

**RESIDENT ADVISORY COUNCIL MEETING  
FOR THE SCATTERED SITE PUBLIC HOUSING PROGRAM**

**Tuesday, May 23 at 5:00 PM  
315 14<sup>th</sup> Street Bay City, MI 48708**

*All residents of the Public Housing Scattered Sites Program are automatically included as members of the Resident Advisory Council.*

This purpose of this meeting is to engage with residents in the Public Housing Scattered Site Family Housing Program. The Housing Commission will present its FY2023-2024 Annual PHA Plan. All residents in the Public Housing program are invited to attend and offer input.

**This meeting is being conducted physically at our Central Offices and broadcast “live” through the internet via ZOOM.** This dual format enables us to continue protecting the health of board/commission/council members, staff, and the public due to the Coronavirus by limiting the number of people at public gatherings. The meeting is open to the public and this notice is provided under the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275. Individuals attending the meeting must wear face masks and respect social distancing protocols. Should the meeting room reach full capacity of 8 people, attendees shall only be able to attend the meeting electronically via Zoom. If attendees wish to provide public input, they may also wait outside the office building until called to the podium to speak. Participants choosing electronic media, may join the public meeting by logging onto the internet via computer, telephone, or iPad. All Zoom participants must be identifiable.

Attend in person at the Central Office or Join Zoom Meeting at:  
Invite Link <https://us06web.zoom.us/j/82242404565>  
Via telephone (audio only): Call the toll-free number: (888) 475-4499

**Meeting ID: 822 4240 4565**

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The FY2023-2024 PHA Plan is available for viewing at [www.baycityhousing.com](http://www.baycityhousing.com). For anyone needing a hard copy of the FY2023-2024 PHA Plan, please call Denise at (989) 892-9581 x102 to request a copy.

**PUBLIC HOUSING PROGRAM  
RESIDENT ADVISORY COUNCIL MEETING  
TUESDAY, May 23, 2023 AT 5:00 PM**

**A G E N D A**

1. Call to Order
2. BCHC Presenters  
    William Phillips and Keegan Chapman
3. Changes to the Agenda
4. Review of the FY2023-2024 Annual PHA Plan
5. Public Input (Limited to 3 minutes Per Speaker)
6. Adjournment

The FY2023-2024 PHA Plan is available for viewing at [www.baycityhousing.com](http://www.baycityhousing.com). For anyone needing a hard copy of the FY2023-2024 PHA Plan, please call Denise at (989) 892-9581 x102 to request a copy.

# PRELIMINARY REPORT

## BAY CITY HOUSING COMMISSION (MI024) FY2023-2024 ANNUAL PHA PLAN

May 23, 2023



BAY CITY HOUSING COMMISSION  
315 14<sup>TH</sup> STREET  
BAY CITY, MICHIGAN 48708  
TELEPHONE: (989) 892-9581  
FACSIMILE: (989) 892-5818

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## EXECUTIVE SUMMARY<sup>1</sup>

The Bay City Housing Commission is a public housing agency (PHA) created by the City of Bay City, pursuant to Michigan Public Act 18. It serves as a conduit for funding and programs originating from the **U. S. Department of Housing and Urban Development (HUD)**.

Today, the Bay City Housing Commission operates three housing programs, two programs provide project based rental assistance for tenants that pay 30% of their income as their rental payment and one program is unrestricted. The Five-year PHA Plan addresses the Public Housing Program only. However, ***to understand the full scope of operations, the reader should be aware of the total programmatic structure.***

1. **Public Housing Program** comprised of 193 single family houses and 2-unit buildings in a scattered site configuration located throughout Bay City neighborhoods. This portfolio received annual operating grants and capital funding grants for the public housing directly from HUD which, in turn, receives annual appropriations from the United States Congress.

The conversion of the Public Housing units under the Rental Assistance Demonstration Program (RAD) is continuing. Land has been acquired and development plans for the first phase have received local entitlement approvals. The project was paused during the pandemic to allow time for construction costs to stabilize. Plans to fund demolition and abatement of site conditions are underway. Depending on the timing of completion of demolition of existing site structures and abatement, activity on the development plan for a 56-unit multifamily development will resume.

