

# BAY CITY HOUSING COMMISSION (MI024)

## **FY2023 ANNUAL PHA PLAN**

Revised August 24, 2022



BAY CITY HOUSING COMMISSION  
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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.
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 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

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

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's properties, 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 to serving the community. This Five-year PHA Plan follows the reporting framework provided in the HUD Form 50075-SM.

## COMMUNITY HOUSING NEEDS

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.

The PHA Plan: The portfolio of public housing units averages a 98.5+% physical occupancy. Currently there are 297 unique applications on the wait list for 193 units of public housing. The

multifamily portfolio has an additional 270 unique applications for its 533 units.

The post-pandemic economy has caused a surge in pre-pandemic demand. Low to moderate income

BCHC Wait List Y/Y		August	August	August	August	August	August
8/10/22	Total Units	2022	2021	2020	2019	2018	2017
Smith Manor	141	95	10	38	26	0	1
Maloney Manor	113	100	10	28	24	0	1
<b>SubTotal</b>	<b>254</b>	<b>195</b>	<b>20</b>	<b>65</b>	<b>50</b>	<b>0</b>	<b>2</b>
Pine Towers	115	48	8	26	22	0	1
Maplewood Manor	158	27	8	14	21	46	4
<b>SubTotal (62+)</b>	<b>273</b>	<b>75</b>	<b>16</b>	<b>39</b>	<b>43</b>	<b>46</b>	<b>5</b>
Scattered Sites (PH)	193	297	254	141	98	61	53
Market/Master Lsd <sup>3</sup>	6	6	3	-	-	-	45
<b>TOTAL PORTFOLIO</b>	<b>726</b>	<b>573</b>	<b>293</b>	<b>245</b>	<b>191</b>	<b>107</b>	<b>105</b>
Increase Over Prior Year		196%	119%	128%	178%	102%	162%

workforce families and households with fixed incomes seek to reduce their already excessive housing cost burdens by accessing income-based rental property. Finding

The primary objective of the PHA is to prevent having a single vacant unit in the public housing or multifamily 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."

### 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>.

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

*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 sever 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.

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

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

<b>Streamlined Annual PHA Plan (Small PHAs)</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires: 03/31/2024</b>
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**Purpose.** 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, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

**Applicability.** The Form HUD-50075-SM is to be completed annually by **Small PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, HCV-Only PHA, or Qualified PHA do not need to submit this form.

**Definitions.**

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, and that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																										
A.1	<p>PHA Name: <u>Bay City Housing Commission</u> PHA Code: <u>MI024</u>  PHA Type: <input checked="" type="checkbox"/> Small  PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>10/01/2022</u>  PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)  Number of Public Housing (PH) Units <u>193</u> Number of Housing Choice Vouchers (HCVs) <u>0</u>  Total Combined <u>193</u>  PHA Plan Submission Type: <input type="checkbox"/> Annual Submission <input checked="" type="checkbox"/> Revised Annual Submission</p> <p><b>Availability of Information.</b> In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p><b>PHA Plans are available in the following ways:</b>  (1) At the Central Office for the Bay City Housing Commission 315 14th Street Bay City, MI 48708;  (2) Posted on the Bay City Housing Commission website at <a href="http://www.baycityhousing.com">www.baycityhousing.com</a>.  (3) Each tenant of the public housing portfolio is a member of the Resident Advisory Council and has received a copy of the PHA Plan.</p> <p><input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below)</p> <table border="1"> <thead> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																	
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<b>B.</b>	<p><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).</p>
<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>See the <b>Deconcentration Policy</b></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> <p><b>The PHA Five-Year Plan includes repositioning public housing program units under the RAD program. This is not a new activity in FY2023.</b></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><b>GOAL 1: Manage the Bay City Housing Commission's (PHA) existing housing programs in an efficient and effective manner.</b></p> <p>At the end of FY2022, the PHA reported it achieved an average physical occupancy of 99.3% with an average physical and leased occupancy of 100.2%. These figures yielded an economic occupancy of 98.3%. The PHA is on track to perform at the same levels in FY2022 on September 30, 2022.</p> <p><b>GOAL 2: Align the Bay City Housing Commission's housing inventory and program resources with housing needs in its primary housing market area.</b></p> <p>Predevelopment activity for the RAD multifamily development that was paused during the pandemic is resuming. The PHA has applied for ARPA funding to fund the demolition costs for the development and bridge a portion of the projected equity gap created by rising construction and other costs.</p> <p><b>GOAL 3: Support Equitable Tenant Selection, Admissions and Continued Occupancy Policies.</b></p> <p>As of August 12, 2022, the waiting list for our programs had 573 unique applications, up 196% from August 25, 2021. The wait list is purged periodically, therefore the wait list is a credible estimate of current housing needs. Assuring the tenant selection process is managed fairly and consistently is of utmost importance. All tenants are selected in accordance with the Tenant Selection Admissions Continued Occupancy Policy (TSACOP) or Tenant Selection Plan (TSP).</p>



