

# PHA 5-Year and Annual Plan

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing

OMB No. 2577-0226  
Expires 4/30/2011

<b>1.0</b>	<b>PHA Information</b> PHA Name: <u>Topeka Housing Authority</u> PHA Code: <u>KS002</u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>01/2014</u>				
<b>2.0</b>	<b>Inventory (based on ACC units at time of FY beginning in 1.0 above)</b> Number of PH units: <u>744</u> Number of HCV units: <u>1,335</u>				
<b>3.0</b>	<b>Submission Type</b> <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only				
<b>4.0</b>	<b>PHA Consortia</b> <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)				
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program
					PH      HCV
	PHA 1:				
	PHA 2:				
	PHA 3:				
<b>5.0</b>	<b>5-Year Plan.</b> Complete items 5.1 and 5.2 only at 5-Year Plan update.				
<b>5.1</b>	<b>Mission.</b> State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:  THA's mission is to successfully provide accessible, affordable housing. Success will be defined as: putting applicants, tenants, and participants first, market competitiveness, and fiscal strength and integrity.				
<b>5.2</b>	<b>Goals and Objectives.</b> Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.  <p style="text-align:center;"><b>GOALS AND OBJECTIVES</b></p> <p><b>Goal 1 Increase the stock of THA owned/supported housing by at least 800 units.</b></p> Objective 1      Increase total of available Section 8, Mainstream, VASH, etc. vouchers from 1,335 to 1,600 Objective 2      Build 400 LIHTC in-fill units Objective 3      Rehab 200 units at a site or sites to be determined Objective 4      Demolish and rebuild approximately 40 units  <p><b>Goal 2 Improve the quality of assisted housing</b></p> Objective 1      Improve PHAS score yearly Objective 2      Improve SEMAP score yearly Objective 3      Fully convert to asset management Objective 4      Update/improve 744 units in original 8 AMPS  <p><b>Goal 3 Increase assisted housing choices</b></p> Objective 1      Increase the number of new Section 8 landlords from 340 to 400 Objective 2      Increase out of poverty area renters from 60% to 65% Objective 3      Implement homeownership programs that allow 10 households to purchase a home Objective 4      Convert 25 Public Housing units to vouchers Objective 5      Project base 50 Section 8 slots Objective 6      Adjust voucher payment standards as required  <p><b>Goal 4 Increase assisted housing choices</b></p> Objective 1      Make \$50,000 in security improvements at PH complexes Objective 2      Designate a complex(s) for specific resident group(s)  <p><b>Goal 5 Promote participant self-sufficiency</b></p> Objective 1      Increase employed adults from 85% to 95% Objective 2      Assist 14 participants in acquiring job prep/training Objective 3      Create and support 50 improvement teams Objective 4      Assist 100 elderly/disabled persons in acquiring needed services/assistance  <p><b>Goal 6 Insure equal opportunity in housing</b></p> Objective 1      Take affirmative measures to insure fair and equal access to accessible, affordable housing Objective 2      Take affirmative measures to provide a suitable living environment in accessible, affordable housing				

6.0	<p><b>PHA Plan Update</b></p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:  (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.</p> <p style="text-align: right;">THA Administrative Building  Topeka Public Library  Housing Authority Web Site</p>
7.0	<p><b>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.</b> <i>Include statements related to these programs as applicable.</i></p> <p>THA will acquire LIHTC and other resources to replace/renovate units at Pine Ridge, Deer Creek, Northland Manor, and other THA complexes depending on the availability of private sector investments and grant funds. This will involve the demolition of units judged to be beyond their useful life, and disposition of property that has no usefulness for THA. In instances in which this is a viable option, THA will create homeownership opportunities. To be viable some projects may involve project basing Section 8 vouchers.</p>
8.0	<p><b>Capital Improvements.</b> Please complete Parts 8.1 through 8.3, as applicable.</p>
8.1	<p><b>Capital Fund Program Annual Statement/Performance and Evaluation Report.</b> As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p> <p style="text-align: center;">See Attachment</p>
8.2	<p><b>Capital Fund Program Five-Year Action Plan.</b> As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p> <p style="text-align: center;">See Attachment</p>
8.3	<p><b>Capital Fund Financing Program (CFFP).</b>  <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>

**Housing Needs.** Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.

## HOUSING NEEDS

### BACKGROUND

There are 5,900 renter households in Topeka with incomes under \$20,000. Of these households, 2,500 do not have affordable housing, and 3,400 have affordable housing.

