

EXPANDED AGENDA

July 8, 2015

4:00 p.m.	I. <u>CONSENT ITEMS</u>	
Page 3 29 65	A. Approval of Minutes of June 3, 2015 B. Authorization to Revise Various Chapters and Sections of HOC's Administrative Plan and Admissions and Continued Occupancy Policy C. Ratification of Action Taken in Executive Session on June 3, 2015: Approval of Preliminary Development Plan and Authorization to Enter into Development Venture with Eakin, Youngentob, and Associates (EYA) on the Chevy Chase Lake Multifamily Site and Execute All Related Documents	
4:10 p.m.	II. <u>INFORMATION EXCHANGE</u>	
Page 68 71	A. Report of the Executive Director B. Calendar and Follow-up Action C. Correspondence and Printed Matter D. Commissioner Exchange E. Resident Advisory Board F. Community Forum G. Status Report	
	III. <u>COMMITTEE REPORTS and RECOMMENDATIONS FOR ACTION</u>	
	IV. <u>ITEMS REQUIRING DELIBERATION and/or ACTION</u>	
	V. <u>*FUTURE ACTION ITEMS</u>	
	VI. <u>INFORMATION EXCHANGE (continued)</u>	
	VII. <u>NEW BUSINESS</u>	
	VIII. <u>EXECUTIVE SESSION FINDINGS</u>	
4:20 p.m.	<u>ADJOURN</u>	
	<u>RECESS</u>	
4:30 p.m.	<u>EXECUTIVE SESSION</u>	

NOTES:

1. This Agenda is subject to change without notice.
2. Public participation is permitted on Agenda items in the same manner as if the Commission was holding a legislative-type Public Hearing.
3. Times are approximate and may vary depending on length of discussion.
4. *These items are listed "For Future Action" to give advance notice of coming Agenda topics and not for action at this meeting.
5. Commission briefing materials are available in the Commission offices the Monday prior to a Wednesday meeting.
If you require any aids or services to fully participate in this meeting, please call (240) 627-9425 or email Patrice.birdsong@hocmc.org.

Consent Items

HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

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

Minutes

June 3, 2015

15-06

The monthly meeting of the Housing Opportunities Commission of Montgomery County was conducted on Wednesday, June 3, 2015 at 10400 Detrick Avenue, Kensington, Maryland beginning at 4:00 p.m. Those in attendance were:

Present

Sally Roman, Chair
Jackie Simon, Vice Chair
Christopher Hatcher
Margaret McFarland
Richard Y. Nelson, Jr.
Roberto Piñero

Not Present

Jean Banks, Chair Pro Tem

Also Attending

Stacy Spann, Executive Director
Gina Smith
Kayrine Brown
Vivian Benjamin
Fred Swan
Terri Fowler
Rita Harris
Bonnie Hodge
Belle Seyoum
Ugonna Ibebuchi
Shaina Francis
Mary Ellen Ewing
Lynn Hayes
Lorie Seals
Marsha Smith
Lola Knights

Kelly McLaughlin, General Counsel
Jim Atwell
Gail Willison
Elsie Weinstein
Zachary Marks
Hyunsuk Choi
Ken Goldstraw
Ethan Cohen
Patrick Mattingly
Jennifer Arrington
Jay Shepherd
Bobbie DaCosta
Sheryl Hammond
Paul Vinciguerra
Bill Anderson
Gio Kaviladze

RAB

Yvonne Caughman

Commission Support

Patrice Birdsong, Spec. Asst. to Comm.

IT Support

Nick Monaco

The Consent Calendar was adopted upon a motion by Vice Chair Simon and seconded by Commissioner Piñero. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

I. CONSENT ITEMS

- A. **Approval of Minutes of Regular Meeting of May 6, 2015** – The minutes were approved as submitted.

II. INFORMATION EXCHANGE

- A. **Report of the Executive Director** – No additional information was added to the Executive Director's written report.
- B. **Calendar and Follow-up Action** – No changes
- C. **Commissioner Exchange** – Commissioner Hatcher read his prepared statement to recuse himself from all discussions of the Woodfield Commons Development in Damascus, MD.

Vice Chair Simon reported on her walk through of a property purchased and renovated for wheelchair accessibility. CBP is the contractor for the project and Commissioner Simon was quite pleased with their work and knowledge.

Chair Roman and Vice Chair Simon attended the MARC-NAHRO Conference and complimented staff involved in planning the event.

- D. **Resident Advisory Board (RAB)** – Yvonne Caughan attended the meeting and announced that she's in the process of reviewing the By-laws.
- E. **Community Forum** – Gilda Federman, former HOC senior resident, addressed the Board via conference call requesting reinstatement of her housing assistance voucher. The Board upheld staff's decision to deny Ms. Federman's request according to HUD's rules and regulations. Housing Assistance Payment Contracts terminate automatically when 180 calendar days have elapsed of the owners last payment.
- F. **Status Report** – None

III. COMMITTEE REPORTS and RECOMMENDATIONS FOR ACTION

A. Budget, Finance and Audit Committee – Commissioner Piñero, Chair

1. Acceptance of Third Quarter FY'15 Budget to Actual Statements

Gail Willison, Chief Financial Officer, and Terri Fowler, Budget Officer, were presenters.

The following resolution was adopted upon a motion by Commissioner Piñero and seconded by Commissioner Nelson. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

Resolution: 15-39

Re: Acceptance of Third Quarter FY'15 Budget to Actual Statements

WHEREAS, the budget policy for the Housing Opportunities Commission of Montgomery County states that quarterly budget to actual statements will be reviewed by the Commission; and

WHEREAS, the Commission reviewed the Third Quarter FY'15 Budget to Actual Statements during its June 3, 2015 meeting.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it hereby accepts the Third Quarter FY'15 Budget to Actual Statements.

2. Approval of FY'15 Third Quarter Budget Amendment

Gail Willison, Chief Financial Officer, and Terri Fowler, Budget Officer, were presenters.

The following resolution was adopted upon a motion by Commissioner Piñero and seconded by Vice Chair Simon. Commissioner Nelson suggested that the Budget, Finance & Audit Committee packet memo include in its Timeframe a statement to state *“the Budget Finance and Audit Committee recommendation for the item”*. Commissioners Simon and Piñero confirmed their acceptance to include the statement in future packet items. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

Resolution: 15-40

Re: Approval of FY'15 Third Quarter Budget Amendment

WHEREAS, the Housing Opportunities Commission adopted a budget for FY'15 on June 4, 2014; and

WHEREAS, the Commission's Budget Policy allows for amendments to the budget; and

WHEREAS, the Commission has reviewed several proposed budget amendments to the FY'15 Budget; and

WHEREAS, the net effect of the FY'15 Third Quarter Budget Amendment is a balanced budget.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it hereby amends the FY'15 Operating Budget by increasing total revenues and expenses for the Agency from \$247.6 million to \$248.1 million.

3. Acceptance of CY'14 Tax Credit Audits

Gail Willison, Chief Financial Officer, and Belle Seyoum, Controller, were presenters.

The following resolution was adopted upon a motion by Commissioner Piñero and seconded by Commissioner McFarland. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

Resolution: 15-41

Re: Acceptance of CY'14 Tax Credit Audits

WHEREAS, the Housing Opportunities Commission of Montgomery County has completed the CY'14 Tax Credit Audits for 13 tax credit partnership properties; and

WHEREAS, a standard unqualified audit opinion was received for all 13 of the CY'14 Tax Credit Partnership Property Audits from the respective independent certified public accounting firms performing the audits; and

WHEREAS, the audits for Shady Grove Apartments LP, Manchester Manor Apartments LP and The Willows of Gaithersburg Associates LP have not been finalized due to technical terminations of these partnerships; however, staff is currently reviewing drafts of these audits and there are not findings and no changes are anticipated.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that the Commission accepts the audits.

4. Authorization to Write-Off Bad Debt Related to Tenant Accounts Receivable

Gail Willison, Chief Financial Officer, and Belle Seyoum, Controller, were presenters.

The following resolution was adopted upon a motion by Commissioner Piñero and seconded by Commissioner Hatcher. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

Resolution: 15-42

Re: Authorization to Write-Off Bad Debt Related to Tenant Accounts Receivable

WHEREAS, HOC's current policy is to provide for an allowance for any tenant accounts receivable balance in excess of 90 days; and

WHEREAS, HOC periodically proposes the write-off of uncollected former resident balances which updates the financial records to accurately reflect the receivables and the potential for collection; and

WHEREAS, the proposed write-off of former tenant accounts receivable balances for the period April 1, 2014 through March 31, 2015 is \$1,847 from Public Housing, \$60,908 from Opportunity Housing, \$25,915 from Tax Credit properties, and \$6,301 from Supportive Housing, totaling \$94,971.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that authorization is granted to the Executive Director to write-off bad debt totaling \$94,971 related to tenant accounts receivable.

5. Authorization to Write-Off Bad Debt Related to the Former Fannie Mae Closing

Gail Willison, Chief Financial Officer, and Kayrine Brown, Chief Investment & Real Estate Officer were presenters.

The following resolution was adopted upon a motion by Commissioner Piñero and seconded by Commissioner Hatcher. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-43

RE: Authorization to Write-Off Bad Debt Related to the Former Fannie Mae Closing Cost Program

WHEREAS, between 1997 and 2002, the County Closing Cost Program was funded through a series of loans between HOC and Fannie Mae totaling \$8.65 million with the County posting collateral as insurance against potential losses; and

WHEREAS, all loans between HOC and Fannie Mae have been repaid and the residual collateral has been returned to the County when Fannie Mae withdrew from this initiative in 2002; and

WHEREAS, this program is altogether separate from the current Revolving Closing Cost Assistance Program which is funded from the Montgomery County Housing Initiatives Fund; and

WHEREAS, seven loans totaling \$12,377.05 from the program remain outstanding and have been in a delinquent status for many years with no attempts at repayment; and

WHEREAS, HOC funds were not used to make these loans; therefore, no HOC funds are at risk of loss from a write-off and if the said loans were paid any recovered funds would be returned to the County collateral fund.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director is authorized to write-off the seven loans totaling \$12,377.05 as bad debt related to the Former Fannie Mae Closing Cost Program.

6. Approval of Loans and Advances to Non-HOC Owned Entities as of December 31, 2014 and as of June 30, 2014

Gail Willison, Chief Financial Officer, and Belle Seyoum, Controller, were presenters.

The following resolution was adopted upon a motion by Commissioner Hatcher and seconded by Vice Chair Simon. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote

RESOLUTION: 15-44

**RE: Approval of Loans and Advances to
Non-HOC Owned Entities as of
December 31, 2014 and as of June 30, 2014**

WHEREAS, in accordance with the Commission approved budget policies as amended on December 7, 1998, the Commission must approve any transfers of HOC funds to any properties HOC does not own; and

WHEREAS, there was a net decrease in advances for operations to the tax credit partnerships of \$885 as of December 31, 2014; and

WHEREAS, total advances have decreased for 236 properties from \$862,518 on June 30, 2013 to \$689,609 as of June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves \$39,441,262 in loans and advances to the tax credit partnerships as of December 31, 2014 and \$689,609 in advances to the 236 properties as of June 30, 2014.

7. Approval to Extend the \$60 Million PNC Bank Line of Credit to Finance for MHLP VII and Fairfax Court Apartments

Gail Willison, Chief Financial Officer, and Belle Seyoum, Controller, were presenters.

The following resolution was adopted upon a motion by Commissioner Piñero and seconded by Commissioner Nelson. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-45

RE: Approval to Extend the \$60 Million PNC Bank Line of Credit to Finance Montgomery Homes Limited Partnership (MHLP) VII and Fairfax Court Apartments

WHEREAS, MHLP VII and Fairfax Court Apartments mortgage loans are currently financed through the \$60 Million PNC Bank Line of Credit which will shortly expire; and

WHEREAS, it is proposed to extend the use of the \$60 Million PNC Bank Line of Credit to finance MHLP VII and Fairfax Court Apartments mortgage loans for a period not to exceed one year at the monthly LIBOR rate plus 90 basis points; and

WHEREAS, the estimated cost, as of April 27, 2015, under the Line of Credit is expected to be approximately \$13,740.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it hereby approves extending the use of the \$60 Million PNC Bank Line of Credit to finance Montgomery Homes Limited Partnership (MHLP) VII and Fairfax Court Apartments through June 7, 2016.

8. Approval of the Agency FY'16 Budget Amendment

Gail Willison, Chief Financial Officer, and Terri Fowler, Budget Officer, were presenters.

The following resolution was adopted upon a motion by Commissioner Piñero and seconded by Commissioner McFarland. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote

RESOLUTION: 15-46

**RE: Amendment of the Agency FY'16 Budget,
Bond Draw Downs and Transfers**

WHEREAS, the Housing Opportunities Commission adopted a budget for FY'16 on June 4, 2014; and

WHEREAS, the Commission's Budget Policy allows for amendments to the budget; and

WHEREAS, the Commission has reviewed several proposed budget amendments to the FY'16 Budget; and

WHEREAS, the net effect of the Agency FY'16 Budget Amendment is a balanced budget.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it hereby amends the FY'16 Operating Budget by decreasing total revenues and expenses for the Agency from \$247.8 million to \$237.7 million.

BE IT ALSO RESOLVED that the Housing Opportunities Commission of Montgomery County approves the draw down of bond funds for the Operating Budget as follows:

\$ 1,381,908 from the 1996 Multifamily Housing Development Bond (MHDB) Indenture
\$ 1,607,764 from the 1979 Single Family Mortgage Revenue Bond (MRB) Indenture

BE IT ALSO RESOLVED that the Housing Opportunities Commission of Montgomery County approves the following transfers between funds in order to balance the Operating Budget:

Up to \$1,283,963 from the cash flow from the Opportunity Housing properties in the Opportunity Housing Fund to the General Fund.

BE IT ALSO RESOLVED that the Housing Opportunities Commission of Montgomery County hereby amends the FY'16 Capital Budget by increasing revenues and expenses for the Agency from \$21.9 million to \$128.0 million.

