

# ENDING HOMELESSNESS IN MINNESOTA

## Guide to Reviewing Public Housing Agency Plans

A Toolkit for Local Advocates  
*January 2005*



***Minnesota Coalition for the Homeless***  
*Working to ensure everyone has a safe, decent, affordable place to call home.*

122 West Franklin Avenue, Suite 306 Minneapolis, MN 55404  
Tel. 612.870.7073 Fax: 612.870.9085 [www.mnhomelesscoalition.org](http://www.mnhomelesscoalition.org)

----

PO Box 457 Eveleth, MN 55734  
218.744.2098

## FIVE THINGS TO GET YOU STARTED

1. Ask your housing authority to be put on the list to receive notice of when the plan is available and when the hearing will take place.
2. Offer fact sheets or other resources you have about homelessness and housing in the jurisdiction to assist them in writing their plan.
3. Review your local Consolidated Plan to see what sort of priority is given to the housing needs of low-income people.
4. Invite the housing authority to bring the draft plan to the Continuum of Care, preferably before the draft is officially released.
5. Read the plan with the following opportunities for action in mind.

## OPPORTUNITIES FOR ADVOCACY

### Tip for Advocates

Because the 1998 federal housing law gave each PHA broad flexibility in shaping its own priorities, it is difficult and possibly counterproductive to prescribe a single formula or list of policies that homeless advocates should promote. Rather, review and consider each of the categories in the Plan as it pertains to the specific make-up and needs of your local homeless population.

### A. Mission

Each PHA can choose between selecting a pre-determined statement from HUD and developing a unique statement of its own. If reducing or eliminating homelessness is a component of the mission, this emphasis will resonate throughout the Plan. Similarly, if it is not included, the PHA has indicated that homeless community members are not of primary concern.

### Tip for Advocates

Try to make the reduction of homelessness a specifically-articulated element of the agency's mission. Because mission statements are often quite general, you may need to phrase it in broad language such as "...providing housing for the most vulnerable in our community..." Advocating for homeless reduction as a part of the PHA's mission will be facilitated if this goal is also a priority in the HUD ConPlan.

### B. Goals and Objectives

A PHA must state its goals and objectives for the coming year, based on its mission. PHAs can either adopt goals provided by HUD in the template or they can develop their own goals. This section moves the PHA's planning process to a level of greater specificity.

### Tip for Advocates

Recommend that the PHA develop specific goals and objectives addressing issues relating to local homeless populations. For example, you might want to encourage the PHA to set a goal to "provide more opportunities to transition very low income people into more permanent or stable housing." One objective to accomplish this goal could then be "reducing homeless by 15% below the current local figure."

### C. Statement of Housing Needs

The sources of information the PHA uses to portray the housing and homelessness situations in its jurisdiction will shape the action plan. If they use inaccurate or outdated data about the local homeless population, the services provided will not match the actual need.

#### Tip for Advocates

Ensure the information presented in the Plan most effectively and accurately represents the homeless or near homeless population. Present data showing the difficulty people experiencing homelessness face in finding safe, decent, and affordable housing. For example, have people testify about their difficulty in finding certain kinds of housing to demonstrate the need if it is not evident in the Plan.

### D. Policies Governing Eligibility, Selection & Admissions

- Eligibility - includes questions about how PHA verifies eligibility for Public Housing and asks for non-income screening criteria, such as criminal records or rental histories;
- Waiting list - includes methods used to prioritize the lists and information on where people can apply to get on the waiting list, such as PHA offices;
- Targeting - the plan can use income targeting to promote the support of certain population groups;
- Preferences - identify who on the waiting list will have priority for available housing units, such as homeless, victims of domestic violence, people with high rent burden, etc.;
- Occupancy - addresses ways that applicants and residents can access PHA rules;
- Deconcentration - HUD is placing PHAs under greater pressure to demonstrate that their housing is occupied by households with a wide range of incomes

#### Tips for Advocates

Some of the more useful questions to ask about these subsections are: Who gets on the Waiting List? How are the admissions criteria developed? What types of tenant screening processes exist? Who receives housing first? Do people experiencing homelessness receive any preference? (Preferences are one of the most immediate and powerful tools that can be used to make housing available to persons experiencing homelessness.) Are there some subgroups that might be more consistent with the PHA's goals?

