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ACCESS BHA RELOCATION PLAN FOR PUBLIC HOUSING

Introduction

The Boston Housing Authority (BHA) has entered into a Voluntary Compliance Agreement (VCA) with the Department of Housing and Urban Development (HUD) to increase the accessibility of BHA's housing programs to persons with disabilities. One portion of this agreement requires the BHA to make physical modifications to some of its apartments in order to create additional fully accessible dwelling units that comply with the Uniform Federal Accessibility Standards (UFAS). In order to create these additional units it will be necessary to relocate permanently or temporarily some families now living in BHA Family and Elderly and Disabled housing

This plan covers the relocation of resident households currently residing in BHA Family and Elderly/Disabled developments that may be necessary during the construction required to create units that comply with UFAS. This plan was developed after public notice and comment to accomplish the necessary temporary or permanent relocation while minimizing inconvenience to resident households and ensuring that all affected residents can live in units that include any special features they may require. This plan once finalized will supercede the previously approved Access BHA Relocation Plan For Elderly and Disabled Public Housing-Phase I.

Scope

The construction plan developed for implementation as part of the VCA envisions planning and construction taking place in three phases over four years beginning in October 2002 and ending in September 2006. Further information about the developments included in each phase, the number of households requiring relocation and the anticipated construction start date at each site are detailed below.

Phase One Relocation

Elderly and Disabled Program

The first phase of the plan for elderly and disabled housing includes the following properties:

Development

- Frederick Douglass
- Hampton House
- Washington Manor
- Hassan
- Lower Mills
- Pasciucco

Construction for this phase is planned to begin in October 2003 and will require the temporary or permanent relocation of approximately fifty (50) households.

Family Program

The first phase of the plan for family housing includes the following properties:

Development

- Commonwealth
- Charlestown
- Lenox
- Alice Taylor

Construction for this phase is planned to begin in the Fall of 2003 and will require the temporary or permanent relocation of approximately one hundred and eighteen (118) households.

Phase Two Relocation

Elderly and Disabled Program

The second phase of the plan for elderly and disabled housing includes the following properties:

Development

- Amory Street
- Torre Unidad
- Heritage

Construction for this phase is planned to begin in October 2004 and will require the temporary or permanent relocation of approximately fifty (50) households.

Family Program

The second phase of the plan for family housing includes the following properties:

Development

- Bromley
- Archdale
- Orient Heights
- Gallivan
- Whittier
- Mary Ellen McCormack
- Old Colony

Construction for this phase is planned to begin in Fall 2004 and will require the temporary or permanent relocation of approximately one hundred and nine (109) households.

Phase Three Relocation

Elderly and Disabled Program

The third phase of the plan for elderly and disabled housing includes the following properties:

Development

- St Botolph Street
- Codman
- Rockland Towers
- Martin Luther King Apartments

Construction for this phase is planned to begin in October 2005 and will require the temporary or permanent relocation of approximately fifty (50) households.

Family Program

The third phase of the plan for family housing includes the following properties:

Development

- Franklin Field
- Franklin Hill

Construction for this phase is planned to begin in Fall 2005 and will require the temporary or permanent relocation of approximately twenty (20) households.

Notices

All Legal Leaseholders, including the head and co-head, of units identified for or affected by conversion to UFAS shall be eligible for relocation assistance and will be informed of their eligibility through various relocation notices. A general notice shall be provided to households as soon as the need for relocation is determined. A notice of relocation policies, benefits and requirements shall be sent to all resident households whose relocation is required not less than 120 days prior to start of construction ("Formal Notice"). The Formal Notice will inform residents of their relocation options and benefits and of the time allotted for their decision. BHA's relocation coordinator will meet individually with each affected family to determine the relocation needs of the household.

The term "Legal Leaseholder" means any head and/or co-head in good standing and in occupancy as of the date of the first relocation notice (Relocation Notice #1) to household. Residents against whom the BHA has initiated eviction action (a notice of private conference has been issued to the head of household) prior to the beginning of relocation and construction shall not be entitled to receive relocation benefits. If such a household is remaining at time of start of construction, the household will be transferred under use and occupancy to another BHA unit while the eviction case proceeds to

conclusion.

Formal Notice shall be by personal service, and also sent by certified and registered first class mail, return receipt requested. Notices will be available in alternative formats, and translation will be provided as requested. Notices shall indicate the name and telephone number (including the TDD number), of the Relocation Coordinator who may be contacted to answer questions or provide additional information. Residents who are unable to read and /or understand any notice will be provided with appropriate translation, communication and counseling.

Grievance Procedure

All residents who have received a Formal Notice of relocation policies, benefits and requirements or who are required to temporarily or permanently relocate shall have the same grievance rights as all other residents regarding BHA action or inaction as provided by the resident's lease with the BHA. The BHA Grievance Procedure shall govern all grievances filed.

Similarly, all residents who have received a Formal Notice of relocation policies, benefits and requirements or who have been required to permanently or temporarily move shall have the same rights to file a complaint alleging discrimination as all other residents of BHA. Residents should forward complaints to the BHA Civil Rights Department, or to Massachusetts Committee Against Discrimination or the US Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity.

