

**Boston Housing Authority**  
**An Approach to Preservation: Repositioning Boston's Public Housing for the Future**  
**Responses to Comments July 25, 2007**

The following comments were collected between April 1, 2007 and June 1, 2007 in response to the March 26, 2007 distribution of *An Approach to Preservation: Repositioning Boston's Public Housing for the Future*. This report was distributed to resident organizations, elected officials, housing advocates, City, State and federal partners, and other stakeholders. Comments were collected in writing and via a variety of meetings and public forums, including an advertised public hearing on May 25, 2007.

| #  | Comment   | Response   |
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|    | <i>General</i>  |  |
| 1. | Need to translate the Plan into other languages. Spanish may be available soon, but still need Vietnamese, Haitian Creole, Portuguese. Also, BHA should look into putting out materials on audio tape or in some other manner that would be accessible to persons with sight impairments. | The BHA has formed an internal Limited English Proficiency (LEP) Committee to look at a broad set of issues around LEP from a policy, cost and logistical perspective. Further information and policy development will be forthcoming from this Committee.                                       |
| 2. | Winthrop Square garage proceeds – are they part of the BHA's plans?   | The BHA will engage with the Resident Advisory, Monitoring Committee, LTO's, advocates, elected officials, and other stakeholders about how to best utilize the proceeds of the Winthrop Garage. This process will like begin sometime in Fall, 2007.  |
| 3. | Could you use community TV stations to improve communications?  | BHA staff routinely appear on Boston's Cable Network News, and will continue to do so. Suggestions for specific topics are welcome.  |
| 4. | Will each component of the Approach to Preservation get separate clarification, examination or will there just be a single encyclopedic planning document?  | The Approach to Preservation is intended as a general summary that highlights several initiatives moving forward. Each of these initiatives will have its own process and schedule, and as applicable, public hearings.  |
| 5. | How could BHA ever have allowed maintenance needs to reach \$500 million?   | The \$500 million backlog is for capital improvements, not daily maintenance. BHA capital needs are a result of decades of federal underfunding of both capital and operating budgets. It may make sense to ask the question of those in Congress who have allowed this pattern of underfunding. |
| 6. | Residents and BHA should be working together more on funding and legislative initiatives. This is a missed opportunity.   | We agree and we would like to engage in more joint lobbying efforts. Specific suggestions for how to formalize these efforts are welcome.  |
| 7. | We appreciate BHA's up front assessment of their situation. We are glad that the BHA is not proposing more sales of its properties.   | Thank you.   |

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| 8.  | When will the state properties benefit from a similar planning process? We are concerned this will not happen.  | We are hopeful that with the new state administration, resources for state public housing will improve over the next few years. Already, the Department of Housing and Community Development (DHCD) has moved to settle the operating subsidy lawsuit brought by BHA and other local housing authorities. We will be working with staff at DHCD to evaluate the needs of the state portfolio and identify strategies for preservation over the next year.  |
|     | <i>Capital Fund Financing Program</i>   |  |
| 9.  | How will BHA cover its capital needs if its capital funds are being used for debt service?  | The BHA will still have 70% of its annual capital allocation to make ongoing and emergency repairs during the 20-year term of the bond.  |
| 10. | How do we ensure that BHA can really handle the CFFP funds prudently?   | The BHA Capital Construction Department will ensure the capacity and expertise to spend the CFFP funds on time, on budget, and for the identified scope of work.   |
|     | <i>Energy Performance Contracts</i>   |  |
| 11. | Regarding ESCOs, is the list of sites closed or can they still get on it?   | The list of sites has been identified according to a number of factors, including physical conditions, replacement cost, and projected energy savings. If a site is not on the list, it most likely means that a) its not a federal site and therefore not eligible under this contract, b) it has already had the energy-related work completed, or 3) there are not sufficient energy savings in the improvements. It is therefore unlikely that a site not already on the list will be added. |
| 12. | Some of the ESCO work descriptions are confusing. Can you clarify whether a site is getting new boilers or just new controls or both?   | We have made these clarifications in the latest version of the <i>Approach to Preservation</i> which will be posted on the BHA web site ( <a href="http://www.bostonhousing.org">www.bostonhousing.org</a> ) in September, 2007.   |
|     | <i>Mixed Finance Redevelopment</i>  |  |
| 13. | For both Orient Heights and Washington Beech, we are concerned that community pressures may result in the loss of diversity, increases in racial concentration, and loss of affordable housing stock. | The BHA is always mindful of these concerns. Our goal in redevelopment is affordable housing preservation that will continue to allow for diverse communities both economically and racially. Often it is necessary to lose some units at a redevelopment site in order to provide for better  |

