) The tenant's primary language spoken at home (if other than English) and the language in which the tenant prefers to receive written communication.

Two copies of the completed worksheet will be provided to each household, and the original will be filed in the household's relocation file.

CHA will take care to respect the privacy rights of each household. Any personal data which is necessary for the relocation will be kept confidential and not shared with anyone unless required by law, with the tenant's written permission, or among CHA staff where necessary to perform the staff person(s)' job.

7.3 Changing A Relocation Option

Households are strongly advised to carefully and thoroughly consider all relocation options before making a selection. While it may be possible to later change the selection, households may not be eligible for the same benefits as initially available, such as specifying a certain off-site location.

8. HOW WILL RELOCATION APARTMENTS BE ASSIGNED?

Approximately forty (40) days before a household's move, Cambridge Housing Authority's Relocation Coordinator (RC) will meet with each household to: (1) discuss the upcoming move; (2) discuss the relocation options; (3) confirm if there is a need for moving or packing assistance; and (4) identify potential moving dates. The CHA will also provide the household with another copy of the handout "The Moving Process - Know Your Rights and Responsibilities" (See Attachment C).

Moves to other CHA and CHA affiliate housing developments will be based on specific resident need and interest as well as HUD-required immigration status. The CHA will develop a unit assignment plan based upon the following criteria:

*Appropriate unit size

*Households having any pertinent medical need

*Tenant Preference

*Immigration Status

For those residents who do not have any household member with the HUD-required immigration status, the CHA shall give them priority for state public housing and MRVP.

The CHA will use a lottery to develop a unit assignment plan for those tenants who meet the same criteria. All JG tenants shall be notified in advance of the date and time of the lottery (or lotteries). They shall be conducted at Jackson Gardens community room and open to any interested person.

9. HOW AND WHEN WILL THE MOVE HAPPEN AND WHO WILL PAY FOR IT?

All households must move *all* of their belongings from their apartments regardless of whether the move is a temporary or permanent one. Each household will be responsible for packing all belongings and preparing furniture for moving. The Cambridge Housing Authority will make special arrangements to provide assistance in packing, unpacking, and moving as necessary. The CHA will provide boxes and other moving supplies to all households at least one month in advance of a household's moving date. Households are encouraged to return boxes that are in good condition to the CHA so that they may be recycled for potential use by others.

In all instances, a household will not be required to move during the fourth week of November, and the last two weeks of December, or during times when a household is otherwise celebrating a culturally or religiously significant event.

9.1 Notification Requirements (for moves from each tenant's current JG apartment)

The Cambridge Housing Authority will provide all Jackson Gardens households with at least **120 days** (4 months) written notice of the earliest date by which he/she may be required to move from his/her current JG apartment *(but the tenant may agree, in writing, to a shorter period of notice to facilitate a transfer to a specific Comparable Replacement Dwelling of the tenant's choice)*. Either a minimum of one Comparable Replacement Dwelling shall be identified in this notice or the notice must state clearly that the tenant will not have to move earlier than **90 days** after such a dwelling is made available to him/her.

The CHA will also provide households with update notices periodically throughout the construction period to note any changes to the project phasing schedule. This information will be provided to all residents regardless of whether or not they currently reside at Jackson Gardens.

As each household's individual move date from his JG apartment approaches, CHA will notify the household approximately 30 days before a potential date that packing boxes and materials are available and to discuss the choices in apartments, movers, and moving dates.

The CHA shall provide each tenant with a minimum of 30 days written advance notification of the specific date on which he/she must move from his/her current JG apartment, unless the tenant agrees, in writing, to a shorter period of notice to a specific Comparable Replacement Dwelling of the tenant's choice.

All notices to residents will be sent by personal delivery service or certified mail, return receipt requested. All notices will be in the language read by the person(s) to be relocated.

SUMMARY OF STEPS FOR MOVE FROM JG

STEP 1		Individual Meeting with Relocation Coordinator to review and select relocation option
STEP 2	120 days notice *	CHA sends notice to household of the earliest date they will be required to move from current apartment. The notice may also include an offer of one or more specific Comparable Replacement Dwellings
STEP 3	90 days notice	CHA sends notice to each household with an offer of at least one specific Comparable Replacement Dwelling (if not included in the 120 day notice)
STEP 4	About 40 days before the move	CHA meets with each household to discuss moving logistics
STEP 6	About 30 days before tentative move date	CHA sends notice that packing boxes and materials are available and discusses with each household choices in apartments, movers, and moving dates
STEP 5	30 days notice before the move *	CHA sends notice to household of the specific date on which they must move

* The Tenant may agree, in writing, to a shorter period of notice to facilitate a transfer to a specific apartment of his/her choice.

9.2 Being Ready for the Move (from current JG apartment and back to new JG apartment)

Households must be fully packed and ready to move on their assigned move day. If a household is not ready to move on its specified day, the CHA will charge a $100 "not ready" fee as an incentive to be ready as well as to cover the moving company's cost. The moving date will then be rescheduled to occur within 48 hours of the original move date. If the household is still not ready on the rescheduled date, the movers will be

instructed to assist the household in packing so the move can take place that day. The cost of this packing assistance will be charged to the household.

Households must notify CHA in advance if there are any special needs or requirements for their individual move, such as relocating an air conditioner, carpeting, or unusual furnishings. Additionally, households are expected to prepare all furnishings, including window treatments, for their move. Households requiring any assistance must notify the CHA in advance. CHA will provide assistance as needed at no cost to the household. However, proper notification is required.

All belongings must be packed or properly disposed of, and units completely emptied upon completion of the move from the tenant's current JG apartment. Residents disposing of furnishings or other belongings should contact the Jackson Gardens Management Office for assistance. The CHA shall provide extra dumpsters and make arrangements for tenants to donate unneeded furnishings in good condition. The CHA shall permit the tenants to hold a yard sale on site.