#### *Ideas for preferences related to homelessness:*

- ? Persons who are homeless (in shelter, on the street, living temporarily with others)
- ? Persons who are about to become homeless due to termination of tenancy, condemnation, inability to pay rent due to loss of work, etc.
- ? Persons who need to move from transitional housing into permanent housing
- ? Persons receiving homelessness prevention services from designated social service agencies
- ? Persons who pay more than a certain percentage of their income on rent
- ? Persons who need housing in order to keep Protective Services from removing children from the home
- ? Domestic violence survivors (this preference must at least be considered by the PHA)

### E. Rent Determination Policies

Rent policies can be complicated, as the interaction among the different ratios of rent types and rental categories may cause groups to “fall through the cracks.” However, the policies will affect the ability of residents and future residents to be able to cover their costs. If a PHA charges a minimum rent for its Public Housing, this may make it more likely that persons with little or no income, once admitted to the PHA's housing, will become homeless because they do not have enough money to pay the minimum rent. PHAs have broad discretion in defining the shape of their rental categories and policies.

#### Tips for Advocates

*What kinds of income adjustments are in place?* PHAs have wide latitude in determining what kinds of adjustments can be counted, and whether certain expenses like transportation or medical expenses can be deducted from a resident's income. Advocates should promote policies that will let their homeless clients count a lower portion of their income, especially if they are paying an income-based rent. It is important to remember, however, that if the PHA disregards more income, then typically the PHA must make up the lost rent out of its own funds. *What are the policies that define the minimum rent?* For Public Housing, PHAs are allowed to establish minimum rent up to 50 dollars. Advocates should first argue that the PHA should not charge any minimum rent to persons whose incomes are so low. However, a PHA can "immediately" allow clients to forgo paying even this minimum in "hardship situations". *How does the PHA compensate Section 8 landlords?* PHAs also have discretion about how they set the maximum amount that they will pay to Section 8 landlords, ranging between 90 and 110% of the local fair market rate for units of comparable size. In communities with high rents, advocates should push for a standard that is not too low, or else people using Section 8 vouchers will face difficulty in finding housing.

PHAs must describe any actions relating to the removal of some of the older or less appropriate housing stock. Demolition can pose potential problems for all people who need subsidized housing. If Public Housing is razed and not replaced, the low-income and people experiencing homelessness on the waiting lists will not be able to find stable, long-term shelter.

Look closely at this section to what the PHA's plans are. It will be important not only to fight the loss of relevant units, but also to pay attention to the reallocation of housing units. You should also pay attention to whether this section of the PHA's plan is consistent with the ConPlan.

#### G. Designation Of Housing For Elderly or Disabled Households

60007eDschm6StD Ac01e 113.9j -324..s73.s

## **APPENDIX A: WHY HOMELESS ADVOCATES SHOULD CARE**

- The Public Housing Agency (PHA) plans determine what the rent is in public housing, who gets housing and/or a Section 8 voucher, what improvements are made, whether any units are targeted for demolition, whether residents get training programs or assistance finding a job, etc.
- Before 1998 Quality Housing and Work Responsibility Act (QHWRA), the Department of Housing and Urban Development (HUD) was the primary decision maker for these rental housing programs. QHWRA gave local Public Housing Authorities (PHAs) more discretion in setting their policies.
- As a result of this local flexibility, homeless advocates can persuade local housing officials and planners to focus on particular issues and ideally devote a reasonable proportion of their resources towards the lowest income members of the community.
- Participating in this planning process can result in positive and lasting changes for some of the most vulnerable members of a community, including people experiencing homelessness.

## APPENDIX B: THE PLANS

Two related plans influence the ways that communities use their federal resources to assist homeless individuals, families, and youth: the HUD Consolidated Plan (ConPlan), is a comprehensive vision for how a community will address the needs of its low and very low-income members; and the PHA Plan. These plans must be consistent with each other and drafted through a process that seeks public input. *Just as the PHA and ConPlan must be coordinated and consistent with each other, a community's Continuum of Care plan should be coordinated and consistent with the PHA and Consolidated plans.*

### A. HUD Consolidated Plan (ConPlan)

- A consolidated 5-year strategic plan that describes a broad approach to addressing the housing needs of low-income people in the jurisdiction and provides annual updates to describe their progress and identify changes to the community's needs.
- Serves as the master blueprint for promoting affordable housing in a given community and is mandated by federal law. Communities have to submit a ConPlan before they are eligible to obtain federal funding from programs including the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), the HOME Investment Partnerships Program (HOME), Supportive Housing, and Shelter Plus Care programs.