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|     |  | replacement housing (e.g. perhaps to allow for individual entryways, add more accessible units, add more green space, or make larger units). And, sometimes it is necessary to integrate a market component in order to make the project financially feasible. However, the BHA is committed to serving its core constituency in these projects as it has done at Mission, Orchard, Maverick and Franklin Hill.  |
| 14. | Neither Orient Heights or Washington Beech have recognized Local Tenant Organizations (LTOs). BHA needs to help residents get re-organized as part of its redevelopment effort.  | We will engage in this effort and we are already working actively at Washington Beech, where an Election Committee has been formed and there is renewed resident interest in formalizing the task force. At Orient Heights, there is less momentum and we are interested in supporting any and all efforts to promote elections and a larger task force.   |
| 15. | To the greatest extent possible, BHA should avoid competing for scarce tax credit resources, which also aid other important affordable housing development.  | The current "pie" of tax credit resources is unfortunately not large enough for all of the affordable housing needs within the state. The BHA, the City and the Commonwealth have all recognized that BHA redevelopment projects are excellent uses of tax credit allocation because they are at a scale of units and depth of affordability that is unmatched by other projects across the state. Many tax credit projects do not serve extremely low-income residents to the extent that BHA redevelopment projects do. The BHA and entire affordable housing community must continue to advocate to make the tax credit "pie" bigger, but in the meantime our constituents are just as deserving of these resources as other owners and developers. |
| 16. | Any plan at Orient Heights and Washington Beech should insure that units are permanently affordable, that there is as full replacement as possible, that units are targeted to those with the greatest financial need, that all residents who wish to have the right to return to units with rent protections similar to those currently in existence, and that residents are full partners in the development process | The BHA generally affirms these priorities. To some degree, however, it may be desirable to broaden the spectrum of incomes at a particular site for either policy or feasibility reasons, and we will continue to consider the balance between maximizing replacement units and achieving more of an income mix on a case-by-case basis. Resident   |

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|     |  | participation is a key component of all of the redevelopment efforts.   |
| 17. | If Assisted Living is done as new construction on vacant land, there are no clear negatives. Replacement and conversion options have more potential for negative impacts. BHA should focus upon options that would avoid or minimize displacement and loss of existing resources.  | As we engage in feasibility planning for this initiative, we will take this comment into consideration and place a high priority on minimizing disruption for existing residents.   |
| 18. | Regarding assisted living, community institutions (hospitals, universities, etc.) might offer opportunities for partnerships   | We agree and hope to leverage many new partners as a result of this initiative.   |
| 19. | I understand the desire for changes with regards to assisted living but changes will mean increased costs for the elderly. How will BHA avoid this?  | Our goal in adding an Assisted Living alternative is to provide enhanced services for our low-income seniors without adding costs for residents. A plan that adds cost for our already struggling seniors will not be feasible.   |
| 20. | There is a real fear of gentrification around Washington Beech after the High Point Village experience.  | We are mindful of the recent conversion at High Point Village and the BHA was a key player in providing Section 8 vouchers to ensure that existing residents could stay. Our priority for redevelopment at Washington Beech is affordable housing preservation.   |
|     | <i>Elderly Project-Based Section 8</i>   |   |
| 21. | BHA should insure that the use of Section 8 Project Based Vouchers for a Public Housing Conversion does not adversely affect preservation/development of affordable housing outside of Public Housing, or the adequacy of tenant-based funding both for the families already participating in the program as well as for those on the Section 8 Tenant-Based Waiting List. | The BHA will continue to provide project-based Section 8 resources to privately-developed affordable housing projects in Boston. However, the Approach to Preservation has been developed in response to an acute lack of resources at the BHA to care for its own deteriorated stock. We must begin to utilize some of our Project-based resources to preserve our own portfolio preservation if we want to avoid taking units off line in the future. |
| 22. | Displacement and relocation in the Elderly PBV conversions should be avoided except to the bare minimum that may be required for repairs/rehabilitation.   | We agree.   |
| 23. | Elderly PBV units should be subject to permanent Low-Income Use Restrictions, with the same rights that tenants currently have, and with recourse to BHA if immediate ownership is not responsive to residents' concerns.  | The goal in making the change to these units is to ensure their long-term viability and affordability. Until we are further along in the legal/technical exploration of this process, we cannot define what the specific long-term affordability restrictions and mechanisms will be.   |
| 24. | LTOs should continue to be recognized at Elderly PBV sites and should have adequate funding.   | The BHA absolutely intends to continue to support resident  |