Households must notify the U.S. Post Office, Social Security Office; and other agencies, individuals, companies, etc. of their change of address. Households also must notify the telephone, cable, electric, and other utility companies of the need for a transfer of service prior to their move date. The Cambridge Housing Authority will provide assistance with the notification process as required, and will reimburse any fees charged to complete the transfer of service.

9.3 Moving Related Costs and Payment of Costs (from each tenant's current JG apartment and back to the new JG apartment)

Moving and Storage Costs : Jackson Gardens households will not incur any costs associated with moving their belongings (a) to their permanent or temporary replacement apartment, regardless of whether the unit is on or off site, and (b) to and from storage. However, for moves more than 50 miles from JG, the CHA will pay the amount listed in the most recent "Fixed Residential Moving Cost Schedule" for Massachusetts (which, as of August 22, 2008, is $950 for two bedroom/four room apartments and $1100 for three bedroom/five room apartments) or, on a case by case basis, may approve more than the amount listed on the Schedule. CHA will also cover the cost of temporarily storing personal property of households until that household is offered a new unit at JG and either the tenant moves back to JG or the tenant forfeits the right to move back, whichever comes first. This storage will include but not be limited to air conditioners, refrigerators, freezers, washing machines, and clothes dryers.

The CHA will contract with professional movers to provide moving services, and will contract with a storage center as needed to provide secured space for storing belongings. The moving companies and storage center will bill the CHA directly for services and/or costs. CHA will also provide assistance with packing and unpacking as required, and

will cover all packing costs as well. (Under no circumstances should residents move themselves. All moves are to be conducted by professional movers. This does not prohibit tenants from moving perishable, fragile, or other small items themselves if they so choose but at their own risk).

Residents who require assistance packing or unpacking, or have any special moving needs, must contact CHA at least 10 working days prior to their scheduled move to ensure sufficient time to schedule the appropriate assistance. Residents who do not provide this notification, and as a result, are not ready for the move on their assigned day, may be charged $100 to partially cover the cost of either completing the packing on that day by the moving company, or rescheduling the move to allow time to complete the packing.

Moving Materials: The Cambridge Housing Authority will provide all boxes, tape, and similar supplies needed to complete each move from their current JG apartment and back to the new JG apartment. Materials will be made available on site (or at a place convenient for tenants living off site) on an as needed basis. Residents should contact CHA in advance if additional supplies are required.

Utility Reconnection Expenses: The CHA will reimburse all JG tenants for the actual costs associated with transferring existing telephone, internet, and cable television services related to the moves from their current JG apartment and the moves back to JG. However, the CHA will not cover the cost of telephone, cable, electricity or other utility bill arrearages. The CHA will reimburse residents for the actual transfer cost upon presentation of an itemized bill from the utility company.

Security Deposits: If the landlord of the Comparable Replacement Dwelling requires a security deposit from the tenant, then the CHA shall pay the landlord such amount, which shall not be refunded to the tenant. However, if the tenant had paid a security deposit to CHA for JG, then the CHA shall apply said deposit (and all accrued interest) to the security deposit required by the landlord and that amount shall be refundable to the tenant .with statutory interest. If a tenant relocates into another CHA development, the CHA shall not charge a security deposit (but any security deposit already paid to CHA will be transferred, with interest, to the new apartment). If a tenant has never paid a security deposit to CHA, then CHA will not charge the tenant a security deposit upon his/her return to any new JG apartment.

Last Month's Rent: If the landlord of a Comparable Replacement Dwelling requires a last month's rent paid in advance, then the CHA shall pay the landlord such amount and then, for the tenant's last month of occupancy at said Dwelling, the tenant shall pay the CHA his/her portion of the last month's rent.

Early Termination Costs: The CHA shall permit early terminations of leases and shall pay any expenses that the tenant may incur as a result of early termination of a voucher

or other lease where such early termination is necessary to enable the tenant to return to JG after construction is completed.

Other Moving Related Costs: CHA will pay directly or reimburse households for other reasonable moving related costs provided the household receives *prior written approval* from CHA for any such expense. This applies to moves from a tenant's current JG apartment, moves on site, and moves back to JG. CHA will not be responsible for either picking up and placing back down or replacing a carpet that a household may have installed in his/her apartment.

9.4 Replacement Housing Costs

A. **Rental Assistance:** The CHA shall pay each tenant who *rents* a replacement dwelling 42 times the difference between (1) his/her rent at JG (for the month of the move) and electricity at JG (the average of the electric bill for the last twelve months) and (2) the estimated rent and tenant-paid utilities at the Comparable Replacement Dwelling, up to a maximum of $5250.

However, where the Comparable Replacement Dwelling is government assisted housing (e.g. public housing, tenant-based Section 8, project-based Section 8), then the CHA shall pay 42 times the difference between (1) his/her rent at JG (for the month of the move) and electricity at JG (average of the electric bill for the last twelve months) and (2) the tenant's actual rent and tenant-paid utilities at the Comparable Replacement Dwelling.

Where the tenant resides in another CHA-owned public housing apartment or CHA affiliate owned housing, the CHA shall distribute these rental relocation payments in monthly installments directly to the CHA or CHA affiliate (as the landlord). In all other cases, unless the tenant designates otherwise, the CHA shall distribute these payments in monthly installments directly to the tenant. Where the tenant is responsible for paying for heat, the CHA shall provide the tenant with advance relocation payments during the months of November through March equal to the estimated increase in the total housing costs for the household (with the methodology to be negotiated between the Jackson Gardens Tenant Council and the CHA and formalized in a Memorandum of Understanding).

Where a tenant is intending to move to a property that is not CHA owned, the tenant should obtain CHA's advance approval to insure that the apartment meets all requirements of the Section 8 housing choice voucher program and qualifies as a Comparable Replacement Unit. Failure to get such permission could result in the CHA not being able to pay a subsidy for the apartment.

These payments shall start as of the first date of the tenant's tenancy at the replacement dwelling and shall continue until (a) 42 months have elapsed; (b) the tenant returns to the new JG; or (c) the CHA has paid the $5250 maximum, whichever comes first.