The following resolution was adopted upon a motion by Commissioner Nelson and seconded by Commissioner Piñero. Affirmative votes were cast by Commissioners Roman,

Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-47

A RESOLUTION OF THE HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY (THE "COMMISSION") DECLARING ITS OFFICIAL INTENT TO REIMBURSE ITSELF OR ITS AFFILIATE WITH THE PROCEEDS OF A FUTURE TAX-EXEMPT BORROWING FOR CERTAIN CAPITAL EXPENDITURES TO BE UNDERTAKEN BY THE COMMISSION; IDENTIFYING SAID CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Housing Opportunities Commission of Montgomery County (the "Commission"), a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law, and authorized thereby to effectuate the purpose of providing affordable housing, including providing for the acquisition, construction, rehabilitation and/or permanent financing or refinancing (or a plan of financing) of the multifamily rental housing properties which provide a public purpose; and

WHEREAS, the Commission has determined that it is in the best interest of the Commission to make certain capital expenditures on the projects named in this Resolution; and

WHEREAS, the Commission currently intends and reasonably expects to participate in tax-exempt borrowings to finance such capital expenditures in an amount not to exceed **\$127,996,770**, *all or a portion of which may reimburse* the Commission or its affiliate for the portion of such capital expenditures incurred or to be incurred subsequent to the date which is 60 days prior to the date hereof but before such borrowing, and the proceeds of such tax-exempt borrowing will be allocated to reimburse the Commission's or its affiliate's expenditures within 18 months of the later of the date of such capital expenditures or the date that *each of* the Projects (as hereinafter defined) is placed in service (but in no event more than 3 years after the date of the original expenditure of such moneys); and

WHEREAS, the Commission hereby desires to declare its official intent, pursuant to Treasury Regulation §1.150-2, to reimburse the Commission or its affiliate for such capital expenditures with the proceeds of the Commission's future tax-exempt borrowing for such projects named in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION THAT:

Section 1. ***Declaration of Official Intent.*** The Commission presently intends and reasonably expects to finance certain Commission facilities and property improvements to the properties as described in the Commission's FY 16 Capital Budget attached, including **Alexander House, Ambassador, Arcola Towers, The Barclay, Brookside Glen, Chelsea Towers, Chevy Chase Lake, Dale Drive, Diamond Square, Fairfax Court, Glenmont Crossing, Glenmont Westerly, Greenhills, Holiday Park, Jubilee Falling Creek, Jubilee Hermitage, Jubilee Horizon Court, Jubilee Woodedge, Magruder's Discovery, McHome, McKendree, MetroPointe, The**

Metropolitan, Montgomery Arms, MHLV VII, MHLV VIII, MPDU 2007 Phase II, MPDU I, TPM (Timberlawn, Pomander Court, and MPDU II), The Oaks at Four Corners, Paddington Square, Paint Branch, Pooks Hill High-Rise, Pooks Hill Mid-Rise, RAD 6 Properties (Ken Gar, Parkway Wood, Sandy Spring Meadow, Seneca Ridge, Towne Centre Place, and Washington Square), Scattered Site One, Scattered Site Two, VPC One and VPC Two (669 Scattered Site Properties), MPDU III, Southbridge, State Rental Combined, Strathmore Court, Waverly House, and Westwood Tower and capital improvements to the Commission's administrative offices and information technology (collectively, the "Projects") with moneys currently contained in its Operating Reserve Account, Replacement Reserve Account and Opportunity Housing Property Reserve Account for these Projects and from its operating cash.

Section 2. **Dates of Capital Expenditures.** All of the capital expenditures covered by this Resolution which may be reimbursed with proceeds of tax-exempt borrowings were made not earlier than 60 days prior to the date of this Resolution except preliminary expenditures related to the Projects as defined in Treasury Regulation Section 1.150-2(f)(2) (e.g. architect's fees, engineering fees, costs of soil testing and surveying).

Section 3. **Issuance of Bonds or Notes.** The Commission presently intends and reasonably expects to participate in tax-exempt borrowings of which proceeds in an amount not to exceed **\$127,996,770 will be applied** to reimburse the Commission or its affiliate for its expenditures in connection with the Projects.

Section 4. **Confirmation of Prior Acts.** All prior acts and doings of the officials, agents and employees of the Commission which are in conformity with the purpose and intent of this Resolution, and in furtherance of the Projects, shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 5. **Repeal of Inconsistent Resolutions.** All other resolutions of the Commission, or parts of resolutions, inconsistent with this Resolution are hereby repealed to the *extent* of such inconsistency.

Section 6. **Effective Date of Resolution.** This Resolution shall take effect immediately upon its passage.

B. Development and Finance Committee – Commissioner Simon, Chair

1. Adoption of Bond Authorizing Resolution for Lakeview House Project

Kayrine Brown, Chief Investment & Real Estate Officer, and Vivian Benjamin, Asst. Director of Mortgage Finance, were presenters.

The following resolution was adopted upon a motion by Commissioner Nelson and seconded by Commissioner McFarland. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-48

**Re: Adoption of Bond Authorizing
Resolution for Lakeview House
Project**

A RESOLUTION OF THE HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY, AUTHORIZING THE EXECUTION AND DELIVERY BY THE COMMISSION OF ITS MULTIFAMILY NOTE RELATING TO LAKEVIEW HOUSE APARTMENTS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$39,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, REHABILITATION AND EQUIPPING OF A MULTIFAMILY RESIDENTIAL RENTAL DEVELOPMENT LOCATED IN MONTGOMERY COUNTY, MARYLAND AND INTENDED FOR OCCUPANCY, BY PERSONS OF ELIGIBLE INCOME AND KNOWN AS LAKEVIEW HOUSE APARTMENTS; DETERMINING THE FEASIBILITY OF THE FINANCING; AUTHORIZING THE PUBLIC PURPOSE SET-ASIDE COVENANTS; AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF THE FUNDING LOAN AGREEMENT, THE PROJECT LOAN AGREEMENT, THE REGULATORY AGREEMENTS AND THE OTHER COMMISSION DOCUMENTS AS DESCRIBED HEREIN; AUTHORIZING ONGOING DETERMINATIONS BY THE EXECUTIVE DIRECTOR; AUTHORIZING THE EXECUTION AND DELIVERY OF ANY OTHER DOCUMENTS NECESSARY FOR THE DELIVERY OF THE GOVERNMENTAL NOTE; AUTHORIZING THE CHAIRMAN, THE VICE CHAIRMAN OR THE CHAIRMAN PRO TEM AND THE EXECUTIVE DIRECTOR OF THE COMMISSION TO PROCEED WITH THE DELIVERY OF THE GOVERNMENTAL NOTE TO CITIBANK, N.A. OR TO AN AFFILIATE THEREOF UPON THE EXECUTION OF THE REQUIRED TRANSFEREE REPRESENTATIONS; APPOINTING THE FINANCIAL ADVISOR AND BOND COUNSEL FOR THE GOVERNMENTAL NOTE; RATIFYING AND APPROVING THE ACTIONS OF THE STAFF OF THE COMMISSION IN ACCORDANCE WITH THE COMMISSION'S PROCUREMENT POLICY TO SECURE A FISCAL AGENT AND THE APPOINTMENT BY THE EXECUTIVE DIRECTOR OF A FISCAL AGENT; APPROVING CERTAIN COMMISSION FEES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Housing Opportunities Commission of Montgomery County (the "Commission") is a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law (the "Act"), and authorized thereby to issue and deliver its bonds and notes from time to time to fulfill its corporate purposes; and

WHEREAS, the Act declares that there exists within Montgomery County (the "County") a critical shortage of decent, safe, and sanitary housing that "persons of eligible income" (within the meaning of the Act) can afford to rent; and

WHEREAS, the Act empowers the Commission to make loans to qualified sponsors to provide for the acquisition, construction, rehabilitation, equipping and permanent financing of

multifamily residential housing units in the County for occupancy by persons of eligible income and to perform any other duties that the Commission considers necessary in carrying out the purposes of the Act; and

WHEREAS, at the request of Standard Lakeview Venture, LP, a Maryland limited partnership (the "Borrower"), and to provide a source of funds to fulfill its purposes authorized by and pursuant to the Act and that certain Funding Loan Agreement, dated as of June 1, 2015 (the "Funding Loan Agreement"), by and among the Commission, Citibank, N.A. (the "Funding Lender") and U.S. Bank, N.A. (the "Fiscal Agent"), the Funding Lender will advance funds in an aggregate amount not to exceed \$39,000,000 (the "Funding Loan") to, or for the account of, the Commission; and

WHEREAS, to evidence the Funding Loan, the Commission will execute and deliver to the Funding Lender a Governmental Note (together with one or more related notes as may be required in the best interest of the Commission, the "Governmental Note"); and

WHEREAS, the Commission will lend the proceeds of the Governmental Note (the "Project Loan") to the Borrower pursuant to that certain Project Loan Agreement, dated as of June 1, 2015 (the "Project Loan Agreement"), by and between the Commission and the Borrower, for the purpose of financing a portion of the costs of the acquisition, rehabilitation and equipping of a 152-unit multifamily residential rental development, for Elderly Households (consisting of 152 affordable units and 0 market rate units) to be owned and operated by the Borrower and occupied in substantial part by eligible persons, located in Montgomery County, Maryland, and known as Lakeview House Apartments (the "Project"); and

WHEREAS, to evidence its payment obligations under the Project Loan Agreement, the Borrower will execute and deliver to the Commission a Project Note (the "Project Note") dated the date of delivery of the Governmental Note (the "Closing Date"); and

WHEREAS, the obligations of the Borrower under the Borrower Note will be secured by a lien on and security interest in the Project pursuant to a Multifamily Deed of Trust, Assignment of Rents and Security Agreement (the "Security Instrument"), made by the Borrower in favor of the Commission; and

WHEREAS, the Borrower Note and the Security Instrument will be endorsed and assigned, respectively, by the Commission to the Funding Lender to secure the performance by the Commission of its limited obligations under the Governmental Note; and

WHEREAS, as set forth in the staff written presentation dated June 3, 2015, recommending to the Commission the adoption of this resolution, additional funds received from a tax credit investor to the Borrower will be applied to the financing of the Project; and

WHEREAS, the Borrower has covenanted to rent or hold available for rent at least 40% of the units in the Project to persons with incomes that do not exceed 60% of the Washington Metropolitan Statistical Area median income for the applicable family size (the "Public Purpose Set-Aside Covenants"); and

WHEREAS, compliance with the Public Purpose Set Aside Covenants will satisfy certain HUD and County requirements, and will cause the Project to constitute a “qualified residential rental project” within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended (the “Code”), a “qualified low-income housing project” as such phrase is utilized in Section 42(g)(1)(B) of the Code, and a “housing project for persons of eligible income” within the meaning of the Act; and

WHEREAS, the Commission has determined that the execution and delivery of the Governmental Note, the application of the proceeds of the Project Loan to finance a portion of the costs of the acquisition, rehabilitation and equipping of the Project, and the Public Purpose Set-Aside Covenants are feasible and will accomplish a valid public purpose for the Commission; and

WHEREAS, in consideration of the execution and delivery of the Governmental Note and the financing of the Project, the Borrower has agreed to make payments of principal and interest for the benefit of the Funding Lender, as directed by the Commission in the Project Loan Agreement, in amounts fully sufficient to pay the principal of, premium, if any, and interest on the Governmental Note as the same become due and payable; and

WHEREAS, in further consideration of the execution and delivery of the Governmental Note and the financing of the Project, the Borrower has agreed to enter into and comply with the provisions of the Land Use Restriction Agreement, dated as of June 1, 2015, by and among the Commission, the Fiscal Agent and the Borrower (the “Land Use Restriction Agreement”), the Regulatory Agreement, dated as of June 1, 2015, by and between the Commission and the Borrower (the “Regulatory Agreement”) and the Tax Regulatory Agreement and No Arbitrage Certificate relating to the Governmental Note (the “Tax Regulatory Agreement,” and collectively with the Land Use Restriction Agreement and the Regulatory Agreement, the “Regulatory Agreements”); and

WHEREAS, there will be prepared in connection with the financing documents to be entered into by the Commission in connection with the execution and delivery of the Governmental Note and the financing of the Project, including but not limited to, (a) the Funding Loan Agreement, (b) the Project Loan Agreement; and (c) the Regulatory Agreements (collectively, with all other documents to be executed by the Commission in connection with the execution and delivery of the Governmental Note and the financing of the Project, the “Commission Documents”).

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County:

1. ***The Governmental Note.*** The Governmental Note is authorized to be issued pursuant to and under the Funding Loan Agreement in an aggregate principal amount not to exceed \$39,000,000 for the purpose of making funds available for the Project Loan for financing the costs of the acquisition, rehabilitation and equipping of the Project. The Chairman, the Vice Chairman, the Chairman Pro Tem and the Executive Director (hereinafter, “Executive Director” shall be interpreted to include any Acting

Executive Director appointed by the Commission) or the Authorized Representative (defined below) of the Commission are authorized to establish the dates, maturities, interest payment dates, denominations, terms of redemption, registration privileges, security and other terms, and to approve the interest rate on the Governmental Note, all of the foregoing to be specified in the Funding Loan Agreement. The Governmental Note shall be a limited obligation of the Commission, secured by and payable solely from security pledged therefor under the Funding Loan Agreement.

2. **Approval of Financing.** The Commission hereby approves the financing of the Project pursuant to the terms and conditions set forth in the Funding Loan Agreement, the Project Loan Agreement and such other Commission Documents approved hereby and executed and delivered pursuant to this resolution and hereby finds that such financing as approved hereby is feasible.

3. **Approval of Public Purpose Set-Aside Covenants.** The Commission hereby finds that the Public Purpose Set-Aside Covenants will accomplish a valid public purpose of the Commission under the Act, and, as such, the Commission hereby approves such Public Purpose Set-Aside Covenants.

4. **Commission Documents.** The Chairman, the Vice Chairman, the Chairman Pro Tem and the Executive Director are hereby authorized and directed to execute and deliver the Commission Documents in such forms as shall be prepared and approved by the Chairman, the Vice Chairman, the Chairman Pro Tem or the Executive Director, their execution and delivery of the Commission Documents being conclusive evidence of such approval and of the approval of the Commission, and the Secretary of the Commission, or any other Authorized Officer of the Commission, is hereby authorized and directed to affix the seal of the Commission to the Commission Documents and to attest the same.

5. **Authorizing Ongoing Determinations under Commission Documents.** The Executive Director is hereby authorized, without further authority from the Board of Commissioners, to perform any act, to execute any documents, and to make any ongoing determinations as may be required to be made on behalf of the Commission from time to time pursuant to the terms of the Commission Documents, including, but not limited to, the determination of other terms to be in effect with respect to the Governmental Note, the giving or withholding of consents, and the selection and removal of purchasers of the Governmental Note and other professionals.

