Chapter 1

OVERVIEW OF THE PROGRAM AND PLAN

INTRODUCTION

The Housing Authority of Kansas City (HAKC) receives its funding for the Housing Choice Voucher (HCV) program from the Department of Housing and Urban Development. The HAKC is not a federal department or agency. HAKC is a public housing agency (PHA) that is a governmental or public body, created and authorized by state law to develop and operate housing and housing programs for low-income families. The HAKC enters into an Annual Contributions Contract with HUD to administer the program requirements on behalf of HUD. The HAKC must ensure compliance with federal laws, regulations and notices and must establish policy and procedures to clarify federal requirements and to ensure consistency in program operation.

This chapter contains information about the HAKC and its programs with emphasis on the HCV program. It also contains information about the purpose, intent and use of the plan and guide.

There are three parts to this chapter:

Part I: The HAKC. This part includes a description of the HAKC, its jurisdiction, its programs, and its mission and intent.

Part II: The HCV Program. This part contains information about the Housing Choice Voucher program operation, roles and responsibilities, and partnerships.

Part III: The HCV Administrative Plan. This part discusses the purpose and organization of the plan and its revision requirements.

PART I: THE HAKC

1-I.A. OVERVIEW

This part explains the origin of the HAKC’s creation and authorization, the general structure of the organization, and the relationship between the HAKC Board and staff.

The Administrative Plan contains procedures and the Administrative Plan describes important information about the Housing Authority of Kansas City, Missouri (“Housing Authority”). Since the information, policies, procedures and benefits described herein are necessarily subject to change, acknowledge that the Housing Authority may make revisions to the Administrative Plan at any time. All such changes shall be communicated through official notices, and it is understood that revised information may “supersede, modify, or eliminate existing policies. Only the Executive Director has the authority to adopt any revisions to the procedures contained in the Administrative Plan. The Executive Director is further authorized to modify the procedural aspects of the Administrative Plan without Board approval that do not affect regulatory compliance in order to facilitate day-to-day program operations.
ABOUT THE AUTHORITY

The Housing Authority of Kansas City, Missouri (HAKC) was established July 14, 1941 by city ordinance and mayoral appointment of a five member Board of Commissioners, in accordance with Missouri enabling legislation. World War II suspended the operation of HAKC in 1942 until 1946 when HAKC was reactivated to provide housing for returning veterans. Since then additional units have been added and the program has expanded to include low-rent units for other families. Through its Division of Housing Operations, the HAKC leases and manages apartment complexes Riverview Gardens (1953), Theron B. Watkins (1954), Guinotte Manor (1955), Chouteau Court (1959), Wayne Miner (1962), West Bluff (1964), Brush Creek Towers (1973), Dunbar Gardens (1973), Pemberton Heights (1981) and single family houses located throughout the City of Kansas City, Missouri. HAKC’s portfolio of housing units also includes mixed finance units to which this ACOP applies at Villa del Sol (1998), Cardinal Ridge (2001), Beacon Park (2011), Crooked Creek (2002), Mount Cleveland (2004) and Willow Glen Townhomes (2004) and Willow Glen Apartments (2007).

In 1977, the HAKC entered into its first Annual Contributions Contract (ACC) with HUD for the Section 8 Housing Assistance Payments Program. Since that time, HAKC, through its Section 8 Division, has entered into ACCs for the Section 8 Housing Choice Vouchers and Project Base Programs.

1-I.B. ORGANIZATION AND STRUCTURE OF THE HAKC

The Section 8 tenant-based Housing Choice Voucher (HCV) assistance program is funded by the federal government and administered by the Housing Authority of Kansas City (HAKC), MO for the jurisdiction defined in the HAKC bylaws, except as may further be approved by agreements with the Housing Authorities of those municipalities as provided under state and local law.

The officials of a HAKC are known as commissioners or, collectively, as the board of commissioners. Commissioners are appointed in accordance with state housing law and generally serve in the same capacity as the directors of a corporation, establishing policies under which the HAKC conducts business, ensuring that policies are followed by HAKC staff and ensuring that the HAKC is successful in its mission. The board is responsible for preserving and expanding the agency’s resources and assuring the agency’s continued viability.