B. **Down Payment Assistance:** The CHA shall pay each tenant who *purchases* a replacement dwelling the amount of the amount described in the first paragraph of (A) above but in a lump sum to be used as down payment assistance.

9.5. Relocation claims

Following receipt of a claim for Moving Related Costs or Replacement Housing Costs, the CHA agrees to conduct an expeditious review and shall promptly notify the claimant about the need for any additional information in order for the CHA to determine the claim. Payment for a claim shall be made within 20 business days following receipt of documentation that establishes claimant's entitlement. Before denying any claim, the CHA shall offer the tenant a face to face meeting to discuss the claim. If the CHA denies the claim, the CHA shall provide written notice to the tenant of the detailed reasons for the denial and the process for filing an appeal.

9.6 Statement of Assurance:

As part of the information packet prepared and distributed by CHA, all households will receive a statement of assurance signed by the head of the CHA stating that relocation assistance payments will be provided to temporary or permanently displaced residents in accordance with this Agreement and applicable laws. See Attachment D.

10. WHAT HAPPENS WHEN JACKSON GARDENS CONSTRUCTION IS FINISHED AND WHAT HOUSING RULES APPLY?

10.1 All JG tenants shall have the right to return to the new Jackson Gardens upon its completion in accordance with this Agreement and as evidenced by the attached Jackson Gardens Permanent Housing and Benefits Guarantee Agreement.

10.2 The CHA and the new owner of JG shall operate the 45 new apartments as *federal* public housing which shall be governed by the law applicable to CHA's federal public housing program under Moving to Work in all respects except as required by the Regulatory and Operating Agreement between CHA and the new owner. The CHA and/or the owner of the new JG shall provide the Jackson Gardens Tenant Council and its attorneys with copies of the proposed Regulatory and Operating Agreement (and proposed lease) with sufficient time to enable the Tenants Council to meet with the CHA and the new owner, to obtain relevant information from the CHA and the new owner, and to submit comments prior to the execution of the Regulatory and Operating Agreement (and implementation of the lease).

10.3 Notice of Estimated Occupancy Date at the new JG: The CHA shall provide all JG tenants with as much notice as possible, but at least seventy-five (75) days, of the estimated date that the new JG apartments will be available for occupancy. Any tenant electing to return to the new JG shall notify the CHA that he/she elects to return within the time limits specified in the chart and the sections below.

10.4. Notice of Actual Occupancy Date: The CHA shall provide at least 30 days written notice of the actual date that the new JG will be available for occupancy. The CHA shall contact each tenant by phone or in person to confirm receipt of the notice and to make arrangements to view the new JG.

10.5 The CHA will hold a new JG unit for 30 days if a tenant has good cause (e.g. medical reason) for not being able to return on the scheduled re-occupancy date. However, if a tenant

does not elect to return to the new JG as provided in Section 10.3 above, or within such further time as allowed by CHA for good cause, then the tenant forfeits (gives up) the right to return to the new JG at the initial lease ups

10.6 If a tenant elects to return to the new JG as set forth in STEP 3 below but cannot move within the time limits set by CHA, then for good cause shown, the CHA shall place the person on the wait list for JG ahead of outside applicants.

10.7 ADA Apartments: The new JG will have three (3) apartments ("ADA Units") on the first floor which will be wheelchair accessible. Once the reconfiguration and renovation of JG is complete, then priority for these ADA units is as follows:

First priority: Emergencies (applicants granted emergency status by the CHA)

Second priority: JG residents who need the ADA unit

Third priority: Households on the CHA's reasonable accommodation waiting list.

Fourth priority: Applicants on the CHA waitlist for public housing who need such a unit

Fifth priority: JG tenants who do *not* need such a unit (provided that the tenant must sign a lease amendment providing that he/she will transfer to another JG unit if an applicant or tenant needs such a unit and meets one of the priorities described above)

STEP 1	75 days	CHA shall notify all JG tenants at least 75 days before the estimated date that the new JG apartments will be ready for occupancy
STEP 2		The CHA shall hold open houses for tenants to view a model unit (with all finishes) and other units which would be about 80% complete. At least some of the open houses will be at times convenient for working tenants, including at night or on a weekend. The CHA shall provide as much advance written notice as possible of the dates and times of the open houses and of the tenant's deadline to elect to return to JG. The CHA shall send a preference form to tenants with the announcement of the open houses and also make the form available at the open houses.
STEP 3	10 business days	Each tenant shall notify the CHA within 10 business days of the date of the last open house that he/she (1) elects to return to JG (and any preferences for units) or (2) does not elect to return to JG. See above for good cause exceptions. See also Section 5 above.
STEP 4		The CHA shall offer tenants in writing a specific unit. (If there are more off site tenants electing to return than there are available appropriate or larger units, then CHA shall conduct a lottery to determine which off site tenants return first. See Section 5). Tenants shall be notified in advance of the date, time, and place of the lottery and be allowed to observe.

STEP 5	7 days	Each tenant offered a unit at JG shall notify the CHA, within 7 days of receipt of the offer, of his/her decision to accept or not accept the offer. See above for good cause exceptions. If a tenant does not accept the offer, then the CHA shall offer the apartment to the tenant next in line as established by the lottery described in Step 4 above.
STEP 6	30 days	The CHA shall provide each tenant with at least 30 days advance written notice of the actual move date to return to the specific JG apartment. See above for good cause exceptions.

11. WHAT INFORMATION WILL TENANTS RECEIVE?

11.1 After this Agreement is signed, the CHA shall cause a copy to be sent to each tenant. If the tenant reads Creole, Spanish, or Portuguese (as his/her primary language), then the CHA shall translate and provide this Agreement to the tenant in Creole, Spanish, or Portuguese as applicable. If a tenant cannot read English, Creole, Spanish, or Portuguese, then the CHA shall provide an oral interpretation of this Agreement if requested by the tenant.

