

ADMINISTRATIVE AND REGULATORY COMMITTEE

February 13, 2024

4:00 p.m.

Livestream: <https://youtube.com/live/7cxX40RbbHk?feature=share>

HOC's offices are now open to the public. The public is invited to attend HOC's February 13, 2024 Administrative and Regulatory Committee meeting in-person. HOC's Board of Commissioners and staff will continue to participate through a hybrid model (a combination of in-person online participation).

Approval of Minutes:

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Action Items:

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1. Authorization to Submit HOC's Fiscal Year ("FY") 2025 Five- year Public Housing Agency ("PHA") Plan	Pg.6
2. Discussion: State & County Legislation	Pg.44

Minutes

HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

10400 Detrick Avenue
Kensington, Maryland 20895
(240) 627-9425

Administrative and Regulatory Committee Minutes

November 20, 2023

For the official record of the Housing Opportunities Commission of Montgomery County, an open meeting of the Administrative and Regulatory Committee was conducted via a hybrid platform (a combination of in-person and online platform/teleconference) on Monday, November 20, 2023 with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland beginning at 2:01 p.m. There was a livestream of the meeting held on YouTube, available for viewing [here](#).

Those in attendance were:

Present

Frances Kelleher, Chair
Linda Croom – Commissioner

Attending via Zoom

Pamela Byrd – Commissioner

Also Attending

Chelsea Andrews, President/ Executive Director
Kayrine Brown, Senior Executive Vice President
Aisha Memon, SVP Legal Affairs, General Counsel
Lynn Hayes
Kashif Paul

Meta Lim
Ken Silverman
Walker Taylor
Morgan Tucker

Also attending via Zoom

Patrick Mattingly

IT Support

Aries Cruz, IT Support
Irma Rodriguez, IT Support

Commission Support

Jocelyn Koon, Senior Executive Assistant

Commissioner Kelleher provided opening remarks and introduced Commissioner Croom and mentioned that Commission Byrd would be joining virtually.

APPROVAL OF MINUTES

The minutes of the October 23, 2023 Administrative and Regulatory Committee meeting were approved upon a motion by Commissioner Byrd and seconded by Commissioner Croom. Affirmative votes were cast by Commissioners Kelleher, Croom, and Byrd.

DISCUSSION/ACTION ITEMS

1. Authorization to Implement Voucher Payment Standards Based on HUD FY2024 Small Area Fair Market Rents

Chelsea Andrews, President, provided an overview and introduced Lynn Hayes, Vice President of Housing Resources, who provided the detailed presentation. Staff recommended that the Administrative and Regulatory Committee join staff in its recommendation to the Commission for the establishment of the described Voucher Payment Standards, and authorization for the President/Executive Director, or her designee, to implement the described Voucher Payment Standards for HOC's administration of the Housing Choice Voucher Program. A motion was made by Commissioner Croom and seconded by Commissioner Byrd to recommend to the full Commission. Affirmative votes were cast by Commissioners Kelleher, Byrd and Croom.

Commissioner Kelleher adjourned the meeting at 2:21 p.m.

Respectfully submitted,

Chelsea Andrews
Secretary-Treasurer

/mt

Discussion Items

MEMORANDUM

TO: Housing Opportunities Commission of Montgomery County
Administrative and Regulatory Committee

VIA: Chelsea J. Andrews, President

FROM: Staff: Darcel Cox, Vice President, Compliance
Elliot Rule, Management and Compliance Analyst
Mehar Cheema, Management and Compliance Analyst

RE: Authorization to Submit HOC’s Fiscal Year (“FY”) 2025 Five-Year Public Housing Agency (“PHA”) Plan

DATE: February 13, 2024

STATUS: Consent ____ Deliberation X Status Report ____ Future Action ____

OVERALL GOAL & OBJECTIVE:

To authorize the President of the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”), or her designee, to submit the FY 2025 Five-Year PHA Plan.

BACKGROUND:

HOC must submit a five-year plan informing the U.S. Department of Housing and Urban Development (“HUD”), residents, and the public, of HOC’s mission to serve the needs of low-income and very low-income families, highlighting its Housing Choice Voucher (“HCV”) and Public Housing (“PH”) programs. This year HOC is submitting its five-year plan, covering FY 2025 through 2029.

The Quality Housing and Work Responsibility Act of 1998 (“QHWRA”) became law on October 21, 1998 and requires the submission of public housing agency plans. This year, HOC is submitting its 25th PHA Plan for HOC’s FY 2025, which begins on July 1, 2024 and ends on June 30, 2025.

HOC’s Five-Year PHA Plan provides details about past, present, and future operations, services, programs and program participants. In addition, the plan outlines the Agency’s strategy for addressing the housing needs of Montgomery County’s residents. HOC submitted its last Five-Year PHA Plan for FY 2020, which covered the period FY 2020 through FY2024. The Five-Year PHA Plan describes HOC’s mission as well as its long-range goals and objectives for realizing this mission over the five years outlined within the document. Much of the previous Five-Year PHA Plan focused on HOC’s use of the Rental Assistance Demonstration (“RAD”) program to convert the Agency’s PH portfolio to Project-Based Rental Assistance (“PBRA”) and Project-Based Vouchers (“PBV”). HOC must submit its updated 2025 Five-Year PHA Plan to HUD 75 days prior to the start of the FY covered in the plan, which is April 17, 2024.

The submission of this FY 2025 Five-Year PHA Plan includes updated agency goals and objectives for this period, as well as highlights of HOC's progress in meeting its goals over the previous five-year period of FY 2020 through FY 2024.

In terms of agency goals, HOC continues to explore new and efficient methods of operationalizing local funds for the expansion of housing subsidies. The agency continues to meet its affordable housing goals through the renovation of existing properties, while simultaneously undertaking and delivering new-construction projects as well as pursuing the preservation of at risk affordable housing through acquisition. Additionally, HOC expects to meet its target enrollment of 356 for the current grant year of its federally funded Fatherhood Initiative program, and has established a \$100 million revolving Housing Production Fund, in collaboration with the Montgomery County Government, to establish 6,000 new housing units for the community over five years.

While HOC no longer owns or operates PH units, HOC has decided against closing its PH program given the agency's possession of Capital Fund Program ("**CFP**") funds budget through HUD's EPIC system, and is exploring use of its Faircloth Limit in future RAD developments. The Faircloth limit affords HOC approximately 700 units of capacity, which the agency can deploy to create additional affordable housing options at future developments. Springvale Terrace is the first of such projects for HOC and is expected to provide up to 48 units via Faircloth-to-RAD ("**F2R**").

HOC's Housing Resources Division is working to implement provisions 101, 103, and 104 of the Housing Opportunity through Modernization Act of 2016 ("**HOTMA**") through the development of a timeline of action, updates to program documents, and relevant staff trainings. The agency will also make provisions to transition inspection standards from Housing Quality Standards ("**HQS**") to reflect the newly published National Standards for Physical Inspection of Real Estate ("**NSPIRE**") guidelines, for the HCV program, prior to October 1, 2024.

HOC currently operates a PBV program within its HCV program, with a maximum assistance limit of 20% of the HCV program baseline (currently at 7,770). Presently, HOC manages 860 PBV units scattered across various properties throughout Montgomery County. HOC also administers an additional 330 PBV units, not counted towards its program limits. Notable initiatives included the RAD component two conversions at Town Center Apartments (Rockville), and Stewarttown (Gaithersburg), where existing subsidies were converted to PBV. Furthermore, new construction projects at Residences on the Lane and The Leggett have added a significant number of PBV units to the agency's portfolio.

Finally, in terms of tenant-based vouchers, HOC received 25 stability vouchers, 42 incremental vouchers, and 118 emergency housing vouchers, which the agency aims to utilize in an effort to combat homelessness within Montgomery County.

Staff plans to release a draft of the FY 2025 Five-Year PHA Plan to the public on February 16, 2024. In addition, staff will provide the Resident Advisory Board ("**RAB**") with a copy of the FY 2025 Annual PHA Plan for review and comment at its meeting scheduled for February 26, 2024. The RAB will review the Plan, submit comments, and provide a letter of endorsement, which HOC will submit as one of the supporting documents to HUD on, or before April 17, 2024. HOC

will hold a public hearing for the annual plan on April 2, 2024 at 11:00am at HOC's Main Office at 10400 Detrick Ave., Kensington, MD 20895. Interested parties will have the option to view the meeting virtually via You Tube.