Of the 3,400 households with incomes under \$20,000 that have affordable housing 744 are in THA units (Public Housing), and 1,335 are THA Section 8, NED, Mainstream, and VASH program participants. The remaining 1,400 households are in other HUD subsidized units (project based Section 8 complexes, 202 complexes etc.).

Effectively, the private market produces no affordable housing for households at this income level. The math---the cost of money, the tax structure, insurance costs, construction costs, return on investment considerations, etc.---all work together to produce this result.

### THE THREE AFFORDABLE HOUSING NEEDS

There are three fundamental housing needs. People need help...

- 1) Finding affordable housing
- 2) Paying for affordable housing
- 3) Retaining affordable housing

Some people have only one of these needs, but many households without affordable housing have more than one.

### FINDING AFFORDABLE HOUSING

There are few housing options, none good, available to persons who in any combination have: a) criminal histories, particularly criminal histories that include incarceration; b) poor rental histories, c) bad credit, d) a history of institutionalization.

Without an intermediary of some sort and/or a sufficient financial guarantee landlords are likely to conclude, that renting to persons with these characteristics is not a sound investment.

Discrimination in its many forms, directed toward a member of a protected class or toward persons not of protected classes but who have been singled out in some unfair way is also a barrier to finding affordable housing. A disability that would require substantial unit modification is also a barrier to finding housing.

### PAYING FOR AFFORDABLE HOUSING

There are people that meet all of the tests of a desirable tenant who do not have affordable housing simply because they cannot pay for it. Often, these persons are elderly, temporarily or permanently disabled, or dislocated for one or more reasons---plant closings, marital breakups, ill health, etc. There are also people who invest most or some of these tests who would be desirable tenants which cannot pay for housing.

### RETAINING AFFORDABLE HOUSING

Persons who are in and out of the work force, who have episodes of substance abuse, who are abused or who are abusive, and/or who have episodes of emotional/mental challenges have trouble retaining affordable housing.

9.0

**Strategy for Addressing Housing Needs.** Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.**

#### STRATEGIES FOR ADDRESSING HOUSING NEEDS

THA will use four primary strategies to address the needs identified in Section 9.0 above. These include:

- 1) **AFFORDABLE HOUSING PRODUCTION**
  - The use of 9%, 4% and other tax credit programs
  - The use of bond programs
- 2) **QUALITY MANAGEMENT/CONTINUOUS QUALITY IMPROVEMENT**
  - Improve PHAS score yearly
  - Improve SEMAP score yearly
  - Fully convert to asset management
  - Update/improve 744 units in 10 complexes
- 3) **PARTNERSHIPS AND COOPERATIVE AGREEMENTS**
  - Increase the number of Section 8 landlords
  - Increase out of poverty area renters
  - Increase security by housing Police Officers
  - Implement homeownership programs
  - Convert Public Housing units to vouchers
  - Project base Section 8 slots
  - Adjust voucher payment standards as necessary
- 4) **TARGETING AND TARGETED REFINEMENTS**
  - Make security improvements at PH complexes
  - Designate a complex(s) for specific resident groups
  - Promote participant self-sufficiency
  - Increase employment
  - Assist persons in acquiring needed services/assistance
  - Insure equal opportunity in housing

9.1

**Additional Information.** Describe the following, as well as any additional information HUD has requested.

- (a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.
- (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"

#### PROGRESS IN MEETING MISSION, GOALS

##### MISSION

THA's mission is to successfully provide accessible, affordable housing.

Success will be defined as:

- Putting applicants, tenants, and participants first;
- Market competitiveness; and,
- Fiscal strength and integrity.

##### PROGRESS REPORT

In general, THA is well respected in the Topeka community by elected officials, the staffs and boards of provider agencies and organizations, THA program participants, and members of the private sector. This respect comes from different persons for different reasons, but fundamentally it is a function of THA's mission focus and mission related achievements.

##### AFFORDABLE HOUSING PRODUCTION/EXPANSION

In the past five years the stock of THA owned/supported housing has increased by 224 units.

#### 10.0 QUALITY MANAGEMENT/CONTINUOUS QUALITY IMPROVEMENT

Over \$6 million in improvements were made in 662 units in 8 complexes from 2008 through 2012.

THA built two new complexes made up of 82 new units.

