

**REQUEST FOR PROPOSALS**

**PROJECT-BASED VOUCHERS FOR OFF-SITE BEECHER TERRACE  
REPLACEMENT HOUSING**

**Proposal #1516**

**Addendum #3**

LMHA has been working for several months to develop the Beecher Terrace PBV Waiting List and the Beecher Terrace Right to Return policies. The policies have been finalized and are attached to this addendum.

**Louisville Metro Housing Authority**  
**Beecher Terrace - Choice Neighborhoods Initiative**  
**PBV WAITING LIST POLICY**  
**REPLACEMENT HOUSING**

This Louisville Metro Housing Authority (LMHA) Project-Based Waiting List Policy for the Beecher Terrace Choice Neighborhoods Initiative is established pursuant to Section 17.E.2 of the LMHA Housing Choice Voucher Administrative Plan (“Administrative Plan”) adopted and effective April 17, 2019. As part of the LMHA’s Choice Neighborhoods Initiative Grant, LMHA is obligated to replace the 758 public housing units demolished at Beecher Terrace on a one-for-one basis. Currently, 316 replacement units will be rebuilt on the former Beecher Terrace site (“On-Site Units”) and 442 replacement units will be developed throughout the Louisville Metro Area through agreements with private owners pursuant to the Housing Choice Voucher (“HCV”) Project-Based Voucher (“PBV”) program (“Off-Site Units”). All replacement housing units will be assisted by the PBV program and, therefore, governed by this waiting list policy.

LMHA maintains a permanent record or “roster” of residents who resided at Beecher Terrace on or after June 28, 2016, pursuant to a lease with LMHA. The roster includes both residents who were relocated by LMHA and residents who left in good standing after the submission of the Choice Neighborhoods Implementation Grant, but prior to their Initiation of Negotiations (ION) date (“Original Residents”). Any Original Residents who were subsequently evicted from public housing or terminated from the HCV program pursuant to HUD regulations<sup>1</sup> and the Administrative Plan will be removed from this roster. Original Residents who were not evicted from public housing or terminated from the HCV program in accordance with the HUD regulations and the Administrative Plan are considered for purposes of this policy to be in “good standing” and are considered eligible residents for Beecher Terrace On- and Off-Site Units (“Original Residents in Good Standing”). Original Residents in Good Standing have a lifetime preference for returning to the replacement units.

This policy explains the process that LMHA will utilize to establish the waiting list for replacement housing, as well as the process LMHA will follow to notify Original Lease-Compliant Residents of the replacement housing options as they arise.

**ESTABLISHING THE WAITING LIST**

1. LMHA will send a pre-application and marketing materials identifying locations of all soon-to-be available on- and off-site PBV units to potentially eligible Original Residents who are Lease-Compliant (“Applicants”). Applicants will be given 30 days from the original date of mailing to return the pre-application along with their selection of PBV locations.
2. LMHA will date-stamp pre-applications to record the date they are received. LMHA will review all pre-applications for completion. Incomplete pre-applications will be mailed back to applicants with instructions to complete the missing information.

<sup>1</sup> 24 CFR 982.552 or successor regulation.

3. All applicants who meet the initial deadline with a complete pre-application, will be randomly sorted via a computerized lottery system to assign their places on the Beecher Terrace Replacement Housing waiting list ("Waiting List"). Applicants whose complete pre-applications arrive after the initial deadline will be placed on the Waiting List in subsequent positions based on the date and time it was received.
4. LMHA will screen applicants following their position on the Waiting List and per the criteria set out in LMHA's Right to Return Policy.