ISSUES FOR CONSIDERATION:

Does the Administrative and Regulatory Committee wish to join staff's recommendation to the Commission to authorize the President, or her designee, to submit the FY 2025 Five-Year PHA Plan to HUD?

TIME FRAME:

For discussion by the Administrative and Regulatory Committee at its meeting on February 13, 2024. For formal Commission action on April 3, 2024.

STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:

Staff recommends that the Administrative and Regulatory Committee join staff's recommendation to the Commission to authorize the President, or her designee, to submit the FY 2025 Five-Year PHA Plan to HUD on, or before, April 17, 2024.

5-Year PHA Plan (for All PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 03/31/2024
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. The **Form HUD-50075-5Y** is to be completed once every 5 PHA fiscal years by all PHAs.

A.	PHA Information.
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A.1	<p>PHA Name: <u>Housing Opportunities Commission</u> PHA Code: <u>MD004</u></p> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/2024</u> The Five-Year Period of the Plan (i.e. 2019-2023): <u>2025-2029</u> PHA Plan Submission Type: <input checked="" type="checkbox"/> 5-Year Plan Submission 2025-2030 <input type="checkbox"/> Revised 5-Year Plan Submission</p> <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p>
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PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below.)

Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
				PH	HCV
Lead PHA:					
Not Applicable					

B.	Plan Elements. Required for <u>all</u> PHAs completing this form.
B.1	<p>Mission. State the PHA’s mission for serving the needs of low-income, very low-income, and extremely low-income families in the PHA’s jurisdiction for the next five years.</p> <p>Please see attached narrative.</p>
B.2	<p>Goals and Objectives. Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low-income, very low-income, and extremely low-income families for the next five years.</p> <p>Please see attached narrative.</p>
B.3	<p>Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>Please see attached narrative.</p>
B.4	<p>Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA’s goals, activities, objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.</p> <p>Please see attached narrative.</p>
C.	Other Document and/or Certification Requirements.
C.1	<p>Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <p>Please see attached narrative.</p>
C.2	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the 5-Year PHA Plan?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <p>Pending</p>
C.3	<p>Certification by State or Local Officials.</p> <p>Form HUD-50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <p>Pending</p>

C.4	Required Submission for HUD FO Review. (a) Did the public challenge any elements of the Plan? Y N <input type="checkbox"/> <input type="checkbox"/> (b) If yes, include Challenged Elements. Pending
D.	Affirmatively Furthering Fair Housing (AFFH).

D.1

Affirmatively Furthering Fair Housing. (Non-qualified PHAs are only required to complete this section on the Annual PHA Plan. All qualified PHAs must complete this section.)

Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

Please see attached narrative.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

Instructions for Preparation of Form HUD-50075-5Y - 5-Year PHA Plan for All PHAs

A. **PHA Information.** All PHAs must complete this section. (24 CFR § 903.4)

- A.1** Include the full **PHA Name**, **PHA Code**, **PHA Fiscal Year Beginning** (MM/YYYY), **Five-Year Period** that the Plan covers, i.e. 2019-2023, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table.

B. Plan Elements.

- B.1 Mission.** State the PHA’s mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA’s jurisdiction for the next five years. ([24 CFR § 903.6\(a\)\(1\)](#))
- B.2 Goals and Objectives.** Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years. ([24 CFR § 903.6\(b\)\(1\)](#))
- B.3 Progress Report.** Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5- Year Plan. ([24 CFR § 903.6\(b\)\(2\)](#))
- B.4 Violence Against Women Act (VAWA) Goals.** Provide a statement of the PHA’s goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. ([24 CFR § 903.6\(a\)\(3\)](#)).

C. Other Document and/or Certification Requirements.

- C.1 Significant Amendment or Modification.** Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan. For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the ‘Sample PHA Plan Amendment’ found in Notice PIH-2012-32, REV 2.

C.2 Resident Advisory Board (RAB) comments.

- (a) Did the public or RAB have comments?
- (b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA’s decision made on these recommendations. ([24 CFR § 903.17\(b\)](#), [24 CFR § 903.19](#))

C.3 Certification by State or Local Officials.

[Form HUD-50077-SL](#), *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

C.4 Required Submission for HUD FO Review.

Challenged Elements.

- (a) Did the public challenge any elements of the Plan?
- (b) If yes, include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.

D. Affirmatively Furthering Fair Housing.

(Non-qualified PHAs are only required to complete this section on the Annual PHA Plan. All qualified PHAs must complete this section.)

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: “To implement goals and priorities in an AFH, strategies and actions shall be included in program participants’ ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing” Use the chart provided to specify each fair housing goal from the PHA’s AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D.; nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the PHA’s involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year PHA Plan. The 5-Year PHA Plan provides the PHA’s mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families and the progress made in meeting the goals and objectives described in the previous 5-Year Plan.

Public reporting burden for this information collection is estimated to average 1.64 hours per year per response or 8.2 hours per response every five years, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.



**Fiscal Year (“FY”) 2025 Five-Year Public Housing Agency (“PHA”)
Plan Submission
Housing Opportunities Commission of Montgomery County
 (“HOC”)**

Narrative and Additional Information

A1: PHA Information

The Public may view the Fiscal Year 2025 Five-Year PHA Plan and supporting documentation and obtain information regarding any of the activities outlined in this plan at HOC’s website, www.hocmc.org, or any HOC office.

Kensington Headquarters

10400 Detrick Avenue
Kensington, MD 20895

HOC Service Center (Derwood)

8005 Gramercy Boulevard Suite #200
Derwood, MD 20855

HOC Silver Spring Customer Service Center

880 Bonifant Street
Silver Spring, Maryland 20910

HOC East Deer Park Office

231 East Deer Park Drive
Gaithersburg, Maryland 20877

Documents available for public view and comment are as follows:

1. Form HUD-50077-ST-HCV-HP: PHA Certification of Compliance with the PHA Plans and Related Regulations;
2. HUD Form 50077-CR: Civil Rights Certification;
3. Resident Advisory Board PHA Plan Endorsement Letter (when available);
4. Form HUD 50077-SL: Certification by State or Local Official of PHA Plan’s Consistency with the Consolidated Plan or State Consolidated Plan;
5. HOC’s FY 2020-2024 Five Year PHA Plan and FY 2024 Annual PHA Plans;

6. Housing Choice Voucher Administrative Plan;
7. Housing Choice Voucher Family Self Sufficiency (“FSS”) Action Plan;
8. Public Housing Admissions and Continued Occupancy Policy;
9. HOC’s Grievance Procedures;
10. Public Housing Capital Fund Program Five-Year Action Plan: 2017-2021; and
11. HOC’s Violence Against Women Act Policy.

Pursuant to Section 511 of the United States Housing Act and the regulations in 24 CFR part 903, HOC is required to establish a Resident Advisory Board (“RAB”). The RAB is composed of individuals who reflect and represent the residents assisted by HOC. Their role is to assist HOC in developing the PHA Plan. The RAB reviewed the proposed FY 2025 Five-Year PHA Plan and provided a letter of endorsement. The letter of endorsement is available to the public as indicated above.

This FY 2025 Five-Year PHA Plan included a minimum 45-day public comment period, which began _____, and culminated with a public hearing on _____. HOC provided opportunities to submit public comments via phone, mail, and email. Interested parties were invited to attend the public hearing in person or virtually. Details were posted on HOC’s website at www.hocmc.org and made available at the physical office locations listed above.

B.1: Mission

It is HOC’s vision that everyone in Montgomery County has access to the safe, affordable, high-quality housing, and the attendant services needed to reach their fullest potential.

HOC exists to provide people with low- and moderate- incomes the opportunity to live in high-quality, safe, and affordable housing in Montgomery County. We strengthen families by offering opportunities for personal and economic growth through partnerships and supportive services.

Guiding HOC’s housing initiatives are core values that underscore a commitment to effective action and positive community impact. HOC prioritizes a people-first approach, encouraging dignity and respect in every interaction involving staff and customers.

Recognizing staff as our most valuable asset, HOC invests in its success, fostering a supportive work environment, which contributes to maintaining HOC’s status as a leading and dedicated PHA. Accordingly, customer service is key to HOC’s operation, with staff encouraged to be communicative, collaborative, and prompt in their dealings with customers.

In the pursuit of addressing the needs of those seeking safe affordable housing, HOC embraces an innovative and entrepreneurial mindset. This engages partnerships and effective use of technology towards building a robust housing portfolio, and incentivizing the economic mobility of its customers. HOC actively collaborates with community-based, public, and private sector organizations to deliver the resources and services customers need to feel empowered in their securing housing and achieving economic independence.

