

## Comments and Responses to the BHA FY 2023 State Annual Plan.

The following document contains the comments and responses received on the BHA's FY 2023 State Annual Plan covering April 1, 2023 to March 31, 2024. BHA staff met with the Resident Advisory Board from September through December discussing the Plan process and documents and sent copies of the Plan to the RAB and Local Tenant Organizations. The Plan was put out for public comment on November 1, 2022 and the comment period closed on December 15, 2022 with a virtual public hearing held on zoom December 12, 2022 at 11 am and another at 6 pm.

The BHA took several steps to notify the public of the FY 2023 State Annual Plan and the opportunity to comment. The BHA placed an advertisement in the Boston Globe, included a notice with the rent statement of public housing residents, requested mixed finance partners to share the same notice with their BHA ACC-subsidized tenants, sent a mailing to Leased Housing participants in Boston and nearby towns notifying them of the Public Hearing and the proposed Plan. The BHA also sent letters to many local officials and advocacy groups. The Plan was made available for review at Boston Public Library Copley Square branch, BHA's headquarters at 52 Chauncy St., and on its website [www.bostonhousing.org](http://www.bostonhousing.org).

### **Overview and Certification**

Comment: (Ops/RED) P. 2: This lists a total of 2,139 state public housing units. Of these, most are in BHA's 7 Chapter 200 (general occupancy) developments--West Broadway (200-01), Faneuil (200-04), Fairmount (200-05), Archdale (200-07), Orient Heights (200-08), Gallivan Boulevard (200-10), and South Street (200-12). Also included are 3 Chapter 667 (elderly-disabled) sites--two components at Franklin Field (totaling 104 units) and one at Monsignor Powers (otherwise known as L Street), with 69 units. There are also 3 Chapter 705 (newer family) sites: Bowdoin Street (13 units), Harwood/Winston Streets (10 units), and Scattered Site (119 units). Finally, there are 52 "special occupancy" units (likely under the Chapter 689 handicapped program). It should be noted that Camden Street is no longer included: it has gone through a subsidy conversion and change in ownership, although it is still under a BHA Ground Lease. There may be a question whether it should really be treated differently than Orient Heights (which is also Mixed Finance).

Response: The BHA will consider this. We will also update the State Public Housing listing.

Comment: (Lsd Hsg) p.3: This shows that BHA has 975 Mass. Rental Voucher Program (MRVP) subsidies. This does not provide a break-down between which are "tenant-based" and which are "project-based" BHA should add that information.

Response: Thanks for the comment. The BHA will consider this.

Comment: (RCP) p. 3: This shows recognized Local Tenant Organizations (LTOs) at Faneuil, Franklin Field Elderly, Gallivan Boulevard, Orient Heights, and West Broadway. I believe at one point in the last 7 years, the South Street LTO was recognized; I don't know if the Archdale and Fairmount sites, which were recognized at one point, lost recognition. It would help for BHA to discuss any steps being taken to ensure LTO participation at all sites. In addition, the Plan includes a date for review of the Plan with the listed LTOs (but those dates are currently blank)-see also p. 4, which contains blank for BHA meetings with LTOs.

Response: BHA staff reviewed the table and added any recognition dates, if applicable. This table in the state plan is not the forum to discuss steps being taken to ensure LTO participation at all sites. BHA staff would welcome that conversation in other settings, such as with the resident empowerment coalition. Regarding plan review, the DHCD template does not permit putting in dates in the future. The draft was published in the end of October. State LTOs were invited to a meeting in November as well as the public hearings in December and the template will be updated prior to submission.

### **Capital Improvement Plan**

Comment: The CIP is a little confusing—it is not located, in the BHA documents that were mailed out, in the expected location, but rather at the end of the document (after the tenant satisfaction surveys and the Performance Management Review). BHA also emailed a related separate document to the RAB and screen shared it during the Nov. 10, 2022 RAB meeting (presumably this will be shared by hard copy thereafter). Given the relationship between the CIP and the separate document that was emailed on November 10, I will respond to those items together in a separate supplemental set of notes. However, the packet that was sent to the RAB at the end of October, 2022, included BHA's Additional Remarks on this, so I will include those here.