### B. Public Housing Agency Plan

- PHAs must develop a 5-year plan and an annual plan to establish many Public Housing and Section 8 policies which determine who get and keep federal rental housing resources in their community.
- Although not as extensive as in the ConPlan, there are several public participation requirements in the PHA Planning process. Advocates have access to at least one public forum to voice their comments. The PHA Plan, unlike the ConPlan, also requires input from a Resident Advisory Board (RAB), comprised of current tenants of Public Housing and section 8 rental units within the PHA's jurisdiction.

### C. The Relationship Between The PHA Plan And The Consolidated Plan

- PHA plans must be consistent with their jurisdiction's Consolidated Plan. If homelessness is not mentioned in the ConPlan, it is much easier for the PHA to ignore homelessness in its own plan.
- If advocates obtain a copy of their local ConPlan (it is a publicly-accessible document) they will have a good idea of what can and should be included in the PHA Plan. Sometimes a ConPlan will not contain meaningful information and advocates may need to work on getting more or better information into both the ConPlan and the PHA Plan.
- HUD presumes that the ConPlan is the most authoritative statement of the housing needs for the geographic area unless discrepancies are identified as part of the PHA planning process.

## APPENDIX C: THE PLAYERS

### A. Housing Authority Officials

- Own and operate Public Housing units and administer the Section 8 voucher program.
- Develop the annual plans, including: naming a Resident Advisory Board (RAB) and involving the RAB in the development of the plan; drafting the plan; holding a public hearing on the plan; and submitting the plan to HUD for final approval.

#### Tips for Advocates

Recognize the differences between the PHA staff and the PHA Board of Commissioners. The staff are most closely involved with the day to day operation of programs and implementation of policies. The Board of Commissioners sets policy and is more removed from how the policies actually impact the residents and housing units. But the Board must approve all plans before they are sent to HUD. Find out as much as you can about the Board—Who is on it? Who appoints them? When does the Board meet? (Meetings should be open to the public.) Work to develop positive relations with both the PHA staff and Board.

### B. Resident Advisory Boards

PHAs must involve residents of public and Section 8 housing in the planning process by establishing one or more Resident Advisory Boards (RAB), which represents the tenants. With some limitations, if the PHA already has a resident council it may be appointed as the RAB. The RAB is required to participate in the planning process and to make recommendations to the PHA, including:

- After the proposed plan is subjected to a public hearing, the PHA must discuss with the RAB any revision;
- The PHA must describe to HUD how it has addressed recommendations by the RAB;
- The PHA must include all RAB comments with the final plan submitted to HUD for approval; and
- If a PHA seems to be ignoring the RAB in the process, the RAB can challenge and request that HUD reject a plan.

#### Tips for Advocates

Input from the RAB will often carry more weight than that provided by citizen or agency advocates alone. For example, the RAB's comments must be included when the Plan is submitted to HUD for approval, but the public comments do not have to be. Similarly, HUD rules require a PHA to explain how it has considered (or did not consider) the RAB's recommendation, but it is not required to explain how it has considered citizen input. Work with the existing RAB to promote shared concerns.

A longer-term approach that may have beneficial results is to have sympathetic individuals (i.e. people who have experienced homelessness) become RAB or tenant council members.

### C. Community Advocates

- Anyone who is concerned about homelessness, affordable housing and the general obstacles faced by low- and very low-income people can be an advocate. (eg. Organizations, shelters, service providers, faith communities, businesses, colleges, schools, hospitals, elected officials can all be advocates.)
- The Continuum of Care (COC) addresses the multi-faceted nature of homelessness and would have valuable insight for reviewing PHA plans.

### D. Homeless Individuals and Families

By 'presenting a face' to seemingly abstract issues, people experiencing homelessness can be effective in advocating for change. They can provide a perspective on whether elements of the plan address their reality as a homeless individual or family.

## APPENDIX D: THE PROCESS

### A. Getting input

PHAs are mandated to get public input when developing the 5- year and the 1- year plans. This requirement includes at least one public hearing to discuss the plan and receive public comment. This hearing must be convenient to PHA residents, both in the location and the time it takes place.

### B. Releasing supporting documents

PHAs must release copies of all relevant documents. These documents must be available for inspection, upon request, at the main PHA office.