2. **Multifamily Program** comprised of four high-rise buildings with a combined total of 527 units. Two buildings are designated for the elderly and two for families. Each property has a stated preference for persons with disabilities. Within the multifamily program there are two subsets of properties characterized by the financial structure. Multifamily properties have entered into Housing Assistance Payment Contracts (HAP) with HUD to provide monthly contract rent to supplement the tenant paid portion of the total rent each month.
  - a. Maplewood Manor was substantially rehabilitated in 2016 using **Low Income Housing Tax Credits (LIHTC)** through the Michigan State Housing Development Authority (MSHDA). It is owned by investors that purchased the LIHTCs to generate the funds for rehabilitation. The property is managed by the Bay City

<sup>1</sup> BAY CITY HOUSING COMMISSION (MI024) FY2022 - FY2026 PHA PLAN OCTOBER 1, 2021

Housing Commission by virtue of Management and Operating Agreements with the investors. When LIHTCs are purchased by the investors, the investors have the ability to select the asset and property management firm that operates the property.

- b. Smith Manor, Pine Towers and Maloney Manor are currently owned exclusively by the Bay City Housing Commission following the repositioning/restructuring pursuant to the **Rental Assistance Demonstration Program (RAD)**. However, it is likely these properties will be restructured using LIHTCs or another financing facility within the coming five to seven years.
3. **Conventional Portfolio** – This portfolio consists of six units (one 4-plex and 2 SFR). These units have no program restrictions, except the 4-plex building is master-leased to a community nonprofit organization that, in turn, provides housing to transitional low-income individuals. The two single family houses are typically leased to Section 8 voucher holders through BECKA Management Group. BECKA Management Group is a housing agent through the Michigan State Housing Development Authority (MSHDA).
4. **Housing Choice Vouchers (HCV)** – The Bay City Housing Commission does not administer a HCV program.

Despite the preponderance of federal and state agencies, investor, and regulatory agencies with jurisdiction over the operations of the PHA, the Bay City Housing Commission is the organization tasked to represent the interest of citizens within its housing area and to support the City of Bay City's community development efforts.

The mission and vision of the Bay City Housing Commission reflects the dedication its Board and staff have for serving the community. This Five-year PHA Plan follows the reporting framework provided in the HUD Form 50075-SM.

### **FY2023-2024 ANNUAL PHA PLAN (HUD 50075)**

There are no changes to the Five-Year PHA Plan for this fiscal year. The required elements for the HUD Form 50075 are attached.

### **HOUSING NEEDS (Section 10.0 of the PHA Annual Plan)**

On March 2, 2020, Shaw Research and Consulting, LLC completed a Rental Housing Market Feasibility Analysis of Bay City Michigan for the Bay City Housing Commission. A prior report had also been published in 2018. The conclusion from both reports calculated an increasing

demand for affordable housing with approximately half the projected demand being for subsidized housing. The total projected demand in 2020 was 1,129 units. Notwithstanding that the Shaw Research and Consulting Report is now three years old, the conclusions continue to be relevant, if not under-estimated.

As of March 17, 2023, the portfolio of public housing units in Bay City averages a 99.5+% physical occupancy with the entire portfolio averaging 99.2% physical occupancy. Currently there are 442 applications on the wait list for public housing. Housing applications to the PHA increased from the level reported in the 2023 PHA Plan of 297 applications on the waitlist to 442, or 48.8%. The number of applications for the entire portfolio of affordable housing increased from 573 applications to 784, or 36.83%.