6. **Execution and Delivery of Governmental Note.** The Chairman, the Vice Chairman, the Chairman Pro Tem or the Executive Director of the Commission or a person designated by the Executive Director to act on his behalf (the "Authorized Representative") is authorized to proceed with the delivery of the Governmental Note to the Funding Lender or to an affiliate thereof or to any other initial purchaser of the Governmental Note as shall be determined to be in the best interest of the Commission, which Funding Lender shall be required to execute transferee representations in the form approved by the Commission to be attached to the Funding Loan Agreement.

7. **Other Action.** The Chairman, the Vice Chairman, the Chairman Pro Tem, the Executive Director and the Authorized Representative of the Commission are hereby authorized and directed to execute and deliver any and all additional documents and instruments necessary or proper to be executed and delivered and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution, the Commission Documents or relating to the execution and delivery or other disposition of the Governmental Note and the financing and the ongoing operations of the Project, as the case may be.

8. **Appointment of Financial Advisor and Bond Counsel.** Caine Mitter & Associates Incorporated is hereby appointed as Financial Advisor and Kutak Rock LLP, Washington, D.C., is hereby appointed as Bond Counsel in connection with the execution and delivery of the Governmental Note.

9. **Procurement of Fiscal Agent Services; Appointment of Fiscal Agent.** The actions of the staff of the Commission, in accordance with Section III.B. of the Commission's Procurement Policy, adopted on October 9, 1991 and as amended on December 6, 2006, for the procurement of an entity to provide the professional services of Fiscal Agent under the Funding Loan Agreement, the selection by the Executive Director from the proposal submissions of entities for service as Fiscal Agent under the Funding Loan Agreement, and the appointment by the Executive Director of the entity to serve as Fiscal Agent as shall be determined to be in the best interest of the Commission are hereby ratified and approved. The Executive Director is hereby authorized to execute any such documents as shall be necessary to evidence such appointment.

10. **Financing Fee; Ongoing Monitoring Fee.** A fee (the "Financing Fee") in an amount equal to 1% of the original principal amount of the Governmental Note, to be paid by the Borrower to the Commission in connection with the execution and delivery of the Governmental Note, is hereby approved. The Financing Fee shall be payable on the date of execution and delivery of the Governmental Note. The Borrower pursuant to the requirements of the Regulatory Agreement shall also pay to the Commission a monitoring fee equal to 0.25% of the original principal amount of the Project Loan (the "Monitoring Fee"), which Monitoring Fee is hereby approved, or such greater amount as shall be approved by the Commission and agreed to by the Borrower. The Monitoring Fee shall be payable annually, in monthly installments, on the first day of each month commencing with the first month following the Closing Date.

11. **No Personal Liability.** No stipulation, obligation or agreement herein contained or contained in the Governmental Note, the Commission Documents or in any other agreement or document executed on behalf of the Commission shall be deemed to be a stipulation, obligation or agreement of any Commissioner, officer, agent or employee of the Commission in his or her individual capacity, and no such Commissioner, officer, agent or employee shall be personally liable on the Governmental Note or be subject to personal liability or accountability by reason of the execution and delivery thereof.

12. **Action Approved and Confirmed.** All acts and doings of the officers of the Commission which are in conformity with the purposes and intent of this resolution and in the furtherance of the execution and delivery of the Governmental Note and the financing of the Project approved hereby and the execution, delivery and performance of the documents and agreements authorized hereby are in all respects approved and confirmed.

13. **Severability.** If any provision of this resolution shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provision to be invalid, inoperative or unenforceable to any extent whatsoever.

14. **Effective Date.** This resolution shall take effect immediately.

2. Approval of Revised Development Plan for Greenhills Apartments

Kayrine Brown, Chief Investment & Real Estate Officer, and Hyunsuk Choi, Senior Financial Analyst, were presenters

The following resolution was adopted upon a motion by Vice Chair Simon and seconded by Commissioner McFarland. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-49

**RE: Approval of Revised Development Plan
for Greenhills Apartments**

WHEREAS, the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”), a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law, is authorized thereby to effectuate the purpose of providing affordable housing, including providing financing for the construction of rental housing properties which provide a public purpose; and

WHEREAS, Greenhills Apartments (the “Property”) is a 78-unit townhouse and apartment complex located at 10560 Tralee Terrace, Damascus, Maryland which the Commission acquired in 1998; and

WHEREAS, the Property is wholly owned by HOC; and

WHEREAS, there has been no major improvements to the buildings since initial construction; and

WHEREAS, on March 7, 2012, the Commission approved a Preliminary Development Plan to refinance and renovate the Property along with a \$36,000 loan from the Opportunity Housing Reserve Fund (“OHRF”) to fund predevelopment costs; and

WHEREAS, on March 13, 2013, the Commission approved the Final Development Plan to refinance and renovate the Property and authorized the selection of Hamel Builders to perform the renovation for an amount up to \$3.58 million; and

WHEREAS, on June 5, 2013, the Commission approved the Financing Plan to refinance and renovate the Property to increase the renovation cost to amount up to \$4.1 million; and

WHEREAS, because of construction price increases and concerns over apartment demand in the market, staff decided not to proceed with the Final Development Plan as approved on March 13, 2013; and

WHEREAS, staff now recommends a Revised Development Plan using Low Income Housing Tax Credit (“LIHTC”) equity and tax-exempt bond financing to fund the rehabilitation of the Property and increase the number of restricted units and transfers the Property into a new limited partnership owner; and

WHEREAS, having developed a Revised Preliminary Development Plan, staff also requests an increase of \$43,000 to the existing predevelopment budget loan to be funded from the OHRF to prepare a LIHTC application for submission to the Maryland Department of Housing and Community Development (“DHCD”); and

WHEREAS, bridge financing (not to exceed \$1,500,000) from the OHRF is needed to complete the structure of the transaction; and

WHEREAS, staff will present the Commission with a revised Final Development Plan once the costs and budget are more understood and developed, and such revised plan will identify the sources of funds to finance all costs and repay all loans made from the OHRF.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves the Revised Preliminary Development Plan for Greenhills Apartments, including an estimated total development cost of \$26.6 million.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it hereby approves the obligation of up to \$1,500,000 from the OHRF to complete the financing structure and funding at closing.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves an increase in predevelopment funds of \$43,000 from the OHRF, bringing the total to \$79,000.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director is authorized, without further action on its part, to take any and all other actions necessary and proper to carry out the transactions contemplated herein, including but not limited to the execution of any and all documents related thereto.

3. Approval to Accept County Funding Related to the Permanent Relocation of Residents of Ambassador Apartments

Kayrine Brown, Chief Investment & Real Estate Officer, and Zachary Marks, Asst. Director of New Development, were presenters

The following resolution was adopted upon a motion by Commissioner McFarland and seconded by Vice Chair Simon. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-50

RE: Approval to Accept County Funding Related to the Permanent Relocation of Residents of Ambassador Apartments

WHEREAS, Ambassador Apartments (the "Property") consists of 162 apartments that are 100% income restricted within the residential component of a seven-story high rise mixed-use condominium located in Wheaton; and

WHEREAS, the Property is owned by a limited partnership whose compliance period has expired called Wheaton-University Boulevard Limited Partnership ("WUBLP"); and

WHEREAS, in 2005, the Housing Opportunities Commission ("HOC") acquired the 1% general partnership interest in WUBLP through HOC Ambassador, Inc., a stock corporation whose stock is wholly owned by HOC; and

WHEREAS, in 2007, the owner of the commercial/retail component of the Condominium donated a portion of its interest, a single-story commercial building on the first floor, to HOC; and

WHEREAS, in June 2010, the Commission approved a feasibility/predevelopment budget of up to \$75,000 to consider options for redevelopment; and

WHEREAS, in July 2010, M&T Bank, the 99% limited partner in WUBLP, donated its interest in WUBLP to the Commission; and

WHEREAS, on January 9, 2014, due to extreme weather conditions which caused pipes to freeze, the Property was exposed to water loss due to a county water main break causing fire sprinkler and central boiler systems failures; and

WHEREAS, as a consequence to the building's water being shut-off, the County temporarily condemned the building, causing residents to be relocated for a 24-hour period; and

WHEREAS, on June 10, 2014, the building was found to have shifted to where it leaned upon an adjacent building; and

WHEREAS, Montgomery County may have funding in the amount of \$500,000 available to aid HOC in beginning a permanent relocation of residents from the Property.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it accepts the funding offered by the County in an amount up to \$500,000 to aid HOC in beginning a permanent relocation of residents from the Property; and

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it authorizes the Executive Director to execute all documents related to the acceptance of funding offered by the County in an amount up to \$500,000 to aid HOC in beginning a permanent relocation of residents from the Property.

4. Approval to Increase Contract Value for the Holly Hall Sprinkler System

Kayrine Brown, Chief Investment & Real Estate Officer, and Paul Vinciguerra, Project Manager, were presenters.

The following resolution was adopted upon a motion by Vice Chair Simon and seconded by Commissioner Nelson. Affirmative votes were cast by Commissioners Roman, Simon, McFarland, Nelson and Piñero. Commissioner Hatcher was temporarily unavailable and did not participate in the vote. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-51

**RE: Approval to Increase Contract Value
for the Holly Hall Sprinkler System**

WHEREAS, Holly Hall (the "Property") is a 96-unit Public Housing development serving seniors and located at 10110 New Hampshire Ave. in the White Oak section of Silver Spring; and

WHEREAS, the County previously appropriated funding in its FY2010-2018 Capital Improvements Program (CIP) for the installation of sprinkler systems at Public Housing and deeply subsidized affordable housing properties occupied by seniors of which \$1,642,496 was allocated to the Property; and

WHEREAS, on November 7, 2012, a new water service contract was awarded to Advanced Fire Protection Services (the "Contract") to extend the water line connection to meet

the water main on New Hampshire Avenue to satisfy Washington Suburban Sanitary Commission (“WSSC”) requirements; and

WHEREAS, WSSC initially indicated that the water main connection was in the southbound traffic lanes of New Hampshire Avenue, closer to the Property, but upon further investigation it was found to be in the northbound lanes, approximately 51 feet away; and

WHEREAS, in early 2014, Advanced Fire Protection Services advised that the labor and materials necessary to connect to the actual location of the water main would increase the cost of the work; and

WHEREAS, on March 5, 2014, staff requested and the Commission approved an increase in the Contract by \$153,138 – plus a 15% contingency of \$22,971 – for a total of \$176,129 to complete the water main connection and finalize the fire safety system; and

WHEREAS, as the project nears conclusion, all costs and available CIP funds are known; therefore, staff has requested an increase of \$100,000 in the existing contract with Advanced Fire Protection Services to complete items necessary to obtain final permits, revise drawings and complete remaining infrastructure work to be able to activate the sprinkler system, bringing the total contract amount to \$616,909; and

WHEREAS, funding for this increase will be from remaining CIP funds, requiring no new appropriation by the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director is authorized to approve an amendment to the AFPS contract value of \$100,000 and funded by available County Capital Improvements Program monies.

5. Approval to Select Contractor to Complete Sprinkler Installation at Arcola Towers

Kayrine Brown, Chief Investment & Real Estate Officer, and Jay Shepherd, Senior Financial Analyst, were presenters.

The following resolution was adopted upon a motion by Commissioner McFarland and seconded by Commissioner Nelson. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-52

RE: Approval to Select Contractor to Complete Sprinkler Installation at Arcola Towers

WHEREAS, the Housing Opportunities Commission of Montgomery County (the “Commission” or “HOC”) receives funding from the Montgomery County under its Capital Improvements Program (“CIP”) for use by HOC at its Public Housing and deeply subsidized affordable housing properties; and

WHEREAS, Arcola Towers is a Public Housing-assisted, age-restricted development approved for participation in the Rental Assistance Demonstration (“RAD”) program, which converts Public Housing rental assistance to Project-Based Section 8 rental assistance; and

WHEREAS, staff solicited an Invitation For Bid (IFB #1950 Fire Protection and Code Upgrades at Arcola Towers) and received two responses, one of which was deemed not qualified; and

WHEREAS, the Commission desires to award a contract to Advanced Fire Protection Systems, LLC the sole qualified bidder under IFB# 1950 Fire Protection and Code Upgrades at Arcola Towers and related repairs that are to be funded from County CIP funds prior to the RAD conversion.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director is authorized to award a contract to Advance Fire Protection Systems, LLC for the installation of fire protection systems and equipment including, but not limited to, sprinkler and fire alarm systems and related repairs including furniture relocation of occupied units and other miscellaneous work as defined by the Housing Opportunities Commission not to exceed \$2,659,858.

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that the Executive Director is authorized and directed, without further action on the part of the Commission; to take any and all other actions necessary and proper to carry out the transaction contemplated herein including, without limitation, the negotiation and execution of related documents.

IV. ITEMS REQUIRING DELIBERATION and/or ACTION

A. Authorization for the Executive Director to Enter into Consulting Contracts with Morrison Avenue Capital Partners and Censeo, Inc. for Developing and Financing Services for Town Center Apartments and Bauer Park

Kayrine Brown, Chief Investment & Real Estate Officer, and Zachary Marks, Asst. Director of New Development, were presenters.

The following resolution was adopted upon a motion by Commissioner McFarland and seconded by Commissioner Hatcher. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

RESOLUTION: 15-53

RE: Authorization for the Executive Director to Enter into Consulting Contracts with Morrison Avenue Capital Partners and Censeo, Inc. for Developing and Financing Services for Town Center Apartments and Bauer Park

WHEREAS, the Housing Opportunities Commission of Montgomery County (the "Commission") seeks to preserve Montgomery County's existing affordable housing including that subsidized by Rental Assistance Payment ("RAP") contracts and Section 236 financing facing growing sustainability challenges – most prominently, functional obsolescence and pervasive systems issues as a result of age; and

WHEREAS, two existing elderly properties – Bauer Park Apartments at 14639 Bauer Drive in Rockville ("Bauer Park") and Town Center Apartments at 90 Monroe Street in Rockville ("Town Center") – currently receive subsidy via RAP contracts and interest reduction payments, and whose construction was originally financed with Section 236 senior mortgages, which are still outstanding; and

WHEREAS, the RAP contracts for Bauer Park and Town Center will discontinue at maturity of the properties' Section 236 senior mortgages set to occur in the second quarter of Calendar Year 2018; and

WHEREAS, the United States Department of Housing and Urban Development ("HUD") offers the Second Component of its Rental Assistance Demonstration program (the "RAD Program") which presents Bauer Park and Town Center with the opportunity to secure Project-based Section 8 subsidy providing for their rehabilitation and permanent financing; and

WHEREAS, from time to time, the Commission will procure for consulting and advisory services to assist staff with real estate development and financing transactions; and

WHEREAS, on March 4, 2015, the Commission approved Morrison Avenue Capital Partners and Censeo, Inc., who jointly responded to Request for Qualifications #1938 ("RFQ #1938"), as a pre-qualified firm able to participate in the pool formed pursuant to RFQ 1938; and

WHEREAS, to provide the best outcomes for Bauer Park and Town Center, the Commission wishes to engage Morrison Avenue Capital Partners and Censeo, Inc. ("Consultants").