HOC's commitment extends to community-enhanced housing, emphasizing that development, construction, and renovation efforts not only provide housing, but also contribute to building greater communities and sustainable neighborhoods. This purpose is ingrained in every aspect of work at HOC. HOC advocates for equitable access to quality housing, acknowledging and addressing systemic barriers that disproportionately affect minority communities. HOC is committed to fostering diversity, equity, and inclusion as significant aspects of company-culture.

Responsible stewardship is a cornerstone of HOC's overall ethos, with HOC recognizing the significant responsibility with which it has been entrusted, and striving to be commensurately prudent in its management of housing resources. HOC is dedicated to creating and maintaining access to safe, sustainable affordable housing throughout Montgomery County, remaining transparent and accountable as an agency in this pursuit. It upholds the public's trust by being results-driven and strategic to safeguard HOC's efficient function in the provision of valuable housing services to the community. Its core values guide its action, shaping a mission-driven organization committed to producing a lasting positive impact for our community.

B.2: Goals and Objectives

This Plan sets forth HOC's goals and objectives for serving the needs of low-, very low-, and extremely low-income families in Montgomery County, Maryland over the five-year period of FY 2025 through 2029. HOC has three overarching Goals: 1) Expanding affordable housing in Montgomery County, 2) Enhancing the lives we touch through supportive Services and partnerships, and 3) Excelling as a World-Class Organization. HOC strives to provide the greatest number of quality affordable housing opportunities possible. HOC also provides supportive services to its families, including youth, elderly, and disabled individuals. Through a comprehensive and strategic approach, HOC hopes to make significant strides in advancing housing accessibility and affordability within our community over the next five years.

Agency Goals:

- HOC is exploring new ways to use local funding to expand the housing subsidies it is able to offer.
- HOC seeks to bolster its Fatherhood Initiative program, promoting family stability within our communities. The Fatherhood Initiative is a federally funded program designed to improve families by improving fathers. HOC is currently in its second five-year funding cycle (9/30/20-9/29/25). Each Grant Year has an approved budget of \$998,000. In order to continue to receive funding, HOC must meet its Enrollment Target for the given grant year. For the current Grant Year (9/30/23-9/29/24), HOC's target enrollment is 356. HOC currently has 103 enrollees (28.9% of the target). Based on past and present enrollment performance, HOC expects to meet the target enrollment for Grant Year 2024 and beyond. Progress of HOC's Fatherhood Initiative program is highlighted below.
- HOC will continue its delivery of affordable housing through renovations of existing properties within our portfolio and new-construction projects where possible by leveraging creative financing solutions.
- **Housing Production Fund:**
 - HOC has created a \$100 million revolving Housing Production Fund to produce 6,000 new housing units over five years by Collaboration with Montgomery County Government.
 - This fund allows the construction of mixed-income/mixed-use new communities with at least 30% of units at affordable rents. The 30% affordable component includes at least 20% of the units to be set at 50% of the AMI and 10% of the units to be set at or below Montgomery County's Moderately Priced Dwelling Unit ("MPDU") income limits of 65% to 70% of the area median income ("AMI"). HOC is able to utilize these funds without relying on Low Income Tax Credits ("LIHTC") or state ceiling Volume Cap.
 - Project loans have a 5-year term. After the project is built, the loan is repaid and proceeds are again available for the next project.
 - This fund helps HOC to create affordable units without scarce federal housing subsidies and other limited financing sources, such as LIHTCs.
 - Projects financed through the Housing Production Fund also take into consideration the need for affordable housing in particular areas, as well as holistic community goals

like green space, sustainability, universal design, community-serving retail, transit and pedestrian infrastructure, and the need for more family-sized units.

- HOC ownership also provides enhanced tenant protections for all residents, including market rent and allows access to wrap-around services.
- More information on HOC and Montgomery County’s Housing Production fund can be found on [HOC’s website](#).

Public Housing (“PH”):

HOC no longer owns or operates PH units, but has elected not to close its PH program, as it currently has PH CFP funds budgeted through HUD’s EPIC system, and is exploring use of the Faircloth Limit in future development through the Department of Housing and Urban Development’s (“**HUD**”) Rental Assistance Demonstration (“**RAD**”). HOC intends to leverage these funds to provide additional affordable housing options in connection with future developments. HOC has approximately 700 units of capacity under its Faircloth Limit.

➤ **Springvale Terrace (Silver Spring, MD):**

- Springvale Terrace, located at 8505 Springvale Road Silver Spring, MD 20910, is an existing senior property (100% affordable) independent of HOC that has been unable to achieve stabilized occupancy for many years due to its small unit sizes and the current affordable assisted living model.

Enterprise Community Development (“**ECD**”) has entered a partnership with Seabury Resources for Aging (“**Seabury**”) to redevelop this property to include more than 230 affordable senior units as an active adult community. HOC plans to provide Project Based Section 8 rental assistance for up to 48 units via Faircloth-to-RAD (“**F2R**”) to the Springvale Terrace project. The F2R subsidy may be placed in the form of PBV or PBRA—HOC is proposing PBRA. HOC’s Board of Commissioners approved the plan to submit the F2R Application for Springvale Terrace at its December 2023 meeting.

The F2R units at this property may decrease projected net operating income available to service senior debt. Fortunately, the Montgomery County Department of Housing and Community Affairs has committed to providing the additional funding to offset all of the loss in senior debt proceeds (estimated at \$1.7MM) from the county’s Housing Initiative Fund (“**HIF**”). This project will also be financed in part by the LIHTC program. Construction on this property is scheduled to begin during December 2024.

This is the first of such F2R projects for HOC. HOC will continue to provide updates of the planning and progress of this project through HOC's subsequent Annual PHA Plans, as well as any other future F2R projects as they develop.

Housing Choice Voucher ("HCV") Program (Tenant- and Project-based Programs):

➤ **Housing Opportunity through Modernization Act of 2016 ("HOTMA"):**

- Pursuant to HOTMA 2016 and subsequent Public and Indian Housing ("PIH") Notices, HOC's Housing Resources Division is working to implement HOTMA 2016 provisions 102, 103, and 104 by the required timeframe of January 1, 2024 to January 1, 2025. Compliance with HOTMA 2016 will include implementation of the new rules and corresponding reporting in HUD's new Housing Information Portal ("HIP"). Implementation will include the following:
 - Development of a timeline of required actions, including the PHA Compliance Date based on program software compliance and the HIP reporting requirements. Note: HOC uses Yardi Voyager as its software provider and is waiting on their implementation date.
 - Updates to program documents:
 - Administrative Plan
 - Forms
 - Notification of staff and customers.
 - Staff training.

➤ **National Standards for Physical Inspection of Real Estate ("NSPIRE"):**

- HOC's Housing Resources Division is working to implement the new NSPIRE inspection standards in its HCV program prior to October 1, 2024. The new standards prioritize health, safety, and functional defects over appearance to more efficiently assess the physical condition of properties. Implementation of the new INSPRE standards include:
 - Updates to program documents:
 - Administrative Plan
 - Inspection forms/materials

- Staff training.
- Landlord communication/notification.

➤ **New voucher award implementation:**

- HOC is unable to predict when HUD will release Notices of Funding Availability (“**NOFA**”) for additional vouchers, but HOC monitors HUD notifications and is always proactive in taking advantage of any opportunity to increase its portfolio and provide additional affordable housing opportunities throughout Montgomery County. As indicated in the Progress section below, HOC applied for and received additional Emergency Housing Vouchers, Stability Vouchers, and Incremental Vouchers during the period covered in the progress section. HOC continues to grow its HCV portfolio wherever possible and will continue to lobby for new vouchers.

Other Current and Future Affordable Housing Opportunities:

HOC collaborates with Federal, State, Local, and private entities, to provide the greatest number of affordable housing opportunities to Montgomery County residents. HOC’s Real Estate Development (“**RED**”) team is able to accomplish this by leveraging Federal, State, Local, Agency, and private funds to add to, and improve, Montgomery County’s affordable housing stock through the acquisition, production, and preservation of affordable housing units throughout the county. In addition to federal sources such as LIHTC, Project Based Voucher (“**PBV**”), Project Based Rental Assistance (“**PBRA**”)/RAD, and Federal Housing Administration (“**FHA**”) Risk Share, HOC utilizes the local Housing Production Fund (see above) to fill financing gaps.