11.2 Until the new JG is completed, the CHA shall conduct informational meetings, at least monthly unless both parties agree otherwise, to update JG tenants of the status of the relocation and construction. The CHA shall also provide all JG tenants and the Alliance of Cambridge Tenants with newsletters or other written information containing any significant updates in the relocation and construction process.

12. WHAT HAPPENS TO THE JACKSON GARDENS TENANT COUNCIL?

12.1 The CHA shall maintain a list of the former and current addresses of each tenant household subject to this Agreement.

12.2 The CHA shall continue to recognize the Jackson Gardens Tenant Council (JGTC) as the official tenants organization for Jackson Gardens regardless of the location at which the current JG tenants reside. Members of JGTC who are temporarily relocated pursuant to this Agreement shall continue to be members throughout the relocation process regardless of the location at which they reside. Commencing as of the date this Agreement is signed by the CHA, and continuing at least until all phases of JG construction are completed, the CHA shall continue to fund JGTC at its current level or any increased level approved by the CHA Board of Commissioners for state public housing and after the completion of the new JG, the CHA shall fund JGTC at whatever level is approved by the CHA Board of Commissioners for CHA's federal public housing developments.

12.3 The CHA shall mail material to all tenants on the list described in Section 12.1 above on behalf of the JGTC upon JGTC's reasonable request.

12.4 The CHA shall provide, without charge, reasonable space for meetings of the JGTC before, during, and after the relocation period.

12.5 The CHA agrees to provide reasonable access to the records of CHA or its consultants which may be reasonably necessary for JGTC to verify compliance with this Agreement, subject to the provisions of state and federal privacy laws.

13. WHAT HAPPENS IF THERE IS A PROBLEM OR COMPLAINT?

Any Jackson Gardens household who has an individual complaint with respect to the implementation of these relocation policies and procedures may file a written grievance stating the grounds of his/her complaint. This complaint should be filed with the Relocation Coordination Manager (RCM) and can be made individually or with the assistance of a member of the Jackson Gardens Tenant Council , the Alliance of Cambridge Tenants, or anyone else. Within five days of receipt of the complaint (or such further time as the tenant agrees), the RCM shall meet with the tenant (and any tenant representative) to fully review the complaint and seek to resolve it. With seven business days of this meeting, the RCM will provide the tenant with a written response to the complaint detailing his/her findings, any proposed resolution, and notice of the tenant's appeal rights.

If the tenant is not satisfied with this resolution, he/she may submit the claim to the CHA Grievance Panel (attention: Legal Department). A copy of the grievance procedure is attached to the CHA public housing lease and will be made available by the RCM upon request. The CHA Grievance Panel shall hear and decide the matter in an expeditious manner.

In addition, any tenant who disagrees with a CHA (staff or grievance panel) decision as to the right to relocation assistance or the amount of a payment, or the adequacy of the housing to which he/she has been referred, may appeal the decision to the DHCD Bureau of Relocation in accordance with state regulations at 760 CMR 27.04 (4)(f) and (g). Contact information is as follows: Department of Housing and Community Development, 100 Cambridge Street, Suite 300, Boston, MA 02114, attention: Bureau of Relocation/Community Services Division. Phone (617) 573-1400.

Signed in duplicate this on the dates indicated below

CAMBRIDGE HOUSING AUTHORITY

By: Gregory Russ
Gregory Russ
Executive Director

Date: 11/18/09

JACKSON GARDENS TENANT COUNCIL

By: Catiana Jean-Pierre
Catiana Jean-Pierre
President

Date: 11/13/2009

By: _____
Mohammed N. Abdella
Vice President

Date: 11/13/09

By: _____
Said Elfathy
Treasurer

Date: 11 / 13 / 09

By: _____
Maraira Rios
Secretary

Date: 11/13/09

By: _____
Ali Ghoulidi
Secretary

Date: 11 - 13 - 09

Revitalization of Lincoln Way and Jackson Gardens
Permanent Financing Sources
(construction funds and soft costs)

Source	$
HUD Federal Stimulus Funding	10,000,000
Tax Credit Equity Investor	15,384,000
1st Mortgage	1,178,000
CHA/MTW Capital Funds	7,166,633
CHA Acquisition Loan	3,884,892
CHA Developer Fee Contribution	1,407,007
City of Cambridge Affordable Housing Trust	7,166,633
Massachusetts DHCD Modernization Grant	7,166,633
Solar Power Purchase Equity	915,000
CHA Deferred Developer Fee	1,500,000
Total	***55,768,798***

Attachment C

THE MOVING PROCESS:
KNOW YOUR RIGHTS AND RESPONSIBILITIES

Dear Jackson Gardens Resident:

The upcoming new construction at Jackson Gardens requires that you and your neighbors must move out of your apartment. You will have many important choices and opportunities resulting from the new construction. You should carefully and thoroughly consider all of your relocation options before making a selection. Once you make a selection, you must pack all your belongings, and be ready to move on your specified date. Professional packing services will be made available as necessary. It is important that you know your rights and responsibilities.

Your Rights

1. To have the Cambridge Housing Authority (CHA) provide you with a choice of relocation options which will provide you with decent, safe and affordable housing as you move from Jackson Gardens or to another Jackson Gardens apartment.

2. To provide you with another apartment at another CHA development or Section 8 when you are relocated for modernization purposes in accordance with the terms and conditions of the Jackson Gardens Resident Relocation Policies and Procedures Agreement.

3. To have the CHA cover all eligible moving-related expenses associated with the relocation including actual moving cost and utility reconnections, and to provide moving assistance to those in need.

4. To offer you to the degree possible a choice among moving dates.

5. To have the CHA or its agent provide moving boxes and related packing materials as needed.

6. To have the CHA provide at least 30 days notice of your actual move date and to establish a no-move policy during all Thanksgiving and Christmas holiday periods.

7. To have the CHA conduct a fair and open process in full accordance with the policies and procedures detailed in the Jackson Gardens Resident Relocation Policies and Procedures Agreement.