**BAY CITY HOUSING COMMISSION**  
**Portfolio Occupancy**

3/17/23	Units			Vacant			Applications Approved for Move-in		Physical	% Leased & Occupied <sup>1</sup>	Intents to Vacate	Transfers Pending	Vacant to Lease	Current Waitlist #Units <sup>2</sup>	Waitlist #Units August 2022	Percent Change Over Prior Month
	Total Units	out of Service	Total Units to Lease	Not Ready	Vacant Ready	Total Vacant	(Leased)	Occupied	Occupancy							
Smith Manor	141	0	141	0	0	0	1	141	100.0%	100.7%	-	-	-	116	170	-31.8%
Maloney Manor	113	0	113	0	0	0	2	113	100.0%	101.8%	-	-	-	129	79	63.3%
<b>SubTotal</b>	<b>254</b>	<b>0</b>	<b>254</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>254</b>	<b>100.0%</b>	<b>101.2%</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>245</b>	<b>249</b>	<b>-1.6%</b>
Pine Towers	115	1	114	1	2	3	2	111	97.4%	99.1%	-	-	3	51	56	-8.9%
Maplewood Manor	158	0	158	0	2	2	1	156	98.7%	99.4%	-	-	2	40	37	8.1%
<b>SubTotal (62+)</b>	<b>273</b>	<b>1</b>	<b>272</b>	<b>1</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>267</b>	<b>98.2%</b>	<b>99.3%</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>91</b>	<b>93</b>	<b>-2.2%</b>
<b>Total All Highrise Bldgs.</b>	<b>527</b>	<b>1</b>	<b>526</b>	<b>1</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>521</b>	<b>99.1%</b>	<b>100.2%</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>336</b>	<b>342</b>	<b>-1.8%</b>
<b>Total Scattered Site (PH)</b>	<b>193</b>	<b>1</b>	<b>192</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>8</b>	<b>191</b>	<b>99.5%</b>	<b>135.0%</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>442</b>	<b>462</b>	<b>-4.3%</b>
Conventional Portfolio	6	0	6	0	0	0	0	6	100.0%	100.0%	-	-	-	6	6	0.0%
<b>TOTAL PORTFOLIO</b>	<b>726</b>	<b>2</b>	<b>724</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>14</b>	<b>718</b>	<b>99.2%</b>	<b>101.1%</b>	<b>2</b>	<b>1</b>	<b>9</b>	<b>784</b>	<b>810</b>	<b>-3.2%</b>

<sup>1</sup> Leased and Occupied units are units currently occupied plus "applications approved and scheduled for Move-in" (Leased)

<sup>2</sup> The majority of applications are listed on multiple wait lists. The wait list figures are not accurate per property.

<sup>3</sup> Unrestricted, Non ACC and units master-leased.

<sup>4</sup> Waitlist figures indicate the number of units required to fill current applications. The number of applications per household is typically much higher.

<sup>5</sup> The Scattered Site (PH) Portfolio has 5 waitlists, sorted according to the bedroom size of the units.

The dramatic increase in applications is attributed to the termination of several national economic stimulus programs that funded families seeking to rebuild and stabilize after the pandemic. Those supports were certainly helpful to low-income families as they emerged from the instability of the pandemic. However, the reversion back to a more sustainable national economic reality has had its own unintended consequences that destabilized households. Unfortunately, the creation of more affordable and subsidized housing to mitigate the spike in demand does not respond as quickly as the need, especially when rising demand predated the pandemic.

The objective of the PHA is to use its best efforts and resources to prevent having a single vacant unit in the public housing inventory that could have served a family in need.

Despite the demonstrated need for additional assisted housing, there is not a path to increasing the number of assisted rental units in the market, other than through the development of low-

income tax credit financed units. While tax credit funded units are valuable (at 60% AMI), the market needs more units with income-based rents to serve the core segment of housing needs.

### STRATEGY FOR ADDRESSING HOUSING NEEDS

The Bay City Housing Commission's options for addressing the housing needs of the community are limited by the number of units allocated by the Annual Contributions Contract (ACC) with HUD. The ACC contract now supports 193 units and there is no direct path to expand the number of public housing units. There are program strategies available to transfer public housing units into a different program, thus freeing capacity under the Faircloth Limits. However, acquiring or developing new public housing as stand-alone program units are not adequately supported by the ACC revenues currently provided. The core strategy to address housing needs is to maintain the highest possible quality of the existing portfolio, use the Rental Assistance Demonstration (RAD) program to transfer ACC assistance to new multifamily program developments and develop new unsubsidized affordable housing using tax credit financing.

