

**CITY OF ANAHEIM**  
**MOBILE HOME TENANT BASED RENTAL ASSISTANCE PROGRAM**  
**GUIDELINES/OPERATING PROCEDURES**  
(October 2019)

**I. INTRODUCTION**

Utilizing HOME Investment Partnerships Program (HOME) funding, the City of Anaheim (City) has elected to assist certain eligible low income senior mobile home owners by establishing a Mobile Home Tenant Based Rental Assistance Program (TBRA) that follows all of the requirements set forth in the HOME Program under Section 24, Part 92, of the Code of Federal Regulations (24 CFR 92). The Program will enable the City to meet the needs of the Participating Tenant Households by providing monthly rental assistance for one year with a proposed one-year renewal (subject to funding availability).

**II. TENANT SELECTION POLICY**

**A. Eligible Participating Tenant Households** - For the purposes of participating in the City's TBRA Program, an eligible Senior Tenant Household must qualify as a low-income household and must meet local preference requirements.

For the purpose of this Program, the definition of a **low income household** is a Tenant Household that has an adjusted annual income that does not exceed eighty percent (80%) of the median income, adjusted for family size, established by U.S. Department of HUD for the City of Anaheim. (See Attached Income Limits).

The City has adopted the following local priorities:

1. Mobile Home Park senior residents (55 years or older) that are paying over 50% of their monthly income for space rent, first-come, first-served basis.
2. Mobile Home Park senior residents (55 years or older) that are paying over 30% of their monthly income for space rent, first-come, first-served basis

Applicants shall be selected based on Fair Housing priorities which prohibit discrimination based on age, race, creed, religion, sex, handicap, national origin or familial status.

**B. Determination of Participating Tenant Household Income** - Gross annual income, includes all payment from all sources, whether in cash or in-kind, that is anticipated to be received by all adult members of the Participating Tenant Household. The Gross Annual Income includes, but is not limited to:

1. Gross amount of wage, salary, overtime pay, commissions, fees, tips and bonuses
2. Net income from the operation of a business or profession
3. Interest and other income of any kind from real or personal property

4. Full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability/handicap or death benefits
  5. Payment in lieu of earnings such as unemployment, worker's compensation and severance pay.
  6. Social Security Assistance (SSA) and/or Social Security Disability Supplemental Income Assistance (SSI)
  7. Alimony, child support and other regular contributions
- B. Adjustment of gross monthly income - Monthly income shall equal one-twelfth of gross annual income, reduced by each \$400.00 per senior household member.

**III. ELIGIBLE HOUSING UNITS**

- A. Eligible Housing Units - Participating Tenant Households receiving Program assistance from the City of Anaheim must reside in an eligible Housing Unit. An eligible Housing Unit must:
1. Be inspected to demonstrate that the housing unit meets the Federally established Housing Quality Standards (HQS) as set forth in 24 CFR 982.401. If necessary, eligible households may apply for assistance (in the form of a loan or grant) through the City's Residential Rehabilitation Program, if repairs are necessary to pass an HQS inspection.
  2. Receive no other rent subsidies from Federal, State or local sources excluding any subsidies provided by the mobile home park owner.

Occupancy Standard - The eligible Housing Unit shall contain at least one bedroom or living/sleeping room of appropriate size. The following occupancy standard shall apply:

Unit Type	Number in Household
One-Bedroom Unit	1 to 3 Persons
Two-Bedroom Unit	3 to 5 Persons
Three-Bedroom Unit	5 to 7 Persons

**IV. ADVERTISING TO ELIGIBLE SENIOR HOUSEHOLDS RESIDING IN HOUSING UNITS LOCATED WITHIN THE CITY OF ANAHEIM**

The City shall advertise the Program by distributing flyers and/or offering workshops to senior mobile home tenants. Such senior Tenant Households must reside in one of the four senior mobile home parks located within the City of Anaheim:

**Casa Hermosa Mobile Home Park**  
525 N. Gilbert Ave

**Rancho La Paz**  
501 E. Orangethorpe Avenue

Anaheim, CA 92801

**Cherokee Mobile Garden**  
235 S. Beach Blvd,  
Anaheim, CA 92804

Anaheim, CA 92801

**Sunkist Gardens Mobile Home Park**  
1400 S. Sunkist  
Anaheim, CA 92806

## **LANDLORD REQUIREMENTS**

The lease agreement will include a lease addendum that will be executed in connection with the lease between the landlord and the eligible household.