8. To have an avenue within CHA to aggrieve any individual complaints.

Your Responsibilities

1. To specify preference as to the relocation option you wish to use during the upcoming Jackson Gardens construction project.

2. To move upon notice during the specific time period irrespective of any pending grievance related to relocation or continuing occupancy. However, your right to file a grievance will not be waived by such a move provided notice is filed before the move.

3. To pack all your belongings and prepare furniture for moving. Everything but furniture must be packed in boxes. Furniture must be taken apart when possible. Window treatments must be packed.

4. To notify CHA if you need assistance with any packing.

5. To arrange with utility companies to have your services transferred to your new apartment, and to cover all associated arrearage.

6. To notify the post office, Social Security, and other agencies, individuals, companies, etc. of your change in address.

7. To be ready to move all your belongings on the specified date, and to be home and ready when the movers arrive.

8. To return usable moving boxes to CHA staff for potential reuse or recycling.

Attachment D

JACKSON GARDENS
PERMANENT HOUSING AND BENEFITS GUARANTEE
AGREEMENT

The Cambridge Housing Authority guarantees to _____ who resided at ____ Jackson Gardens, Apartment _____,Cambridge, MA 02139 on September 3, 2009, the right to permanent housing at the new Jackson Gardens upon its completion subject to the terms and conditions of the Resident Relocation Policies and Procedures Agreement ("Agreement") between the Cambridge Housing Authority and the Jackson Gardens Tenant Council dated November 2009 and the right to all other benefits, assistance, and procedures as provided for in that Agreement.

Executed in duplicate on the dates listed below.

TENANT

_____
Date

_____
Signature

CAMBRIDGE HOUSING AUTHORITY

11-18-09
Date

Gregory P. Russ, Executive Director

_____
Date

_____
Belkis Roome, JG Property Manager

CHA FEDERALIZATION SUMMARY

- CHA submitted 12 proposals to HUD covering the following state-assisted properties:

	Proposed
Woodrow Wilson Court (200-1)	68 units
Manning Apartments (667-1)	198 units
116 Norfolk Street (667-2)	37 units
45 Linnaean Street (667-3)	20 units
Russell Apartments (667-4)	51 units
State Elderly Condos (667-5)	5 units
St. Paul's (667-6/705-2)	20 units
Willow Street Homes (705-1)	14 units
State Family Condos/Scattered Site (705-2/3/4)	25 units
Total	**438 units**

- CHA held 6 tenant meetings to ensure that all affected state public housing residents could learn more details about the proposed federalization and most importantly the impact the federalization would potentially have on them. Various handouts including Frequently Asked Questions, a matrix summarizing advantages and disadvantages, a sample budget, and examples or rent calculations were presented to residents.

- A 10-day public notice period began on November 6th, and culminated with a public hearing at Pisani Center on Monday, November 16th. Written comments were due by noon on Tuesday, November 17th. Public comments and responses were presented to the CHA Board at their Special Meeting on November 18th.

- The benefits of the proposed federalization are substantial, and were discussed at the CHA Board Meetings on October 28th and November 18th. The bottom line - federalization will preserve and protect the current state public housing portfolio since it will provide adequate operating subsidy, provide more predictable capital funding, and present opportunities for new grants and loans. In terms of operating subsidy, the federal program provides $374 per unit per month as compared to $199 under the state program. For the 438 units in the federalization proposal, this will result in an additional $919,800 in operating subsidy in addition to relieving CHA of at least $700,000 in federal funding typically spent on an annual basis to prop up the state program.

- There are some trade-offs to the federalization proposal which were discussed at all nine meetings (6 for residents at state developments around the City, 1 public hearing, 2 Board Meetings). These included changes in how rent gets calculated as well as the imposition of a minimum rent. Other changes would impact mixed immigrant families and families where no member has HUD-required immigration status.

- Many of the comments received at the public hearing and in written response to the CHA's proposal were specific to those issues, and include:

- **Rent Increases** resulting from the difference in the program.

  - CHA staff has analyzed impact and has determined that the switch will result in rent increases for only **18%** of affected households (92 households), of which 9 households would have projected rent increase of over $50 per month. Since we are still gathering information on mixed families, it is likely that the number of households with rent increases could be larger than that. As we get more detailed information on immigration status we will monitor the impact and work to mitigate any hardships created.

  - For those families which will have increases, the CHA will limit any increase in rent to **$100** per month for the first two years or alternatively the CHA could delay the transfer of all state public housing residents to the federal rents for one year.

- The potential **adverse impact to** Mixed Families.

  - The federal program does not allow for any subsidy to support members of a household who does not have the HUD-required immigration status, but allows the family to live in federal public housing at a significantly higher rent. The CHA already has in place a plan through its MTW flexibility that mitigates the impact in rent that such families would incur as a result of the transfer. Bases on information gathered to date, there are potentially **42** (*20 potentially undocumented plus 26 mixed households per attached chart*) households that will be impacted. As stated above, CHA will monitor the impact and work to mitigate any hardships created as we get more detailed information on immigration status. Rent increases will also be capped at $100 per month for the first two years or delayed for one year.
  -

- **The adverse impact to families without HUD-required immigration status, both current residents, those on our waiting list, and future applicants.**

  - CHA has determined that families without HUD-required immigration status can continue to live in their current apartment provided that the CHA does not accept any federal assistance for that unit. The CHA has been working with DHCD to obtain an alternative funding stream to support these families, both currently and the future. A letter proposing the use of mobile MRVP vouchers for this purpose was submitted to DHCD on November 18th and due to our MTW flexibility, it appears that this proposal is feasible. When implemented, a pool of up to 25 MRVP's will be established that will be used for current and future waiting list families that do not have HUD-required immigration status.