	<p><b>GOAL 4: Assure effective and comprehensive governance.</b>  Our Board now includes the Director of Community Development for the City of Bay City. The addition of this individual to our already well-experienced and diverse Board provides us direct transparency and accountability to our most significant community partner. Our financial audit reports continue to show no findings, which is indicative of well managed organizations, attributable to our Board's governance and talented staff working at all levels of the organization.</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><b>See the Capital Fund 5 Year Action Plan in EPIC approved by HUD on 05/16/2022.</b></p>
<b>B.5</b>	<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>
<b>B.1</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  <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 type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Project-Based Assistance under RAD.  <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>
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<b>C</b>	<p><b>Other Document or Certification Requirements for Annual Plan Submissions.</b> Required in all submission years.</p>
<b>C.1</b>	<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  <input type="checkbox"/> <input checked="" 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>

C.2	<p><b>Certification by State or Local Officials.</b></p> <p>Form HUD 50077-SL, <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>			
C.3	<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 Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>			
C.4	<p><b>Challenged Elements.</b> 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.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N  <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>			
D.	<p><b>Affirmatively Furthering Fair Housing (AFFH).</b></p>			
D.1	<p><b>Affirmatively Furthering Fair Housing.</b></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> <p><i>See the attached Assessment of Fair Housing.</i></p> <table border="1"> <tr> <td> <p><b>Fair Housing Goal #1: Optimize Performance</b></p> <p>Strategy #1: The core strategy to address housing needs is to maintain the highest possible quality of the existing portfolio. The combined performance strategy of the affordable housing portfolios is to maintain a physical occupancy at 98.5% or better, with combined physical and leased occupancy levels exceeding 102%. Wait list management and effective property turnover management are key elements for achieving this goal. Staff training and ongoing support is also critical to achieving this goal.</p> </td></tr> <tr> <td> <p><b>Fair Housing Goal #2: Assure Fair Housing Policies Programs and Practices</b></p> <p>Strategy #2: The Application, Admissions and Continued Occupancy Plan (ACOP), or, in the case of our multifamily portfolio, the Tenant Selection Plan (TSP), provides the policies, practices and procedures that govern how applications for housing are processed and reviewed and tenancy is administered or terminated.</p> </td></tr> <tr> <td> <p><b>Fair Housing Goal #3: Address Community Housing Needs</b></p> <p>Strategy #3: The Bay City Housing Commission has acquired sites that it intends to develop and construct new multifamily apartments that will replace current subsidized affordable inventories from the public housing scattered site portfolio.</p> <p>When the replacement units are developed and current public housing program tenants transferred to the new development, the vacated units will be transferred to a BCHC subsidiary that will continue to operate the units as affordable housing, providing a net increase of income-restricted units in the community.</p> </td></tr> </table>	<p><b>Fair Housing Goal #1: Optimize Performance</b></p> <p>Strategy #1: The core strategy to address housing needs is to maintain the highest possible quality of the existing portfolio. The combined performance strategy of the affordable housing portfolios is to maintain a physical occupancy at 98.5% or better, with combined physical and leased occupancy levels exceeding 102%. Wait list management and effective property turnover management are key elements for achieving this goal. Staff training and ongoing support is also critical to achieving this goal.</p>	<p><b>Fair Housing Goal #2: Assure Fair Housing Policies Programs and Practices</b></p> <p>Strategy #2: The Application, Admissions and Continued Occupancy Plan (ACOP), or, in the case of our multifamily portfolio, the Tenant Selection Plan (TSP), provides the policies, practices and procedures that govern how applications for housing are processed and reviewed and tenancy is administered or terminated.</p>	<p><b>Fair Housing Goal #3: Address Community Housing Needs</b></p> <p>Strategy #3: The Bay City Housing Commission has acquired sites that it intends to develop and construct new multifamily apartments that will replace current subsidized affordable inventories from the public housing scattered site portfolio.</p> <p>When the replacement units are developed and current public housing program tenants transferred to the new development, the vacated units will be transferred to a BCHC subsidiary that will continue to operate the units as affordable housing, providing a net increase of income-restricted units in the community.</p>
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**Addenda to the FY2023 Annual PHA Plan 5075 SM (03/31/2024)**



BAY CITY HOUSING COMMISSION  
**DECONCENTRATION POLICY**  
**June 22, 2022**

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.