Resident Meetings

A Community Meeting will be held at each affected development to give residents general information about the relocation process. This meeting will provide an opportunity for an informal discussion and encourage input from the residents.

The Relocation Coordinator will schedule individual meetings with each affected household to introduce herself and to begin to determine the needs of each household. The Coordinator will be the primary contact for all resident relocation concerns and will be available to residents throughout the process. Where a resident expresses an interest in a Section 8 Voucher, a representative of the BHA Section 8 Department will attend to provide information and assistance.

Individual Resident Household Assessments

Each household to be affected by construction will be notified by receipt of a Formal Notice of Relocation Policies, Benefits and Requirements. Shortly after the letter is received the Relocation Coordinator will schedule and conduct individual home visits to explore the relocation options with each household and to learn individual relocation needs. The home visit will give the Coordinator the opportunity to meet privately with the family at a location where it may be most convenient, especially for elders and persons with disabilities. This visit will also provide an opportunity to assess the entire family's needs; and in turn will give the residents the opportunity to voice concerns regarding the

relocation process directly with the Coordinator. The family may invite another family member, social worker, advocate or other person(s) of choice to attend this meeting. Meetings will be conducted at alternate locations upon request from the household.

During this confidential home visit, the Relocation Coordinator will determine what, if any, features the family requires in an apartment to address handicap accessibility needs, as well as any other special needs the family may have including location, transportation, or service coordination needs. In Elderly and Disabled Developments, the Relocation Coordinator will work in conjunction with staff from the Resident Services Department to coordinate all supportive service needs.

Split Households

The data gathered from the home visit will be used to determine if part of a family may qualify as a split household. The term "split household" refers to a family unit, generally consisting of parent and at least one child (including guardianship), where the family head is not the leaseholder but resides in a leaseholder's unit and is listed as a household member. Personal care attendants will not qualify for split household status. Unauthorized persons will not be considered. Solely for the purpose of qualifying for the Section 8 vouchers to carry out this project, the BHA has expanded the definition of a split household to include a single adult, eighteen years of age or older.

During the home visit, relocation staff will discuss and review with the family the options available for the split household.

A household member(s) who qualifies as a split household will be provided with the following options:

1. Receive a Section 8 voucher and not return to BHA conventional public housing.
2. Remain a member of the current household, and take part in the temporary or permanent relocation option chosen by the family, thereby giving up Split Household status.

At the time the Resident Household is required to move and relocate, household members who have selected Split Household status must either:

1. Remain a member of the current household, and take part in the temporary or permanent relocation option chosen by the family, thereby giving up Split Household status.
2. Vacate the unit to non-BHA housing with no right to return to BHA housing, if the Section 8 Voucher has not been utilized with an approved apartment.

Once a household has moved and been relocated either temporarily or permanently, the option of any household member to qualify for Split Household status will terminate.

Split households will receive no other benefits or compensation.

Relocation Options

To facilitate the reconstruction of units to create fully accessible units, temporary or permanent relocation housing units will be identified for all legal households in good standing. The following relocation options will be offered to households in good standing, that is, without eviction action pending:

A. Households that reside in units scheduled to be converted to fully accessible UFAS units and that include no household member who requires the features of the fully accessible units will have the following options:

1. Permanent move to a unit of appropriate type and size at the same development; or
2. Permanent move to a unit of appropriate type and size at another development chosen by the resident; or
3. Receive a Section 8 Voucher and not return to BHA conventional public housing. Households selecting this option will be required to elect at least one other relocation option in case their attempts to locate housing with Section 8 are unsuccessful. If, at the time construction must begin, Households who have selected Section 8 as an option have not secured housing, they will be relocated consistent with the rest of this plan.

Any unit offered will accommodate the documented special needs of the household.

B. In Elderly/Disabled housing only, households that reside in studio apartments that will be merged with another unit to create a fully accessible 2-bedroom UFAS unit will have the following options:

1. Permanent move to a unit of appropriate type and size at the same development; or
2. Permanent move to a unit of appropriate type and size at another development chosen by the resident; or
3. Receive a Section 8 voucher and not return to BHA conventional public housing. Households selecting this option will be required to elect at least one other relocation option in case their attempts to locate housing with Section 8 are unsuccessful. If at the time construction must begin households who have selected Section 8 as an option have not secured housing, they will be relocated consistent with the rest of this plan.

Any unit offered will meet the documented special needs of the household.

C. Households that reside in a unit scheduled to be converted to a fully accessible UFAS unit and that includes a household member who requires the features of such a unit will have the following options:

1. Temporary move to a unit of appropriate size and type on site and return to their original unit if it is of appropriate size and type when the

reconstruction is complete; or

2. Permanent move to a unit of appropriate size and type at the original development; or
3. Permanent move to a unit of appropriate size and type at another development chosen by the resident; or
4. Receive a Section 8 voucher and not return to BHA conventional public housing. Households selecting this option will be required to elect at least one other relocation option in case their attempts to locate housing with Section 8 are unsuccessful. If at the time construction must begin households who have selected Section 8 as an option have not secured housing, they will be relocated consistent with the rest of this plan.