##### PARTNERSHIPS AND COOPERATIVE AGREEMENTS

THA's "stable" of Section 8 landlords continues to grow through word of mouth testimonials from existing Section 8 landlords. As a result, the percentage of program participant living outside core poverty areas is growing as well.

THA staff are active in a broad range of organizations, groups, and coalitions, and an extensive network of providers offers services to THA residents, both on and off-site.

##### TARGETING AND TARGETED REFINEMENTS

###### (a) Security Refinements

THA significantly upgraded security technology at all three THA high rises in the past five years. And, THA's working relationship with the Topeka Police Department has expanded to the point that TPD officers regularly use THA's central administrative office.

###### (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"

Definition for Substantial Deviation for the Topeka Housing Authority for 2012 Annual and Five-Year Plan

The Topeka Housing Authority will consider the following to be significant amendments or modifications:

- Changes to rent or admissions policies or organization of the waiting list other than changes made in response to statutory or regulatory changes, substantial funding reductions, and/or that have limited financial and other impact for applicants and tenants.
- The addition of non-emergency projects in excess of \$100,000 in any twelve-month period;
- Any change that involves increasing or decreasing the THA's existing portfolio by more than 5%.

**11.0 Required Submission for HUD Field Office Review.** In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. **Note:** Faxed copies of these documents will not be accepted by the Field Office.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights)
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace* (PHAs receiving CFP grants only)
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* (PHAs receiving CFP grants only)
- (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only)
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only)
- (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.
- (g) Challenged Elements
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (PHAs receiving CFP grants only)
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and

maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Annual Statement/Performance and Evaluation Report  
Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
Capital Fund Financing Program

Part I: Summary		Grant Type and Number Capital Fund Program Grant No: KS16P002500114 Replacement Housing Factor Grant No: Date of CFFP:		FFY of Grant: 2014 FFY of Grant Approval:	
PIHA Name: Topeka Housing Authority		Reserve for Disasters/Emergencies Performance and Evaluation Report for Period Ending:		Revised Annual Statement (revision no: ) Final Performance and Evaluation Report	
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Development Account		Total Estimated Cost Revised <sup>2</sup>		Total Actual Cost <sup>1</sup> Expended	
Line	Summary by Development Account	Original	Obligated		
1	Total non-CFFP Funds	0			
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	161200			
3	1408 Management Improvements	0			
4	1410 Administration (may not exceed 10% of line 21)	80,600			
5	1411 Audit	0			
6	1415 Liquidated Damages	0			
7	1430 Fees and Costs	0			
8	1440 Site Acquisition	0			
9	1450 Site Improvement	0			
10	1460 Dwelling Structures	449,199			
11	1465.1 Dwelling Equipment - Nonexpendable	50,000			
12	1470 Non-dwelling Structures	0			
13	1475 Non-dwelling Equipment	65,000			
14	1485 Demolition	0			
15	1492 Moving to Work Demonstration	0			
16	1495.1 Relocation Costs	0			
17	1499 Development Activities <sup>4</sup>	0			

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PIHAs with under 250 units in management may use 100% of CFFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

Annual Statement/Performance and Evaluation Report  
Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
Capital Fund Financing Program

<b>Part I: Summary</b>		FFY of Grant: 2014	
PHA Name: Topeka Housing Authority	Grant Type and Number Capital Fund Program Grant No: KS16P.250114 Replacement Housing Factor Grant No: Date of CFFP:	FFY of Grant Approval:	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost <sup>1</sup>
		Original	Revised <sup>2</sup> Obligated Expended
18a	1501 Collateralization or Debt Service paid by the PHA	0	
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment	0	
19	1502 Contingency (may not exceed 8% of line 20)	0	
20	Amount of Annual Grant: (sum of lines 2 - 19)	805,999	
21	Amount of line 20 Related to LBP Activities	0	
22	Amount of line 20 Related to Section 504 Activities	0	
23	Amount of line 20 Related to Security - Soft Costs	0	
24	Amount of line 20 Related to Security - Hard Costs	0	
25	Amount of line 20 Related to Energy Conservation Measures	0	
Signature of Executive Director		Signature of Public Housing Director	
Date		Date	

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFFP Grants for operations.  
<sup>4</sup> RHIF funds shall be included here.









Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/20011

Part I: Summary

PIHA Name/Number Development Number and Name	Topoka Housing Authority Work Statement for Year 1 FFY 2012	Locality (City/County & State)			Revision No: 5	
		Work Statement for Year 2 FFY 2013	Work Statement for Year 3 FFY 2014	Work Statement for Year 4 FFY 2015	Work Statement for Year 5 FFY 2016	Original 5-Year Plan
A.						
B.	Physical Improvements Subtotal	453,693	435,707	413,537	393,298	
C.	Management Improvements	39,207	37,247	35,844	33,615	
D.	PIHA-Wide Non-dwelling Structures and Equipment	51,000	48,500	46,000	43,700	
E.	Administration	78,414	74,494	70,769	67,230	
F.	Other	0	0	0	0	
G.	Operations	156,828	148,987	141,538	134,461	
H.	Demolition	0	0	0	0	
I.	Development	0	0	0	0	
J.	Capital Fund Financing - Debt Service	0	0	0	0	
K.	Total CFP Funds	0	0	0	0	
L.	Total Non-CFP Funds	0	0	0	0	
M.	Grand Total	784,142	744,935	707,688	672,304	











# **ATTACHMENT A**

## **Resident Advisory Board Comments**

## Resident Advisory Board Comments

Topeka Housing Authority did not receive any comments on the PHA Plan from the Resident Advisory Board.

TOPEKA HOUSING AUTHORITY  
PUBLIC MEETING  
DRAFT ANNUAL AND FIVE YEAR PLAN  
2014

September 16, 2013

Name

Organization

No one attended but John Johnston and Sophie George.

**ATTACHMENT B**

**VAWA**



#### **A. Applicability**

The federal Violence Against Women Act (VAWA) offers some protections against eviction for residents of Public Housing and Section 8 Housing who are victims of domestic violence, dating violence, or stalking. Additionally, admission to these program shall not be denied on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking, if the applicant otherwise qualifies for assistance or admission.

The provisions of 24 CFR Part 5, Subpart L are incorporated by reference in this VAWA policy, and these provisions shall apply if there is any conflict between federal provisions and the policies and procedures stated here.

#### **B. Protections**

1. Incidents of domestic violence, dating violence or stalking will not be considered to be serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.
2. Criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, will not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.
3. To protect the rights and promote the safety of victims of violence, a lease may be bifurcated (divided) so certain tenants can be evicted or removed while the remaining family members' lease and occupancy rights are preserved.
4. VAWA protections do not limit the authority of THA or a Section 8 landlord to evict or terminate assistance of the tenant or a family member for violations of the lease or family obligations that otherwise would constitute good cause to evict or grounds for termination.

#### **C. THA Responsibilities**

The following THA responsibilities are spelled out in 24 CFR Part 5, Subpart L:

1. Inform THA Public Housing tenants and Section 8 participants of their rights under VAWA, including their right to confidentiality and any exceptions to these rights and confidentiality protections.
2. Provide notice to Section 8 landlords of their rights and obligations under VAWA and related HUD regulations. In turn, Section 8 landlords are responsible for handling all requests for VAWA protections submitted on behalf of their tenants.
3. Include a description of VAWA protections in the Public Housing Dwelling Lease Agreement.
4. Implement policies and procedures to respond to VAWA protections requested by THA Public Housing tenants and occupants.

#### **D. Procedures for Handling Requests for VAWA Protections Submitted on Behalf of Public Housing Tenants & Occupants**

1. THA, at its discretion, may provide VAWA protections to a victim based solely on the victim's verbal statement or other corroborating evidence, and not require the written certification described below.
2. If THA determines that written certification of domestic violence must be provided:
  - a. THA's request for certification will be made in writing – asking the victim, or a family member on the victim's behalf – to certify that the individual is a victim of domestic violence, dating violence, or stalking.
  - b. The written request will include the following information:

- i. Use of HUD-50066 is not required; other types of certification are acceptable, and these other types are listed on the HUD-50066 form.
  - ii. The requested written certification must be returned to the specific THA employee named in the request letter, within 14 business days of receiving the request.
  - iii. If the requested written certification is not returned within 14 business days THA may evict the tenant or a family member for violations of the lease or family obligations that otherwise would constitute good cause for eviction.
- c. A copy of HUD-50066 will be enclosed with the written request from THA.
3. THA may, at its discretion, extend the deadline for submitting written certifications.