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it authorizes the Executive Director to execute a contract for financing consulting services related to the conversion of Bauer Park to Project-based Section 8 rental assistance via the Second Component of the RAD Program with the Morrison Avenue Capital Partners and Censeo, Inc. venture for \$152,400; and

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it authorizes the Executive Director to execute a contract for financing consulting services related to the conversion of Town Center to Project-based Section 8 rental assistance via the Second Component of the RAD Program with the Morrison Avenue Capital Partners and Censeo, Inc. venture for \$193,691; and

BE IT FURTHER RESOLVED by the Housing Opportunities Commission of Montgomery County that it authorizes an advance of \$225,000 from the Opportunity Housing Reserve Fund (“OHRF”) to fund on an interim basis the consulting services herein proposed to be provided by the Consultants. The funds advanced from the OHRF would be paid back by proceeds from the construction financing for the renovation of Bauer Park and Town Center.

V. FUTURE ACTION ITEMS

None

VI. INFORMATION EXCHANGE (CONT'D)

None

VII. NEW BUSINESS

Approval of a 30-Day Bridge Loan to Tanglewood and Sligo LP to Repay the Capital One Bank N.A. Construction Loan Prior to Closing of the Permanent FHA Section 223(F) Mortgage

Kayrine Brown, Chief Investment & Real Estate Officer, and Richard Hanks, Housing Acquisition Manager, were presenters.

The following resolution was adopted, as amended, upon a motion by Commissioner Piñero and seconded by Commissioner McFarland. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

Resolution: 15-54

Re: Approval of a 30-Day Bridge Loan to Tanglewood and Sligo LP to Repay the Capital One Bank, N.A. Construction Loan Prior to Closing of the Permanent FHA Section 223(F) Mortgage

WHEREAS, on September 3, 2014, the Housing Opportunities Commission of Montgomery County (“Commission”) approved an amendment to the financing plan for Tanglewood Apartments (“Property”) to permit Tanglewood and Sligo L.P. (“Partnership”) to obtain permanent financing for the Property from AGM Financial Services, Inc. (AGM Financial), or its assignee, through the U.S. Federal Housing Administration (FHA) Section 223(f) Low Income Housing Tax Credit (LIHTC) Pilot Program in the amount of \$12,033,076 (“Permanent Loan”); and

WHEREAS, the Commission is the sole member of HOCCMC, LLC (the “Company”), which is the general partner of the Partnership, and Hudson Tanglewood LLC is the limited partner and tax credit investor of the Partnership (“Tax Credit Investor”); and

WHEREAS, the Tax Credit Investor and the Commission previously approved a permanent loan in the amount of \$12,510,000; and

WHEREAS, the closing of the permanent loan is scheduled to occur on Friday June 5, 2015, the date by which the construction loan must be repaid but as insurance against a delay and to technical default under the construction loan documents, the Commission is being asked to fund an interim 30-day bridge loan of \$9,395,831.19 to Tanglewood and Sligo LP to repay the Capital One Bank, N.A. construction loan prior to the closing of the permanent FHA Section 223(f) construction loan; and

WHEREAS, HOC had previously provided a permanent loan commitment to the project from proceeds available from the FHA Risk Sharing reserves and said funds are available to fund the request herein.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County authorizes a loan of \$9,395,831.19 to Tanglewood and Sligo LP from the FHA Risk Sharing reserves and acting for the Company in its own capacity and as the general partner of and on behalf of the Partnership, the Partnership is authorized to accept the interim 30-day bridge loan of \$9,395,831.19 to repay the Capital One Bank, N.A. construction loan for Tanglewood and Sligo LP prior to the closing of the FHA Section 223(f) permanent loan.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized and directed, without further action on the part of the Commission or Company, to take any and all other actions necessary and proper to carry out the transaction contemplated herein including, without limitation, the negotiation and execution of commitments and other related loan documents.

VIII. EXECUTIVE SESSION FINDINGS

None

There was a brief recess at 6:48 p.m. to transition into the Development Corporation and Limited Partnership Annual Meetings. The meeting reconvened at 6:56 p.m.

The following resolutions were adopted upon a motion by Commissioner Piñero and seconded by Commissioner McFarland. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

Development Corporation Annual Meetings and Amendment of the FY’16 Operating and Capital Budgets:

1. Resolution 15-01: Alexander House Development Corporation
 2. Resolution 15-01: Barclay Apartments Development Corporation
 3. Resolution 15-01: Chevy Chase Lake Development Corporation
 4. Resolution 15-01: Glenmont Crossing Development Corporation
 5. Resolution 15-01: Glenmont Westerly Development Corporation
 6. Resolution 15-01: Magruder's Discovery Development Corporation
 7. Resolution 15-01: The Metropolitan Development Corporation
 8. Resolution 15-01: Montgomery Arms Development Corporation
 9. Resolution 15-01: The Oaks at Four Corners Development Corporation
 10. Resolution 15-01: Paddington Square Development Corporation
 11. Resolution 15-01: Pooks Hill Development Corporation
 12. Resolution 15-01: RAD 6 Development Corporation
 13. Resolution 15-01: Scattered Site One Development Corporation
 14. Resolution 15-01: Scattered Site Two Development Corporation
 15. Resolution 15-01: Sligo Hills Development Corporation
 16. Resolution 15-01: TPM Development Corporation
 17. Resolution 15-01: VPC One Development Corporation
 18. Resolution 15-01: VPC Two Development Corporation
 19. Resolution 15-01: Wheaton Metro Development Corporation
-

The following resolutions were adopted upon a motion by Commissioner McFarland and seconded by Vice Chair Simon. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

Limited Partnership Annual Meetings and Approval of Amendments to the FY'16 Operating and Capital Budgets

1. Resolution 15-01: Brookside Glen Limited Partnership
 2. Resolution 15-01: Diamond Square Limited Partnership
-

The following resolution was adopted upon a motion by Commissioner Piñero and seconded by Commissioner McFarland. Affirmative votes were cast by Commissioners Roman, Simon, Hatcher, McFarland, Nelson and Piñero. Commissioner Banks was necessarily absent and did not participate in the vote.

Development Corporation Annual Meeting

1. Resolution 15-01: Damascus Gardens Development Corporation

Based upon this report and there being no further business to come before this session of the Commission, a motion was made, seconded and unanimously adopted to adjourn.

The meeting adjourned at 7:08 p.m.

Respectfully submitted,

Stacy L. Spann
Secretary-Treasurer

/pmb

**AUTHORIZATION TO REVISE
VARIOUS CHAPTERS AND SECTIONS OF
HOC'S ADMINISTRATIVE PLAN AND
ADMISSIONS AND CONTINUED OCCUPANCY POLICY**

July 8, 2015

- The Code of Federal Regulations (CFR) requires that Public Housing Agencies (PHAs) such as HOC adopt written plans and policies that describe the federal regulations and establish the local policies for administration of the voucher and public housing programs of the given PHA. For the Housing Choice Voucher program, this governing document is termed the Administrative Plan. For the Public Housing program, this governing document is termed the Admissions and Continued Occupancy Policy (ACOP).
- The CFR also requires that PHAs such as HOC revise their Administrative Plan and ACOP as needed in order to comply with HUD requirements. Optional changes unique to a specific PHA may also be added, provided that they don't conflict with the federal regulations.
- At this time, HOC has developed several proposed revisions and new additions both for its Administrative Plan and its ACOP as is consistent with the process and procedure outlined in the CFR.
- A 45-day public comment period for these proposed revisions began on May 5, 2015 and concluded on June 19, 2015 with a public hearing at HOC's Kensington office.
- Staff is requesting authorization to make these proposed revisions and new additions to HOC's Administrative Plan and ACOP formally a part of these two governing documents.

MEMORANDUM

TO: Housing Opportunities Commission of Montgomery County

VIA: Stacy L. Spann, Executive Director

FROM: Staff: Gina Smith Division: Executive Ext. 9479
Lynn Hayes Housing Resources Ext. 9622
Kelly McLaughlin Executive Ext. 9567
Darcel Cox Compliance Ext. 9427
Ethan Cohen Executive Ext. 9764

RE: Authorization to revise various chapters and sections of HOC’s Administrative Plan and Admissions and Continued Occupancy Policy

DATE: July 8, 2015

STATUS: Consent X Deliberation Status Report Future Action

OVERALL GOAL & OBJECTIVE:

To authorize the Executive Director, or his designee, to revise various chapters and sections of HOC’s Administrative Plan for the Housing Choice Voucher Program and Admissions and Continued Occupancy Policy for the Public Housing program, as described below.

BACKGROUND:

During the summer of 2015, HOC intends to open all of the waiting lists for all of its housing programs. While some of HOC’s many waiting lists have had sporadic openings and closings throughout the last seven years, many have remained closed altogether since 2008. Paramount among the goals of the Agency in opening its waiting lists is to create a single list that is dynamic, exclusively electronic, and never closing. In order to launch such a complex and unprecedented waiting list system, HOC must significantly change the policies and procedures governing the waiting lists of its housing programs. These policies and procedures are delineated in Chapter 4 of HOC’s Administrative Plan for the Housing Choice Voucher Program (“Administrative Plan”) and Chapter 9 of HOC’s Admissions and Continued Occupancy Policy for the Public Housing program (“ACOP”).

The U.S. Department of Housing and Urban Development (HUD) provides the outline of basic policy and procedures for the administration of the Housing Choice Voucher (HCV) and Public Housing (PH) waiting lists in the Code of Federal Regulations (CFR). The HCV regulations are located at 24 CFR Part 982, Subpart E and the PH regulations are located at 24 CFR Part 960, Section 206. These sections of the CFR provide an initial outline for how to open waiting lists, select applicants, place applicants on the waiting list, and reach out to applicants when waiting lists are to open or close. Beyond the waiting list policies outlined in the CFR, Public Housing

Authorities (PHAs) are required to develop Agency-specific policies and procedures to flesh out the outlines provided in the CFR. These Agency-specific policies are to be written in a PHA's Administrative Plan and ACOP. Importantly, at all times, Agency-specific policies must conform to the established rules and regulations in the CFR, fair housing and civil rights laws and regulations, and must result in consistent, non-discriminatory determinations on applicant eligibility, placement of applicants on the waiting list, and selection of applicants from the waiting list.

As described above, HOC seeks to create a single waiting list that is dynamic, exclusively electronic, and never closing. In order to achieve such a list, the existing policies in HOC's Administrative Plan and ACOP will be changed as follows:

1. Previously, selection from HOC's waiting lists was done by random lottery. When HOC opens the waiting list in summer 2015, it will continue to operate the list as a lottery. However, on the one-year anniversary of the opening, the new waiting list will be based exclusively on the date and time of application and any applicable preferences that the Agency has adopted in its Administrative Plan or ACOP.
2. Previously, applicants were required to apply to HOC's waiting lists in person at an HOC office. The new waiting list will be exclusively electronic allowing for internet based application only. Applicants without access to the internet may use computer terminals located in HOC's offices and at other satellite kiosks that the Agency intends to install and operate at various other locations, such as the public libraries, public schools, and County offices, in order to apply to the waiting list online. To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions.
3. Previously, HOC maintained multiple separate waiting lists for its different housing programs, some of its different properties, and for those with specific preferences such as the elderly or disabled. The new waiting list will be only one list for all housing programs, properties, and preference groups; however applicants will be able to indicate specific preferences within their entry on the list. HOC is required to maintain property-based waiting lists for some of its properties, most notably those properties that are included in the Rental Assistance Demonstration (RAD) program. The Agency will create sub lists for those properties that are subject to this requirement.
4. Previously, HOC would frequently close its waiting lists when they became unreasonably long. The new waiting list will remain open indefinitely, barring something uniquely unforeseen.
5. Previously, applicant information on HOC's waiting lists would grow stale over time, necessitating closings of the list and lengthy purging processes in order to update applicant information. The new waiting list will use internet-based and other electronic communication to require applicants to update their application information at regular intervals, eliminating the storage of stale information and the need for future purges. To

the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions and may issue postcard notification of the need to certify continued interest in housing programs.

Finally, inasmuch as a PHA's Administrative Plan and ACOP are supporting documents to the Agency's Annual and Five-Year Public Housing Agency (PHA) Plans, these waiting list changes to HOC's Administrative Plan and ACOP necessitate a formal Significant Amendment to the Agency's current PHA Plan. As per 24 CFR Part 903, Significant Amendments to the Agency's PHA Plan require a 45-day public comment which is concluded with a public hearing on the Plan Amendment. During the comment period, HOC made the draft of the waiting list changes proposed for the Administrative Plan and ACOP available on HOC's website as well as in hard copy form at all four of the Agency's offices. Also during the comment period, HOC staff met and discussed these waiting list changes with the HOC Resident Advisory Board (RAB), and received the RAB's endorsement of these proposed changes on June 29, 2015. Notice of the comment period and public hearing were advertised in local newspapers in Montgomery County.

In response to comments received from the public and HOC Commissioners during the public comment period described above, two minor changes have been made to the proposed Waiting List changes to the Administrative Plan and ACOP. These two changes are as follows:

1. To the extent an applicant to the waiting list requires assistance with the electronic submission, upon request, staff from the Housing Opportunities Commission will be available to assist them.
2. To the extent an applicant to the waiting list requires assistance with the electronic certification of continued interest in housing programs, upon request, staff from the Housing Opportunities Commission will be available to assist them, and may issue postcard notification.

Separate from the above described changes to the Administrative Plan and ACOP relating to HOC's summer 2015 opening of the waiting list, staff also recommends making the following described changes to the Administrative Plan regarding (1) the length of Housing Assistance Payments (HAP) contracts between HOC and property owners for Project-Based Vouchers (PBV) and (2) adding a new statement permitting HOC to terminate HAP contracts in the event of insufficient funding.

Currently, Section D(2) in Chapter 22 of HOC's Administrative Plan states that PBV HAP contracts between property owners and HOC will be for an initial term of 10 years and that after the initial term, HOC may agree to extend the term of the contract for up to an additional five years. While this was consistent with the parent regulation at 24 CFR 983.205 when HOC's Administrative Plan was last updated in this regard, in July of 2014, the federal regulations were changed and now allow initial terms of up to 15 years and permission to extend the term for up to an additional 15 years. Accordingly, staff recommends that the Agency update its Administrative Plan to reflect this change to the federal regulations permitting PBV HAP

contracts between property owners and HOC to be for an initial term of up to 15 years and that after the initial term, HOC may agree to extend the term of the contract for up to an additional 15 years.