B3

Transfer of State Public Housing Schedule

Oct 28	CHA Board Meeting, 6 PM
Oct 29	Tenant Meeting: Woodrow Wilson Court, 7:30 p.m.
Nov 4	Tenant Meeting: 45 Linnaean Street, 6:30 p.m.
Nov 5	Tenant Meeting: Russell Apartments, 2050 Mass Ave., 3 p.m.
Nov 6	10 Day Public Notice Period beings to amend ARRA Formula Grant Annual Statement
Nov 9	Tenant Meeting: Manning Apartments, 237 Franklin St., 3 p.m. Tenant Meeting: St. Paul's Residence & Scattered Sites/Condos, 7 p.m. at St. Paul's Residence, 34 Mount Auburn Street
Nov 10	Tenant Meeting: 116 Norfolk Street, 3 p.m.
Nov 16	Public Hearing: Pisani Center, 131 Washington Street, 7 p.m.
Nov 17	End of Public Notice Period. Comments due by 12:00 p.m.
Nov 18	CHA Board Meeting, 6 p.m.
Nov 23	Submit applications to HUD

<u>Proposed housing developments to be transferred:</u>

Woodrow Wilson Court	Hingham and Inman Street
Manning Apartments	St. Paul's Residence
116 Norfolk Street	Willow Street Homes
45 Linnaean Street	State Elderly Condos
Russell Apartments	State Family Condos/Scattered Site

B4

Updated: November 18, 2009

RENT IMPACT OF CHA'S FEDERALIZATION PROPOSAL*

Total Households, 513

	Decrease	No Change	Increase	
$0	[illegible]	3	[illegible]	$0
$1-$10	38		14	$1-$10
$11-$20	36		16	$11-$20
$21-$30	41		10	$21-$30
$31-$40	48		8	$31-$40
$41-$50	69		35	$41-$50
$51-$60	66		1	$51-$60
$61-$70	44		4	$61-$70
$71-$80	30		0	$71-$80
$81-$90	20		1	$81-$90
$91-$100	21		0	$91-$100
$101<	[illegible]		3	$101<
	418	3	92	
	81%	1%	18%	

*Excludes Jefferson Park

Notes:

18 rent increases are based on new ceiling rents.

21 rent increases are the result of the new minimum rents.

Of the 35 increases in the $41-$50 category, 16 are based on the minimum rent and 17 are the results of changes in ceiling rents.

IMMIGRATION STATUS BASED ON PRELIMINARY REVIEW

DEVELOPMENT	# UNITS	POTENTIALLY UNDOCUMENTED	MIXED
WOODROW WILSON	68	7	14
752 CONDOS	7	0	0
753 CONDOS	10	2	3
754 CONDOS	8	1	1
MANNING	198	5	0
116 NORFOLK	37	0	0
LINNAEAN STREET	20	1	0
RUSSELL	51	1	0
ST. PAUL'S	20	3	0
SUBTOTAL	419	20	18
JACKSON GARDENS	45	0	5
LINCOLN WAY	60	0	3
SUBTOTAL	105	0	8
TOTAL	524	20	26

*Jefferson Park households in State Public Housing are not included in the current federalization effort. After a preliminary file review we estimate that 19 households are mixed and 5 are potentially undocumented.

B6

CAMBRIDGE HOUSING AUTHORITY
CAPITAL IMPROVEMENT PLAN
Updated, 12/08/09

Development	# of units	Total Development Cost, 2006	Total Development Cost, 2009	Funds Committed Since 2006	Funds Still Needed
FEDERAL					
Washington Elms (MA 3-1)	175	$ 13,541,567	$ 13,541,567	$ 10,216,640	$ 3,324,927
Corcoran Park (MA 3-2)	153	$ 2,998,975	$ 2,998,975	$ 2,268,000	$ 730,975
Putnam Gardens (MA 3-3)	122	$ 7,360,612	$ 7,360,612	$ -	$ 7,360,612
Newtowne Court (MA 3-5)	268	$ 6,003,340	$ 6,003,340	$ -	$ 6,003,340
UDIC (MA 3-14)	10	$ 1,705,491	$ 3,435,351	$ 3,435,351	$ -
Jefferson Park (MA 3-21+)	175	$ 18,729,106	$ 18,729,106	$ 1,329,300	$ 17,399,806
Garfield Street (MA 3-39)	8	$ -	$ -	$ -	$ -
Roosevelt Towers (MA 3-42)	124	$ 3,853,143	$ 3,853,143	$ 1,106,000	$ 2,747,143
John F. Kennedy (MA 3-4)	69	$ -	$ -	$ -	$ -
Harry S. Truman (MA 3-6)	60	$ 5,122,327	$ 5,962,327	$ 2,698,465	$ 3,263,862
Daniel F. Burns (MA 3-7)	198	$ 8,335,110	$ 12,955,110	$ 6,069,132	$ 6,885,978
Millers River (MA 3-10)	301	$ 29,665,229	$ 52,269,759	$ -	$ 52,269,759
Lyndon B. Johnson (MA 3-11)	180	$ 21,362,624	$ 34,344,840	$ 34,344,840	$ -
Robert C. Weaver (MA 3-12)	20	$ 1,701,056	$ 1,701,056	$ -	$ 1,701,056
Subtotal - Federal	1863	$ 120,378,580	$ 163,155,187	$ 61,467,728	$ 101,687,459
STATE					
Woodrow Wilson Court (201)	69	$ 932,232	$ 932,232	$ 168,468	$ 763,764
Jefferson Park (202)	109	$ 34,335,000	$ 49,450,000	$ -	$ 49,450,000
Lincoln Way (203)	60	$ 18,792,000	$ 34,534,254	$ 34,534,254	$ -
Roosevelt Towers (204A)	75	$ 4,368,350	$ 4,368,350	$ -	$ 4,368,350
Jackson Gardens (205)	46	$ 14,407,200	$ 16,733,248	$ 16,733,248	$ -
Willow Street Homes (705-1)	15	$ 2,279,900	$ 3,596,244	$ 3,596,244	$ -
Inman Street (705-2)	4	$ 292,740	$ 292,740	$ 34,076	$ 258,664
Hingham (705-2)	4	$ 148,400	$ 148,400	$ 29,622	$ 118,778
Manning Apartments (667-1)	199	$ 22,288,000	$ 26,600,000	$ 1,017,960	$ 25,582,040
116 Norfolk Street (667-2)	37	$ 2,551,366	$ 2,551,366	$ 1,198,633	$ 1,352,733
Linnaean Street (667-3)	24	$ 2,613,278	$ 2,613,278	$ 57,557	$ 2,555,721
Putnam School (667-3B)	33	$ 2,072,363	$ 2,772,363	$ 1,729,000	$ 1,043,363
Russell Apartments (667-5)	51	$ 1,984,430	$ 1,984,430	$ 191,099	$ 1,793,331
St. Paul's Residence (667-6/705-3	21	$ 700,000	$ 700,000	$ 115,142	$ 584,858
Subtotal - State	747	$ 107,765,258	$ 147,276,904	$ 59,405,303	$ 102,272,317
TOTAL	2610	$ 228,143,838	$ 310,432,091	$ 120,873,030	$ 203,959,776