### C. Giving notice of draft plan

PHAs must make the Draft Plan available for public review at least 45 days before the hearing and conduct reasonable outreach activities to “encourage broad public participation” and contact all organizations and individuals who indicate that they are interested in participating in the planning process.

### D. Following a schedule

PHAs must submit the Plan 75 days before the beginning of the PHA’s particular fiscal year (FY). PHAs have different fiscal years, which determine when they must submit the plan to HUD. See Appendix for calendar.

### E. Responding to public input

Unlike the case with comments from the RAB, the PHA does not have to submit the comments received from the public to HUD with its plan. This fact makes teaming with an RAB especially important as a way to ensure that the community’s comments will be taken seriously by the PHA, and – if unaddressed – brought to HUD’s attention.

### F. Violations of Public Comment Requirements

If a PHA does not follow the requirements including public participation in developing its plan, the housing statute says that HUD must send the plan back to the PHA if it is challenged *and* if HUD decides that the PHA has not followed the rules.

### G. Amending Plans

PHAs can amend or modify "any PHA policy, rule, regulation or other aspect of the plan." Amendments can only be adopted after an open meeting of the PHA’s Board of Directors.

#### Tips for Advocates

Identify issues most important to you and your clients/members; identify which PHAs to focus on; identify information you can bring to PHAs; find out the particular calendar and deadlines for the PHA and ConPlan schedules; contact resident organizations and request a meeting to discuss common interests; form community coalitions around planning and research issues; contact PHA and request to be involved in the planning process; request regular meetings with the PHA staff; find out what you can provide to make the planning process easier for PHA staff; attend public hearings and testify; submit written comments to the PHA about issues that you think are important; contact HUD if you think the plan does not meet the legal requirements; and, use the media if appropriate to highlight important issues.

## APPENDIX E: CALENDAR

**January 1:** start of fiscal year  
**May:** Begin process  
**Mid –August:** notice of hearing & plan on file for review  
**Mid-October:** Plan due to HUD

AITKIN COUNTY  
 ALEXANDRIA  
 BLOOMINGTONBR  
 AHAM  
 BRAINERD  
 CAMBRIDGE  
 CARVER CO.  
 CASS COUNTY  
 CHIPPEWA CO.  
 CLAY COUNTY  
 COLUMBIAHTS  
 COOK  
 DOUGLAS CO.  
 E GRAND FORKS  
 ELY  
 FARIBAULT  
 FARIBAULT CO.  
 GRAND RAPIDS  
 GRANT COUNTY  
 HUTCHINSON  
 MET COUNCIL  
 MONTGOMERY  
 MOOSE LAKE  
 MORRIS  
 MORRISON CO.  
 OLMSTED CO.  
 OTTER TAIL CO.  
 PARK RAPIDS  
 PINE RIVER  
 PLYMOUTH  
 RED WING  
 RICE COUNTY  
 RICHFIELD  
 SCOTT COUNTY  
 SC MULTI-CO.  
 SOUTH ST PAUL  
 SE MULTI-CO.  
 STEVENS CO.  
 TODD COUNTY  
 TRACY  
 WARROAD  
 WASECA  
 WASH. COUNTY  
 WORTHINGTON  
 YELLOW MED CO

**April 1:** start of fiscal year  
**August:** Begin process  
**Mid –November:** notice of hearing & plan on file for review  
**Mid-January:** Plan due to HUD

ALBERT LEA  
 BAGLEY  
 BENSON  
 BRECKENRIDGE  
 ARLTON  
 CASS LAKE  
 COTTONWOOD  
 CROSBY  
 DELANO  
 GREENBUSH  
 HENNING  
 HOPKINS  
 LAKE BENTON  
 LINDSTROM  
 LITTLE FALLS  
 LONG PRAIRIE  
 LUVERNE  
 MANKATO  
 MONTEVIDEO  
 MORA  
 NEW RICHLAND  
 PEQUOT LAKES  
 PINE CITY  
 RED LAKE FALLS  
 ST LOUIS PARK  
 ST PAUL  
 ST. PETER  
 VIRGINIA  
 WINDOM  
 WINONA

**July 1:** start of fiscal year  
**November:** Begin process  
**Mid –February:** notice of hearing & plan on file for review  
**Mid-April:** Plan due to HUD