Response: In the DHCD annual plan, the Capital Plan immediately follows the Overview and Certifications. The commenter is referring to the Attachments at the end of the document titled Summary Additional Remarks. The document screen shared at the Nov RAB meeting, the FY23-FY27 Work Activities spreadsheet was sent to the Board.

Comment: Under "Evaluation of Past Performance", BHA says these included "two major undertakings" last year. However, while it's clear that the \$7 million at Monsignor Powers for building envelope work and ADA compliance is one of these, it is not clear what the other one is. Listed here as completed in 2022 is \$131,500 for planning for roof work. Is this the other "major undertaking"? As written, it is not clear if this is authority-wide work or not—it appears it would be, but there is reference to "Archdale" as the neighborhood. There are also two

projects listed on the next page with completion dates in mid-2023: \$104,380 for authority-wide planning on building envelope work, and \$99,000 for what appears to be authority-wide planning (but with an unclear reference to South Boston) for life/safety risks.

Response: During the FY21-FY22 CIP period under Phase I the BHA's Capital Construction Department "CCD" created Authority Wide initiative a survey planning tool, which would enable the CCD to proactively plan needs based work, predicated on a components system's conditions, priorities and whether the component should be replaced or repaired. In Phase II of the Authority Wide initiative – construction projects will be created to address each of the development needs, based the information provided from these AW Surveys

In the Evaluation of Past Performance, the 2nd major undertaking referenced is specifically for the Phase I Authority Wide Surveys, which includes: Authority Wide: Roof Replacement (Survey), Roof Replacement (Survey), and Life & Safety (Survey). The fee for these three (3) surveys is \$131,500.00, \$104,380.00, and \$99,000.00 respectively.

The Neighborhood information, i.e. Archdale & South Boston listed [items 2 & 4] on these pages, inserted inadvertently, and will be deleted from the Evaluation of Past Performance sheet.

Comment: On p. 3 of the Additional Remarks, "Current Project FY 22-FY25", there is reference to \$10.3 million for energy efficiency, utility cost reduction & ventilation at Monsignor Powers.

Response: Thank you.

Comment: Pp. 4-5 of the Additional Remarks, "Grants or Awards Highlights, FY 22-FY 23", notes 8 awards: three ABCD grants at Monsignor Powers (\$750,000), West Broadway (\$3 million), and Gallivan Boulevard (\$3 million) for energy efficient and utility cost reduction work; two grants for Faneuil (including one from the Harvard Flex Fund), totaling \$276,250, to do preliminary design to assess redevelopment feasibility, and for site beautification; a private grant of \$322,00 for site beautification (appears to be for community gardening) of Franklin Field Elderly ; \$3.2 million BHA-wide under ARPA to repair or replace vault/site transformers, ECM controls, building envelopes, site utilities, and interior stairs at different sites ; and \$1.8 million BHA-wide under ARPA to replace Federal Pacific panels, Fire Alarm Panels, and 1 fire pump.

Response: Thank you.

## **Maintenance and Repair**

Comment: Attached (as I think was also the case for last year's plan) is a many-page Preventive Maintenance handbook, which has a date for most of the document of September 2004 and is entitled "Work-in-progress". Could BHA advise whether any revisions have been done to this handbook since 2004 and, if any of them are relatively recent, could they highlight or provide in a redlined version"? It's important to show that the manual is up-to-date with current systems and technologies, as well as DHCD requirements.

Response: The attached SOP was substantially updated in 2018; it will always be a Work in Progress.

Comment: Following the handbook are many pages of detailed preventive maintenance reports on schedules and building systems. Are these a BHA format and tied to the handbook? Or is this a DHCD format?

