



**Housing Authority
of the City of
Oakland, California**

EXECUTIVE OFFICE: 1619 HARRISON STREET
OAKLAND, CA 94612. (510) 874-1500

April 21, 2008

Meliah Schultzman
Catherine Bishop
Navneet Grewal
National Housing Law Project
614 Grand Avenue Suite 320
Oakland, CA 94610

RE: Comment Letter on Draft FY 2009 Annual Plan

Dear Ms. Schultzman, Ms Bishop, and Ms. Grewal:

Thank you for your comment letter, dated April 11, 2008, regarding the Oakland Housing Authority's Draft Annual Plan for Fiscal Year 2009. We are very appreciative of the important issues that you have raised and the thoroughness and detail of your comments. We look forward to working with the National Housing Law Project and others to ensure that the programs and policies in place at the Oakland Housing Authority comply with the law, are consistent with our mission and address the needs of the broader community.

Please find below specific responses to your comments on the Draft Annual Plan for Fiscal Year 2009.

I. Annual Plan Section I: Households Served

The sentence referenced in your letter on Page 9 of the Draft Plan will be changed to "OHA expects to maintain a 97 to 100 percent lease-up rate for the Section 8 Block Grant Program during FY 2009."

Note that the correct number of Housing Choice Vouchers (HCVs) allocated to the Section 8 Block Grant is 10,858, not 10,958 as shown in the Draft Plan. As a result, the correct utilization rate is 97.6 percent. We share your concern about authorized vouchers going unused. As the note at the bottom of page 4 of the Draft Plan indicates, the underutilized vouchers in the Section 8 Block Grant program are related to the recent addition of new HCVs to the Block Grant. As of December 31, 2007, the vast majority

of these vouchers had not been leased up, which is reflected in the utilization rate. We are currently in the process of actively leasing-up the HCVs, which will increase our utilization rate.

Under our MTW agreement with HUD, funding for the Housing Choice Vouchers is tied to a base year allocation and any subsequent incremental vouchers made available to the Authority. Funding is based on the allocation as of July 1, 2004, with an adjustment factor for inflation added to the calculation for subsequent years. Funding is tied to this formula (and congressional appropriations) and is not related to our utilization rate.

II. Annual Plan Section II: Occupancy and Rent Policies

Any policy changes, including occupancy and rent policy changes, will be brought before the Board of Commissioners for formal consideration at a public meeting. OHA is committed to engaging residents and other stakeholders in the consideration of policy changes. Note that the new Standard Agreement that will extend MTW for an additional 10 years, make changes to rent policy a requirement.

III. Annual Plan Section III. Changes to Housing Stock

OHA shares your commitment to preserving scarce housing resources. Indeed, the goal of exploring the disposition of scattered sites is to see how we can reposition the portfolio so that it is viable into the future. After experiencing many years of reduced subsidy (operating and capital) for public housing, and increasing costs associated with managing a geographically dispersed portfolio, we believe that the housing resource is not viable in its current configuration. The long term preservation of this housing resource requires that we explore ways to match costs with anticipated sources and amounts of subsidy, leverage new sources of funding and improve efficiencies in the administration of these programs.

In response to the proposed “Ground rules” for the disposition of public housing units:

1. The goal will be to replace, to the extent possible, every unit demolished or no longer serving low income households, with new affordable units that serve low income households with rents affordable to households with low incomes.
2. It may not be feasible in all circumstances to develop replacement units before existing units are demolished or disposed of.
3. The selection of sites for replacement units will be consistent with the standards and guidelines of federal, state and local agencies.
4. There will be no displacement of residents prior to the adoption of a relocation plan, which complies with State and Federal law.
5. Any tenant displaced because of demolition or disposition will have a priority to occupy a replacement unit on the condition that they are a tenant in good standing and that they meet the eligibility requirements of the property management entity.

Tassafaronga Village

OHA will explore whether the agency was entitled to replacement vouchers for the entire 87 units at Tassafaronga Village.

MTW Section 8 Block Grant Vouchers

OHA will update the Administrative Plan to make it consistent with the newly adopted policy to project-base up to 1,000 HCVs.

We share your concern about the ability to allocate project based vouchers rapidly in those situations where the preservation of existing affordable housing is at stake. OHA is currently exploring a number of new strategies to allocate project-based vouchers and will take into consideration the recommendations regarding the waiver of a competitive process where specific pre-determined criteria have been met.

IV. Reasonable Accommodation Policies

Administrative Plan

OHA will explore the development and adoption of a policy to increase payment standards for persons with disabilities as a reasonable accommodation.

V. Implementation of the Violence Against Women Act (VAWA)

Annual Plan

Admissions

OHA will explore the development and adoption of preferences and admission policies for victims of domestic violence that address the findings summarized in your letter.

Occupancy Policies: Public Housing

The revisions to the OHA lease will incorporate the requirements of VAWA.

MTW Section 8 Block Grant Vouchers

OHA will consult with representatives from the domestic violence advocacy community, in addition to other community stakeholders, when developing new policies related to the allocation of the project-based MTW Section 8 Block Grant Vouchers.

OHA's Failure to Include VAWA in the Administrative Plan and ACOP

OHA will incorporate VAWA provisions into the Administrative Plan and ACOP during FY 2009.

Proposed Language to Include in the Administrative Plan

OHA is currently reviewing and revising the Administrative Plan. At the completion of this process our intention is to be in full compliance with VAWA. OHA will take into consideration the detailed language suggested in your letter as we revise the Administrative Plan.

Proposed Language to Include in the ACOP

OHA is currently reviewing and revising the ACOP. At the completion of this process our intention is to be in full compliance with VAWA. OHA will take into consideration the detailed language suggested in your letter as we revise the ACOP.

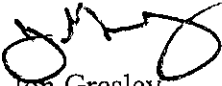
Additional Policies to Protect Domestic Violence Victims' Housing Rights

Thank you for identifying additional policies and procedures for consideration in the Administrative Plan and ACOP to protect victims of domestic violence. As an MTW agency, OHA has considerable flexibility to develop policies and procedures that are specific to our local community. We will consider your suggestions in the revision of the Administrative Plan and ACOP

Conclusion

Again, I want to thank you for submitting these detailed comments to OHA. We look forward to the opportunity to work with NHLP as we develop new policies and procedures over the coming year.

Sincerely,



Jon Gresley
Executive Director