Additionally, 24 CFR 983.205 specifically permits PHAs to terminate a HAP contract if it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the HAP contract. In compliance with this permission provided in the CFR, staff recommends that the Agency add a Section D(4) to Chapter 22 of HOC's Administrative Plan permitting HOC to terminate a HAP contract in the event of insufficient funding in accordance with applicable HUD statutes and regulations.

Importantly, these proposed changes regarding the length of HAP contracts between HOC and property owners for PBVs and the addition of a new statement permitting HOC to terminate HAP contracts in the event of insufficient funding are changes to the Administrative Plan only and not to the ACOP. However, the proposed changes to the waiting list described above are designed to apply to all HOC housing programs and are, therefore, changes to both the Administrative Plan and the ACOP.

Lastly, staff recommends making the following described changes to the Administrative Plan and ACOP regarding repayment agreements between the Agency and residents. These changes are separate from the above described changes to the Administrative Plan and ACOP relating to HOC's summer 2015 opening of the waiting list, and to the Administrative Plan regarding the length of HAP contracts between HOC and property owners for PBVs.

Currently, Chapter 18 of the Administrative Plan and Chapter 19 of the ACOP provide information about HOC's repayment agreement process. Recently, however, changes to the federal regulations require that HOC update its current repayment agreement process as described in both of these chapters. Firstly, HOC will extend repayment agreement terms past the current cap of 36 months. Secondly, the Agency will allow for renegotiation of a repayment agreement if there is a change in a household's income. Finally, the recommended changes will provide greater clarification of the parameters in which HOC will enter into a repayment agreement and also will provide greater clarification on when enforcement of delinquent payments will be addressed.

Staff expects that these changes to the Administrative Plan and ACOP will significantly benefit existing and future tenants by allowing for greater flexibility in, and more clarification of, the repayment agreement process. As of May 1, 2015, there were approximately 120 existing voucher and public housing residents in HOC housing who owe a debt to HOC. Following the implementation of these changes, more than 50 percent of these residents will be able to renegotiate their repayment agreements, thereby lessening the financial burden on the residents, while also ensuring repayment of the owed funds to HOC. Accordingly, staff recommends that the Agency update its Administrative Plan and ACOP to reflect these changes to the federal regulations now permitting these more favorable repayment agreement processes for voucher and public housing residents.

ISSUES FOR CONSIDERATION:

Does the Housing Opportunities Commission of Montgomery County wish to authorize the Executive Director, or his designee, to revise various chapters and sections of HOC's Administrative Plan for the Housing Choice Voucher Program and Admissions and Continued Occupancy Policy for the Public Housing program, as described above?

PRINCIPALS:

Executive Division
Housing Resources Division
Property Management Division
Compliance Division

BUDGET IMPACT:

None.

TIME FRAME:

The Legislative and Regulatory Committee reviewed this item at its meeting on May 12, 2015; for Commission action on July 8, 2015.

STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:

Staff recommends that the Housing Opportunities Commission of Montgomery County authorize the Executive Director, or his designee, to revise various chapters and sections of HOC's Administrative Plan for the Housing Choice Voucher Program and Admissions and Continued Occupancy Policy for the Public Housing program, as described above.

RESOLUTION: XX-XX

RE: Authorization to Revise Various Chapters and Sections of HOC's Administrative Plan and Admissions and Continued Occupancy Policy

WHEREAS, the Housing Opportunities Commission of Montgomery County must and desires to revise and make new additions to its Administrative Plan for the Housing Choice Voucher Program and its Admissions and Continued Occupancy Policy for the Public Housing program.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that it approves the above described revisions and new additions to various chapters and sections of its Administrative Plan for the Housing Choice Voucher Program and Admissions and Continued Occupancy Policy for the Public Housing program.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized and directed to take all actions necessary and proper to accomplish the activity contemplated herein.

I HEREBY CERTIFY that the forgoing resolution was adopted by the Housing Opportunities Commission of Montgomery County at a regular open meeting conducted on July 8, 2015.

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Patrice Birdsong
Special Assistant to the Commission

Proposed Revisions to
HOC's Administrative Plan for the Housing Choice Voucher Program

*In response to comments received from the public and HOC Commissioners during the public comment period, several minor changes have been made to this document. These changes are noted in **BLUE**. These changes were discussed at the public hearing on June 19, 2015.

Please note: The changes made to Chapter 4 of HOC's Administrative Plan are extensive but do not replace the previous provisions of Chapter 4 in its entirety.

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]

INTRODUCTION

It is the PHA's objective to ensure that families are placed in the proper order on the waiting list and selected from the waiting list for admission in accordance with the policies in this Administrative Plan.

This chapter explains how the Public Housing Authority (PHA) will administer its consolidated waiting list for all of its housing programs, including the tenant-based and project-based voucher waiting lists, hereinafter referred to as the consolidated list or master list. The tenant-based waiting list has four local preferences that the PHA has adopted to meet local housing needs, define the eligibility criteria for the preferences, and explain the PHA's system of applying them. The waiting list for housing subsidized with project-based vouchers will be maintained as a sub list within the consolidated list. Any family selected to be housed utilizing a project-based voucher is only eligible for a specific bedroom sized unit based on family size.

By maintaining an accurate waiting list, the PHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner. Each family on the tenant-based waiting list may also have its name on the project-based waiting list.

A. MANAGING THE WAITING LIST

Opening and Maintaining the List

Opening of the waiting list will be announced with a public notice stating that applications for public housing, Housing Choice Voucher and all other waiting lists maintained by the **Housing Opportunities Commission of Montgomery County (HOC)** will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media, including social media. The public notice will state any limitations on who may apply. Waiting lists for all sub-jurisdictions and Countywide will be opened and closed at the same time.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing. The notice will include the Fair Housing logo and slogan, and will be in compliance with Fair Housing requirements.

HOC intends for the waiting list to remain open indefinitely; however, if the Executive Director decides to close the list, the closing of the waiting list will also be announced with a public notice. This public notice will state the date the waiting list will be closed, and it will be published in a local newspaper of general circulation and by any available minority media, including social media.

Organization of the Waiting List

Effective July 2015, the Housing Opportunities Commission will merge its existing sub-jurisdictional waiting lists for the Housing Choice Voucher program and all other housing programs into one combined waiting list referred to herein interchangeably as merged list, master list, merged master list, or waiting list, except as specifically noted.

In conjunction with the merging of all of the Housing Opportunity Commission's waiting lists, the Housing Opportunities Commission will open its merged master waiting list for all programs, and leave the merged list open indefinitely or until such time as a determination is made by the Executive Director that there is cause to close the waiting list, at which time proper notice will be posted in a local newspaper of general circulation and by any available minority media, including social media.

Only one application may be submitted and it must be submitted by the head of household or his/her designee.

The waiting list will be maintained in accordance with the following guidelines:

1. The application will be a permanent file. Any contact between the Housing Opportunities Commission and the applicant will be documented in the electronic applicant file.
2. All applications will be maintained in order of date and time of application, and applicable preference(s).
3. Under the merged waiting list, one master list will be maintained electronically through a proprietary program. All applications and updates to an application must be submitted electronically through a proprietary on-line web portal. Paper and telephone submissions will not be permitted. **To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions.**

4. All applicants must give notice of any changes to their application within two weeks of a change. Changes include: change of mailing address, change of email address, change of phone number, change in family composition, change in income, or changes in factors affecting preference points. As noted in paragraph 3, all changes must be done electronically because paper and telephone submissions will not be accepted. **To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic update submissions.**
5. The master waiting list will be updated daily and placement on the list can be retrieved via the internet on a 24-hour basis.
6. For the first 365 days following the opening of the waiting list, selection from the waiting list will continue to be by random lottery. Thereafter, all selections will occur based on a combination of date-time order and listed preferences on the respective master waiting list. HOC will send a notice to all applicants informing them of when the random lottery system will be discontinued and when the date-time stamp selection system will be implemented.
7. The Housing Opportunities Commission will maintain one merged master list in order of date-time and any applicable preference(s). However within the master list there will be sub-sorted separate lists for certain programs and properties.
8. The Housing Opportunities Commission has entered into HAP contracts to subsidize units at several properties that are operated by third party managers and/or owners. Individual, property-specific waiting lists for these properties will be included within the master list but will be sorted separately to only reflect applicants who satisfy the various property and programmatic eligibility criteria. More specifically, the details regarding these property-specific waiting lists are as follows:
 - i. The Housing Opportunities Commission will maintain separate lists for Arcola Towers, Elizabeth House, Holly Hall, and Waverly House, which are public housing facilities operated for the benefit of the senior and/or the disabled.
 - ii. The Housing Opportunities Commission has entered into a HAP contract to subsidize units at Emory Grove, Ken-Gar, Parkway Woods, Sandy Spring Meadow, Seneca Ridge, Town Centre Place, and Washington Square as required as part of the Rental Assistance Demonstration (RAD) program, and will require Housing Choice Vouchers. These individual lists created for these RAD properties will be included in the merged master list but sorted separately to reflect only those applicants who may be eligible for these properties.

- iii. The Housing Opportunities Commission has entered into HAP contracts to subsidize units at several properties that are managed by third party managers and/or owners. These properties provide supportive services to at-risk populations in the form of Housing Choice Vouchers. Applicants for these programs must meet stringent requirements and will be ranked by date and time of application only, and sorted separately to only reflect applicants who qualify for these specific properties.
9. Any contact between the Housing Opportunities Commission and the applicant will be documented in the applicant's file.

B. FAMILIES

All applicants are required to maintain an e-mail address. To the extent an applicant chooses to use the e-mail address of another person, the applicant is solely responsible for receiving information sent to the listed email address and lack of access to that account shall not be considered a valid excuse for missing notices. To the extent a family does not have an e-mail address, the Housing Opportunities Commission can assist the family in obtaining a free email account. The applicant is responsible for notifying the Housing Opportunities Commission of any change in their e-mail address. The Housing Opportunities Commission maintains public use computers at all of its HUB locations. Public use computers are also widely available at other public locations such as local libraries. **To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions and may issue postcard notification of the need to certify continued interest in housing programs.**

C. WAITING LIST [24 CFR 982.204]

Tenant-Based Voucher

The PHA uses a consolidated waiting list for the admission of all of its housing programs. The consolidated list will include a sub list for admissions to the tenant-based voucher assistance program of the Housing Opportunities Commission of Montgomery County, Maryland.

Except for Special Admissions, applicants will be selected from the consolidated waiting list in accordance with the policies, preferences, and income targeting requirements defined in this Administrative Plan.

The PHA will maintain information that permits proper selection from the waiting list.

The waiting list contains the following information for each applicant listed:

- Applicant Name

- Family Unit Size (number of bedrooms family qualifies for under PHA subsidy standards)
- Date of application
- Qualification for any local preference
- Racial or ethnic designation of the head of household
- Targeted program qualifications

Project-Based Voucher

The PHA will create separate sub lists for admissions to the project-based voucher assistance program of the Housing Opportunities Commission of Montgomery County, Maryland. Any applicant that submits an application to the master waiting list will be considered for inclusion on the project-based voucher waiting list.

Except for Special Admissions, applicants will be selected from the PHA waiting list in accordance with the policies, preferences, and income targeting requirements defined in this Administrative Plan.

Families will be selected from the project-based voucher waiting list based on the bedroom size of the unit available at the time of selection.

The PHA will maintain information that permits proper selection from the waiting list.

The waiting list contains the following information for each applicant listed:

- Applicant Name
- Family Unit Size (number of bedrooms family qualifies for under PHA subsidy standards)
- Date of application
- Qualification for any local preference
- Racial or ethnic designation of the head of household
- Targeted program qualifications

D. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]

If HUD awards a PHA program funding that is targeted for specifically named families, the PHA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The PHA maintains separate records of these admissions.

The Family Unification Program (FUP) qualifies for special admissions as long as the individuals referred to HOC meet the program definition.

Family Unification Program-Eligible Family (A family that the Public Child Welfare Agency (PCWA) has certified as a family for whom a lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care, or in the delay of discharge of a child, or children, to the family from out-of-home care, and that the HOC has determined is eligible for a Housing Choice Voucher.)

Family Unification Program-Eligible Youth (A youth that the Public Child Welfare Agency (PCWA) has certified to be at least 18 years old and not more than 21 years old (has not reached his/her 22nd birthday) who left foster care at age 16 or older and who does not have adequate housing, and that HOC has determined is eligible for a Housing Choice Voucher.)

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit.

1. A family displaced because of demolition or disposition of a public or Indian housing project;
2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
3. For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;
4. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and
5. A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

Applicant's who are admitted under Special Admissions, rather than from the waiting list, are identified in the PHA's database with special codes.

At turnover:

If a voucher issued to an FUP-eligible family or FUP-eligible youth under the FUP program is terminated, the voucher will be reissued to the extent practicable, to another FUP-eligible family or FUP-eligible youth. If the award on turnover is not practicable, FUP vouchers may be used by HOC for such families based upon local needs.

If a client served through Special Admissions in the FUP program is on an HOC Program Admissions Waiting List (Tenant Based Voucher or Project Based Voucher), the client will remain eligible on the waiting list for the period of time the list is active. If a client is

selected from the Program Waiting List and utilizes the voucher, the FUP voucher will be reissued, to the extent practicable, to another FUP-eligible family or FUP-eligible youth.

E. WAITING LIST PREFERENCES [24 CFR 982.207]

When a family appears to be near being offered a unit, the family will be invited to an interview and the verification process will begin. It is at this point in time that the family's waiting list preference(s) will be verified. To qualify for the preference, an applicant must provide verification that shows he or she qualified either at the time of the initial application or at the time of selection from the waiting list, however, placement based upon preference is dependent on the family still qualifying for the preference.

If the family no longer qualifies to be near the top of the list, because the family does not qualify for a preference, then the family's preference status will be removed. Importantly, however, the family will remain on the waiting list based upon their original date and time of application. The Housing Opportunities Commission must notify the family in writing of this determination and give the family the opportunity for an informal hearing to appeal the decision.

Once the preference has been verified, the family will complete a full application, present Social Security number information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms.

An applicant will not be granted any Local preference for the tenant-based and project-based voucher waiting lists if any member of the family has been evicted from housing assisted under a 1937 Housing Act program during the past three years because of drug-related criminal activity or felonious charged criminal activity.