Response: The colorful preventive maintenance schedule calendars is a template provided by DHCD which BHA staff populate.

Comment: The Plan includes two pages regarding deferred maintenance, and says that BHA does not currently have a Deferred Maintenance Plan, since all required work for code compliance purposes is either captured in the work order or Capital Improvement Plan. However, deferred maintenance may identify items that are not yet code deficiencies reported as work orders, nor longer term major capital improvements needed to extend the life and habitability of a property. Deferred maintenance would include the items in the preventive maintenance reports" where upkeep or monitoring may extend the useful life of components and avoid a Sanitary or Building Code issue. There is reference to the new work order system and how it should help to identify items that would fit within "deferred maintenance"--are there projected dates for when this will be in place for the different developments in the BHA's state portfolio? The clustering included here (work best done during vacancies, seasonally, affected by funding availability, or which can be grouped together) are all useful both for routine maintenance and where work may be put out under contract. In addition, as indicated here, priorities can shift and require deferral as long as essential health/safety is not compromised (example of addressing a backlog of vacancies and then coming back to a plumbing issue). Does the new reporting system have fields into which deferred items can be sorted/scheduled/grouped?

Response: The BHA does not classify specific maintenance items as "deferred maintenance". Maintenance work is captured in the work order system in the appropriate priority. If it is beyond the capacity of the Operations Department it will be added to the capital plan. For example a roof replacement needed for a building will be part of the capital plan, but required roof repairs will be completed using the annual operating budget.

## Operating Budget

Comment: Introduction (p. 1): There is nothing equivalent to this in BHA's federal report, and it is a gap (it is not a HUD requirement). Moreover, as noted here, this does not provide the planned annual operating budget for this coming year, as this is normally developed toward the end of the fiscal year—but there is also no mechanism for subsequent sharing with residents of that proposed budget (that I am aware of). On both the state and federal side, certain items may be addressed in the operating budget, rather than in the Capital Plan (such as extraordinary maintenance), and for each site, it is important to know what's being spent from each, on what, and what may be available for needs that arise during the year.

Response: BHA is open to continuing the discussion focused on budget process and perhaps bringing LTOs and the RAB together for this purpose.

Comment: As noted here on p. 1, BHA's operating reserve at the end of March, 2022 was almost \$45.5 million, more than 3 times the minimum required by DHCD. I assume this was due to fortuitous circumstances which aren't likely to continue long-term. It may be helpful to have a discussion with BHA about Operating Reserves generally, and the different assumptions that are built into DHCD and HUD requirements on this. As was noted in a report to the Monitoring Committee a few months ago, the need for sufficient federal reserves to not run afoul of PHAs scores and possible "troubled" designation at any given site has meant that BHA has had to assign certain payback streams (Harbor Point) to particular sites (Hailey) and this also influences decisions about where and what type of repositioning to pursue. It may be useful to have a resident forum on this, presented in terms that resident leaders can understand, which can help inform them in site-specific decision-making.

Response: See above response.

Comment: On p. 2, there are significant increases in income, likely due to COVID-relief funding (a jump of almost \$35 million under "other revenue". On p. 3, there is a large jump in compensated absences (likely pandemic-related), and somewhat in "travel and related expenses": what was encompassed here? "Administrative other" expenses jumped by \$2 million--what are these? Tenant organization expenses fell by \$330,000—is BHA able to reserve any of those for future LTO use/needs? On p. 4, there was a \$2 million depreciation expense that wasn't in the original budget—what is this for? On p. 5, because of unanticipated revenue, BHA ended up having almost \$34 million in a net positive balance (as opposed to the \$2.8 million anticipated).