C1

GREATER BOSTON
LEGAL SERVICES
...and justice for all

Cambridge & Somerville Legal Services Office

November 17, 2009

Terry Dumas
Director of Planning and Development
Cambridge Housing Authority
675 Massachusetts Avenue, 2nd Floor
Cambridge, MA 02139

Re: CHA's Plans to "federalize" state public housing

Dear Terry:

Thank you for the opportunity to provide comments on the CHA's proposed "federalization" of almost all of its state public housing. While we understand that the CHA needed to act quickly to apply for the federal ARRA funds, we are concerned that incredibly important changes may occur for state public housing tenants and applicants within a very tight time frame and without sufficient time to consider all the implications of federalization. Therefore, we are submitting these general comments but hope that there will be further opportunity for meaningful input from state public housing tenants, advocacy groups (including those representing applicants), and immigrant groups.

1. **Effect on Immigrants**. See letter dated November 9, 2009 addressed to Greg Russ, which is hereby incorporated into this letter.

2. **Rent Impact**: We are concerned about significant rent increases due to the differences in the state rent formula and CHA's rent simplification formula for federal public housing. As you know, the state public housing rent regulations provide for a large number of income deductions and exclusions and do not impose a minimum rent of $50 (or higher) per month. Some potentially large differences relate to the medical expense deduction for all (and not just elderly or disabled), the exclusion of $8320 of an elder's wages, and the exclusion of child support payments for children living outside the home

It is fundamentally unfair to impose large rent increases on state public housing tenants as a result of the federalization (a process over which they had no control or say). We understand

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that CHA is proposing to limit any rent increase to $100/month for the two year period (i.e. the time between the biennial recertifications under Rent Simplification). [1] Instead, we propose the following:

A. **Establish a transitional period:** For those facing rent increases under the federal rent rules, the CHA should apply Rent Simplification on the **second annual recertification** which would allow everyone at least one year to plan for increased rents (and those on zero rent to obtain case management services to help them obtain some source of income). This is similar to the process used when there is a reduction in payment standards under the Section 8 voucher program which results in an increased tenant rent and when HUD merged the certificate program into the voucher program. At the next annual recertification, the CHA would calculate the rent under both the state and MTW rules, apply the state rule now (for those facing a rent increase), and give the tenant one year's notice of the estimated new (higher) rent effective at the second recertification after the federalization.

B. **Limit on Rent Increases:** Regardless of when the "new" rent is effective (see A above), there should be **a rent increase cap of $50/month for the two year period.** According to the CHA's point in time data (without considering mixed immigrants' rent burden), this would only apply to 22 of the 513 households. For these affected families, particularly those at low income, an increase of $100/month could be a huge percentage of disposable income. In addition, if the CHA does not implement the transitional period (described in A above) for all those with increases, we propose that those state public housing tenants at zero rent (or with low income such that would be at MTW's $50 minimum rent) continue to have rents calculated under the state public housing regulations until the second annual recertification (so that again there is a time for these vulnerable tenants to obtain case management or other services to assist with obtaining a source of income).

C. **Expand eligibility criteria for hardship and remedies** of the Hardship Review Committee. For example, medical expenses of all families (not just disabled or elderly families) and payment of child support (to those outside the home) should count in determining when the tenant meets the threshold for seeking a hardship waiver. These are actual out of pocket expenses that could easily cause families to fall behind in their rent through no fault of their own. In addition, the remedies which the Hardship Review Committee can order should be expanded to include setting the rent under the state public housing regulations (and, ideally, a catch all category to allow any other relief).

D. Use **32% (or 30% and a $5/month/person surcharge) for rent for mixed immigrant families.** For those immigrant families who have a member without the HUD-required status, paying **40% of gross income is not affordable**, especially where their income is comprised largely of wages (where net is much less than gross). This unaffordability may be compounded by the loss of medical and other deductions for those transitioning from state public housing to federal. The switch from state public housing rents to the 40% under MTW results in rent increases of approximately 30%. For example, a mixed immigrant family (in a two

[1] We are unclear if the proposed $100/month cap was for the two years or for each year such that there would be a $200 increase in the second year.

bedroom apartment) with gross income of $20,000 per year and net income of $17,000 (assuming a 15% tax bracket) would pay $618 for rent (and $49 for electricity) under MTW, resulting in a shelter burden of close to 50% of net income. This percentage of net income paid for shelter would be much higher if the family was paying medical insurance, union dues, or other required payroll deductions. We strongly urge the CHA to reduce the percentage of rent for mixed immigrant and undocumented families, as set forth in the letter dated November 9, 2009 (and referred to in paragraph 1 above).

While we appreciate the CHA's willingness to cap the mixed family ceiling rents at 110% of the non-mixed ceiling rents, this still leaves many mixed immigrant families (transitioning from state to MTW rent formulas) with unaffordable shelter burdens as a result of the federalization (over which they have no control).