Section 9(g)(3) of the Housing Act of 1937 ("Faircloth Amendment") limits the construction of new public housing units. The Faircloth Amendment stipulates that the US Department of Housing and Urban Development (HUD) cannot fund the construction or operation of new public housing units with Capital or Operating Funds if the construction of those units would result in a net increase in the number of units the Public Housing Agency (PHA) owned, assisted or operated as of October 1, 1999. This requirement is referred to as the "Faircloth Limit."

### ADDITIONAL INFORMATION (Section 10 of the Annual PHA Plan)

- a. Progress in Meeting Mission and Goals: The Bay City Housing Commission is meeting its mission and goals as it continues to operate its portfolio with increasing efficiency. Our standard operating practices are consistent across our public housing and multifamily programs using the highest standards for management and organizational practices.
- b. Significant Amendment and Substantial Deviation/Modification: A deviation from the PHA Plan occurs when the inventory of housing in either the public housing or multifamily plan changes. Any change in the number of units or the mix of units is a significant change as the inventory is largely set and not subject to change. An exception to this definition is already contemplated in the Five-Year PHA Plan associated with the proposed RAD conversion of scattered site public housing units to the multifamily program. The RAD repositioning would transfer units from the public housing portfolio to the multifamily portfolio, resulting no net change in the total

inventory for the housing commission’s subsidized affordable housing. The RAD conversion of units does “unrestrict” a corresponding number of units and make them “market rate” units with no rental assistance tied to them, project-based or portable vouchers. These unrestricted units could then have rents set to the market and consistent with the housing commission’s mission, which would keep the rents at affordable levels set at 80% AMI or less.

## BAY CITY CONSOLIDATED PLAN

The Bay City Housing Commission operates in collaboration with the City of Bay City’s Community Development Department to assure the highest standards for operations, property maintenance and asset management. The organization’s strategic framework and responses to community issues are consistent with the [City of Bay City’s 2020-2024 Consolidated Plan](#)<sup>2</sup>.

*The most common housing problem supported by the attached data tables was housing cost burden/affordability. Through consultation and interaction with area service providers the characteristics linked with instability are housing affordability, employment, living wage employment, transportation, and childcare.*<sup>3</sup>

*The greatest challenges facing low to moderate income households is the availability of living wage employment, transportation and availability and cost of childcare. The Fair Housing Center of Eastern Michigan conducted a Fair Housing Impediments to Fair Housing study for Bay City in 2019. Noted concerns in the study include lack of housing for persons with disabilities, lack of affordable housing for families, limited choices regarding locations for scattered site public housing, lack of minority applications for home purchase, refinance and home improvements and the need for additional public transit system services. Bay City supports and is dedicated to affirmatively furthering fair housing*<sup>4</sup>.

The **Bay City Housing Commission’s** mission and operations are consistent with the Consolidated plan as it addresses the most severe housing need, “housing cost burden”. In Bay City, the average median income for most of the core census tracts is 55±%.

Additionally, our portfolio admissions policies have “preferences” for working families and persons with disabilities.

<sup>2</sup> [City of Bay City’s 2020-2024 Consolidated Plan](#)

<sup>3</sup> [City of Bay City’s 2020-2024 Consolidated Plan](#)

<sup>4</sup> [City of Bay City’s 2020-2024 Consolidated Plan](#)

Bay City Community Development Block Grant/Home Program

On March 29, 2023, the plans for the HOME Program were presented to the public for input. The 2023-2024 HOME Program has a \$761,876 tranche of American Rescue Plan (ARP) funds. The City has indicated its first priority for deployment of these funds is the creation of additional affordable housing units using the HOME Investment Partnership Program as the framework for those funds.



<b>B.</b>	<b>Plan Elements Submitted with 5-Year PHA Plans.</b> Required elements for Small PHAs completing this document in years in which the 5-Year Plan is also due. This section does not need to be completed for years when a Small PHA is not submitting its 5-Year Plan. See sub-section below for required elements in all other years (Years 1-4).
<b>B.1</b>	<p><b>Revision of Existing PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last <b>Five-Year PHA Plan</b> submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element(s):</p> <p>(c) The PHA must submit its Deconcentration Policy for Field Office Review.</p> <p>Exhibit B.1 is attached.</p>
<b>B.2</b>	<p><b>New Activities.</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant Based Assistance.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Project Based Vouchers.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p>
<b>B.3</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.</p> <p>The PHA continues to perform and high levels. The portfolio of public and multifamily housing averaged physical occupancy of 99.2%</p>
<b>B.4</b>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p>The Five-Year Action Plan (2023-2027) for the Capital Fund Program was approved by HUD on -----.</p>

