



COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO 1098536
I hereby certify that this instrument was filed
for record on the 1 day of Dec A.D.
19 99, at 8:26 o'clock a. m
and was duly recorded in book 1712,
page 713-723 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.

SANTA FE COUNTY

Resolution No. 1999-150

1712713

**A RESOLUTION APPROVING THE SANTA FE COUNTY HOUSING SERVICES
TENANT PAYMENT AND RENT DETERMINATION POLICY FOR SUBMITTAL
TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

WHEREAS, on October 21, 1998, President Clinton signed into law the Quality Housing and Work Responsibility Act of 1998 (QHWRA), and

WHEREAS, Section 523 of the QHWRA amends section 3(a) of the United States Housing Act of 1937 (USHA), and provides that each family can elect annually whether the rent payment is a flat rent or income based, and

WHEREAS, the rent and income based calculation will be based on the most current Section 8 Rent Reasonableness Survey allowed by the Department of Housing and Urban Development (HUD), and

WHEREAS, the Santa Fe County Housing Services has prepared and completed the Tenant Payment and Rent Determination Policy which is to be submitted to HUD.

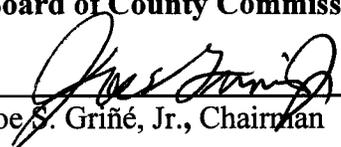
WHEREAS, the provisions to the Tenant Payment and Rent Determination Policy (Exhibit "A" attached hereto) will be incorporated as part of the Admissions and Continued Occupancy Policy of the PHA.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners approves the submittal of the Tenant Payment and Rent Determination Policy by the Santa Fe County Housing Services to the Department of Housing and Urban Development.

1712714

APPROVED, ADOPTED AND PASSED, this 30th day of November 1999.

Board of County Commissioners



Joe S. Grifé, Jr., Chairman





Rebecca Bustamante, County Clerk

Approved as to Form:



Denice Brown, County Attorney

SANTA FE COUNTY HOUSING SERVICES DIVISION
TENANT PAYMENT AND RENT DETERMINATION POLICY

FAMILY CHOICE

In accordance with the Quality Housing and Work Responsibility Act of 1998, (QHWRA), section 523, families will be given the opportunity to choose the method of rent determination when they are considered for admission or at their annual re-certification. The choices are "flat rent" determination or the "income based" rent determination. The Santa Fe County Housing Services will keep records documenting the choice of rent the family chooses.

FLAT RENT METHOD

The QHWRA requires flat rents to be set at "market rental value" that HUD interprets to be reasonable market value. An acceptable method for establishing the flat rents outlined by the Department of Housing & Urban Development (HUD) is to use the most recent Rent Reasonableness Survey for the Section 8 Program. Flat rents are intended as an incentive for residents to remain in public housing after they have attained a level of self-sufficiency. Retaining working families may provide positive role models for other residents. Flat rents will be reviewed on an annual basis to assure that they comply with the regulatory requirements. Families who choose the flat rent will have their income re-examined every three (3) years instead of annually. Families who choose the flat rent can request a re-calculation and return at any time to the income based method for any of the following reasons:

1. The family's income has decreased.
2. The family's expenses have increased due to medical care, child care, or
3. Circumstances for the family have changed creating a hardship and the formula method would be more financially beneficial.

THE INCOME BASED METHOD

The amount the family pays is equal to higher of:

- a. 10% of the family's monthly income
- b. 30% of the family's adjusted income
- c. Minimum rent set by the PHA (\$50.00)

The family will be required to pay the greater of the total tenant rent (a) (b) or the minimum rent (c) established by the Santa Fe County Housing Services Division Admissions and Continued Occupancy Policy (Section 4, No 34, Minimum Rent).

SANTA FE COUNTY HOUSING SERVICES DIVISION

FLAT RENTS

1712716

Effective October 1, 1999

(calculations from Section 8 Rent Reasonableness Survey, local
newspapers and real estate companies)

Santa Fe Area for Valle Vista and Camino de Jacobo Sites

<u>1 BEDROOM</u>	<u>2 BEDROOM</u>	<u>3 BEDROOM</u>	<u>4 BEDROOM</u>	<u>5 BEDROOM</u>
\$490.00	\$623.00	\$705.00	\$800.00	\$895.00

North of Santa Fe Area for Valle de Esperanza Site (Santa Cruz)

<u>1 BEDROOM</u>	<u>2 BEDROOM</u>	<u>3 BEDROOM</u>	<u>4 BEDROOM</u>	<u>5 BEDROOM</u>
\$435.00	\$518.00	\$675.00	\$750.00	\$845.00

SANTA FE COUNTY HOUSING
AUTHORITY

1712717

ADMISSIONS
AND
CONTINUED OCCUPANCY
POLICY

A.C.O.P.

Adopted: June 29, 1999
Amended: November 30, 1999

Note:

This plan (ACOP) also serves as our "Tenant Selection and Assignment Plan (TSAP)" because it meets the requirements for a TSAP and provides the details as to how this Agency processes the selection and assignment of applicants for Public Housing.

The ACOP also includes the regulatory "One-Strike" provisions for admission to Public Housing and applicable sections of Title V of H.R. 4194, the Quality Housing and Work Responsibility Act.

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EXHIBIT "A" TENANT PAYMENT AND RENT DETERMINATION POLICY

1712722

IMPORTANT NOTICE TO RESIDENTS EFFECTIVE OCTOBER 1, 1999

Changes to the Low Rent Public Housing Program Occupancy Policy
Tenant Payment and Rent Determination Policy
(This policy is available in the Housing Office Lobby for your review)

Family Choice of Rental Payment

In accordance with the Quality Housing and Work Responsibility Act of 1998 (QHWRA). This act requires Public Housing Agencies to implement a policy that gives families the opportunity to choose the method of rent determination when they apply for admission or when they prepare for their annual recertification.

There are two options that apply:

1) FLAT RENTS:

Flat rents for this PHA have been based on the most current Section 8 Rent Reasonableness Survey allowed by the Department of Housing and Urban Development (HUD). Flat rents are intended as an incentive for residents to remain in public housing after they have attained a level of self-sufficiency. This choice does not require rent adjustments for income increases annually, but provides for a review after three years. Families who choose the flat rent can ask to have a re-examination and can return at any time to the income based method for any of the following reasons:

1. The family's income has been reduced,
2. The family's expenses have increased due to medical care, or child care,
3. Circumstances for the family have changed creating a hardship and the formula method would be more financially beneficial

2) INCOME BASED RENTS

Income Based Rents must not exceed the higher of 30% of the families monthly adjusted income, 10% of the monthly income, or the minimum rent set by the Housing Authority.

If you have any questions regarding this Policy please feel free to call the Housing Authority Office at 424-2060

1712723

SANTA FE COUNTY HOUSING AUTHORITY
LOW RENT PUBLIC HOUSING PROGRAM

Certification on Family Choice of Rental Payment

This is to certify that I, _____, have been given the opportunity of choice of rent determination as defined by the Tenant Payment and Rent Determination Policy Adopted by Resolution # 1999 - _____ on November 30, 1999, by the Board of County Commissioners.

This is to certify that I, _____, have been informed that my rent is \$ _____ based upon my income.

The flat rent for this apartment is \$ _____.

_____ I elect the flat rent.

_____ I elect rent based on my income.

My monthly rent amount is \$ _____.

Head of Household

PHA Representative