Any unit offered will meet the documented needs of the household.

D. For the purposes of relocation to another BHA development, any household choosing this option will make up to three development choices. If the household requires certain features, the developments selected must have units with such features. The Relocation Coordinator will verify that unit features required by the household exist at the chosen location(s). The first appropriate unit that becomes available at any of the chosen developments will be offered to the household.

E. The BHA's Section 8 Department will work closely with the Relocation Coordinator to ensure that residents receive all services offered by the Section 8 Program. Residents who lease up with a Section 8 Voucher as a relocation option and then later decide to return to public housing must re-apply, as would any other household.

F. BHA reserves the right to temporarily relocate a household to a unit in a location other than one chosen by the resident if relocation is required to allow construction to progress on schedule. Any household not yet relocated under one of the above options by the date of commencement of construction will receive an offer of appropriate temporary housing with a right to return to the household's original development.

G. Households in good standing, that is with no eviction action pending, will be required to sign the standard BHA lease for the new unit. Residents against whom an eviction action is pending shall sign a Use and Occupancy Agreement for the permanent or temporary assignment until the action is resolved. Pending evictions shall include cases in the private conference stage.

Assignment and Selection of Relocation Apartments

The relocation coordinator will review each resident assessment and ensure that residents are offered an appropriate apartment. Residents being relocated will be treated as administrative transfers and assignments will be made through the BHA Occupancy Department. Residents will receive a Notice to Move not less than thirty

(30) days prior to the required date identifying and providing relocation to an apartment appropriate to the chosen relocation option.

After receipt of the Notice to Move providing the relocation assignment, residents will be contacted by a staff person to schedule an appointment to visit the assigned apartment. If required, the staff will arrange transportation to permit residents to visit apartments, if located in another BHA development. The resident-staff inspection of the unit will provide both parties an opportunity to discuss or identify any potential problems.

Once the resident has received the Notice to Move, and has viewed the offered apartment, he or she will have five (5) business days to accept or reject the unit. Once the resident has accepted the unit, he or she will have thirty (30) days from the receipt of the Notice in which to move into the assigned unit.

Residents may refuse the offer of a unit of appropriate size and type as determined during the relocation assessment only for Good Cause as defined in BHA's Tenant Selection Transfer and Assignment Plan (TSTAP) or any successor policy. The relocation assessment is designed to determine and verify all special needs of the resident household and thereby avoid inappropriate assignments.

Refusal to sign required relocation or re-housing agreements shall be considered rejection of an assignment without Good Cause.

Failure to accept an assignment of temporary or permanent housing within five (5) business days shall be considered rejection without Good Cause. Further, the failure to move into the temporary or permanent unit within thirty (30) days of acceptance shall also constitute rejection without Good Cause.

BHA will initiate an eviction action against any resident who rejects a temporary or permanent relocation assignment without Good Cause. The BHA will terminate all relocation payments to any resident who rejects without Good Cause a temporary or permanent relocation assignment.

If a resident is unable to accept an offer of housing because of a disability, the resident shall so inform the Relocation Coordinator and submit a request for reasonable accommodation pursuant to the BHA's Reasonable Accommodation in Housing Policy.

Scheduled Moves

The BHA will assist in the relocation of each family.

A moving contractor will be hired by the BHA to move all of the Residents' belongings and furniture at no cost to the resident. The moving contractor will also pack Resident's belongings if the Resident applies for and is approved for this service as a Reasonable Accommodation. The moving services will be scheduled for both temporary and permanent moves. Prior to either move, each resident will complete an Apartment Inventory Form with a relocation staff person. Once the form is completed and a moving contractor is scheduled to move the household, all parties involved will review and sign the form.

Residents may also choose to move themselves. In this case, residents will be reimbursed for all reasonable moving costs. The relocation staff will coordinate the reimbursement to the Resident for such costs within thirty (30) days of receiving the applicable receipts, as set forth below

Relocation Payments and Reimbursable Expenses

The BHA shall pay the moving costs of a resident who must move either temporarily or permanently. Payment shall be made in one of following ways:

Moving Expenses

1. The BHA shall solicit proposals from moving companies to move residents and BHA will assign staff to schedule and coordinate the moves. With this option, the household is also entitled to a dislocation allowance in the amount of \$50.00.
2. If a resident chooses to move him or herself, the BHA will reimburse the resident for actual moving costs and related expenses if appropriate documentation is provided. Under no circumstances however, will the BHA reimburse a resident an amount higher than that the BHA would pay to move the resident. For residents who wish to receive reimbursement for actual moving costs, BHA will provide an advance payment of up to 50% of the fixed amount of moving costs to those who can establish hardship.
3. The resident household may elect to receive a fixed moving allowance based on bedroom size plus a dislocation allowance as required by law for a self-move.

Reimbursable Expenses

Reimbursable expenses related to moving may include the cost of replacing cable hook-up and/or telephone hook-up. The number of telephone and cable hook-ups will be limited to service existing prior to the move. Expenses for moving DSL or other Internet access will also be reimbursed.

The relocation staff shall coordinate the reimbursement to the resident for approvable costs within thirty (30) days of receiving the applicable receipts.