#### **E. Processing Written VAWA Certifications**

1. If written certification is requested, the victim may submit either HUD-50066 or Other Types of Certification listed below.
  - a. Form HUD-50066
    - i. It must include the name of the perpetrator.
    - ii. It may be based solely on the signed statement of the victim.
    - iii. THA will not request additional certification if a fully completed HUD-50066 is submitted.
  - b. Other Types of Certification (these are listed on HUD-50066)
    - i. Identification of the perpetrator is not required.
    - ii. May consist of a federal, state, tribal, territorial, or local police report or court record, or;
    - iii. Documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking, or the effects of abuse. If this type of documentation is submitted:
      - The person signing the form must attest under penalty of perjury under 28 U.S.C. 1746 to the person's belief that the incident or incidents in question are bona fide incidents of abuse, and;
      - The victim of domestic violence, dating violence, or stalking must sign or attest to the documentation.
2. Confidentiality. Any document provided for this purpose will be kept confidential, which means:
  - a. THA will not enter the information contained in the documentation into any shared database;
  - b. THA will not allow employees or contractors to have access to such information unless explicitly authorized by THA for reasons that specifically call for these persons to have access to this information;
  - c. THA will not disclose this information to any other organization or person unless:
    - i. Requested or consented to in writing by the individual making the documentation,
    - ii. Required for use in an eviction proceeding, or
    - iii. Otherwise required by law.

#### **F. Response to Conflicting Certification**

1. In cases where THA receives conflicting certification documents from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator:
  - a. THA may determine which is the true victim by requiring third-party documentation as described above in E. Processing Written VAWA Certifications, and;
  - b. In accordance with any HUD guidance on how such determinations will be made.
2. THA will honor any court orders addressing rights of access or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property.

#### **G. Eviction When an Actual or Imminent Threat Exists**

THA may evict or terminate assistance to any tenant or lawful occupant if THA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the Public Housing or Section 8 assisted property if that tenant or lawful occupant is not terminated from assistance.

In this context, words, gestures, actions, or other indicators will be considered an “actual imminent threat” if they meet the definition of Actual and Imminent, below.

Eviction or termination of assistance will occur only when there are no other actions that could be taken to reduce or eliminate the threat, including, but not limited to:

1. Transferring the victim to a different unit;
2. Barring the perpetrator from the property;
3. Contacting law enforcement to increase police presence or develop other plans to keep the property safe, or;
4. Seeking other legal remedies to prevent the perpetrator from acting on a threat.

Restrictions related to public safety cannot be based on stereotypes, but must be tailored to specific concerns about individual residents.

#### H. Definitions

**Actual and imminent threat** is a physical danger that is real, would occur soon, and could result in death or serious bodily harm. In determining whether an individual would pose an actual an imminent threat, the factors to be considered include: The duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

**Bifurcate** means to divide a lease so certain tenants can be evicted or removed while the remaining family members’ lease and occupancy rights are allowed to remain intact.

**Dating violence** means violence committed by a person:

1. Who is or has been in a romantic or intimate relationship with the victim; and
2. The existence of such a relationship is determined by the following:
  - a. The length of the relationship;
  - b. The type of relationship; and
  - c. The frequency of interaction between the persons involved in the relationship.

**Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under Kansas domestic or family violence laws, or by any other person against an adult or youth victim who is protected from that person’s acts under Kansas domestic or family violence laws.

**Immediate family member** means, with respect to a person:

1. A spouse, parent, brother, or sister, or child of that person, or an individual to whom that person stands in loco parentis; or
2. Any other person living in the household of that person and related to that person by blood or marriage.

**Stalking** means:

1. a. To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; or,  
b. To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and,
2. In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to:
  - a. That person,
  - b. A member of the immediate family of that person, or
  - c. The spouse or intimate partner of that person.

**VAWA** means the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, approved August 28, 2006), as amended by the U.S. Housing Act of 1937 (42 U.S.C. 1437d and 42 U.S.1437f).

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:  
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or  Annual PHA Plan for the PHA fiscal year beginning 2014, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
  - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

Topeka Housing Authority  
 PHA Name

KS002  
 PHA Number/HA Code

5-Year PHA Plan for Fiscal Years 20 14 - 20 19  
 Annual PHA Plan for Fiscal Years 20 \_\_\_\_ - 20 \_\_\_\_

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

Name of Authorized Official  Dr. Frank Ybarra	Title  Chairman of the Board
Signature 	Date  9/24/13

# Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name

Topeka Housing Authority

Program/Activity Receiving Federal Grant Funding

Public Housing

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

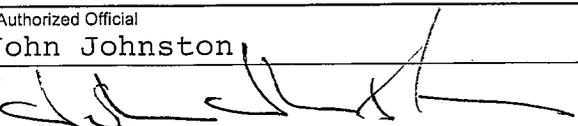
(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. **Sites for Work Performance.** The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here  if there are workplaces on file that are not identified on the attached sheets.