BAUDETTE  
 BECKER CO.  
 BEMIDJI  
 BIG STONE CO.  
 BLUE EARTH CO  
 CHISHOLM  
 CLEARWTR CO.  
 CLOQUET  
 DAKOTA CO.  
 DETROIT LAKES  
 DODGE CENTER  
 FERGUS FALLS  
 GILBERT  
 INTNT'L FALLS  
 ITASCA COUNTY  
 JANESVILLE  
 KANDIYOHI CO.  
 KOOCHI. CO  
 LINCOLN CO.  
 MCLEOD CO.  
 MEEKER CO.  
 MELROSE  
 MOORHEAD  
 NEW ULM  
 N. MANKATO  
 NW MULTI-CO.  
 PRINCETON  
 RENVILLE CO.  
 ST. CLOUD  
 STEARNS CO.  
 SWIFT COUNTY  
 THIEF RIVR FA  
 WADENA  
 WILLMAR

**October 1:** start of fiscal year  
**February:** Begin process  
**Mid –May:** notice of hearing & plan on file for review  
**Mid-July:** Plan due to HUD

BARNESVILLE  
 BLUE EARTH  
 CLARKFIELD  
 CROOKSTON  
 DULUTH  
 EVELETH  
 FAIRMONT  
 FOREST LAKE  
 GLENWOOD  
 HIBBING  
 JACKSON  
 LE SUEUR  
 LE SUEUR CO.  
 LITCHFIELD  
 MADISON  
 MARSHALL  
 MINNEAPOLIS  
 MOUND  
 MTN. LAKE  
 MOWER CO.  
 OWATONNA  
 PERHAM  
 PIPESTONE  
 REDWOOD FALL  
 SAUK CENTRE  
 SLEEPY EYE  
 ST. JAMES  
 STAPLES  
 TWO HARBORS  
 WARREN

## APPENDIX F: ADDITIONAL RESOURCES

Centers for Community Change “Residents Guide to the New Public Housing Authority Plans”  
<http://www.communitychange.org/shared/publications/downloads/PlanBooklast.pdf>

ENPHRONT (Everywhere and Now Public Housing Organizing Nationally Together):  
<http://www.enphront.com>

HUD’s Approved PHA Plans <http://www.hud.gov/offices/pih/pha/approved/index.cfm>

HUD Desk Guide: Public Housing Agency Plans  
<http://www.hud.gov/offices/pih/pha/policy/pha-plan-guide.pdf>

Minnesota Legal Services Coalition “A Guide to Public Housing in Minnesota,” 2001.  
<http://www.lawhelp.org/documents/122871PH01.pdf?stateabbrev=MN/>

NAMI “A Housing Toolkit”  
[http://www.nami.org/TextTemplate.cfm?Section=Issue\\_Spotlights&template=/ContentManagement/ContentDisplay.cfm&ContentID=8401](http://www.nami.org/TextTemplate.cfm?Section=Issue_Spotlights&template=/ContentManagement/ContentDisplay.cfm&ContentID=8401)

National Housing Law Project “False HOPE: A Critical Assessment of the HOPE VI Public Housing Redevelopment Program,” June 2002.  
<http://www.nhlp.org/html/pubhsg/FalseHOPE.pdf>

National Low-Income Housing Coalition “2004 Advocates' Guide to Housing and Community Development Policy” <http://www.nlihc.org/advocates/participation.htm>

National Resource Center on Domestic Violence. Hammeal-Urban, R. & Davies, J. (1999). Federal housing and domestic violence: Introduction to programs, policy and advocacy opportunities . Harrisburg, PA.  
[http://www.vawnet.org/NRCDVPublications/BCSDV/Papers/BCS8\\_fh.pdf](http://www.vawnet.org/NRCDVPublications/BCSDV/Papers/BCS8_fh.pdf)

### Housing/Homeless Statistics

HousingMinnesota’s “County Profiles of Housing in Minnesota”:  
[http://www.housingminnesota.org/pages\\_detail.cfm?ContentID=73&PageID=32](http://www.housingminnesota.org/pages_detail.cfm?ContentID=73&PageID=32)

National Low-Income Housing Coalition “Out of Reach” report. <http://www.nlihc.org>

Wilder Research Center, St. Paul Minnesota: <http://www.wilder.org/research/index.html>

#### **For More Information:**

Liz Kuoppala  
MN Coalition for the Homeless  
PO Box 457  
Eveleth, MN 55734  
218.744.2098  
[kuoppala@yahoo.com](mailto:kuoppala@yahoo.com)  
[www.mnhomelesscoalition.org](http://www.mnhomelesscoalition.org)