HOC’s RED team utilizes a creative financing approach that leverages any financial tool or resource to maximize affordable housing potential. As a developer, HOC is constantly planning renovations of existing properties and the creation of new properties in order to provide quality affordable housing opportunities throughout the County. HOC also acquires properties for the purpose of preserving affordable housing or creating new affordable housing opportunities. Below is a list of current and future projects HOC’s RED team anticipates completing during the five-year period of this report.

➤ **Hillandale Gateway (Silver Spring, MD):**

Early construction for this new property started in July 2023. The vertical construction is scheduled to start in April 2024. HOC anticipates that construction will be complete in August 2026. The property will be financed in part through the LIHTC program.

- Unit Breakdown:

- 463 Multifamily Units (two buildings):
 - Multifamily Units: 308
 - LIHTC Units: 93
 - Multifamily Elderly Units: 155
 - LIHTC Units: 155
- **Garnkirk Farms (Clarksburg, MD):**

Construction for this new property is scheduled to begin during December 2024. This project represents the multifamily component of a larger development, which includes single family detached units and townhouses. It will be financed in part through the LIHTC program.

 - Unit Breakdown: Multifamily
 - Total Units: 184
 - LIHTC: 128
- **Metropolitan (Bethesda, MD):**

HOC is in the process of securing financing to renovate all units and common areas, including all systems and water piping, at this property through a refinance and LIHTC re-syndication. This property includes thirty-eight (38) PBV units. The main renovations for this property are scheduled to begin during December 2024. HOC has selected a general contractor and is preparing an application to the state for a LIHTC allocation. Additionally, the property is currently undergoing separate roof and brickwork repairs. The current repairs are scheduled for completion during January 2024.

 - Unit breakdown:
 - 308 total units:
 - LIHTC Units: 92
 - PBV Units: 38
- **Wheaton Gateway (Wheaton, MD):**

This is a new-construction property, which will consist of three buildings, totaling approximately 770 units. HOC is in the early planning stages of this project and financing and affordability components have yet to be determined. HOC submitted a request for proposal (“RFP”) to procure pre-construction and construction services in November 2023. HOC expects to submit an RFP for the General Contractor in February 2024.
- **West Side Shady Grove (Building B):**

This property is the second phase of construction (the first being the Laureate). Construction is slated to begin during November/December 2024. HOC is currently working through Site

Plan Approval and Permit Submission, and is scheduled to complete both by July 2024. This property will be funded using HOC's Housing Production Fund.

- Unit Breakdown:
 - Total Units: 413
 - 20% Moderately Priced Dwelling Units at 50% AMI: 124
 - 10% HOC Workforce Housing at 65% AMI: 42

B.3: Progress Report

The following section highlights progress HOC has made towards serving the needs of low-, very low-, and extremely-low income families throughout Montgomery County, Maryland from FY 2020 through 2024. This section includes a recap on HOC's PH conversion; HCV Activity; other renovation development and acquisition projects; as well as general agency progress, which contributed to HOC's affordable housing portfolio.

Public Housing:

As mentioned in previous Plans, beginning in 2014 and ending in FY 2020, HOC used the RAD program to convert its PH portfolio to PBRA and PBV units. HOC's conversion included 877 units (11 properties). All 877 units/tenants received some form of subsidy because of the conversion. As of the completion of HOC's RAD conversions, no PH units remain in HOC's portfolio, however, its PH program remains open due to remaining Capital Fund Program ("CFP") funds, with which HOC is exploring use of the Faircloth Limit for future development, as indicated above.

Housing Choice Voucher/Project Based Voucher Programs/Family Self-Sufficiency/VAWA:

Project Based Voucher Program:

HOC currently operates a PBV program within its HCV program. The rules governing HOC's PBV program are enumerated in Chapter 22 of HOC's Administrative Plan for the HCV program. In accordance with the Code of Federal Regulations ("CFR") at 24 CFR 983.6 and HOC's Administrative Plan, the maximum amount of PBV assistance that HOC may provide is up to twenty (20) percent of the HCV program baseline, currently 7,770. HOC currently has 860 PBV units located throughout Montgomery County, MD, including

Silver Spring, Aspen Hill, Bethesda, Montgomery Village, Gaithersburg, Rockville, Germantown, Chevy Chase, Wheaton, Takoma Park, Clarksburg, and Boyds. In addition to the PBV subsidies included above, HOC's PBV portfolio includes 330 units granted through RAD and HOTMA.

➤ **Town Center Apartments (Rockville, MD) (RAD Component Two Conversion):**

In 2019, this senior property initially underwent a Section 236 RAD Component Two Conversion to PBV. The original Housing Assistance ("HAP") contract for sixty-two (62) senior housing apartments was effective July 1, 2019. As part of HOC's ongoing commitment to enhance communities and provide stronger opportunities to customers living at Town Center Apartments, HOC completed the new construction of a senior property, Residences on the Lane (formerly Upton II), in downtown Rockville. Residences on the Lane served as the replacement property for the residents of Town Center Apartments, however, HOC was unable to transfer the original PBV HAP contract to the new property. All affected residents were issued tenant-based protection vouchers and provided the opportunity to relocate to Residences on the Lane. Residences on the Lane consists of 150 total units, of which, 135 are restricted under the LIHTC program. Twenty-two (22) of the LIHTC units also receive PBRA subsidy. Construction of Residences on the Lane was completed in October 2021 and was financed in part by the LIHTC program.

➤ **Stewartown (Gaithersburg, MD) (RAD Component Two Conversion):**

In FY 2019, this property underwent a RAD Component Two conversion from Section 236 Rental Assistance Payments ("RAP") to PBV. Nineteen (19) existing RAP subsidies were converted to PBV. HUD also approved HOC for 37 Low Vacancy Vouchers ("LVV") as project-based tenant protection vouchers for residents without the Section 236 RAP subsidy. The LVV subsidies went into effect in October 2019. The 19 PBV and 37 LVV subsidies are now administered under HOC's HCV program. This property is financed in part by the LIHTC program. Renovations for this property are complete as of November 2022 and all residents have successfully relocated back to the property.

➤ **The Leggett (Formerly Elizabeth House III) (Silver Spring, MD) (RAD Component One Conversion):**

This new-construction senior property, consists of 267 total senior units, of which, 238 are restricted under the LIHTC program. HOC utilized a Public Housing RAD/Section 18 Disposition blending option as part of its RAD conversion for this property. This resulted in the addition of 26 project-based tenant protection vouchers for HOC's HCV program. These vouchers went into effect May 1, 2019. The affordable component of this property also includes 80 PBRA subsidies.

Construction reached substantial completion in February 2023. This is HOC's final RAD conversion property and HOC is set to complete the RAD closeout by February 2024.

➤ **Revitz House (Rockville, MD):**

In FY 2020, HUD awarded HOC 121 LVV project-based tenant protection vouchers associated with Revitz House, an elderly property located at 6111 Montrose Road Rockville, MD 20852. HOC does not own this property, but HOC administers the LVVs under its HCV program.

➤ **Bauer Park (Rockville, MD) (RAD Component Two Conversion):**

In FY 2020, this senior property underwent a RAD Component Two conversion from Section 236 RAP to PBRA. HOC received 56 PBRA subsidies to replace the existing Section 236 RAP subsidies. HOC also received 65 LVV project-based tenant protection vouchers for the tenants without RAD subsidies. These LVVs are now under HOC's HCV program. Renovations for this property are complete as of February 2023. This property was also financed in part through the LIHTC program.

- During FY 2021, and pursuant to the PBV regulations outlined in 24 CFR 983, PIH Notice 2017-21, and HOC's HCV Administrative Plan, HOC posted a request for Proposal for its HCV program to project-base 100 units using a competitive selection process. HOC successfully project-based all 100 units throughout Montgomery County, including properties located in Silver Spring, Bethesda, Rockville, Wheaton, Germantown, Clarksburg, and Gaithersburg.

Tenant-Based Vouchers:

➤ **Emergency Housing Vouchers ("EHV"):**

Pursuant to President Biden's American Rescue Plan ("ARP") signed into Law on March 11, 2021, in response to the ongoing impact of the COVID-19 pandemic, the ARP appropriated five (5) billion dollars for new and renewal EHV. HOC was awarded one hundred eighteen (118) EHV based on HUD's assessment of the number of homeless persons in Montgomery County and HOC's operational capacity to quickly lease the EHV families. EHV specifically targeted one of the four eligibility criteria below:

1. Homeless,
2. At Risk of homelessness,

3. Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking,
4. Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

These applicants are not selected through HOC's waitlist, but are referred directly by the Continuum of Care ("CoC"), which for HOC, is the Department of Health and Human Services ("HHS"). HOC entered a Memorandum of Understanding with HHS on July 29, 2021.