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|     |  | organizations in developments that convert to Project-based Section 8. These organizations will be funded comparably to public housing developments, and will be able to participate on the Resident Advisory Board and Monitoring Committee.   |
| 25. | Issues regarding whether the Development would remain Designated Housing, and how Admissions and Transfers would be handled, need to be addressed.   | We agree, and we will continue to discuss these issues as we get further in the exploration of the technical process and requirements for moving from ACC to PBV units.   |
| 26. | If the law changes, or if BHA's options under Federal or State Law change, there needs to be further discussions regarding what are reasonable approaches in light of those changes/options.   | We agree.   |
| 27. | Statutory/Legal Considerations must be addressed (biggest issue = potential for conversion with no replacement vouchers)   | We agree. It is our intent to apply for replacement vouchers and Replacement Housing Factor funds in association with the elderly conversions.  |
| 28. | Many new charges are being imposed – e.g., minimum rent is going to \$50; \$300 security deposits; even small stipends now being factored into rent amount; parking fees; air conditioning fee. These items are happening now and they are therefore more important than what might happen in the future.  | These proposals are the subject of legislation that has been introduced by various state legislators for state public housing units and are not promoted by BHA.  |
| 29. | I heard as recently as last week that Malone is being sold. Please confirm.  | Malone is NOT being sold.   |
| 30. | Concerns about PBVs:<br><br>--If a tenant misses a month's rent, then his/her status switches to tenant-at-will.<br><br>--No provision for a local tenant organization. Why can't we continue with LTO structure.<br><br>--Exactly what are the differences between public housing and Section 8? Do residents with PBVs have the same rights as public housing residents? Does BHA plan to publish a succinct summary of the differences? Will elderly residents continue to get medical deductions?<br><br>--Upon change in ownership, will tenant organization(s) continue to have direct contact with BHA? There must be a strong affirmation of tenant access to the BHA.<br><br>--Will disabled be able to stay? | --Rent collection is a critical component to the ongoing operation of all BHA properties. However, the tenant-at-will comment is not accurate in our view.<br><br>--We WILL continue to have resident organizations that will be funded and have direct contact with BHA.<br><br>--We are developing a detailed summary that outlines the differences between being a public housing resident and a Project-based Section 8 resident.<br><br>--Our goal is not to displace any disabled persons in changing over from ACC to PBV. |
| 31. | Which sites will be selected for the Elderly PBV program?  | We have not yet selected sites for the program. We will propose sites once we have completed the legal assessment of how to move forward from a procedural and regulatory   |

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|     |  | perspective.  |
| 32. | Elderly residents need LOTS of time to get used to the PBV idea, especially those that might have to move. A hasty notice isn't sufficient.  | We agree. Residents will have ample notification and months of resident process before any conversions are completed.   |
| 33. | Will the PBV Elderly developments maintain the BHA's Elderly/Disabled designation ratio (i.e. 70/30 or 80/20)? How will this work?   | Project-based Section 8 units are not subject to the BHA's Designated Housing Plan (DHP). However, our intent is not to displace any disabled persons in making the change from ACC to PBV.   |
| 34. | What are the specific losses to Ops. Subsidy and Capital Subsidy to move 500 units of Elderly ACC to PBV?  | We estimate a reduction of approximately \$3,840,000 in operating funds and \$1,140,000 in capital funds. However, since we will also have 500 fewer units to care for with these funds, we do not consider it a loss of subsidy.   |
| 35. | Key Issue = Unit loss under redevelopment. We appreciate BHA's efforts to minimize this and want to continue to avoid the loss of any hard unit to the BHA system and any overall affordable unit loss under redevelopment.  | We share this goal.   |
| 36. | Encourage BHA to pursue exemption from the 20% cap when allocating PBV units to BHA properties or redevelopment sites  | This type of flexibility would be welcome and the BHA supports this change. At this time we are well below the 20% cap (at about 5%), so it is not a current issue.   |
| 37. | On PBV Elderly conversions<br>--tenant participation funding is critical<br>--laundry funds are really important to residents<br>--need longterm safeguards on affordability with HAP contracts<br>--Need to minimize disruption and displacement of existing residents<br>--Need to create comparable grievance and appeal procedures so that tenant rights mirror ACC procedures in the PBV buildings<br>--Need to address designation issue (80/20)<br>--Concerns on transfers and residents having access to transfer if needed to BHA site<br>--If properties are benefiting from the conversion, need to reinstate adequate security in each property's budget | --We intend to provide for tenant participation funds in the operating budgets of the converted sites<br>--The laundry policy will remain consistent with the public housing developments<br>--Our goal is affordable housing preservation, not to dispose of these units to the market<br>--We will create comparable grievance and appeal processes to the extent possible under the new structure<br>--We will continue to explore and discuss the designation issue as we move forward<br>--We will provide emergency transfers to other BHA sites as we do at our HOPE VI developments<br>--The security budget will be addressed on a case-by-case basis in the change from ACC to PBV. |
| 38. | Is BHA going to get more money because of the conversion to PBV? Is so, how can we ensure that it goes to the site?  | The purpose of changing from the public housing program to Project-based Section 8 program is to create   |

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|     |   | a deeper subsidy for the units and allow for more repairs at the site.  |
| 39. | <p>Being a resident of BHA elderly/disabled housing and having read the recent BHA proposal for changes, I have several questions:</p> <ol style="list-style-type: none"> <li>1) Which of the elderly/disabled developments be impacted by the changes and how:</li> <li>2) Which type of subsidies be used: Section 8 or other</li> <li>3) Currently, HUD standard deduction for elderly amounts annually to \$400 per person and also</li> <li>4) Medical expenses and medications costs are deducted for annual gross annual income before annual rents are computed.</li> <li>5) Will #3 and #4 continue or change? If so, how?</li> <li>6) Also the question of utilities. Will these have to be paid by residents?</li> </ol> | <p>--we have not yet selected specific sites</p> <p>--there are slight differences in deductions and adjustments between the public housing and Section 8 programs. The BHA will provide more information on this as this program moves forward.</p> <p>--there is no plan at this time to change utility bill payments to residents. If this happens in the future, rents will be adjusted lower to compensate for the utility cost.</p> |