Formal actions of the HAKC are taken through written resolutions, adopted by the board of commissioners and entered into the official records of the HAKC.

The principal staff member of the HAKC is the executive director (ED), hired and appointed by the board of commissioners. The executive director is directly responsible for carrying out the policies established by the commissioners and is delegated the responsibility for hiring, training and supervising the remainder of the HAKC’s staff in order to manage the day-to-day operations of the HAKC to ensure compliance with federal and state laws and directives for the programs managed. In addition, the executive director’s duties include budgeting and financial planning for the agency.
1-I.C. HAKC MISSION

The purpose of a mission statement is to communicate the purpose of the agency to people inside and outside of the agency. It provides guiding direction for developing strategy, defining critical success factors, searching out key opportunities, making resource allocation choices, satisfying clients and stakeholders, and making decisions.

HAKC Mission Statement

It is the mission of the HAKC to provide affordable housing to eligible people within our community while creating and promoting opportunities for independence, self-sufficiency, and an improved quality of life.

Our organization is committed to teamwork that values integrity, initiative, innovation and trust.

HAKC’s goals are to maximize housing opportunities for eligible persons, to facilitate opportunities for self-sufficiency of the residents, and to create a team-based environment that promotes communication and development of all employees.

The mission of the Housing Authority of Kansas City is to provide decent, safe and sanitary affordable housing to eligible low-income individuals and families in ways that support de-concentration of poverty, strengthen families and encourage self-sufficiency. The chief objectives of the Section 8 Program are:

- To provide improved living conditions for low-income families while maintaining rent payments at an affordable level
- To promote freedom of housing choice and spatial deconcentration of lower income and minority families
- To provide decent, safe and sanitary housing for eligible participants
- To provide incentives to private property owners to rent to lower income families

1-I.D. THE HAKC’S PROGRAMS

The following programs are included under this administrative plan:

HAKC Policy

The HAKC’s Administrative Plan is applicable to the operation of the Housing Choice Voucher program including the project-based voucher.

1-I.E. THE HAKC’S COMMITMENT TO ETHICS AND SERVICE

As a public service agency, the HAKC is committed to providing excellent service to HCV program participants – families and owners – in the community. The HAKC’s standards include:

- Administer applicable federal and state laws and regulations to achieve high ratings in compliance measurement indicators while maintaining efficiency in program operation to ensure fair and consistent treatment of clients served.
• Provide decent, safe, and sanitary housing – in compliance with program housing quality standards – for very low-income families while ensuring that family rents are fair, reasonable, and affordable.

• Encourage self-sufficiency of participant families and assist in the expansion of family opportunities that address educational, socio-economic, recreational and other human services needs.

• Promote fair housing and the opportunity for very low-income families of all ethnic backgrounds to experience freedom of housing choice.

• Promote a housing program that maintains quality service and integrity while providing an incentive to private property owners to rent to very low-income families.

• Promote a market-driven housing program that will help qualified low-income families be successful in obtaining affordable housing and increase the supply of housing choices for such families.

• Create positive public awareness and expand the level of family, owner, and community support in accomplishing the HAKC’s mission.

• Attain and maintain a high level of standards and professionalism in day-to-day management of all program components.

• Administer an efficient, high-performing agency through continuous improvement of the HAKC’s support systems and commitment to our employees and their development.

The HAKC will make every effort to keep program participants informed of HCV program rules and regulations, and to advise participants of how the program rules affect them.

PART II. THE HOUSING CHOICE VOUCHER (HCV) PROGRAM

1-II.A. OVERVIEW AND HISTORY OF THE PROGRAM

The intent of this section is to provide the public and staff with information related to the overall operation of the program. There have been many changes to the program since its inception in 1974 and a brief history of the program will assist the reader in understanding the program.

The United States Housing Act of 1937 (the “Act”) is responsible for the birth of federal housing program initiatives. The Act was intended to provide financial assistance to states and cities for public works projects, slum clearance and the development of affordable housing developments for low-income residents.