➤ **Stability Vouchers ("SV"):**

Pursuant to PIH Notice 2022-24: Stability Voucher Program, HUD awarded HOC 25 SVs in June 2023. These vouchers were set aside with the goal of ending homelessness in the PHA's jurisdiction. Applicants do not come from HOC's electronic waitlist, but are referred by the CoC through HHS. Applicants must meet one of the following eligibility categories:

- Homeless,
- At risk of homelessness,
- Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking, and
- Veterans and families that include a veteran family member that meet one of the preceding criteria.

➤ **Incremental Vouchers:**

The Consolidated Appropriations Act of 2023 made available \$50 million to award approximately 4,000 new HCVs to PHAs with 2022 utilization rates in the highest 25%, or above the national 75th percentile rate of 95.08%. HOC was awarded 42 Incremental HCVs. HOC adopted a preference for families experiencing homelessness for this group of vouchers. As a result, HOC implemented the required updates to its HCV Administrative Plan.

Payment Standards:

HOC received special approval from HUD to increase its payment standards for two years during the period covered on this report.

- **2023:**
 - Pursuant to PIH Notice 2022-30 (Extension of Certain Regulatory Waivers for the Housing Choice Voucher Program and Streamlined Review Process), HOC requested the “Voucher Tenancy” (New Payment Standard Amount: PHAs may establish payment standards from 111%-120% of the applicable Fair Market Rent (“FMR”)) waiver. HUD approved HOC to increase its payment standards to 112% for 2023. As a result, HOC reduced rent burden for 856 families, or 80% of rent burdened families, while maintaining a recommended reserve balance of 4%-6%.

- **2024:**
 - Pursuant to PIH Notice 2023-29 (Certain Regulatory Waivers for the Housing Choice Voucher (including Mainstream) Program and Streamlined Review Process), HOC proposed a voucher payment standard of 117%, which requires HUD approval. This would reduce rent burden for 1,297 families or 23% of rent-burdened households. Additionally, this will allow families greater access to high-opportunity areas while increasing program utilization, and will allow HOC to maintain a reserve balance of 4.3% of HOC’s Annual Budget Authority. HOC’s board of Commissioners and HUD have approved this increase.

Family Self Sufficiency Program:

HOC’s FSS program began in February of 1993, subsequent to HUD’s approval of HOC’s initial FSS Action Plan. HUD published the *Streamlining and Implementation of Economic Growth, Regulatory Relief and Consumer Protection Action Changes to Family Self Sufficiency Program Final Rule* on May 17, 2022, effective June 16, 2022. The Final Rule mandated changes to the FSS program that required implementation no later than November 14, 2022. These changes required updates to HOC’s existing FSS Action Plan, which describes the policies and procedures used to operate the FSS program. HOC received HUD approval on September 26, 2022. Updates to HOC’s FSS Action Plan included mandatory regulatory changes and discretionary updates. The updates to HOC’s FSS Action Plan went through the required public comment period, received RAB endorsement, and were ultimately approved by HOC’s Board of Commissioners.

Violence Against Women Act (“VAWA”) Updates:

In FY 2023, in accordance with the Violence Against Women Act of 2013 (Public Law 113-4, 127 Stat. 54, approved March 7, 2013, at 127 Stat. 101), and subsequent HUD Housing Notice 2017-05 and PIH Notice 2017-08, HOC updated its VAWA Policy and Transfer Plan. Updates to HOC’s policy were approved by

HOC's Board of Commissioners. These updates also required updates to HOC's HCV Administrative Plan, which went through the proper public comment period, RAB endorsement, and Commissioner approval process. The updates are outlined below:

- Inclusion of HUD and non-HUD housing programs.
- Addition of LIHTC to the list of covered programs.
- Requirement for all HOC Tenant Selection Plans to include policies and procedures covering VAWA protections.
- Updates to wording of VAWA Accommodation Requests, including examples of accommodations, method to submit a request, required documentation, and record retention.
- Emergency VAWA transfers under the HCV program (tenant and project-based vouchers).

Other Affordable Housing Rehabilitation and New-Construction Opportunities:

Below is a list of additional affordable housing projects/efforts HOC has completed during the period of FY 2020 Through FY 2024. These projects are managed by HOC's RED team.

➤ **Bradley Crossing (Chevy Chase, MD):**

In May 2021, HOC purchased this property for the purpose of creating and preserving affordable housing in the high-rent zip code of 20815. HOC is exploring the use of FHA Risk Share insurance, which requires a percentage of units set aside as affordable. The affordability components below are currently in place, should HOC move forward with the FHA Risk Share insurance. HOC's Board of Commissioners also approved a resolution that included an additional affordability component of 30% of the units at 80% AMI.

▪ Unit Breakdown:

- Total Units: 402
 - Potential Risk Share Units (50% AMI): 81
 - 80% AMI Units: 121

➤ **Brooke Park (Bethesda, MD):**

Renovations for this property are complete as of September 2021. The property was renovated using HOME and Montgomery County HIF funds.

○ Unit Breakdown:

- Total Units: 17
 - HOME/HIF Units: 17

➤ **Residences on the Lane (Rockville, MD):**

This senior property was constructed as a replacement property for the residents residing at Town Center Apartments (Rockville, MD) at the time of its RAD Component Two conversion. It is financed in part by the LIHTC program. Construction reached completion during October 2021.

- Unit Breakdown:
 - Total Units: 150
 - LIHTC Units: 135
 - PBRA Units: 22

➤ **Battery Lane Apartments (Chevy Chase, MD):**

HOC purchased this property for the purpose of creating and preserving affordable housing in the high-rent zip code of 20815. HOC is exploring the use of FHA Risk Share Insurance, which requires a percentage of units set aside as affordable. The affordable component below is currently in place, should HOC move forward with the FHA Risk Share insurance.

- Unit Breakdown:
 - Total Units: 212
 - Potential FHA Risk Share Units (50% AMI): 43

➤ **Willow Manor Properties (Olney, Germantown, and Silver Spring, MD):**

This group of three properties is part of a LIHTC re-syndication. The three properties are grouped together as one LIHTC entity, which is 100% restricted under the LIHTC program.

- Unit Breakdown:
 - Total Units (three properties): 266
 - **Manor at Fair Hill Farm (Olney, MD):** 101 Units (renovations completed December 2022)
 - **Manor at Clopper's Mill (Germantown, MD):** 82 Units (renovations completed October 2023)
 - **Manor at Colesville (Silver Spring, MD):** 83 Units (renovations scheduled for completion in May 2024)

➤ **Laureate (Formerly West Side Shady Grove Building D) (Derwood, MD):**

Construction for this new property reached completion in March 2023.

- Unit Breakdown:
 - Total Units: 268
 - Moderately Priced Dwelling Units: 67
 - HOC Workforce Units: 14

➤ **Georgian Court (Silver Spring, MD):**

Renovations for this property are complete as of December 2023. This is an existing property in HOC's portfolio, which was renovated as part of a LIHTC re-syndication.

▪ Unit Breakdown:

- Total Units: 147
 - LIHTC Units: 147
 - PBRA Units: 29
 - HIF Units: 59

➤ **Shady Grove (Derwood, MD):**

Renovations are complete as of December 2023. This is an existing property in HOC's portfolio, which was renovated as part of a LIHTC re-syndication.

▪ Unit Breakdown:

- Total Units: 144
 - LIHTC Units: 144
 - PBRA Units: 144
 - HOME Units: 4

Other Agency Progress:

As an agency, HOC goes above and beyond to maximize housing opportunities and supportive program activities. Below is an outline of some of the actions HOC has taken to provide quality services and opportunities to its customers over the last five years.

➤ **Real Estate Development:**

- As indicated above, HOC has developed, and continues to develop, mixed-use and mixed-income developments in Montgomery County, adding to the county's affordable housing stock.
- HOC works closely with Montgomery County Government when it comes to the production and preservation of affordable housing.

➤ **Housing Resources Division:**

- HOC's Housing Resources Division continues to improve its customer service operations through the utilization of two customer service centers, one down-county in Silver Spring,

and a second up-county center in Derwood. This structure allows HOC to serve its customers more efficiently.