The PHA will grant an exception to such a family if:

- The responsible member has successfully completed a rehabilitation program.
- The evicted person clearly did not participate in or know about the drug-related activity.
- The evicted person no longer participates in any drug related criminal activity.

If an applicant makes a false statement in order to qualify for a Local preference, the PHA will deny the Local preference.

F. LOCAL PREFERENCES [24 CFR 5.410]

The PHA will offer public notice when changing its preference system and the notice will be publicized using the same guidelines as those for opening and closing the waiting list.

The PHA uses the following Local Preference system:

First Local Preference – Displacement: Families who are displaced as a result of a State or County redevelopment project, or a change in the nature of a project that is part of the

County plan for maintaining affordable housing, and who are referred by the County Executive's Office. A signed certification from the County Executive's office is required for the family to qualify for this preference. [Two Points]

Second Local Preference – Residency preference for families who live, work, or have a bona fide offer to work in Montgomery County. To qualify for this preference, evidence is required either at the time of application or at the time of selection from the waiting list. HOC will treat graduates of, or active participants in, education or training programs in Montgomery County as residents of Montgomery County if the education or training program is designed to prepare individuals for the job market. To qualify and satisfy this preference, graduates must have graduated after the initial application for housing. [One Point]

Third Local Preference – HUD funded 2006 Main Stream Disabled (MSD) program; 15 units. [Two Points]

Fourth Local Preference – Chronically Homeless/Medically Vulnerable: Preference is given for ten (10) individuals who are chronically homeless and medically vulnerable. Chronically homeless is defined as being continually homeless for a year or more or having at least four (4) episodes of homelessness within the past three years. The applicant must be at least 55 years old and have one or more of the following conditions to be considered medically vulnerable:

1. HIV/AIDS
2. Liver/Kidney Disease/End Stage Renal Disease or Dialysis
3. Emphysema
4. Cancer
5. History of severe cold or wet weather Injury
6. Heart Disease
7. Tuberculosis
8. Epilepsy
9. Amputation or physical disability that limits mobility and/or cognitive functioning
10. Tri-Morbidity (substance abuse, mental illness and chronic medical)

HOC will verify the preference with a list of chronically homeless and medically vulnerable individuals provided by DHHS. [Three Points]

Treatment of Single Applicants

Single applicants will be treated as any other eligible family on the waiting list for the tenant-based and project-based voucher waiting lists.

G. INCOME TARGETTING

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the PHA will reserve a minimum of seventy-five (75) percent of its Section 8 new admissions for families whose incomes do not exceed thirty (30) percent of the area median income (AMI). HUD refers to these families as “extremely low-income families.” The PHA will admit families who qualify under the Extremely Low-Income limit to meet the income targeting requirement, regardless of preference. This policy applies to the tenant-based and project-based voucher waiting lists.

The PHA’s income targeting requirement does not apply to low-income families continuously assisted, as provided for under the 1937 Housing Act.

The PHA is also exempted from this requirement where the PHA is providing assistance to low income or moderate-income families entitled to preservation assistance under the tenant-based voucher program as a result of a mortgage prepayment or opt-out.

H. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION

[24 CFR 5.415]

At the time of application, an applicant's entitlement to a Local Preference may be made on the following basis:

An applicant's certification that they qualify for a preference will be accepted without verification at the initial application. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified. To Qualify for the preference, an applicant must provide verification that shows he or she qualified either at the time of the initial application or at the time of certification.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list (tenant-based or project-based) without the Local Preference, and given an opportunity for a meeting.

I. TARGETED FUNDING [24 CFR 982.203]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the tenant-based and project-based voucher waiting lists are searched for the first available family meeting the targeted funding criteria. The PHA reserves the right to use this assistance under the “Interim Use” policy. [See Glossary under “Interim Use” for definition].

Applicants who are admitted under targeted funding which are not identified as a Special Admission are identified by codes in the automated system. The PHA has the following "Targeted" Programs:

- Veterans Affairs Supportive Housing (VASH)
- Mainstream Allocation Plan for Persons with Disabilities

- Shelter Plus Care
- Welfare-to-Work
- Voucher allocation for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans

For any Voucher allocation for Non-Elderly Persons with Disabilities (NED) in Support of Designated Housing Plans, the PHA will identify a non-elderly disabled family, as defined by HUD, on the PHA's waiting list that will not be housed due to an approved or submitted Designated Housing Plan.

At turnover:

If a voucher issued to a FUP-eligible family under the 2008 FUP program is terminated, the voucher will be reissued, to the extent practicable, to another FUP eligible family. If the award on turnover is not practicable, FUP vouchers may be used by HOC for such families based upon local needs.

Re-issuance upon turnover of vouchers in the Non-Elderly Persons with Disabilities in Support of Designated Housing Plans 2008 allocation will be to Non-Elderly Persons with Disabilities on the waiting list.

J. PREFERENCE AND INCOME TARGETING ELIGIBILITY [24 CFR 5.410]

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to update their on-line application when their circumstances of change.

Cross-Listing of Different Housing Programs and Section 8 [24 CFR 982.205(a)]

The PHA will maintain a consolidated master waiting list for all of its housing programs. An applicant will be considered for admission to any program for which they are eligible until such time that documentation is presented that establishes a client is ineligible for a housing program(s). If a client is determined to be ineligible for the voucher program, their application will be maintained on the consolidated waiting list so that they may continue to be considered for other opportunities.

Other Housing Assistance [24 CFR 982.205(b)]

Other housing assistance means a federal, State or local housing subsidy, as determined by HUD, including public housing.

The PHA may not take any of the following actions because an applicant has applied for, received, or refused other housing: [24 CFR 982.205(b)]

- Refuse to list the applicant on the PHA waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant is currently qualified;
- Change the applicant's place on the waiting list based on a preference, date of application, or other factors affecting selection under the PHA selection policy; or
- Remove the applicant from the waiting list.

However, the PHA may remove the applicant from the waiting list for tenant-based assistance if the PHA has offered the applicant assistance under the voucher program.

K. ORDER OF SELECTION [24 CFR 982.207(e)]

The PHA's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the Administrative Plan.

Tenant-Based Voucher Waiting List

Local Preferences

The PHA has selected the following system to apply local preferences:

Local preferences will be aggregated using the following system:

Each preference will receive an allocation of points. The more preference points an applicant receives, the higher the applicant's position on the waiting list.

Among Applicants with Equal Preference Status

Among applicants with equal preference status, the tenant-based voucher waiting list will be organized by the lottery selection process for the first 365 days after the wait list is opened in the summer of 2015. Thereafter, applicants with equal preference status on the tenant-based voucher waiting list will be organized by date and time stamp.

Project-Based List

The PHA has selected the following system to apply local preferences:

Local preferences will be aggregated using the following system:

Each preference will receive an allocation of points. The more preference points an applicant receives, the higher the applicant's position on the waiting list.

The project-based voucher sub list will be organized by family size and the corresponding bedroom size as follows:

- One and two person families are eligible for a one-bedroom unit.
- Three and four person families are eligible for a two bedroom unit.
- Five and six person families are eligible for a three bedroom unit.
- Seven and eight person families are eligible for a four bedroom unit.

Exceptions to this policy will be made in accordance with HOC’s policies of reasonable accommodation for persons with disabilities.

The number of persons per bedroom is subject to compliance with the Montgomery County Code, Chapter 26-5, Space, Use and Location. Paragraph (b) of Chapter 26-5 is shown below:

b) *Floor area, sleeping.* In every dwelling unit of 2 or more rooms, every room occupied for sleeping purposes by one occupant must contain at least 70 square feet of habitable space, and every room occupied for sleeping purposes by more than one occupant must contain at least 50 square feet of habitable space for each occupant. However, in a mobile home every room occupied for sleeping purposes by one occupant must contain at least 50 square feet of habitable space; by 2 occupants, at least 70 square feet of habitable space; and by more than 2 occupants, at least an additional 50 square feet of habitable space for each additional occupant.”

Among Applicants with equal preference status, the project-based voucher waiting list will be organized by the regular date-time selection process for each bedroom size.

L.1 PROJECT-BASED VOUCHER REFERRALS

Applicants referred to HOC for housing subsidy through Project-Based Vouchers by way of Offender Reentry programs sponsored by the Silver Spring Interfaith Housing Coalition and Threshold Services, Inc. will be granted an eligibility criminal background exception. The participant does not have rights to the HOC Grievance Procedures.

The eligibility exception would not be extended to the following individuals:

1. Persons convicted of manufacturing or producing methamphetamine;
2. Any person having been evicted from federally assisted housing for a serious violation of the lease (for three years following the eviction);
3. Any person who fails to sign and submit consent forms to obtaining information in accordance with the Administrative Plan Part 5, subparts B and F;

4. Any person required under HUD regulation to establish citizenship or eligible immigration status;
5. Any person subject to a life time registration requirement under a state sex offender registration program; and
6. Any persons convicted for violent felonies.

L.2 PROJECT-BASED VOUCHER REFERRALS

In an effort to minimize displacement of families, if a unit that is to be included in the Project-Based Voucher contract is occupied by an eligible family, the in-place family must be placed on the program waiting list. When eligibility is determined, the family must be given an absolute selection reference and referred to the project owner for an appropriately size Project-Based Voucher contract.

A preference will be extended through the Project-Based Voucher program (only) for services offered. In selecting families, the Housing Opportunities Commission may give a preference to disabled families who need services offered at a particular project. This preference (more specifically a referral) is limited to the population of families with disabilities that significantly interfere with their ability to obtain and maintain themselves in housing who, without appropriate supportive services, will not be able to maintain themselves in housing.

Selection of applicants in the targeted funding Family Unification Program (FUP) 2008 allocation will be completed in conjunction with referrals from Montgomery County Health and Human Services. HOC will accept families certified by the MCHHS as eligible applicants for FUP. HOC will compare the names provided with the names on the current HOC waiting list. Any referred family on the HOC waiting list will be served first. Those families referred and not on the HOC waiting list will be added to the waiting list and served based on date of referral or on a first come first served basis.

M. FINAL VERIFICATION OF PREFERENCES [24 CFR 5.415]

Preference information on pre-applications will be updated as applicants are selected from the waiting list. At that time, the PHA will obtain necessary verifications of preference(s) at the interview and by third party verification.

Subsection A – Secondary Review/Credit Checks

Before issuing vouchers to applicant families, the Housing Authority requests a credit report of all new applicant families, all adults (persons 18 years of age and older) who will reside in the assisted household. The credit report will be reviewed by the Housing Authority. Applicant households claiming they have zero income will automatically undergo a credit check review. The information contained in the credit check will be used to confirm the information provided to the Housing Authority by the family. Specially, the credit report will be used to confirm:

1. **Employment:** A credit report will list any employers the applicant has listed in any recent credit applications. If the credit report reveals employment for any adult household member within the last 12 months that was not disclosed, the family will be asked to provide additional documentation to resolve the discrepancy. Failure to disclose current employment may result in denial of participation in the Housing Choice Voucher and Section 8 programs.
2. **Aliases:** A credit report can provide information on other names that have been used for the purposes of obtaining credit. Common reasons for use of other names include a recent marriage or a divorce. If an alias has not been disclosed to the Housing Authority, the family will be asked to provide additional evidence of the legal identity of all adult family members.
3. **Current and previous addresses:** A credit report can provide a history of where the family has lived. This is particularly important because the Housing Authority provides a residency preference. If the family has provided one address to the Housing Authority and the credit report indicates a different address, the family will be asked to provide additional proof of residency. This may include a history of utility bills, bank statements, school enrollment records for children, credit card statements, or other relevant documentation. Failure to provide adequate proof could result in denial of the residency preference.
4. **Credit card and loan payments:** A credit report will usually include a list of the family's financial obligations. Examples of the items that may show up include car loans, mortgage loans, student loans and credit cards payments. The Housing Authority will review this information to confirm the income and asset information provided by the family. If the family's current financial obligations (total amount of current monthly payments) exceed the amount of income reported by the family, the Housing Authority will ask the family to disclose how they are currently meeting their financial obligations. Accounts that have been charged off or are significantly delinquent are not included in this calculation. Failure to provide adequate proof of income could result in denial of participation in the Housing Choice Voucher and Section 8 programs.
5. **Multiple Social Security Numbers:** A credit report may list multiple Social Security numbers if an adult family member has used different Social Security numbers to obtain credit. If the credit report information does not match the information provided by an adult family member, the family member or head of household will be required to obtain written confirmation of the Social Security number that was issued to him/her from the Social Security Administration.

A family will not be issued a voucher until all discrepancies between the information provided by the applicant family and the information contained in the credit report have been cleared by the applicant family and approved by the Housing Authority.

When discrepancies are found, the family will be contacted by the Housing Authority. In most cases, the family will be allowed a maximum of ten (10) business days to provide the additional information. On a case-by-case basis, as a reasonable accommodation, the family may be granted additional time. If additional time is granted, the family receives written notification of the new deadline. No second or additional extensions will be granted. Failure to provide the required information to the Housing Authority could result in denial of participation in the Housing Choice Voucher and Section 8 Programs.

When the credit report reveals multiple discrepancies which require interview appointments, the Housing Authority will schedule up to two interview appointments. An additional appointment may be scheduled as a reasonable accommodation. Failure to appear at the interview session could result in denial of participation in the Housing Choice Voucher and Section 8 Programs.

N. PREFERENCE DENIAL [24 CFR 5.415]

If the PHA denies a preference, the PHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review. If the preference denial is upheld as a result of the review, or the applicant does not request a review, the preference will be removed from the applicant's entry on the waiting list, returning the applicant to their regular date-time positioning. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the waiting List.

O. REMOVAL FROM THE WAITING LIST AND PURGING [24 CFR 982.204(c)]

The Housing Opportunities Commission will not remove an applicant's name from the waiting list unless:

1. The applicant requests in writing that their name be removed;
2. The applicant fails to respond to an electronic or written request for information or a request to declare their continued interest in the program; or
3. The applicant does not meet either the eligibility or suitability criteria for the program.
4. The applicant refuses two housing units without good cause.

Obligation to Annually Confirm Application Information

Each year, or at such time as the Housing Opportunities Commission determines reasonable, the Housing Opportunities Commission will issue notice to all applicants requesting that each

applicant update their application information. Failure to update the information in a timely manner will result in removal from the waiting list.

The Housing Opportunities Commission will provide notice to update the information and set a date by which that information must be updated or confirmed as having not changed. The Housing Opportunities Commission will send notices thirty days, fifteen days, five days, and one day prior to the date when that update or confirmation is due.