The Housing and Community Development (HCD) Act of 1974 created a new federally assisted housing program – the Section 8 Existing program (also known as the Section 8 Certificate program). The HCD Act represented a significant shift in federal housing strategy from locally owned public housing to privately owned rental housing.

The Housing and Community Development (HCD) Act of 1987 authorized a new version of tenant-based assistance – the Section 8 Voucher program. The Voucher program was very
similar to the Certificate program in that eligible families were able to select housing in the private rental market and receive assistance in that housing unit.

However, the Voucher program permitted families more options in housing selection. Rental housing still had to meet the basic housing quality standards, but there was no fair market rent limitation on rent. In addition, family contribution to rent was not set at a limit of 30 percent of adjusted income. Consequently, depending on the actual rental cost of the unit selected, a family might pay more or less than 30 percent of their adjusted income for rent.

In 1998, the Quality Housing and Work Responsibility Act (QHWRA) – also known as the Public Housing Reform Act – was signed into law. QHWRA eliminated all statutory differences between the Certificate and Voucher tenant-based programs and required that the two programs be merged into a single tenant-based assistance program, now known as the Housing Choice Voucher (HCV) program.

The HCV program was modeled closely on the pre-merger Voucher program. However, unlike the pre-merger Voucher program, the HCV program requires an assisted family to pay at least 30 percent of adjusted income for rent.

1-II.B. HCV PROGRAM BASICS

The purpose of the HCV program is to provide rental assistance to eligible families. The rules and regulations of the HCV program are determined by the U.S. Department of Housing and Urban Development. The HAKC is afforded choices in the operation of the program that are included in the HAKC’s Administrative Plan, a document approved by the board of commissioners of the HAKC.

The HCV program offers mobility to eligible families because they may search for suitable housing anywhere in the HAKC’s jurisdiction and may also be eligible to move under portability to other HAKCs’ jurisdictions.

When a family is determined to be eligible for the program and funding is available, the HAKC issues the family a housing voucher. When the family finds a suitable housing unit and funding is available, the HAKC will enter into a contract with the owner and the family will enter into a lease with the owner. Each party makes their respective payment to the owner so that the owner receives full rent.

Even though the family is determined to be eligible for the program, the owner has the responsibility of approving the family as a suitable renter. The HAKC continues to make payments to the owner as long as the family is eligible and the housing unit continues to qualify under the program.

1-II.C. THE HCV PARTNERSHIPS

To administer the HCV program, the HAKC enters into a contractual relationship with HUD. The HAKC has cooperative agreements with the neighboring housing authorities of
Independence, Liberty and Lee’s Summit, Missouri because the area of operation of the Kansas City Housing Authority if geographically defined as the City of Kansas City, Grandview and Raytown. The HAKC also enters into contractual relationships with the assisted family and the owner or landlord of the housing unit.

For the HCV program to work and be successful, all parties involved – HUD, the HAKC, the owner, and the family – have important roles to play. The roles and responsibilities of all parties are defined in federal regulations and in legal documents that parties execute to participate in the program.

The chart on the following page illustrates key aspects of these relationships.
The HCV Relationships:

- **Congress Appropriates Funding**
- **HUD Provides Funding To HAKC**
- **HAKC Administers Program**

- **Voucher specifies Family Obligations**
- **Housing Assistance Payments (HAP) Contract specifies Owner and HAKC Obligations**
- **Lease specifies Tenant and Landlord Obligations**

- **Family (Program Participant)**
- **Owner / Landlord**
What does HUD do?

HUD has the following major responsibilities:

- Develop regulations, requirements, handbooks, notices and other guidance to implement HCV housing program legislation passed by Congress;
- Allocate HCV program funds to HAKC;
- Provide technical assistance to HAKC on interpreting and applying HCV program requirements;
- Monitor HAKC’s compliance with HCV program requirements and HAKC’s performance in program administration.

What does the HAKC do?