<p><b>B.5</b></p>	<p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N  <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<p><b>Plan Elements Submitted All Other Years (Years 1-4).</b> Required elements for all other fiscal years. This section does not need to be completed in years when a Small PHA is submitting its 5-Year PHA Plan.</p>	
<p><b>B.1</b></p>	<p><b>New Activities</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA’s current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.  <input type="checkbox"/> <input checked="" type="checkbox"/> Mixed Finance Modernization or Development.  <input type="checkbox"/> <input checked="" type="checkbox"/> Demolition and/or Disposition.  <input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant-Based Assistance.  <input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Assistance under RAD. <b>(Ongoing program)</b>  <input type="checkbox"/> <input checked="" type="checkbox"/> Project Based Vouchers.  <input type="checkbox"/> <input checked="" type="checkbox"/> Units with Approved Vacancies for Modernization.  <input type="checkbox"/> <input checked="" type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process.</p> <p>(c) If using Project-Based Vouchers, provide the projected number of project-based units, general locations, and describe how project-basing would be consistent with the PHA Plan.</p> <p>(d) The PHA must submit its Deconcentration Policy for Field Office Review.</p>
<p><b>B.2</b></p>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p style="text-align: center;"><i>See the Addendum</i></p>
<p><b>C Other Document or Certification Requirements for Annual Plan Submissions.</b> Required in all submission years.</p>	
<p><b>C.1</b></p>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N See the Addendum.  <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<p><b>C.2</b></p>	<p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD 50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<p><b>C.3</b></p>	<p><b>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</b></p> <p>Form HUD-50077-CRT-SM, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations</i></p>

Including PHA Plan Elements that Have Changed, must be submitted by the PHA as an electronic attachment to the PHA Plan.

**C.4 Challenged Elements.** If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

(a) Did the public challenge any elements of the Plan?

Y N

If yes, include Challenged Elements.

*See the Addendum*

D.	Affirmatively Furthering Fair Housing (AFFH).						
D.1	<p>Affirmatively Furthering Fair Housing.</p> <p>Provide a statement of the PHA’s strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item</p> <table border="1" data-bbox="196 485 1455 932"> <tr> <td data-bbox="196 485 1455 527"><b>Fair Housing Goal:</b></td> </tr> <tr> <td data-bbox="196 527 1455 932"> <p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p> <p>Please refer to:  <b>BAY CITY HOUSING COMMISSION (MI024)</b>  <b>FY2022 - FY2026 PHA PLAN</b>  <b>OCTOBER 1, 2021</b></p> <p>No annual adjustments required to comply with the five-year plan.</p> </td> </tr> </table> <table border="1" data-bbox="196 953 1455 1367"> <tr> <td data-bbox="196 953 1455 995"><b>Fair Housing Goal:</b></td> </tr> <tr> <td data-bbox="196 995 1455 1367"> <p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p> <p>Please refer to:  <b>BAY CITY HOUSING COMMISSION (MI024)</b>  <b>FY2022 - FY2026 PHA PLAN</b>  <b>OCTOBER 1, 2021</b></p> <p>No annual adjustments required to comply with the five-year plan.</p> </td> </tr> </table> <table border="1" data-bbox="196 1388 1455 1843"> <tr> <td data-bbox="196 1388 1455 1430"><b>Fair Housing Goal:</b></td> </tr> <tr> <td data-bbox="196 1430 1455 1843"> <p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p> <p>Please refer to:  <b>BAY CITY HOUSING COMMISSION (MI024)</b>  <b>FY2022 - FY2026 PHA PLAN</b>  <b>OCTOBER 1, 2021</b></p> <p>No annual adjustments required to comply with the five-year plan.</p> </td> </tr> </table>	<b>Fair Housing Goal:</b>	<p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p> <p>Please refer to:  <b>BAY CITY HOUSING COMMISSION (MI024)</b>  <b>FY2022 - FY2026 PHA PLAN</b>  <b>OCTOBER 1, 2021</b></p> <p>No annual adjustments required to comply with the five-year plan.</p>	<b>Fair Housing Goal:</b>	<p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p> <p>Please refer to:  <b>BAY CITY HOUSING COMMISSION (MI024)</b>  <b>FY2022 - FY2026 PHA PLAN</b>  <b>OCTOBER 1, 2021</b></p> <p>No annual adjustments required to comply with the five-year plan.</p>	<b>Fair Housing Goal:</b>	<p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p> <p>Please refer to:  <b>BAY CITY HOUSING COMMISSION (MI024)</b>  <b>FY2022 - FY2026 PHA PLAN</b>  <b>OCTOBER 1, 2021</b></p> <p>No annual adjustments required to comply with the five-year plan.</p>
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**Certification by State or Local  
 Official of PHA Plans Consistency  
 with the Consolidated Plan or  
 State Consolidated Plan  
 (All PHAs)**