All notices under this Section shall be sent by the Housing Opportunities Commission electronically to the last known e-mail address and by SMS text to the mobile number listed on the application. To the extent a family does not have an e-mail address, the Housing Opportunities Commission can assist the family in obtaining a free email account. It will be the applicant's sole responsibility to check that email account from time to time and to respond to any email and SMS text from the Housing Opportunities Commission. **To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions and may issue postcard notification of the need to certify continued interest in housing programs.**

Should an applicant not respond to the request for updated information or to their selection for the program for any reason, prior to the established deadline, the applicant will be deleted from the waiting list. Reasons for non-response, resulting in deletion from the list, include (but are not limited to) negligence in completing the electronic update/application in a timely manner and relocation resulting in a return of the e-notice to the Housing Opportunities Commission with no forwarding e-mail address provided.

Missed Appointments

All applicants who fail to keep a scheduled appointment with the Housing Opportunities Commission will be sent a written notice of termination of the process for eligibility. That written notification of termination may be sent as an attachment to an e-mail.

The Housing Opportunities Commission will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, the Housing Opportunities Commission will work closely with the family to find a more suitable time. Applicants will be advised of their right to an informal review before being removed from the waiting list.

Notification of Negative Actions

Any applicant whose name is being removed from the waiting list will be notified by the Housing Opportunities Commission, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The Housing Opportunities Commission system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or

updates was caused by a disability, the Housing Opportunities Commission will verify that there is in fact a disability, that the disability is what caused the failure to respond, and then provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of their original application.

Purging the Waiting List

The Housing Opportunities Commission will update and purge its waiting list as needed to ensure that the pool of applicants reasonably represents the interested families for whom the Housing Opportunities Commission has current information, i.e. applicant's address, family composition, income category, and preferences.

Proposed Revisions to
HOC's Admissions and Continued Occupancy Policy (ACOP)
for the Public Housing Program

*In response to comments received from the public and HOC Commissioners during the public comment period, several minor changes have been made to this document. These changes are noted in **BLUE**. These changes were discussed at the public hearing on June 19, 2015.

Please note: The changes made to Chapter 9 of HOC's ACOP are extensive to the point that the entirety of the existing Chapter 9 is proposed to be fully removed, and replaced with the language provided below.

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST

Opening of the waiting list will be announced with a public notice stating that applications for public housing, Housing Choice Voucher and all other waiting lists maintained by the **Housing Opportunities Commission of Montgomery County (HOC)** will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media, including social media. The public notice will state any limitations on who may apply. Waiting lists for all sub-jurisdictions and Countywide will be opened and closed at the same time.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing. The notice will include the Fair Housing logo and slogan, and will be in compliance with Fair Housing requirements.

HOC intends for the waiting list to remain open indefinitely; however, if the Executive Director decides to close the list, the closing of the waiting list will also be announced with a public notice. This public notice will state the date the waiting list will be closed, and it will be published in a local newspaper of general circulation and by any available minority media, including social media.

9.2 ORGANIZATION OF THE WAITING LIST

Effective July 2015, the Housing Opportunities Commission will merge its existing sub-jurisdictional waiting lists for Public Housing and all other housing programs into one combined waiting list referred to herein interchangeably as merged list, master list, merged master list, or waiting list, except as specifically noted.

In conjunction with the merging of all of the Housing Opportunity Commission's waiting lists, the Housing Opportunities Commission will open its merged master waiting list for all programs, and leave the merged list open indefinitely or until such time as a determination is made by the Executive Director that there is cause to close the waiting list, at which time proper notice will be posted in a local newspaper of general circulation and by any available minority media, including social media.

Only one application can be submitted and must be submitted by the head of household or his/her designee.

The waiting list will be maintained in accordance with the following guidelines:

- A. The application will be a permanent file. Any contact between the Housing Opportunities Commission and the applicant will be documented in the electronic applicant file.
- B. All applications will be maintained in order of date and time of application, and applicable preference(s).
- C. Under the merged waiting list, one master list will be maintained electronically through a proprietary program. All applications and updates to an application must be submitted electronically through a proprietary on-line web portal. Paper and telephone submissions will not be permitted. **To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions.**
- D. All applicants must give notice of any changes to their application within two weeks of a change. Changes include: change of mailing address, change of email address, change of phone number, change in family composition, change in income, or changes in factors affecting preference points. As noted in paragraph C, all changes must be done electronically because paper and telephone submissions will not be accepted. **To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions.**
- E. The master waitlist will be updated daily and placement on the list can be retrieved via the internet on a 24-hour basis.
- F. For the first 365 days following the opening of the waiting list, selection from the waiting list will continue to be by random lottery. Thereafter, all selections will occur based on a combination of date-time order and listed preferences on the respective master waiting list. HOC will send a notice

to all applicants informing them of when the random lottery system will be discontinued and when the date-time stamp selection system will be implemented.

- G. The Housing Opportunities Commission will maintain one merged master list in order of date-time and any applicable preference(s). However within the master list there will be sub-sorted separate lists for certain programs and properties.
- H. The Housing Opportunities Commission has entered into HAP contracts to subsidize units at several properties that are operated by third party managers and/or owners. Individual, property-specific waiting lists for these properties will be included within the master list but will be sorted separately to only reflect applicants who satisfy the various property and programmatic eligibility criteria. More specifically, the details regarding these property-specific waiting lists are as follows:
 - i The Housing Opportunities Commission will maintain separate lists for Arcola Towers, Elizabeth House, Holly Hall, and Waverly House, which are public housing facilities operated for the benefit of the senior and/or the disabled.
 - ii. The Housing Opportunities Commission has entered into a HAP contract to subsidize units at Emory Grove, Ken-Gar, Parkway Woods, Sandy Spring Meadow, Seneca Ridge, Town Centre Place, and Washington Square as required as part of the Rental Assistance Demonstration (RAD) program, and will require Housing Choice Vouchers. These individual lists created for these RAD properties will be included in the merged master list but sorted separately to reflect only those applicants who may be eligible for these properties.
 - iii. The Housing Opportunities Commission has entered HAP contracts to subsidize units at several properties that are managed by third party managers and/or owners. These properties provide supportive services to at-risk populations in the form of Housing Choice Vouchers. Applicants for these programs must meet stringent requirements and will be ranked by date and time of application only, and sorted separately to only reflect applicants who qualify for these specific properties.
- I. Any contact between the Housing Opportunities Commission and the applicant will be documented in the applicant's file.

9.3 FAMILIES

All applicants are required to maintain an e-mail address. To the extent an applicant chooses to use the e-mail address of another person, the applicant is solely responsible for receiving information sent to the listed email address and lack of access to that account shall not be considered a valid excuse for missing notices. To the extent a family does not have an e-mail address, the Housing Opportunities Commission can assist the family in obtaining a free email account. As set forth in Section 9.4 of this Chapter, the applicant is responsible for notifying the Housing Opportunities Commission of any change in their e-mail address. The Housing Opportunities Commission maintains public use computers at all of its HUB locations. Public use computers are also widely available at other public locations such as local libraries. **To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions and may issue postcard notification of the need to certify continued interest in housing programs.**

When a family appears to be near being offered a unit, the family will be invited to an interview and the verification process will begin. It is at this point in time that the family's waiting list preference(s) will be verified. To qualify for the preference, an applicant must provide verification that shows he or she qualified either at the time of the initial application or at the time of selection from the waiting list, however, placement based upon preference is dependent on the family still qualifying for the preference.

If the family no longer qualifies to be near the top of the list, because the family does not qualify for a preference, then the family's preference status will be removed. Importantly, however, the family will remain on the waiting list based upon their original date and time of application. The Housing Opportunities Commission must notify the family in writing of this determination and give the family the opportunity for an informal hearing to appeal the decision.

Once the preference has been verified, the family will complete a full application, present Social Security number information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms.

See Section 10.1 of this ACOP for allowable documentation for proof of the residency preference for selection from the waiting list.

9.4 OBLIGATION TO ANNUALLY CONFIRM APPLICATION INFORMATION

Each year, or at such time as the Housing Opportunities Commission determines reasonable, the Housing Opportunities Commission will issue notice to all applicants requesting that each applicant update their application information. Failure to update the information in a timely manner will result in removal from the waiting list.

The Housing Opportunities Commission will provide notice to update the information and set a date by which that information must be updated or confirmed as having not

changed. The Housing Opportunities Commission will send notices thirty days, fifteen days, five days, and one day prior to the date when that update or confirmation is due.

All notices under this Section shall be sent by the Housing Opportunities Commission electronically to the last known e-mail address and by SMS text to the mobile number listed on the application. To the extent a family does not have an e-mail address, the Housing Opportunities Commission can assist the family in obtaining a free email account. It will be the applicant's sole responsibility to check that email account from time to time and to respond to any email and SMS text from the Housing Opportunities Commission. **To the extent an applicant requires assistance, upon request, staff from the Housing Opportunities Commission will be available to assist with electronic submissions and may issue postcard notification of the need to certify continued interest in housing programs.**

Should an applicant not respond to the request for updated information or to their selection for the program for any reason, prior to the established deadline, the applicant will be deleted from the waiting list. Reasons for non-response, resulting in deletion from the list, include (but are not limited to) negligence in completing the electronic update/application in a timely manner and relocation resulting in a return of the e-notice to the Housing Opportunities Commission with no forwarding e-mail address provided.

9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST

The Housing Opportunities Commission will not remove an applicant's name from the waiting list unless:

- A. The applicant requests in writing that their name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.
- D. The applicant refuses two housing units without good cause.

9.6 PURGING THE WAITING LIST

The Housing Opportunities Commission will update and purge its waiting list as needed to ensure that the pool of applicants reasonably represents the interested families for whom the Housing Opportunities Commission has current information, i.e. applicant's address, family composition, income category, and preferences.

9.7 MISSED APPOINTMENTS

All applicants who fail to keep a scheduled appointment with the Housing Opportunities Commission will be sent a written notice of termination of the process for eligibility. That written notification of termination may be sent as an attachment to an e-mail.

The Housing Opportunities Commission will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, the Housing Opportunities Commission will work closely with the family to find a more suitable time. Applicants will be advised of their right to an informal review before being removed from the waiting list.

9.8 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by the Housing Opportunities Commission, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The Housing Opportunities Commission system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Housing Opportunities Commission will verify that there is in fact a disability, that the disability is what caused the failure to respond, and then provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of their original application.

9.9 PREFERENCES FOR SELECTION FROM THE WAITING LIST

The Housing Opportunities Commission will select families based on the preferences outlined in Chapter 10 of this ACOP, Section 10.1.

Additionally, the Executive Director may assign temporary preferences as necessary in accordance with market conditions or agreements with local developers and/or management entities, including the HOC LLC. Applicants who do not meet the criteria for any preferences as discussed in this Plan will remain on the waiting list according to the date and time of their application.

Proposed Revisions to
HOC's Administrative Plan for the Housing Choice Voucher Program

Please note: Existing language is in **BLACK**, proposed changes are in **RED**, and proposed deletions are shown with ~~strikethrough~~.

Chapter 22: Housing Choice Voucher Project-Based Program

Section D(2): LEASES AND HOUSING ASSISTANCE PAYMENTS CONTRACTS

The Housing Assistance Payments contract between the owner and HOC will be for an initial term of ~~ten~~ **up to fifteen years, or such longer term permitted by HUD regulations than in effect**. After the initial term, HOC may agree to extend the term of the contract for an additional term of up to ~~five~~ **fifteen years, or such longer term permitted by HUD regulations than in effect**. To be eligible for an extension, the property and owner must be in compliance with program rules and applicable HUD statutes and regulations. The length of the extension will be negotiated with the owner and the form will be subject to any HUD prescribed conditions at the time of the extension. **An application for extension must be made prior to the contract's expiration.**

Section D(4):

HOC may terminate the Housing Assistance Payment contract in the event of insufficient funding in accordance with applicable HUD statutes and regulations.

Proposed Revisions to
HOC's Administrative Plan for the Housing Choice Voucher Program

Please note: Existing language is in **BLACK**, proposed changes are in **RED**, and proposed deletions are shown with ~~strikethrough~~.

Chapter 18: Owner or Family Debts to the PHA

Section A: PAYMENT AGREEMENT FOR FAMILIES

At HOC's discretion, the PHA ~~may not~~**will not** enter into a Payment Agreement in the following circumstances:

- If the family already has a Payment Agreement in place.
- If the PHA determines that the family **deliberately** committed program fraud.
- If the PHA determines that the debt amount is larger than can be paid back by the family in a reasonable amount of time

Section E: GUIDELINES FOR PAYMENT AGREEMENTS

Payment Agreements will be executed between the PHA and the head of household. The Repayment Agreement must be executed by the Director of Compliance or other designated official.

~~The maximum time period for a Payment Agreement will be 36 months. The resident must~~ **can** make a down payment of no less than ten percent (10%) of the total amount owed. At the agency's discretion, the down payment may be paid over the first six (6) months of the agreement. ~~The total length of the agreement, however would not be extended by that period.~~

~~Compliance with Payment Agreements will be reviewed at the resident's annual recertification. HOC will, at its discretion, report noncompliance to credit bureaus.~~

Payments may only be made by money order or cashier's check, ~~except when paid during normal business hours at the designated office accepting cash payments.~~

The agreement will be in default when a payment is delinquent by the tenth of the month.

A Payment Agreement will be considered to be in default when it is in arrears for ~~30~~ **60** days.

The family's assistance will be terminated unless the PHA receives the balance of the Repayment Agreement in full within 30 calendar days of the termination notice.

Monthly payments may be ~~decreased~~ **changed with approval from the Director of Compliance or designate** in cases of ~~family hardship~~ **income change** and if requested with reasonable notice from the family, **so that they do not exceed 40 percent of the family's**

monthly adjusted income. ~~verification of the hardship, and the approval of the Director of Federal Programs or designate.~~

No move will be approved until the debt is **current**, ~~paid in full~~ unless the move is the result of the following causes, and the Payment Agreement is current:

- Family size exceeds the HQS maximum occupancy standards
- The HAP contract is terminated due to owner non-compliance or opt-out
- A natural disaster
- **Due to issues regarding VAWA**

Proposed Revisions to
HOC's ACOP for the Public Housing Program

Please note: Existing language is in **BLACK**, proposed changes are in **RED**, and proposed deletions are shown with ~~strikethrough~~.