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

Name of Authorized Official John Johnston	Title President/CEO
Signature 	Date 9/24/11

X

# DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Topeka Housing Authority 2010 SE California Ave. Topeka, KS 66607  Congressional District, if known: 4c	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>   Congressional District, if known: second	
<b>6. Federal Department/Agency:</b> U.S. Department of Housing & Urban Development	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: 14.870	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$	
<b>10. a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):  <p style="text-align: center;">None</p>	<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):  <div style="text-align: right; margin-right: 50px;">             Signature: _____            Print Name: John Johnston            Title: President/CEO            Telephone No.: 785-357-8842      Date: 9/24/12         </div>	
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

# Certification of Payments to Influence Federal Transactions

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

OMB Approval No. 2517-0157 (Exp. 3/31/20)

Applicant Name

Topeka Housing Authority

Program/Activity Receiving Federal Grant Funding

Public Housing

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.  
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

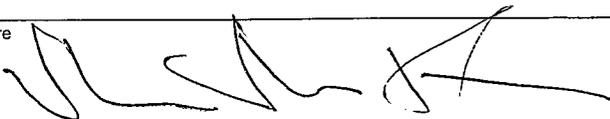
Name of Authorized Official

John Johnston

Title

President/CEO

Signature



Date (mm/dd/yyyy)

9/23/13

Previous edition is obsolete

form HUD 50071 (3/98)  
ref. Handbooks 7417.1, 7475.13, 7485.1, & 7485.3

**Civil Rights Certification**

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 Expires 4/30/2011

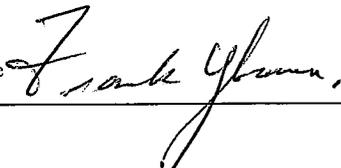
**Civil Rights Certification****Annual Certification and Board Resolution**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioner, I approve the submission of the Plan for the PHA of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing.

Topeka Housing Authority  
 PHA Name

KS002  
 PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)	
Name of Authorized Official <b>Dr. Frank Ybarra</b>	Title <b>Chairman of the Board</b>
Signature  P.H.D.	Date <b>9/24/13</b>

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

I, Bradley Reiff the Interim Director of HND certify that the Five Year and  
Annual PHA Plan of the Topeka Housing Authority is consistent with the Consolidated Plan of  
City of Topeka, Shawnee Co prepared pursuant to 24 CFR Part 91.

 9-27-13

Signed / Dated by Appropriate State or Local Official

RESOLUTION NO. 2013 - 5

TOPEKA HOUSING AUTHORITY  
ANNUAL AND FIVE YEAR PLAN  
FOR 2014-2019

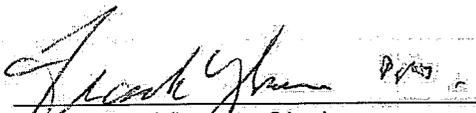
Whereas, the Topeka Housing Authority Board of Commissioners has reviewed the Annual and Five Year Plan for 2014-2019; and,

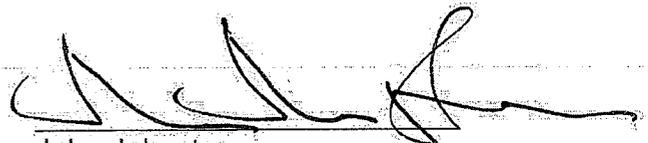
Whereas, this Annual and Five year Plan reflects the views, interests and concerns of the Board of Commissioners and THA residents; and,

Whereas, the process used in developing this Annual and Five Year Plan met requirements set out by HUD and the Board of Commissioners;

Now be it Resolved, that this Annual and Five Year Plan for 2014-2019 is approved for submission to HUD no later than October 18, 2013.

This Resolution was approved and adopted on this 24<sup>th</sup> day of September 2013 by the Topeka Housing Authority Board of Commissioners. This Resolution is effective on adoption.

  
Dr. Frank Ybarra, Chair  
Topeka Housing Authority Board  
of Commissioners

  
John Johnston  
President/CEO