Response: On p. 2, "other revenue" was mostly due to a transfer of Notes Receivable from State Modernization Program to State Operating Program (27,795,000 of Orient Heights Notes and 5,870,000 of Camden Notes for a total of 33,845,000). On p. 3, the large jump in compensated absences was due to the pandemic and people didn't take vacation which led to

an increase of accrued compensated absences expense. The “travel and related expenses” encompassed various costs including things such as gasoline purchases. “Administrative other” expenses increase by \$2 million included subsidy pass-thru paid to the MUPHT in the amount of 352,416, and subsidy pass-through paid to Orient Heights in the amount of 1,950,000. Regarding Tenant organization expenses the FY 2022 budget was due in February 2021 and was based on our full fiscal year 4/1/2019 to 3/31/2020. Since then we have moved Mass Union of Public Housing Tenants to 4190 Administrative Other (FY 2022 was \$367,099). On p. 4, the \$2 million depreciation expense was annual depreciation expenses of fixed assets. State system doesn’t allow BHA to enter anything in line 4801 for Depreciation Expense. Regarding having almost \$34 million in a net positive balance see previous response regarding Notes Receivable. BHA staff are available upon request to further discuss with the RAB.

### **Performance Management Review**

Comment: (Ops/Admissions) P.1: Under “Occupancy Rate”, BHA’s rating was “Operational Guidance”, which DHCD indicates means no LHA response is needed (unlike “Corrective Action”, in which an agency response is required). The last page of the materials (not this section in order) shows that the Vacancy Rate for BHA’s Chapter 705 and 667 units are MUCH higher than DHCD’s goal of 2% (6.3% and 10.7%, respectively), and the Chapter 200 rate is 3.2% (still above DHCD goal). It is interesting that DHCD did not require Corrective Action, but they may have realized that BHA, like other LHAs, is having some unique challenges with lease-up during the pandemic (staffing shortages, supply chain and increased costs). As noted in our notes on the federal side, there are also certain initiatives that BHA took to address high rejection rates and to encourage applicant acceptance—it is not clear if those ACOP changes are yet in place, and how they may be affected behavior.

Response: The BHA has implemented a quality control unit turnover process that requires senior management to inspect vacant apartments before they are viewed by the assigned applicant. Rejection rates for condition of the unit have all but disappeared. The CHAMP system at times presents a challenge in the timely filling of vacancies. Removal of applicants on the state waiting list are governed by CHAMP.

Comment: P.2: Under “Facility Management: Health and Safety”, DHCD reported that it found 8 maintenance-related violations and 1 tenant-related violation, all of which were corrected. DHCD has not indicated that any other corrective language is required. I am not sure how this compares with what DHCD has seen at other LHAs or statewide.

Response: Thank you for the comment. The commenter may direct this to DHCD.

Comment: p. 3: DHCD requested and BHA agreed to adjust its work order reporting to make clear if a work order originated from the resident or management. This will be helpful in evaluating responses to work orders. In addition, if any work orders were generated from supervisory reviews of a random sample of completed work orders (i.e., the supervisor found that work was not complete, or that staff did not identify a deficiency that should have been listed), it would be helpful to track that.

Response: The BHA work order system has always specified the source of the work item. Work orders generated for supervisory QC review have a designation that identifies them as such.

## **Policies**

Comment: This refers to a Personnel Policy from Oct. 2021. Is this something that can be shared with the RAB, or which is on BHA's website?

Response: The BHA does not have a single personnel policy. New BHA staff sign a document referred to as the Policy Acknowledgement Sign-off, a copy of which can be shared with the RAB that refers to several other documents such as a drug-free workplace, code of conduct, telephone usage, family medical and parental leave and more in which the new employee acknowledges that they have received and read copies of the various workplace policies and understand their responsibilities.

Comment: The Capitalization Policy (from May 1999), the Procurement Policy (from May 2009), the Investment Policy (from May 1999), and the Resident Maintenance and Citation Policy (from September 2004) have not been shared with the RAB, to the best of my knowledge. Similarly, can these be shared?

Response: Yes these policies can be shared with the RAB.