Chapter 19: REPAYMENT AGREEMENTS

When a resident owes the Housing Opportunities Commission back charges and is unable to pay the balance by the due date, the resident may request that the Housing Opportunities Commission allow them to enter into a Repayment Agreement. The Housing Opportunities Commission has the sole discretion of whether to accept such an agreement. ~~All Repayment Agreements must assure that the full payment is made within a period not to exceed thirty six (36) months, at the agency's discretion.~~ The resident ~~must~~ **may** make a down payment of no less than ten percent (10%) of the total amount owed. At the agency's discretion, the down payment can be repaid over the first six (6) months of the agreement. ~~The total length of the agreement, however, would not be extended by that period.~~ **Monthly payment may be changed in cases of income change so that it does not exceed 40 percent of the family's monthly adjusted income.**

HOC will not offer Repayment Agreements to residents who owe a balance equal to, or in excess of, the HUD Office of Inspector General (OIG) minimum dollar referral amount which is updated by the OIG from time to time. If three judgments for unpaid rent have been entered against a resident in the 12 months prior to the initiation of a Failure to Pay Rent action, on the fourth filing, the landlord can request a Judgment Absolute. In such cases, HOC will not offer the resident a repayment agreement.

At HOC's discretion, HOC may choose not to enter into a Repayment Agreement in the following circumstances:

- If the family already has a Repayment Agreement in place.
- If the PHA determines that the family **deliberately** committed program fraud.
- If the PHA determines that the debt amount is larger than can be paid back by the family in a reasonable amount of time.

Staff has the discretion to limit the amount of the Repayment Agreement.

All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the resident to eviction procedures. A payment will be considered to be in arrears, and the resident out of compliance with the Repayment Agreement, if the payment is not received by the close of the business day ten (10) days after the due date. **If a family's payment agreement is in arrears, and the family has not contacted or made arrangements with the PHA, the PHA will require the family to pay the balance in full, pursue civil collection of the balance due or will** ~~Compliance with Repayment Agreements will be reviewed at~~

~~the resident's annual recertification. HOC will~~ at its discretion, report noncompliance to credit bureaus.

Note: If the housing authority has a minimum rent greater than \$0, they must allow for repayment agreements for those tenants whose rental amount is the minimum rent and who have had their rent abated for a temporary period.



RESIDENT ADVISORY BOARD
Housing Opportunities Commission
10400 Detrick Avenue
Kensington, Maryland 20895
240-627-9735

Members

Evelyn Alfaro
Michelle Bridges
Yvonne Caughman
Linda Croom
Kathleen Flanagan
G'Tearra Gorman
Tiffany Green
Lakeyia Thompson

Ex-Officio

Jean Banks
HOC Commissioner

June 29, 2015

Mr. Stacy L. Spann
Executive Director
Housing Opportunities Commission
10400 Detrick Avenue
Kensington, Maryland 20895

RE: Support for HOC's Proposed Revisions to its Administrative Plan and ACOP

Dear Mr. Spann:

This letter certifies that the Resident Advisory Board (RAB) to the Housing Opportunities Commission (HOC) of Montgomery County reviewed and discussed the propose revisions and new additions to HOC's Administrative Plan for the Housing Choice Voucher program ("Administrative Plan") and Admissions and Continued Occupancy Policy for the Public Housing program ("ACOP"). Please be advised that the RAB fully supports and endorses the proposed changes to HOC's Administrative Plan and ACOP.

We are excited to see the culmination of HOC's efforts to reopen its waiting list and we applaud the Agency's new system which will allow the waiting list to remain perpetually open. Better waiting list access and a more simplified application process will help to connect more people in need throughout Montgomery County with the housing assistance HOC provides.

Additionally, we are pleased to see that HOC will be modifying its repayment agreement process so as to allow more favorable terms to those HOC tenants which owe a debt to the Agency. We are also appreciative of HOC's efforts to extend the affordability of Project-Based Voucher properties in the Agency's portfolio. Each of these changes will benefit both the tenants and HOC.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Croom", written over a horizontal line.

Ms. Linda Croom
RAB Member

**RATIFICATION OF ACTION TAKEN IN EXECUTIVE SESSION
ON JUNE 3, 2015:**

**APPROVAL OF PRELIMINARY DEVELOPMENT PLAN AND AUTHORIZATION
TO ENTER INTO DEVELOPMENT VENTURE WITH EAKIN, YOUNGENTOB,
AND ASSOCIATES (EYA) ON THE CHEVY CHASE LAKE MULTIFAMILY SITE
AND EXECUTE ALL RELATED DOCUMENTS**

JULY 8, 2015

- At a closed Executive Session on June 3, 2015, the Commission approved the Preliminary Development Plan on the Chevy Chase Lake Multifamily Site.
- The Commission authorized entering into a development venture with Eakin, Youngentob, and Associates (EYA) on the Chevy Chase Lake Multifamily site.
- The Commission approved execution of all related documents by the Executive Director.
- The Commission wishes to ratify and affirm, in an open meeting, the action undertaken at the June 3, 2015 Executive Session.

RESOLUTION: 15-54-R

RE: Ratification of Approval of Preliminary Development Plan and Authorization to Enter into Development Venture with Eakin, Youngentob, and Associates (EYA) on the Chevy Chase Lake Multifamily Site and Execute all Related Documents

WHEREAS, the Housing Opportunities Commission of Montgomery County (“Commission”), a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law, is authorized thereby to effectuate the purpose of providing affordable housing, including providing for the acquisition, construction, rehabilitation and/or permanent financing or refinancing (or a plan of financing) of rental housing properties which provide a public purpose; and

WHEREAS, at an Executive Session duly called and held on June 3, 2015, with a quorum being present, the Commission duly adopted Resolution 15-54ES (“Preliminary Development Plan Resolution”) for the purpose of entering into development venture with Eakin, Youngentob, and Associates (EYA) on the Chevy Chase Lake Multifamily Site, Chevy Chase, Maryland (“Property”); and

WHEREAS, the Commission wishes to ratify and affirm, in an open meeting, the action undertaken by the Commission in adopting the Preliminary Development Plan Resolution and transaction contemplated therein.

NOW, THEREFORE, BE IT RESOLVED by the Housing Opportunities Commission of Montgomery County that the Preliminary Development Plan Resolution is hereby ratified and affirmed.

I HEREBY CERTIFY that the foregoing resolution was approved by the Housing Opportunities Commission of Montgomery County at an open meeting of the Commission on July 8, 2015.

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Patrice M. Birdsong
Special Assistant to the Commission

Information Exchange

HOC Wait List

On Friday, June 19th, several HOC employees participated in beta testing both the applicant and management portals of the new wait list software. Even though the testing revealed a few bugs and the need for some additional functionality, the developers are still projecting a mid-July go-live date.

It is anticipated that a launch date will be announced very shortly.

HOC Serves: Day of Service

On June 10, 2015, HOC held its first Day of Service. The event was part of a new initiative, HOC Serves, and planned by students in the Leadership Tomorrow program.



Team HOC poses after completing work at Interfaith Rockville Clothing Center

Nearly 350 HOC employees reported to 12 different volunteer sites in Montgomery County to perform a wide variety of service tasks.

Staff participated at two different Habitat for Humanity sites as well as Interfaith Works, A Wider Circle, MobileMed, the National Center for Children and Families as well as several HOC properties. Staff also cleaned up portions of the Capital Crescent Trail in honor of our neighbors around Paddington Square.

Staff volunteered during the morning and reported to East Deer Park for an all-staff lunch in the afternoon. It was an outstanding success and I am proud of our contributions

and of our Leadership Tomorrow students for coordinating the activities.

HOC Academy

STEAM Camps Set for July Launch

HOC Academy is preparing to launch the HOC Youth Academy program in July 2015. The programming for the Summer Youth Academy includes:

- Summer Internships for children from the Latin American Youth Center (LAYC). This is a continuing partnership with LAYC which provides employment for about 20 high school students in HOC offices;

- Chess Camp in Partnership with the American Chess Institute for 20 HOC children;
- Coding and Computer programming camp for 20 children; and
- Lego Robotics camp for 20 children at Seneca Ridge and 20 children at Towne Centre Place - Olney.

These robust Youth Academy programs will provide the participating children with exciting and fun activities for the summer months. The Academy team is exploring options for continuing our chess clubs and Science, Technology, Engineering, Arts, and Mathematics (STEAM) activities throughout the school year.

Legislative and Public Affairs

Town Hall Meeting - Monday, July 13th

HOC will hold a Town Hall Meeting on Monday, July 13th in the Wootton High School cafeteria. The meeting is scheduled for 6:30 p.m.

Information will be presented about the FSS program, updates on RAD as well as HOC Academy. I encourage you to consider attending as your calendar permits.

Real Estate and Mortgage Finance

Tanglewood Apartments:

On June 5, 2015, HOC's legal, mortgage finance and real estate team along with AGM Financial and Wells Fargo Bank, met with HUD General Counsel and closed the permanent loan for the Tanglewood and Sligo Apartments transaction. The permanent loan for the transaction in the amount of \$12,510,000 will be insured under FHA's 223 (f) program. The property will bear a 3.22% Taxable GNMA interest rate for the 35 year term of the loan. In addition to this favorable GNMA taxable rate, the property is supported by equity raised from the sale of Low Income Housing Tax Credits (LIHTC) and Section 8 Rental Assistance for a portion of the units. This was an intricate financing because there were so many parties participating in the transaction. The State of Maryland, acting through CDA, provided the 9% LIHTCs and subordinate financing. Montgomery County provided a negotiated tax abatement (PILOT) for the property. Hudson Housing Capital is the limited partner for the transaction and provided substantial equity. The proceeds of the loan were used to retire a \$9,374,186.72 construction loan from Capital One and a \$2,141,544 bridge loan from Hudson. HOC is the managing general partner of the transaction and will work to see that the property continues to serve the low to moderate income persons residing there. Additionally, this undertaking represented the culmination of many years of hard work to complete a total rehabilitation of two multifamily communities that are a great housing resource, which were in desperate need of rehabilitation.

Southbridge Apartments

On June 9, 2015, HOC's mortgage finance and legal team successfully closed on a \$2.04 million permanent mortgage issued by Sandy Spring Bank for Southbridge Apartments. The mortgage has a loan term of 15 years, amortizing for 30 years with a fixed interest rate of 4.51%. Under these terms, Southbridge is expected to achieve a Debt Service Coverage Ratio (DSCR) of 1.634. Southbridge is located at 7411, 7419 and 7423-37 Aspen Court in Takoma Park, Maryland and contains 39 apartment units within three (3) apartment buildings. The property is a mixed-income, affordable community

providing 20 units (or 51%) at 50% of the state median income and 19 units at market. The Commission purchased each building in three separate transactions between 2007 and 2009 by way of a HIF loan totaling \$4.7 million from the Montgomery County Department of Housing and Community Affairs (DHCA). On July 7, 2010, the Commission approved a Development and Financing Plan to substantially renovate the community, financed with interim HIF loans from DHCA in the amount of \$3,388,290 (the "Interim Loan"). The renovation took place between 2011 and 2013 and cost \$3.3 million or \$85,000 per unit. Total acquisition and rehabilitation loans combined were \$8,092,290. The Interim Loan was advanced by DHCA, contingent upon the Commission making best efforts to obtain a bank loan (assuming private financing would be available), in the amount of \$1,888,290 by November. The financing today returned to DHCA its \$1.88 million in advance of the requirements of the Note and, since the renovation, Southbridge has thrived and is currently 95% occupied.

HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

July 2015

3	Independence Day (<i>Observed</i>)(HOC Offices Closed)	
8	HOC Regular Meeting	4:00 p.m.
8	Executive Session (All)	4:30 p.m.
13	Town Hall Meeting (<i>All</i>)(Wootton High School, 2100 Wootton Pkwy, Rockville, MD 20850)	6:30 p.m.
20	Resident Advisory Board (<i>Banks</i>)	7:00 p.m.
21	Legislative and Regulatory Committee Meeting (<i>Banks, Hatcher, Simon</i>)	2:00 p.m.
24	Development and Finance Committee Meeting (<i>McFarland, Nelson, Simon</i>)	9:30 a.m.
24	Executive Session (<i>All</i>)	11:30 a.m.
27	Agenda Formulation (<i>Roman, McFarland</i>)	12:00 p.m.
30-Aug. 1	NAHRO Summer Conference (Austin, TX)	

August 2015

5	Tony Davis Scholarship Award Reception (<i>All</i>) (<i>Award Presentation 4:00 p.m.</i>)	3:00 p.m.
5	HOC Regular Meeting (<i>All</i>)	4:30 p.m.
11	Budget, Finance and Audit Committee Meeting (<i>Roman, Piñero, Nelson</i>)	10:00 a.m.
21	Development and Finance Committee Meeting (<i>McFarland, Nelson, Simon</i>)	9:30 a.m.
21	Executive Session (<i>All</i>)	11:30 a.m.
24	Agenda Formulation (<i>Roman, Nelson</i>)	12:00 p.m.

September 2015

2	HOC Regular Meeting (<i>All</i>)	4:00 p.m.
7	Labor Day (HOC Offices Closed)	
14	Town Hall Meeting	TBD
15	Legislative and Regulatory Committee Meeting (<i>Banks, Hatcher, Simon</i>)	2:00 p.m.
18	Development and Finance Committee Meeting (<i>McFarland, Nelson, Simon</i>)	9:30 a.m.
18	Executive Session (<i>All</i>)	11:30 a.m.
21	Resident Advisory Board (<i>Banks</i>)	7:00 p.m.
22	Budget, Finance and Audit Committee Meeting (<i>Roman, Piñero, Nelson</i>)	10:00 a.m.
28	Agenda Formulation (<i>Roman, Nelson</i>)	12:00 p.m.

October 2015

7	HOC Regular Meeting (All)	4:00 p.m.
13	Budget, Finance and Audit Committee Meeting (Roman, Piñero, Nelson)	10:00 a.m.
19	Resident Advisory Board (Banks)	7:00 p.m.
21	Town Center Board Meeting (Simon)	2:30 p.m.
23	Development and Finance Committee Meeting (McFarland, Nelson, Simon)	9:30 a.m.
23	Executive Session (All)	11:30 a.m.
26	Agenda Formulation (Roman, Hatcher)	12:00 noon

	Activities of Interest	Hearing Board
TBD	Joint Meeting with Commission on People with Disabilities	
TBD	Property Tour III	

TO DO / ACTION

Ref. #	DUE DATE	ACTION	STAFF	STATUS
TD-14-07	Spring/Summer 2015	Procurement Policy & Personnel Policy	KM-BA/PM	

Committee Reports and Recommendations for Action

Deliberation and/or Action

Future Action

Information Exchange

New Business

Executive Session Findings

Adjourn

Recess

Executive Session