3. **Preferences/Priorities and Emergency Criteria for Admission**

As you know, after lengthy negotiations, we have reached a compromise on how to align state and federal public housing preferences and emergency criteria and we just learned that CHA sought a waiver from DHCD to implement this for state public housing. We assume that, despite any federalization, the CHA will honor (in writing) its previous commitment to make the agreed upon changes, including but not limited to the domestic violence emergency category and the change to the definition of local resident. Please confirm.

By eliminating all state public housing, the CHA will not be under any requirements to have priorities/preferences or emergency criteria to reflect need (versus first come, first served).[2]/ CHA should commit (in writing) to maintaining emergency status and/or preferences for those in most dire need of affordable public housing at least over the length of its MTW Agreement.

4. **Tenant Participation**: There are DHCD regulations which govern tenant participation when there is no MOU between a housing authority and local tenant organization (which would be "lost" under federalization). We understand that there is currently only one MOU between CHA and a resident council. Therefore, we urge that, in the event of federalization, the CHA commit (in writing) to comply with the state regulations at 760 CMR 6.09(3) , which allow for important resident council input absent a formal MOU.

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[2] / Disabled applicants are also giving up the right to DHCD review of CHA's denials should CHA federalize its state public housing.

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5. **Effective Date and Further Input**: While we appreciate that CHA made presentations at the state public housing developments and held a public hearing, the process is moving very fast. The haste has not allowed sufficient time for tenants, tenant councils, and community members to obtain data from CHA and to digest the many implications of the federalization process. Accordingly, the CHA should maintain the status quo (for a period of time after any federalization) and allow for ongoing input and careful consideration of all the ramifications of federalization on existing tenants and applicants.

Sincerely yours,

Ellen Shachter

Susan Hegel

Susan Hegel

November 9, 2009

Greg Russ
Executive Director
Cambridge Housing Authority
675 Massachusetts Avenue, 2nd Floor
Cambridge, MA 02139

Re: CHA's Plans to "federalize" state public housing

Dear Mr. Russ:

We recently learned that the Cambridge Housing Authority plans to transfer almost all of its state public housing to the federal public housing program. While we understand that the CHA is undertaking this transfer in order to bring much needed funds to these developments, we are deeply concerned about the effect this will have on immigrants in our community (including existing tenants, those already on the wait list, and future applicants). Under the proposed federalization, immigrant households will lose access to affordable public housing now available to them under state law.

As you know, there are no specific immigration requirements for admission to state public housing and, as a result, state public housing has proven to be a critical safety net for immigrant families. As you also know, however, there is a federal statute which prohibits the provision of federal housing assistance to immigrants unless they meet one of the HUD-determined categories. As a result, in the event that CHA transfers its state public housing to federal public housing, immigrants who are lawfully in this country (with temporary status), who have work authorization (while their applications for residency are pending), and those who fled their home countries without the opportunity to obtain residency status would be significantly impacted. They would either face a high rent burden in federal public housing (if they belong to a mixed immigrant family) or be wholly denied the right to access CHA's housing (if there were no family members with one of the HUD-required statuses).

Accordingly, in the event that CHA proceeds with federalization, it is critical that the CHA commit to taking steps to protect existing immigrant tenants, current applicants on CHA's wait lists, and those families who may need subsidized housing in the future including the following:

1. Ensure that existing CHA tenants (who do not have any household members with the HUD-required immigration status) have the right to remain in affordable CHA housing.

2. Ensure that federalization does not result in large rent increases for existing immigrant families. (Currently, state public housing tenants pay between 25% and 32% of income for rent

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while mixed immigrant families in CHA federal public housing pay approximately 40% of *gross* income).

3. Ensure that future immigrant families (both those with and without household members with HUD-required immigration status) have affordable rents in CHA public housing.

4. Ensure that at least the same percentage (or same number) of CHA apartments are available in the future for immigrant families without any HUD-required immigration status.

We propose the following means to accomplish the goals described above:

1. Rent (for current and new tenants): Immigrant families (with at least one member who does not have HUD-required immigrant status) should pay rent slightly higher than non-immigrant families (such as a separate rent schedule at 32% of income or the same rent schedule but a surcharge of $5 per month per household member without HUD-immigration status).

2. Access to Housing: As immigrant families are permitted to live in federal public housing but CHA cannot use its federal funds to cover the operating expenses for those apartments (occupied by those without HUD status), the CHA could use non-federal funds for this purpose. We strongly support the CHA's request to the DHCD for some reduced state public housing operating funds to be used for this purpose. However, if this source is not available, other options include:

* using CHA's rental, laundry, cell antennae, and interest income; its central office money; and, to the extent, that it is available, Section 8 Administrative fees;

* replacing some tenant and project-based MRVP subsidies with Section 8 subsidies and then project-basing the freed up MRVP subsidies in the newly federalized public housing;

* obtaining a funding commitment from the Cambridge Affordable Housing Trust Fund; and/or

* There may also be additional funds from tenants paying slightly higher rents with the switch from state to federal public housing. If, for example, the families in each of the 441 proposed federalized units paid $10 more per month as a result of the federalization, that would be $52,920/year in additional income ($10 x 12 months x 441 units).

In the event that CHA cannot NOW commit to ensuring such access to its public housing, then we strongly urge the Cambridge Housing Authority NOT to federalize all 441 units it currently proposes but rather retain some number of units as state public housing.

As you know, Cambridge is a sanctuary city, committed to the right of immigrants to live in Cambridge with dignity and without fear. Our common humanity requires that the City of Cambridge remain welcoming to those fleeing war, violence, oppression, and poverty in their homelands. Immigrants are part of our diverse community: working, paying taxes, actively

participating in the children's education, volunteering, and supporting the local economy. It is critical for CHA to continue to welcome immigrants into its affordable housing programs and that it not become the one of the only localities in the Commonwealth to have no affordable housing for immigrants without the HUD-required immigration status.

Sincerely yours,

E. Denise Simmons
Mayor, City of Cambridge

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Cambridge City Councilor

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