## **NOTIFICATION OF AVAILABLE UNITS**

1. Owners must notify LMHA as soon as they become aware of replacement housing units that are or will become available.
2. Contact information for eligible applicants at the top of the Waiting List will be forwarded to the Owner. The Owner will provide LMHA copies of all letters or documentation of attempts to contact applicants along with documentation of the status of applications, i.e. leased-up, not interested, etc.
3. Applicants who do not reach the top of the Waiting List, or who reach the top, but a suitable unit is no longer available, will remain on the list and be offered units that become available in the future.
4. In accordance with the Right to Return Policy, once all Original Residents in Good Standing who were the head of household on the original lease with LMHA have been housed, LMHA will notify any newly created second household ("Secondary Applicant") of any units that are available. If no units are available, then the Secondary Applicant will be moved to the top of the Waiting List.
5. Applicants and Secondary Applicants who do not reach the top of the Waiting List, or who reach the top, but a suitable unit is no longer available, will remain on the list and be offered units as they become available in the future. The Owners will notify the Applicants and Secondary Applicants that all units have been leased-up and provide LMHA's contact information to discuss other replacement housing opportunities.
6. If no Applicants or Secondary Applicants remain on the Waiting List, LMHA will offer units to households on the Housing Choice Voucher waiting list ("HCV Household"). Owners may also offer available units to other income-eligible households on their owner-maintained site-based waiting list.
7. As new PBV replacement units become available, a notice of the availability of replacement housing along with a letter of interest and a postage-paid envelope will be sent to potential applicants. Applicants interested in living at the new location must return the letter of interest to LMHA so that their location preferences are updated.

## **ACCESSIBLE UNITS**

1. When an accessible unit becomes available, the unit will first be offered to an Applicant or Secondary Applicant with a disability that requires the accessibility features of the accessible unit.
2. After providing notice to all Applicants, Secondary Applicants, HCV Households with a disability that require accessibility features of the unit (“LMHA Disabled Households”) and no LMHA Disabled Households accept the unit, Owners may offer the accessible units to an eligible household with a disability requiring the accessibility features of the unit from the owner-maintained site-based waiting list. If there are no households who require the accessible features of the unit, or accept the unit, then the Owner shall offer the unit first to Applicants and Secondary Applicants who do not require the accessible features of the unit. If such households do not accept a unit, LMHA will offer the unit to HCV households. The Owner may also select an applicant who does not require the accessible features of the unit from the owner-maintained waiting list. Any household that does not require the accessible features of a unit but accepts the accessible unit must sign a lease addendum agreeing to vacate the unit if it is later needed by a household that requires the accessibility features.

## **REFUSAL OF UNITS**

Applicants and Secondary Applicants who refuse two offers for re-occupancy to replacement housing will be moved to the bottom of the waiting list unless the units were refused for good cause.

Examples of good cause are:

1. A unit lacks accessibility features required by a person with disabilities.
2. A unit is not convenient to public transportation or childcare needed for the family to work.
3. A serious illness, hospitalization, or death of a family member.
4. A unit is in a senior site for persons age 55+.

**Louisville Metro Housing Authority  
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# Louisville Metro Housing Authority Beecher Terrace Choice Neighborhoods Initiative **RIGHT TO RETURN POLICY**

## INTRODUCTION

To return to the new Beecher Terrace community after its revitalization, or to other off-site Beecher Terrace Replacement Housing (defined below), the Louisville Metro Housing Authority (LMHA), in accordance with the United States Department of Housing and Urban Development (HUD) federal housing regulations, has set forth certain reoccupancy requirements. The following selection criteria are based on those requirements. **This policy does not apply to applicants who were not Original Residents (defined below) of Beecher Terrace.**

## DEFINITIONS

**Grant Submission Date:** LMHA submitted a Choice Neighborhoods Implementation Initiative grant application to HUD on June 28, 2016.

**Initiation of Negotiations:** Whenever the displacement is caused by rehabilitation, demolition or privately undertaken acquisition of the real property, the effective date included in the notice to the person that he or she will be displaced by the project or, if there is no notice, the actual move of the person from the property.

**Lease-Compliant:** The Original Resident must be in Substantial Compliance (defined below) with the existing lease in order to be eligible for a preference at the on- and off-site Replacement Housing (defined below).

**Original Resident:** A resident who occupied a unit at Beecher Terrace under a valid lease on or after the Grant Submission Date and was relocated. Basic assumptions in this document will apply to all eligible Original Residents seeking rental assistance who: 1) resided in Beecher Terrace on or after June 28, 2016, 2) were Lease-Compliant (defined above) at the time of departure from Beecher Terrace, and 3) continued to remain Lease-Compliant during their Relocation Period until the initial move into a Beecher Terrace Replacement unit. Once an Original Resident accepts a replacement unit, any subsequent moves into a Beecher Terrace replacement unit will not receive additional relocation benefits.

This includes all newly created households as a result of a household split during their Relocation Period (defined below) from Beecher Terrace.