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

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

I, \_\_\_\_\_, the \_\_\_\_\_  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan for fiscal years \_\_\_\_\_ and/or  Annual PHA Plan for fiscal year **2024** of the **Bay City Housing Commission (MI024)** is consistent with the  
*PHA Name*

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

**City of Bay City Michigan**

\_\_\_\_\_  
*Local Jurisdiction Name*

pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3) and 903.15.

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

The PHA is a community partner with the City of Bay City in assessing needs and solutions to resolve conditions affecting affordable housing. The priorities established through the City's Consolidated Plan are reflected in the PHA's Five-Year and Annual Plans.

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:	Title:
Signature:	Date:

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

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

**Certifications of Compliance with  
PHA Plan and Related Regulations  
(Small PHAs)**

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

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

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or  x  Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning **October 1, 2023** in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice (AI) or Assessment of Fair Housing (AFH) as applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this 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.
4. The PHA certifies that the following policies, programs, and plan components have been revised since submission of its last

Annual PHA Plan (check all policies, programs, and components that have been changed):

\_\_\_ 903.7a Housing Needs

\_\_\_ 903.7b Deconcentration and Other Policies Governing Eligibility, Selection, Occupancy, and Admissions Policies

\_\_\_ 903.7c Financial Resources

\_\_\_ 903.7d Rent Determination Policies

\_\_\_ 903.7h Demolition and Disposition

\_\_\_ 903.7k Homeownership Programs

\_\_\_ 903.7r Additional Information

\_\_\_ A. Progress in meeting 5-year mission and goals

\_\_\_ B. Criteria for substantial deviation and significant amendments

\_\_\_ C. Other information requested by HUD

\_\_\_ 1. Resident Advisory Board consultation process

\_\_\_ 2. Membership of Resident Advisory Board

\_\_\_ 3. Resident membership on PHA governing board

The PHA provides assurance as part of this certification that:

- (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
- (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
- (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.

5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101

et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.

7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.
8. For a 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 2010-25);
  - 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 lists 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; and
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(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. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.

19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

**Bay City Housing Commission**

**MI024**

PHA Name

PHA Number/HA Code

\_\_\_\_ 5-Year PHA Plan for Fiscal Years 20\_\_\_\_ - 20\_\_\_\_

\_\_\_\_X\_\_\_\_ Annual PHA Plan for Fiscal Year 2024

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

Name of Executive Director:

**William G. Phillips**

Name of Board Chairman:

**Ann Grady**

Signature

Date

Signature

Date

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## ADDENDUM TO THE HUD FORM 50075-SM

### B.1. New Activities -

**B.1.(b) Rental Assistance Demonstration Program (RAD)** - Conversion of public housing units has been ongoing since 2015. Seventy-one percent of the PHA's total units have been converted leaving 193 units in the Scattered Sites Portfolio. The PHA will be requesting a Commitment to Enter into a Housing Assistance Payments Contract (CHAP) for a 56-unit new multifamily development under RAD sometime in FY2023-2024.