- In March 2020, HRD was forced to close the two customer service centers and adapt operations due to the COVID-19 Pandemic. HRD continued to provide the same level of services as pre-COVID-19. Staff adopted a temporary remote/teleworking policy to allow HRD front-line workers to continue to serve HOC's customers as efficiently as possible. This required staff to utilize electronic communications and recertification procedures, including remote voucher issuances, relocation briefings, remote landlord informational briefings, and remote informal hearings.
- Since returning to pre-COVID-19 operating conditions, HRD has adopted the following practices to maximize efficiency and modernize operations:
 - HOC began using Ecco Mail to receive incoming correspondence electronically, which allowed HRD staff to receive customer documents more timely and efficiently than the traditional mail system.
 - HRD began using Yardi's Rent Café system in July 2022, during the pandemic. Rent Café is an online portal used to perform re-certifications electronically in lieu of traditional mail. Post Pandemic, HOC utilizes a hybrid system, which uses Rent Café, but also allows for re-certifications via traditional mail if desired.
 - HRD maintained a system of virtual voucher briefings post Pandemic. This system is more efficient for both customers and staff.
- Pursuant to PIH notices 2020-33 and 2021-14, HOC adopted 28 temporary COVID-19 waivers. These waivers were the result of the Coronavirus Aid, Relief and Economic Security ("CARES") Act that President Trump signed into law on March 17, 2020. These waivers allowed HOC to effectively adapt operations during the Pandemic.
- Throughout the FY 2020 through 2024 period, HRD worked assiduously to increase and maintain the utilization rate of HOC's HCV program. HRD worked with HUD to develop a plan to increase its utilization rates. During this period, HRD compensated to account for the low response rate and slower mailing time by utilizing electronic communications. Efforts also included proactive outreach to customers whose vouchers were nearing expiration. HRD's current leasing rate is 98%.

➤ **Inspection Services:**

- HOC's Inspection Services Department also adapted to the COVID-19 pandemic by implementing HUD authorized COVID-19 waivers (included in the 28 waivers referenced above) and transitioning to virtual inspections in order to continue to ensure safe and appropriate housing for HOC's HCV customers. Virtual inspections included HOC's most vulnerable population and people leasing in place. Implementing the use of remote video inspections gave HOC the tools and experience to adapt to future emergencies in order to continue to ensure safe housing.
- Effective October 1, 2023, Inspection Services procured Gilson Inspections to provide HOC's HCV inspection services. Inspection Services will work with Gilson to build on HOC's current inspection operations and improve efficiency and accuracy.

➤ **Resident Services Division:**

- HOC's Resident Services Division, which provides supportive services to HOC's customers, including HCV recipients, was able to continue to serve customers efficiently during the COVID-19 Pandemic. This was accomplished through the use of phone and virtual platforms. Services included assessments, information, and referrals. RSD was able to provide and deliver food and other essentials to customers in need. RSD was also able to continue to provide crisis intervention services to customers as needed. Additionally, RSD continued to provide educational programs for youth, and health and wellness programs for adults and the elderly through virtual platforms.
- As discussed in previous paragraphs, HOC administers the Federally funded Fatherhood Initiative program, which is designed for men who are interested in enhancing their skills as fathers and who have children in HOC's affordable housing programs (including applicants on HOC's waitlists). It is a three-week program, which includes parent/dad workshops, financial literacy, and career exploration. The program is funded by the Health Marriage/Responsible Fatherhood ("HMRP") and the Family-Focused, Interconnected, Resilient, and Essential ("FIRE") grants, which are sponsored by the Department of Health and Human Services Office of Family Assistance (Office of the Administration for Children and Families). Since inception in 2015 up to the creation of this report, HOC has enrolled 1,610 fathers. HOC has been able to meet its target enrollment numbers since HOC began program participation in 2015. Below are the enrollment numbers for the period of Grant Years 2020 through 2023:

- Grant Year 2020:
 - Enrollment Target: 150
 - HOC Enrollment: 151

- Grant Year 2021:
 - Enrollment Target: 180
 - HOC Enrollment: 190

- Grant Year 2022:
 - Enrollment Target: 356
 - HOC Enrollment: 364

- Grant Year 2023:
 - Enrollment Target: 356
 - HOC Enrollment: 359

- Grant Year 2024 (to date):
 - Enrollment Target: 356
 - HOC Enrollment: 103

➤ **Agency Accolades:**

- Vox, [How State Governments are reimagining American Public Housing](#), August 4, 2022
 - Addresses the use of HOC’s Housing Production Fund as a creative tool to create affordable housing outside of federal subsidies/funding.

- My Montgomery County Media, [Changing Lives A Priority for New housing Opportunities Commission Director](#), September 7, 2022
 - Highlights HOC’s President’s commitment to providing affordable housing, while improving the lives of Montgomery County residents.

- Seattle Met (newsletter), [Does Seattle Need Social Housing?](#), December 12, 2022
 - Mention of HOC’s creating thinking in circumventing the restrictions of federal funding.

- Washington Business Journal (WBJ), [Why Chelsea Andrews Has Become an Affordable Housing Force in Montgomery County](#), December 16, 2022

- New York Times, [This is Public Housing. Just Don't Call it That.](#), August 25, 2023
 - Discusses HOC's creative methods of creating affordable housing in Montgomery County, including HOC's Laureate property (highlighted above).
- Odd Lots (Podcast), [A County in Montgomery County Came up with a New Way of Building Affordable Homes](#), November 7, 2023
 - Discusses HOC's creative methods of building affordable housing.
- Bloomberg, [A County in Maryland is Changing the Model of Public Housing](#), December 18, 2023
 - Discusses HOC's innovative affordable housing model.
- GBH News, [Can Social Housing Help Save the Mass. Housing Crisis?](#), August 7, 2023
 - Mentions HOC's Housing Production Fund.
- Multifamily Executive Magazine, [Poet-Inspired Apartment Community Opens in Rockville, Maryland](#), June 15, 2023
 - Highlights HOC's Laureate mixed-use community and the use of HOC's Housing Production Fund.
- The Mo Co Show (blog), [The Laureate Apartments at Shady Grove Metro Now Open for Leasing](#), May 25, 2023
 - Highlights HOC's Laureate mixed-use community and the use of HOC's Housing Production Fund.
- Slate, [Just Build the Homes](#), May 22, 2023
 - Mentions HOC's program to build mixed-income affordable housing that uses a cross-subsidy financing system.
- The Providence Journal, [Just Build the Homes](#), May 22, 2023
 - Mentions HOC's Housing Production Fund and highlights HOC's Laureate project.
- Mo Co 360, [Dignitaries Laud Former County Executive at Opening of Senior Affordable Housing Complex the Leggett](#), May 8 2023.
 - Highlights HOC's innovative Laureate project.

- Montgomery County Government’s TV Channel Station-CCM, [Fatherhood Initiative](#), May 25, 2023
 - Highlights HOC’s federally funded Fatherhood Initiative program.
- KNKX Public Radio Interview, [Housing Advocates Divided over Push for Social Housing in Seattle, February 7, 2023](#)
 - Mentions HOC’s innovative Social Housing model.
- Providence Journal, [HOC Housing Model Article](#), February 7, 2023
 - Addresses HOC’s innovative affordable housing model.
- Beacon (Maine Housing Journal), [Maine’s Housing Affordability Crisis Needs a Public Option, Says Lawmaker](#), January 23, 2023
 - Highlights HOC’s innovative affordable housing model.

B.4: Violence Against Women Act Goals

To help meet the goals of VAWA, HOC provides support and referrals to counseling for victims of domestic violence, dating violence, sexual assault, or stalking. HOC’s partner, the Montgomery County Department of Health and Human Services, features an Abused Persons Program (240-777-4673) which provides 24-hour services, including access to counseling and shelters. HOC has an Agency-wide VAWA Policy, which clearly defines and describes HOC’s efforts to ensure that VAWA victims retain their housing assistance. HOC also assists victims with referrals to obtain restraining orders.

On November 16, 2016, HUD published a new Final Rule implementing the housing protections authorized in the Violence Against Women Reauthorization Act of 2013. (“**VAWA 2013**” or “**2013 Act**”). Despite the VAWA 2013 Final Rule’s identification that a formal PHA policy is not required in order to implement the provisions of VAWA 2013, HOC’s Commission chose to develop a single stand-alone VAWA policy which describes HOC’s commitment to VAWA adherence and enforcement.

HOC’s new VAWA Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, sexual assault, or stalking who are assisted by HOC;

- C. Providing and maintaining housing opportunities for victims of domestic violence, dating violence, sexual assault, or stalking;
- D. Creating and maintaining collaborative arrangement between HOC, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence, sexual assault, or stalking, who are assisted by HOC; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, sexual assault, or stalking, affecting individuals who HOC assists.