Comment: There is reference to a Grievance Policy revision from March, 2021, but I am not aware of any changes to the grievance policy then—could BHA clarify?

Response: BHA updated text in the federal annual plan supplement template section on grievance procedures, a very minor technical change, and HUD approved the plan on March 26, 2021. In the 2021 Plan there was a parenthetical that was deleted that referenced the implementation of a policy. This is the relevant section of the Plan Supplement: Residents seeking a grievance hearing are afforded the option of electing to have a hearing before a Grievance Hearing Panel or a Hearing Officer. ~~(This policy will be implemented this fiscal year.)~~

Comment: There is reference to three separate policies having to do with harassment—the Anti-Discrimination Harassment Policy (from October 2013), the Sexual Harassment Policy (from April 2019), and then a note in the adjoining column, referring to a Workplace Harassment Policy. I thought there was one policy that combined all of these aspects, and which had been updated with the last few years, and which would cover not only BHA employee relations, but interactions between BHA staff and residents and vendors. Can BHA clarify?

Response: The text in the left hand column is provided by DHCD in the template. BHA covers issues related to anti-discriminatory harassment in its Civil Rights Protection Plan. There is one Workplace Harassment Policy. BHA covers issues related to sexual harassment in its Workplace Harassment Policy. The Workplace Harassment Policy covers BHA employee relations and interactions between BHA staff and residents and vendors.

Comment: There is a reference to a Violence Against Women Act (VAWA) Policy, from 2018. VAWA applies to BHA's federal program. DHCD has issued guidance about similar topics for state assisted housing. I am not sure if BHA is saying that it is: (a) applying its federal VAWA policy to state developments; (b) has a separate policy for its state developments (which has not been shared with the RAB), or (c) just follows the DHCD domestic violence guidance without a formal additional policy. Please clarify.

Response: The commenter is correct. The VAWA policy applies to the federal program. The VAWA reference has been removed.

Comment: There is a reference to a Section 3 Policy. Section 3 is a federal requirement. I am not aware of the BHA having a Section 3 Policy that it updated in April 2021 and shared with the RAB (either on the federal or state side). DHCD has issued guidance on trying to enhance resident training and hiring opportunities. Some clarification about what BHA is doing with regard to state developments and any formal policy (and resident participation in review and comment on the same) would be helpful.

Response: The commenter is correct. The Section 3 policy applies to the federal program. The Section 3 reference has been removed.

## **Waivers**

Comment: This refers to two waivers: a. One last approved by DHCD in December, 2021, allowing BHA to use certain language in its Admission and Continued Occupancy Policy (ACOP), in lieu of what's in DHCD regulations, regarding admission and continued occupancy of BHA's state public housing program; b. the other, last approved by DHCD in January 2019, allows the



BHA to use a consolidated grievance procedure for both its state and federal sites. There is no issue with these waivers. BHA has long used DHCD waivers in order to align, as much as possible, its different housing programs, and this approach is favored by residents and housing advocates.

Response: Thank you for the comment. The BHA continues working with DHCD to determine what waivers may continue to be requested in order to avoid duplication of efforts for those households.

## **Glossary**

Comment: My assumption is that this is just text from DHCD in its template, and therefore there is no need for RAB comment on a BHA submission.

Response: Correct.

## **Other Elements (Tenant Satisfaction Surveys, PMR)**

Comment: I believe the Housing Survey data here (conducted in the fall of 2020) is new, and was not included in the State PHA Plan that the RAB reviewed in the fall of 2021. This shows that there was a slightly better than 20% response rate state wide (2,124 responses out of 10,163 surveys sent), but the BHA response rate was less (67 out of 367 surveys sent). I also would guess that the proportion of surveys sent out for Boston in comparison to the state-wide survey was less than the ratio of BHA's state portfolio to the State's overall portfolio. I'm not sure who was responsible for getting the surveys out.