The HAKC administers the HCV program under contract with HUD and has the following major responsibilities:

- Establish local policies;
- Review applications from interested applicant families to determine whether applicants are eligible for the program;
- Maintain waiting list and select families for admission;
- Issue voucher to selected family and, if necessary, assist the family in finding a place to live;
- Conduct outreach to owners, with special attention to owners outside areas of poverty or minority concentration;
- Approve the rental unit (including assuring compliance with housing quality standards and rent reasonableness), the owner, and the tenancy;
- Make housing assistance payments to the owner in a timely manner;
- Ensure that families and their rental units continue to qualify under the program;
- Ensure that owners and families comply with program rules;
- Provide families and owners with prompt, professional service;
- Comply with all fair housing and equal opportunity requirements, HUD regulations and requirements, the Annual Contributions Contract, Consolidated Annual Contributions Contract, HUD-approved applications for funding, the HAKC’s Administrative Plan, and other applicable federal, state and local laws.
What does the Owner do?
The owner has the following major responsibilities:

- Screen families who apply for tenancy, to determine if they will be good renters.
  - The HAKC can provide some information to the owner, but the primary responsibility for tenant screening rests with the owner.
  - The owner should consider family background factors such as rent and bill-paying history, history of caring for property, respecting the rights of others to peaceful enjoyment of the property, compliance with essential conditions of tenancy, whether the family is engaging in drug-related criminal activity or other criminal activity that might threaten others.
- Comply with the terms of the Housing Assistance Payments contract, executed with the HAKC;
- Comply with all applicable fair housing laws and discriminate against no one;
- Maintain the housing unit by making necessary repairs in a timely manner;
- Collect rent due from the assisted family and otherwise comply with and enforce provisions of the dwelling lease.

What does the Family do?
The family has the following responsibilities:

- Provide the HAKC with complete and accurate information, determined by the HAKC to be necessary for administration of the program;
- Make their best and most timely efforts to find a place to live that is suitable for them and that qualifies for the program;
- Cooperate in attending all appointments scheduled by the HAKC;
- Allow the HAKC to inspect the unit at reasonable times and after reasonable notice;
- Take responsibility for care of the housing unit, including any violations of housing quality standards caused by the family;
- Comply with the terms of the lease with the owner;
- Comply with the family obligations of the voucher;
- Not commit serious or repeated violations of the lease;
- Not engage in drug-related or violent criminal activity;
- Notify the HAKC and the owner before moving or termination the lease;
- Use the assisted unit only for residence and as the sole residence of the family. Not sublet the unit, assign the lease, or have any interest in the unit;
- Promptly notify the HAKC of any changes in family composition;
• Not commit fraud, bribery, or any other corrupt or criminal act in connection with any federal housing programs.

If all parties fulfill their obligations in a professional and timely manner, the program responsibilities will be fulfilled in an effective manner.

1-II.D. APPLICABLE REGULATIONS

Applicable regulations include:

• 24 CFR Part 5: General Program Requirements
• 24 CFR Part 8: Nondiscrimination
• 24 CFR Part 982: Section 8 Tenant-Based Assistance: Housing Choice Voucher Program
• 24 CFR Part 135 Section 3
• 24 CFR Part 983 Project-based Assistance
• 24 CFR Part 984 Family Self-sufficiency
• 24 CFR Part 985 SEMAP
• Shelter Care Plus, VASH, Family Unification Program, Non-Elderly Designation, HCV Homeownership, etc.

PART III. THE HCV ADMINISTRATIVE PLAN

1-III.A. OVERVIEW AND PURPOSE OF THE PLAN

The Administrative Plan is required by HUD. The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in the HAKC’s agency plan. This Administrative Plan is a supporting document to the HAKC agency plan, and is available for public review as required by CFR 24 Part 903.

This Administrative Plan is set forth to define the HAKC’s local policies for operation of the housing programs in the context of federal laws and regulations. All issues related to Section 8 not addressed in this document are governed by such federal regulations, HUD handbooks and guidebooks, notices and other applicable law. The policies in this Administrative Plan have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding.

The HAKC is responsible for complying with all changes in HUD regulations pertaining to the HCV program. If such changes conflict with this plan, HUD regulations will have precedence.