Additionally, HOC's new VAWA Policy states the agency's commitment to cooperate with organizations and entities, both private and governmental, which provide shelter and/or services to victims of domestic violence. If HOC staff becomes aware that an HOC assisted individual is a victim of domestic violence, dating violence, sexual assault, or stalking, HOC will refer the victim to such providers of shelter or services as appropriate. While HOC's VAWA Policy does not create any legal obligation requiring HOC either to maintain a relationship with any particular provider of shelter or services to victims of domestic violence, dating violence, sexual assault, or stalking, or to make a referral in any particular case, HOC's Emergency Transfer Plan does describe providers of shelter or other services to victims of domestic violence, dating violence, sexual assault, or stalking, with which HOC has referral or other cooperative relationships.

Lastly, HOC's new VAWA Policy incorporates and explains the agency's use of the following four HUD documents required as per the VAWA 2013 Final Rule:

1. Notice of Occupancy Rights under the Violence Against Women Act
2. Model Emergency Transfer Plan for Victims of Domestic Violence
3. Certification of Domestic Violence
4. Emergency Transfer Request for Victims of Domestic Violence

HOC's complete VAWA policy is located at www.hocmc.org.

FY 2025-FY 2029 VAWA Goals:

HOC anticipates updates to its VAWA Policy during this five-year period, and will continue to monitor regulations and make updates as needed to ensure HOC's VAWA Policy and practices are compliant with fair housing regulations.

C.1: Significant Amendment or Modification

The following shall require the execution and submission to HUD of a Significant Amendment to HOC's current Five-Year PHA Plan:

- a. Any revision or addition to HOC policies covering demolition or disposition, designation, homeownership programs, or conversion activities; provided, however, that no Significant Amendment shall be required regarding the conversion of public housing units under RAD until HOC has detailed, property-specific plans and information on the conversion.
- b. Changes to rent (excluding changes in flat rent schedules), admissions policies, and/or organization of the wait lists.

The following shall require the execution and submission to HUD of a Significant Amendment to HOC's current CFP Five-Year Action Plan:

- a. Any revision or addition to HOC policies including, but not limited to, proposed demolition disposition, homeownership, development, or mixed finance proposals, that would constitute a material change in the allocations of CFP grant funds as identified in the current CFP Five-Year Plan.

The following shall not be deemed a Substantial Deviation from the current Five-Year PHA Plan or the current CFP Five-Year Action Plan:

- a. The decision to convert to either PBRA or PBV assistance,
- b. The date the Significant Amendment is submitted to HUD or posted to the PHA Plan website,
- c. Changes to the Capital fund Budget produced as a result of each approved RAD conversion, irrespective of whether the proposed conversion will include the use of additional Capital Funds,
- d. Changes to the construction and rehabilitation plan for each approved RAD conversion,
- e. Changes to the financing structure for each approved RAD conversion, and
- f. De minimus (less than ten percent (10%)) changes in the number of Assistance Transfer Units.

C.2: Resident Advisory Board (RAB) Comments

TBD

C.3: Certification by State or Local Officials

TBD

C.4: Required Submission for HUD FO Review

Did the RAB have comments to the Five-Year PHA Plan?

TBD

D.1: Affirmatively Furthering Fair Housing

HOC has not been required to submit an Assessment of Fair Housing; however, as a PHA, HOC takes fair housing very seriously. HOC is constantly reviewing its policies, procedures, and practices to ensure compliance with all fair housing laws and standards. Below are some examples of HOC's efforts to enhance its fair housing practices.

1. Reasonable Accommodations:

HOC recently initiated the process of transferring its reasonable accommodation request processing responsibilities from its Compliance Division to its Legal Division. In December of 2023, HOC hired an ADA/504 Manager to oversee such programs and activities. The separation from the Compliance Division is intended to allow staff to focus their attention and experience on related fair housing activities.

2. Language Access Plan:

HOC has worked to develop and effectively implement a comprehensive Language Access Plan. HOC's Compliance Division is currently performing a review of its current Plan and practices to determine where improvements can be made, including any updates on guidance or regulations.

The review will also include updates to the statistics included in HOC's current Plan. Other recent improvements to HOC's LAP include:

- i. Increased enforcement of staff training and tracking. HOC staff are required to take the LAP training at the time of starting employment with HOC and a minimum of every five years after.
- ii. Development of an internal Language Access Plan intranet page, where staff can access all relevant documents, forms, and resources. Staff are also expected to report instances of experiences with Limited English Proficient ("LEP") individuals in order to better predict barriers to access and participation to HOC's opportunities and programming.
- iii. HOC implemented an external-facing feature on its website for customers and the public to request translation services.

3. Applicant Screening Procedures:

HOC's Compliance Division periodically works with the Property Management, Housing Resources Division (HCV), third party management companies, and other related entities to review and monitor, update, and improve HOC's applicant screening procedures. HOC strives to maintain the screening standards set forth by HUD, including disparate impact. HOC also complies with Montgomery County's screening requirements and guidance, including the Montgomery County Housing Justice Act.

4. Website Redesign:

HOC is currently redesigning its website and this includes ensuring it is compliant with all accessibility requirements.

5. VAWA:

As mentioned throughout this Plan, HOC has made recent updates to its VAWA Policy and intends to continue reviewing and updating it based on potential improvements and updated guidance.

**Certifications of Compliance with
PHA Plan and Related Regulations
(Standard, Troubled, HCV-Only, and
High Performer PHAs)**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 3/31/2024

**PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations
including PHA Plan Elements that Have Changed**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___X___ 5-Year and/or ___ Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning 7/1/2024, in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments (AI) to Fair Housing Choice, or Assessment of Fair Housing (AFH) when applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.
7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.
8. For PHA Plans that include a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);

- The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 10. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
 11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
 12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
 13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
 14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
 15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
 16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
 17. The PHA will keep records in accordance with 2 CFR 200.333 and facilitate an effective audit to determine compliance with program requirements.
 18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
 19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
 20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
 21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
 22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Housing Opportunities Commission

PHA Name

MD004

PHA Number/HA Code

____ Annual PHA Plan for Fiscal Year 20____

___x___ 5-Year PHA Plan for Fiscal Years 2025___ - 2029__

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Executive Director

Chelsea J. Andrews

Signature

Date

Name Board Chairman

Roy O. Priest

Signature

Date

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Certification by State or Local
 Official of PHA Plans Consistency
 with the Consolidated Plan or
 State Consolidated Plan
 (All PHAs)**

U. S Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 3/31/2024

**Certification by State or Local Official of PHA Plans
 Consistency with the Consolidated Plan or State Consolidated Plan**

I, Pofen Salem, the Chief of the Division of Finance and Administration
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2025-2029 and/or Annual PHA Plan
 for fiscal year 2025 of the Housing Opportunities Commission is consistent
 with the

PHA Name

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair
 Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

Montgomery County Department of Housing and Community Affairs

Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR § 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or
 State Consolidated Plan.

HOC's mission os to provide safe and affordable housing to Montgomery county residents. HOC
 works with the County to address affordable housing needs throughout the County.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will
 prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official: Pofen Salem	Title: Chief, Division of Finance and Admistration
Signature:	Date:

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S.
 Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information
 are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to
 ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing
 instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD
 may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Civil Rights Certification
(Qualified PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB Approval No. 2577-0226
Expires 3/31/2024

Civil Rights Certification

Annual Certification and Board Resolution

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the fiscal year beginning July 1, 2024 in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the mission, goals, and objectives of the public housing agency and implementation thereof:

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d—4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 *et seq.*), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the PHA’s involvement; and maintains records reflecting these analyses and actions.

Housing Opportunities Commission

PHA Name

MD004

PHA Number/HA Code

I hereby certify that all the statement above, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Executive Director:		Name of Board Chairperson:	
Chelsea J. Andrews		Roy O. Priest	
Signature	Date	Signature	Date

The United States Department of Housing and Urban Development is authorized to collect the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. The information is collected to ensure that PHAs carry out applicable civil rights requirements.

Public reporting burden for this information collection is estimated to average 0.16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.