Response: Survey data from Fall 2020 for Chapter 200 and chapter 705 were included in last year's annual plan reviewed by the RAB in fall of 2021. DHCD is responsible for sending out the surveys. To the extent the commenter has additional questions about the distribution of surveys, commenter should follow up with DHCD.

Comment: The survey showed that BHA did well in how residents felt they were treated (81% positive as opposed to 71% statewide); BHA was also rated better in terms of courtesy/respect in how maintenance requests were handled and getting advance notice prior to entry. The dark colors in the pie charts are hard to read, but it appears that BHA did slightly worse in terms of rating for building maintenance (and about the same for outside maintenance) in comparison to the statewide returns. BHA also did better in fewer reported heating problems (and about the same as the statewide average for problems with hot water). BHA also did better in heating

efficiency—a lower percent of apartments feeling too hot, too cold, taking too long to heat up, or being drafty. More units were reported to be without plumbing problems, and a higher percentage had hot water restored within 24 hours.

Response: Agreed. To the extent the commenter has additional questions about the survey data and availability of a breakdown by site, commenter should follow up with DHCD.

Comment: On the other hand, BHA is not doing as well in with surveys on a sense of safety. While the “not safe at all” category was higher statewide (8% as opposed to 5% for BHA), the “somewhat safe” category was significantly larger at BHA (31%) than statewide (20%). It would help to know more about this—whether this is based on factors at the site, or whether it is affected by issues in the neighboring community—since this would influence the strategies to be used. The bar graph indicates that both open security entry doors, as well as strangers hanging around, were critical factors in BHA negative ratings.

Response: Agreed. See above responses.

Comment: DHCD also included Chapter 667 surveys. Given how few Chapter 667 units there are at BHA, the majority of Chapter 667 households were contacted (177) and the return rate was above 25% (much better than for the Chapter 200 program). Far fewer of the BHA’s Chapter 667 respondents knew the Executive Director had held a meeting with residents—this is likely a reflection of the miniscule nature of BHA’s Chapter 667 program (largely at Franklin Field Elderly and Monsignor Powers) in comparison with it being the dominant portion of many other LHAs’ portfolios in the Commonwealth. BHA scored well as to general maintenance, but was fairly comparable with the State-wide figures. BHA did, however, get more reports about apartments being too hot or too cold, and more plumbing problems were one-time as opposed to repeated. All hot water problems for BHA were resolved within 48 hours (there were still some outstanding beyond this in the state-wide report), but BHA had more reported problems with sewer backup. Safety ratings, as in the Chapter 200 portfolio, were lower, with 31% of BHA respondents saying “not safe at all” or “somewhat safe”, as opposed to 14% statewide. The biggest factor here was “strangers hanging around” and “non-residents get access codes”, but also a concern about non-secure windows. BHA’s overall satisfaction rating, however, was significantly lower than statewide (18% saying very or mostly dissatisfied, as opposed to 9% statewide).

Response: Agreed.

Comment: On the Performance Management Review, a number of items were paused due to COVID-19, or had no findings. Operational guidance on occupancy and other topics makes suggestions about best practices, but it is not clear that BHA is falling short in any way. (It may be that this is the same text for all LHAs—see the reference to Board meetings, which would not apply to the BHA where there is no Board of Commissioners.)

Response: Agreed.

Comment: For the Capital Improvement Plan, see above. I'd note that on p. 3 of the CIP Narrative (Section 2.3), Why are these figures so high and what steps is BHA taking to reduce the vacancy rate so that units are fully utilized to address the great housing need in Boston?

Response: The BHA is focused on increasing the occupancy rate in its public housing portfolio by addressing the number of units ready for assignment and the number of fully screened applicants ready to be assigned. The ACOP sets out several circumstances that allow an applicant or transfer to reject an offer for good cause, including the condition of the offered unit. The BHA has instituted a quality control program that entails the reinspection by senior management before a vacant unit is shown to a prospective applicant. Refusals because of the condition of the apartment have all but disappeared.