Administration of the HCV program and the functions and responsibilities of HAKC staff shall be in compliance with the HAKC’s personnel policy and HUD’s Section 8 regulations as well as all federal, state and local fair housing laws and regulations.
1-III.B. CONTENTS OF THE PLAN (24CFR 982.54)

HUD regulations contain a list of what must be included in the Administrative Plan. The HAKC Administrative Plan must cover HAKC policies on these subjects:

- Selection and admission of applicants from the HAKC waiting list, including any HAKC admission preferences, procedures for removing applicant names from the waiting list, and procedures for closing and reopening the HAKC waiting list (Chapter 4);
- Any special rules for use of available funds when HUD provides funding to the HAKC for a special purpose (e.g., desegregation), including funding for specified families or a specified category of families (Chapter 4);
- Occupancy policies, including definition of what group of persons may qualify as a 'family', definition of when a family is considered to be 'continuously assisted'; standards for denying admission or terminating assistance based on criminal activity or alcohol abuse in accordance with 982.553 (Chapters 3 and 12);
- Encouraging participation by owners of suitable units located outside areas of low income or minority concentration (Chapter 13);
- Assisting a family that claims that illegal discrimination has prevented the family from leasing a suitable unit (Chapter 2);
- Providing information about a family to prospective owners (Chapters 3 and 9);
- Disapproval of owners (Chapter 13);
- Subsidy standards (Chapter 5);
- Family absence from the dwelling unit (Chapter 12);
- How to determine who remains in the program if a family breaks up (Chapter 3);
- Informal review procedures for applicants (Chapter 16);
- Informal hearing procedures for participants (Chapter 16);
- The process for establishing and revising voucher payment standards (Chapter 16);
- The method of determining that rent to owner is a reasonable rent (initially and during the term of a HAP contract) (Chapter 8);
- Special policies concerning special housing types in the program (e.g., use of shared housing) (Chapter 15);
- Policies concerning payment by a family to the HAKC of amounts the family owes the HAKC (Chapter 16);
- Interim redeterminations of family income and composition (Chapter 11);
- Restrictions, if any, on the number of moves by a participant family (Chapter 10);
- Approval by the board of commissioners or other authorized officials to charge the administrative fee reserve (Chapter 16);
Procedural guidelines and performance standards for conducting required housing quality standards inspections (Chapter 8); and

HAKC screening of applicants for family behavior or suitability for tenancy (Chapter 3).

**New Approach to Policy Development**

HUD has developed an approach to monitoring and policy development that requires HAKC to establish policies for those purposes.

A primary focus of HUD’s Rental Integrity Monitoring (RIM) program was consistency – consistency in how HAKC conducts their business and in how HUD monitors HAKC’s activities. HUD expects that all staff will be consistent in the procedures they follow and the calculations they make and that their actions will be consistent with the HAKC’s Administrative Plan.

HUD makes a distinction between:

- **Mandatory policies**: those driven by legislation, regulations, current handbooks, notices, and legal opinions, and

- **Optional, non-binding guidance**, including guidebooks, notices that have expired and recommendations from individual HUD staff.

HUD expects HAKC to develop policies and procedures that are consistent with mandatory policies and to make clear the optional policies the HAKC has adopted. The HAKC's Administrative Plan is the foundation of those policies and procedures. HUD’s new directions require, more than ever, that HAKC makes policy choices to provide guidance to staff and consistency to program applicants and participants.

Following HUD guidance, even though it is not mandatory, provides HAKC with a “safe harbor.” HUD has already determined that the recommendations and suggestions it makes are consistent with mandatory policies. If HAKC adopts an alternative strategy, it must make its own determination that the alternative approach is consistent with legislation, regulations, and other mandatory requirements. There may be very good reasons for adopting a policy or procedure that is different than HUD’s safe harbor, but HAKC carefully thinks through those decisions.

**1-III.C. ORGANIZATION OF THE PLAN**

The Plan is organized to provide information to users in particular areas of operation.

**1-III.D. UPDATING AND REVISIONING THE PLAN**

The HAKC will revise this Administrative Plan as needed to comply with changes in HUD regulations. The original plan and any changes must be approved by the board of commissioners of the agency, the pertinent sections included in the Agency Plan, and a copy provided to HUD.

**HAKC Policy**

The HAKC will review and may update the Plan at least once a year, and more often if needed, to reflect changes in regulations, HAKC operations, or when needed to ensure staff consistency in operation.