Discussion: State & County Legislation

Chelsea Andrews
President

Ken Silverman
Vice President, Government Affairs

Administrative & Regulatory Committee
February 13, 2024

Governor's Housing Package - focus on land use

HB538/SB484 - Housing Expansion and Affordability Act

- Overrides local authority on zoning and development review
- Requires allowing additional density for nonprofit affordable housing projects
- Prohibits using Adequate Public Facilities Ordinances to “unreasonably” restrict, delay, or deny LIHTC-funded projects
- Requires that jurisdictions allow “modular” or “manufactured” homes anywhere single family dwellings are allowed



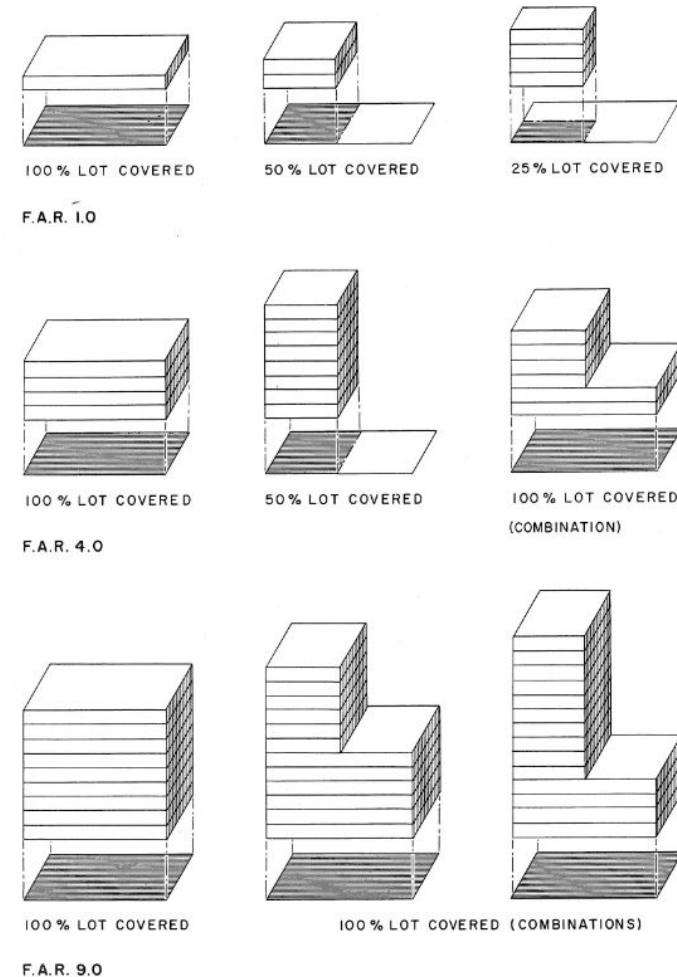
How density limits impact development

For commercial and multifamily development, “density” generally refers to Floor Area Ratio or FAR

- Maximum FAR is either set through the underlying zone assigned or set directly through a sector plan.
- FAR is one restriction on what can be built on a site, but most zones also have maximum heights, setback requirements, and other requirements that sometimes make it difficult or impossible to reach the maximum FAR

In detached and attached residential zones, other constraints bind

- These include minimum lot sizes, setback requirements, lot coverage maximums, and height. In “cluster” development, open space and common area requirements also apply.



Source: A New Zoning Plan for the District of Columbia. Harold M. Lewis, 1956. Accessed via American Planning Association (<https://www.planning.org/pas/reports/report111.htm>)



Montgomery County has two development paths

Standard method

- Must follow strict standards set out in zoning and building codes
- Does not require Site Plan - can proceed directly to building permit
- Generally used for smaller, simpler projects

Optional method

- Requires Site Plan, and often goes through multiple stages such as Sketch Plan -> Preliminary Plan -> Site Plan
- Allows access to much higher density and use of tools such as bonus density, density averaging, etc
- More flexible and discretionary process using points system to balance competing priorities
- Almost always used for larger, more complex projects - including multifamily and large single family developments



Bonus density for affordable housing

Current County law

- Some areas of the county require 15% MPDUs, some 12.5%
- MPDU affordability is 65-70% AMI depending on building type but defines “affordable” as spending 25% of income on rent, so roughly equivalent to HB538 standard
- Zoning code provides bonus density for MPDUs provided over the minimum requirement on a sliding scale:
 - .88% for each .1% increase in MPDUs from 12.6% to 15%
 - .16% for every .1% increase in MPDUs from 15.1% to 20%
 - This amounts to a 30% bonus for projects that provide 20% MPDUs
 - 1:1 density bonus over 20% MPDUs
 - This would allow a 100% affordable project to receive 110% bonus density.
- In 2022 the Council passed ZTA 21-07, which provides that 100% affordable projects in CR & CRT zones are entitled to at least 2.5 FAR, regardless of the mapped density.

HB538/SB484 - Housing Expansion and Affordability Act

- Would require 30% bonus density for nonprofit affordable housing projects that:
 - Are on a “state campus” and will contain at least 50% of units at or below 60% of the AMI; or
 - Are within 1 mile of a rail station and contain at least 25% of units at or below 60% of the AMI
 - Are in areas zoned for mixed-use or multifamily development
- Defines “affordable” as spending no more than 30% of income on rent
- Applies in areas zoned for mixed use or multifamily development
- This bonus is in addition to whatever the maximum local zoning allows
- Locality must provide equivalent increase in height, lot coverage, etc to allow project to actually use the density



“Missing Middle” housing & exclusionary zoning

Current County law

- There is an existing “MPDU Optional Method.”
 - Allows development of smaller lot homes and townhomes in area zoned for detached residential for development of MPDUs over the required minimum
 - Requires Site Plan approval, so only financial feasible for larger developments.
- Recent amendments have made Accessory Dwelling Units much more viable in the County.
- Planning Department is about to restart their “Attainable Housing Study to provide recommendations to create more variety and affordability in the County’s housing stock
- ZTA 24-01, the FAITH Act, would also allow Townhomes and “Multi-unit Living” in detached residential zones as a conditional use if they are at least 30% affordable - this requires the approval of a Hearing Examiner but is a less intensive process than Optional Method.

Table 7-1
Comparison of Select Development Standards
R-90 Base Zone and R-90 Zone/MPDU Optional Method

	R-90 (Base)	R-90 (MPDU Optional Method)	
Permitted Unit Types	One-Family Detached	One-Family Detached or Townhouse	
Minimum Lot Area	9,000 sq. ft.	One-Family Detached Market Rate Units	5,000 sq. ft.
		One-Family Detached MPDUs	3,000 sq. ft.
		Townhouses	1,500 sq. ft.
Minimum Front Setback	30 ft.	Market Rate Units	25 ft.
		MPDUs	15 ft.

Source: MCC § 59-C-1.31; § 59-C-1.32; § 59-C-1.62.

Source: Office of Legislative Oversight Report 2007-09

(<https://www.montgomerycountymd.gov/olo/resources/files/2007-9-mpdu.pdf>)

HB538/SB484 - Housing Expansion and Affordability Act

- Would require that “Middle Housing” be allowed in single family residential zones for nonprofit affordable housing projects that:
 - Are on a “state campus” and will contain at least 50% affordable; or
 - Are within 1 mile of a rail station and contain at least 25% affordable.
- Defines “Middle Housing” as “Duplexes, Triplexes, Quadplexes, Cottage Clusters, or Townhouses”



Adequate Public Facilities Ordinances (APFO)

Current County law

- Montgomery County has an APFO, which is implemented through the Growth & Infrastructure Policy (GIP), the Water & Sewer Plan, and other related policies
 - In addition to basic infrastructure to serve the site, this includes impact taxes, fees, land dedications, and required improvements for transportation, schools, parks and other common infrastructure
- The GIP is updated every four years, and a 2024 update is currently being drafted by Planning staff.

HB538/SB484 - Housing Expansion and Affordability Act

- Would prohibit using APFOs to “unreasonably” restrict, delay, or deny projects funded by LIHTC.
- A lot of attention has focused on what “unreasonable” means.
- A possible alternative would be to require that APFO policies be “proportionate.”



Expedited development review for affordable housing

Current County law

- ZTA 23-02, passed by the Council in the summer of 2023, created an expedited development pathway for optional method projects that meet a required minimum level of affordable housing.
 - Rather than requiring a project to proceed sequentially through Sketch Plan -> Preliminary Plan -> Record Plat -> Site Plan -> Building Permits, the new expedited process allows the applicant to submit all of the elements together and have them reviewed concurrently.
 - This could reduce the development review process from 18-24 months to as little as 90 days.

HB3/SB356: Land Use - Expedited Development Review Processes for Affordable Housing - Requirements by Delegate Stewart & Senator Muse

- Would require that local jurisdictions adopt an expedited development review process for affordable housing.
- ZTA 23-02 seems to meet the requirements of the bill



Adjourn