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<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.

## B.2 Capital Fund 5 Year Action Plan in EPIC approved by HUD

EPIC - U.S. Department of Housing and Urban Development

portalapps.hud.gov/app\_epic/fyap.do?cmd=dolnit

Sign in to Outlook Favorites

HUD.gov Help System

ME6098, Welcome back!

Home Core Activity/Energy Module Development of New Housing Activity Planning (CFP grant planning) EPC PMA User and Group Tools

5-Year Action Plan Annual Statement/Budget/P&E Document Management Additional Capital Resources

Selected PHA: Bay City Housing Commission Change

OMB CONTROL NUMBER: 2577-0274  
EXPIRATION DATE: 02/28/2022




































### 5YAP1 » 5-Year Action Plan Reporting

Help?

**Legend**

- This plan has been submitted and cannot be edited
- Create New
- Edit Plan
- Unsubmit Plan
- Delete
- Copy Forward
- View
- View PDF
- Export Report
- Comments

**Five Year Action Plan**

Plan	Type	Created Date	Last Modified	Report Year	Status	Submitted On	Approved By	Approved On	Actions	Reports
5-Year Action Plan for 2022-2028 (0/1)	Rolling	05/16/2022	07/11/2022	2022-2028	Approved	05/16/2022	GORDON, DOUG	07/11/2022	   	
5-Year Action Plan for 2021-2025 (0/1)	Rolling	03/16/2021	05/16/2022	2021-2025	Approved	03/17/2021	GORDON, DOUG	05/13/2021	   	
5-Year Action Plan for 2020-2024 (0/1)	Rolling	04/01/2020	03/16/2021	2020-2024	Approved	04/07/2020	GORDON, DOUG	07/21/2020	   	
5-Year Action Plan for 2019-2023	Rolling	06/05/2019	04/01/2020	2019-2023	Approved	06/05/2019	GORDON, DOUG	07/01/2019	   	
5-Year Action Plan for 2018-2022 Rev. 1 (0/1)	Rolling	11/14/2018	06/05/2019	2018-2022	Approved				   	
5-Year Action Plan for 2018-2022 (0/1)	Rolling	06/13/2018	11/14/2018	2018-2022	Approved				   	
5-Year Action Plan for 2017-2021 (0/1)	Rolling	06/13/2017	06/13/2018	2017-2021	Approved				   	

U.S. Department of Housing and Urban Development

Freedom of Information Act Privacy policy Web Policies

74°F 5:29 PM Thursday 8/11/2022

BAY CITY HOUSING COMMISSION (MI024)  
FY2023 ANNUAL PHA PLAN  
August 24, 2022

**C.1. 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. Two meetings were held in person and via zoom.

**FY2023 PUBLIC HOUSING PROGRAM  
REVIEW AND PUBLIC INPUT  
Tuesday, May 24, 2022 at 5:00 PM  
315 14<sup>th</sup> Street Bay City, MI 48708**

**FY2023 PUBLIC HOUSING PROGRAM  
REVIEW AND PUBLIC INPUT  
Tuesday, July 26 at 5:00 PM  
315 14<sup>th</sup> Street Bay City, MI 48708**

Comments:

**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, Dana L. Muscott, the City Manager  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan for fiscal years \_\_\_\_\_ and/or Annual PHA Plan for fiscal year 2023 of the Bay City Housing Commission 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 the only provider of Public Housing in Bay City and is an active partner in the provision and further development of affordable housing and neighborhood stabilization in Bay City. The PHA's Affirmative Fair Housing plan is consistent with Bay City's Analysis of Impediments to Fair Housing Study conducted in Oct. 2019. The PHA was an active partner in the planning, input and encouragement of public input on the AIP. The PHA

is consistently an active partner in Bay City's annual planning process.

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>Dana L. Muscott</b>	Title: <b>City Manager</b>
Signature: 	Date: <b>August 24, 2022</b>

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 10/1/2022 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\_\_\_\_

☒ Annual PHA Plan for Fiscal Year 2023

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:

Name of Board Chairman:

William G Phillips

8/11/2022

Ann Grady

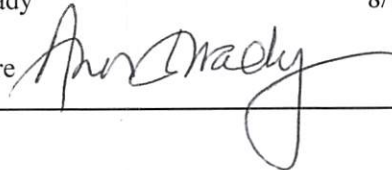
8/11/2022

Signature



Date

Signature



Date

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BAY CITY HOUSING COMMISSION (MI024)  
FY2023 ANNUAL PHA PLAN  
August 24, 2022

**C.4. Challenged Elements.**

No elements of the PHA Five-year Plan have changed.