**B.1.(c) Deconcentration Policy** – It is Bay City Housing Commission's policy to provide for deconcentrating poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. The sites developed and or acquired for its affordable housing programs comply with deconcentration objectives. The Bay City Housing Commission will affirmatively market its housing to all eligible income groups in accordance with program eligibility and waiting list preferences.. Lower income applicants will not be steered toward lower income developments and higher income applicants will not be steered toward higher income developments. Prior to the beginning of each fiscal year, we will analyze the Affirmative Fair Housing Marketing Plan (AFHMP)<sup>2</sup> covering each property portfolio. The PHA's Deconcentration Policy is attached.

### B.3. Progress Report – PHA Progress in Meeting Mission and Goals Described in the PHA 5-Year Plan.

1. GOAL 1: Manage the Bay City Housing Commission's (PHA) existing housing programs in an efficient and effective manner.
  - a. Average physical occupancy has exceeded 99%.
  - b. REAC Inspection completed on February 7, 2023 with a score of 97c.
  - c. The number of applicants on wait list are 442.
2. GOAL 2: Align the Bay City Housing Commission's housing inventory and program resources with housing needs in its primary housing market area.
  - a. Our current public housing scattered site portfolio consist of 193 units. We have 442 applications awaiting housing with us.
  - b. Market studies that calculate demand at 1,129 units for affordable housing, half of the demand would be for income-based rental assistance.
  - c. Alignment is not possible with an increase in the Faircloth limits. LIHTC funded projects only reach 60% AMI applicants and the demand is weighted toward the extremely low-income population.
3. GOAL 3: Support Equitable Tenant Selection, Admissions and Continued Occupancy Policies.

## **DECONCENTRATION POLICY**

**April 26, 2023**

The Deconcentration Policy is contained in the Tenant Selection, Admissions and Continued Occupancy Policy (TSACOP)<sup>1</sup> for the Public Housing Program as well as the and the Tenant Selection Plan (TSP) for the Multifamily Program. The Deconcentration Policy should be read along with the entirety of Article 10: Tenant Selection and Assignment Plan of the TSACOP to gain a full understanding of how tenant selection and unit assignments are made.

### **10.4 DECONCENTRATION POLICY**

The Bay City Housing Commission (PHA) only provides project-based rental assistance in its properties. No Housing Choice Vouchers (HCV) are managed by the PHA. Therefore, the waiting list is available to all applicants that meet program eligibility and suitability requirements in accordance with the “Preferences” published by the PHA from time to time. Further consideration will be given the status of certain properties that have layered financing requiring units to be set-aside and targeted for low and very low-income populations.

It is Bay City Housing Commission's policy to provide for deconcentrating poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. The sites developed and or acquired for its affordable housing programs comply with deconcentration objectives.

The Bay City Housing Commission will affirmatively market its housing to all eligible income groups in accordance with program eligibility and waiting list preferences.. Lower income applicants will not be steered toward lower income developments and higher income applicants will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the Affirmative Fair Housing Marketing Plan (AFHMP)<sup>2</sup> covering each property portfolio. We will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list to assure compliance with the Waiting List Preferences. Based on this analysis, we will determine the level of marketing strategies to implement.

### **10.5 DECONCENTRATION INCENTIVES**

The Bay City Housing Commission may offer one or more incentives to encourage applicant families whose income classification would help to meet the deconcentration goals of a particular development. Various incentives may be used at different times, or under different conditions, but will always be provided in a consistent and nondiscriminatory manner.

<sup>1</sup> The Tenant Selection, Admission and Continued Occupancy Plan (TSACOP) is available at the front desk of the Central Office of the Bay City Housing Commission.

<sup>2</sup> The Affirmative Fair Housing Marketing Plan (AFHMP) for each property or portfolio of properties is available at the front desk of the Central Office of the Bay City Housing Commission.



### **C.1 Resident Advisory Board (RAB) Comments**

*To be determined at a meeting on May 23, 2023*

### **C.2 Certifications by State or Local Officials**

*To be obtained after RAB comments included in this Annual Plan.*

### **C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.**

*Form HUD-50077-CRT-SM, PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations*

### **C.4 Challenged Elements**

*To be determined at a meeting on May 23, 2023*