**Relocation Period:** The Relocation Period is the time from an Original Resident's original move from Beecher Terrace until their move back into a Replacement Housing unit.

**Replacement Housing:** The on- or off-site rental housing that will replace Beecher Terrace.

**Right to Return:** Original Residents relocated as a result of the demolition of Beecher Terrace will have the opportunity to occupy a Replacement Housing unit if they were Lease-Compliant at the time of departure from Beecher Terrace and remain Lease-Compliant during the Relocation Period. The Original Residents will have a preference to occupy a unit at the on- or off-site Replacement Housing before the unit is made available to any other eligible households. Original Residents will continue to retain their preference for their lifetime; even after their initial reoccupancy move.

**Substantial Compliance:** The household does not owe unpaid rent and/or damages which are in excess of the existing security deposit. In addition, the household (a) has not been evicted from public housing or terminated from the Housing Choice Voucher program pursuant to HUD regulations and/or the LMHA Administrative Plan or (b) is not currently the subject of a pending eviction from public housing or termination proceeding under the Housing Choice Voucher program pursuant to HUD regulations and/or the LMHA Administrative Plan. If an Original Resident later prevails in an eviction or HCV termination proceeding, that Original Resident will be considered in Substantial Compliance. For Original Beecher Residents who are no longer in LMHA programs, those original residents will be treated as new LMHA applicants under the LMHA Administrative Plan for verification of lease compliance purposes.

## **ACRONYMS**

**HOH:** Head of Household

**ION:** Initiation of Negotiations

**URA:** Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

## **ADMISSIONS AND PREFERENCE POLICIES**

Original Residents will have a Right to Return admission preference for all 758 Beecher Terrace rental replacement units. A returning tenant shall be provided a preference for occupancy of on- or off-site Replacement Housing units before such units are made available to any other eligible households.

A Lease-Compliant Original Resident who resided in Beecher Terrace on or after the Grant Submission Date who wishes to occupy a Replacement Housing unit may return if the Original Resident was Lease-Compliant at the time of departure from the housing prior to relocation and continued to remain Lease-Compliant during their Relocation Period. These preferences are retained even if the resident has already received permanent URA relocation benefits. Original Residents who are Lease-Compliant will retain a lifetime Right to Return.

Lease-Compliant Original Residents who left in good standing after the Grant Submission Date, but prior to their Initiation of Negotiations (ION) date, will also have the lifetime Right to Return.

If a household splits at the time of relocation and the Original Residents moved to separate replacement dwellings, both Original Residents are entitled to URA relocation benefits, per 49 CFR 24.403(a)(5) and a lifetime Right to Return. However, the HOH Original Resident will have a first Right to Return preference.

Once all HOH Original Residents have been housed, LMHA must offer the other non-HOH Original Resident(s) an available unit at the Replacement Housing. If no units are available, then the non-HOH Original Resident will be moved to the top of the Replacement Housing waiting list.

Both the HOH Original Resident and the non-HOH Original Resident are required to be Lease-Compliant at the time of relocation and throughout the Relocation Period.

## **RELOCATION SERVICES AND SUPPORTIVE SERVICES**

Original Residents of Beecher Terrace will be offered the following services when making their first move to on- or off-site Replacement Housing:

1. Reimbursement for security deposits, utility deposits and application fee, if required;
2. Fixed moving expense per URA or utilize contracted LMHA movers; and
3. Enhanced ongoing supportive services including case management with the LMHA's Family Self-Sufficiency program staff designed to, among other things, assist Original Residents to maintain lease compliance and eligibility for units in the new development(s), including effectively handling landlord disputes, in order to make a successful transition back to the revitalized neighborhood.

## **GROUND FOR DENIAL**

The LMHA will deny assistance to any Original Resident who near the time of interest in exercising the Right to Return:

1. Is not Lease-Compliant; or
2. Fails to complete any aspect of the application or lease-up process.

Before any Original Resident is denied the Right to Return, they will be notified of the proposed action in writing and given the opportunity to request an informal review in accordance with Section 4.F of the Administrative Plan.

The fact that an Original Resident is or has been a victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking is not an appropriate basis for denial of rental assistance or for denial of admission, if the Original Resident otherwise qualifies for assistance or admission.

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