BAY CITY HOUSING COMMISSION

**ASSESSMENT OF FAIR HOUSING (AFH)**

**August 18, 2022**

*The Department (HUD) believes that the principles embodied in the concept of “fair housing” are fundamental to healthy communities, and that communities must be encouraged and supported to include real, effective, fair housing strategies in their overall planning and development process, not only because it is the law, but because it is the right thing to do. The fundamental goal of HUD’s fair housing policy is to make housing choice a reality through Fair Housing Planning (FHP).<sup>1</sup> Devolution, “the transfer of power from a central government to local units,” will serve to empower our American cities for years to come. HUD is committed to lead in this effort. Perhaps nowhere in the Department’s mission is the prospect of devolution more challenging than in fair housing. Since 1968 the Department has been under an obligation to affirmatively further fair housing in the programs it administers. Its failures to do so have come most dramatically when that policy is not embraced or is actively resisted by local communities. There are those who do not believe that “devolution” is compatible with strong and effective fair housing enforcement.*

*The intent of fair housing planning is to help program participants determine whether policies, practices, programs, and activities restrict fair housing choice and access to opportunity, and, if so, assess what factors are contributing to these barriers, and then develop a plan for addressing these restrictions.*

In 2019, The City of Bay City commissioned a report titled Analysis of Impediments to Fair Housing in Bay City, Michigan, 2019<sup>2</sup>. The report was prepared by Patricia A. Baird Master of Public Administration University of Michigan Program Manager Fair Housing Center of Eastern Michigan Legal Services of Eastern Michigan.

It is our opinion that the Fair Housing Center completed the appropriate analysis. This report is the most recent document that identifies the state of Fair Housing in Bay City and forms the baseline data from which the Bay City Housing Commission views its own strategies and program priorities.

**Fair Housing Goals, Priorities and Strategies for the Bay City Housing Commission**

Vision Statement: We will do our absolute best to assure that each night, when we go home to our families, we have left no units vacant that could have housed a family in need.

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<sup>1</sup> [Fair Housing Planning Guide 508.pdf \(hud.gov\)](#)

<sup>2</sup> [Fair Housing Impediments Study in \(baycitymi.org\)](#)

1. **Goal #1: Optimize Performance** - Continue maintaining and operating its affordable housing portfolios to serve the ongoing need for income-based subsidized affordable housing in the service area.

**Strategy:** The core strategy to address housing needs is to maintain the highest possible quality of the existing portfolio. The combined performance strategy of the affordable housing portfolios is to maintain a physical occupancy at 99% or better, with combined physical and leased occupancy levels exceeding 102%. Wait list management and effective property turnover management are key elements for achieving this goal. Fair Housing training for staff and ongoing support is also critical to achieving this goal.

2. **Goal #2: Assure Fair Housing Policies Programs and Practices** - Assure that the policies, programs, and practices of the Bay City Housing Commission eliminate systemic barriers to access its affordable housing by any protected class of individual or family. Factors that often contribute to fair housing imbalance are segregation, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, disproportionate housing needs, and fair housing issues related to publicly supported housing, disability and access, and fair housing enforcement, outreach capacity, and resources.

**Strategy:** The Application, Admissions and Continued Occupancy Plan (ACOP), or, in the case of our multifamily portfolio, the Tenant Selection Plan (TSP), provides the policies, practices and procedures that govern how applications for housing are processed, reviewed and tenancy is administered or terminated. The Bay City Housing Commission has a history of administering its programs with little or no issue. The PHA has been diligent with its Fair Housing training support for all staff, assuring a high degree of sensitivity to the issues that contribute to inequity. The primary factor creating barriers to accessing housing affordable to all families in need are simply the number of available units in the service area.

3. **Goal #3: Address Community Housing Needs** - Whenever feasible, undertake efforts to develop additional affordable housing inventory in the primary market of Bay City, MI. that meets the identified need. Fair and equitable access to housing affordable to all families is a Fair Housing function. Balancing need against the community's inventory of safe and affordable housing is necessary to avoid predatory treatment and systemic barriers to a family's access to housing they can afford.

**Strategy:** The Bay City Housing Commission has acquired sites that it intends to develop new multifamily apartments that will replace part of its current public housing inventory. The units removed from the public housing portfolio will then be rehabilitated and re-lease as affordable housing. This strategy will add to the total inventory operated by The Bay City Housing Commission.