- The addendum will include the terms of the rental assistance payments to be paid to the landlord on behalf of the eligible household, confirm the obligations of the landlord, confirm obligations of the eligible household regarding payment of rent, utilities and appliances, rules and regulations of tenancy and confirm the landlord's obligation to maintain the housing unit in accordance with HQS.
- The property owner will be required to provide the City or its Consultant with notice of a lease termination, prohibit discrimination by the landlord against the eligible household as well as lease provisions prohibited by the HOME Program.
- The City or its Consultant will review the rental agreement to confirm its compliance with state law and all HOME Program requirements.

IRS Form W-9 (Exhibit)

- Each landlord will be required to submit a completed IRS Form W-9 Request for Taxpayer Identification Number and Certification. The City or its Consultant will rely on this information when issuing a 1099 form to each payee as required by the IRS. A 1099 form must be issued annually to all participating landlord (payee).

## **MAXIMUM AMOUNT OF RENTAL SUBSIDY/TENANT HOUSEHOLD CONTRIBUTION**

- A.** Payment Standard - The City shall utilize the Payment Standard established by the Anaheim Housing Authority (AHA) for the Section 8 Housing Choice Voucher Program, which is published by AHA on a yearly basis. (See Attached Rent Subsidy Chart).
- B.** Total Tenant Household Payment - Participating Tenant Households shall pay 30% of their adjusted monthly income (as hereafter defined) for housing costs consisting of monthly space rent payment. If space rent is above the Payment Standard the household will pay 30 percent of its income toward housing plus the amount by which the unit's space rent exceeds the payment standard
- C.** Rent Reasonableness Review - City shall review the Participating Tenant Household's space lease agreement to verify the amount of space rent paid on a monthly basis, excluding utilities.

**V. LENGTH OF ASSISTANCE**

The City will provide rental assistance payments for up to twelve months (1 year) from the date of the execution of Rent Payment Contract with the possibility of renewal for a second one-year period following recertification of the Participating Tenant Household's income eligibility and Program qualification.

Rental Assistance Payments will be made by the City on a monthly basis directly to the Property Manager or the tenant based on the discretion of the Community and Economic Development Manager. Assistance may be terminated upon verification that the Participating Tenant Household:

- A. Is no longer income eligible (i.e. income exceeds fifty percent of area median income adjusted per family size), or
- B. Fails to complete the recertification process, or
- C. No longer resides in the eligible Housing Unit on a full-time basis.

In addition, rental assistance per this TBRA program could be terminated prior to annual renewal if the City no longer receives HOME funding. If HOME funding to the City is discontinued the TBRA program funding will be terminated on June 30th of the current program year.

**VI. RECERTIFICATION AND REINSPECTION**

Federal law requires that the City recertify the income of each assisted Participating Tenant Household annually. This recertification must be completed prior to the execution of a second year Rent Payment Contract. Failure on the part of the Participating Tenant Household to recertify its income eligibility will cause the termination of any further rental assistance. Should a Participating Tenant Household's income exceed eighty- percent (80%) of the area's median income, assistance will be terminated.

In addition, a reinspection will be conducted annually during the term to demonstrate that the housing unit continues to meet HQS. Any and all required repairs must be completed prior to the execution of a second year Rent Payment Contract.

**VII. RIGHT TO AN INFORMAL HEARING PROCEDURE**

Participating Tenant Households have the right to be heard by an impartial official, without prejudice. Program participants may appeal a proposed Program action that may have an adverse effect upon them by submitting a written Request for Hearing to the City of Anaheim, which includes the Participating Tenant Household's objection, name and relationship of all potential parties, list of documents to be presented, current address and telephone number. Appeals must be filed within seven (7) calendar days of notification of proposed Program action.

The informal hearing will be scheduled as soon as possible. The informal hearing shall be conducted in English. Notice of Informal Hearing will be issued at least ten days prior to the Hearing appointment. The Participating Tenant Household may bring legal counsel and/or a translator at their expense. Participating Tenant Household may bring person(s) to testify and/or documents at their expense. Participating Tenant Households may review pertinent file documentation as along as such documentation does not infringe on any other party's rights.

Within ten business days of the Informal Hearing, the official's decision will be mailed.

## **VIII. PROGRAM PROCEDURES**

1. The City or its Consultant receives the application.
2. City staff reviews tenant lease agreement. The lease must be signed by the tenant and landlord which outlines the prohibited lease terms and other basic leasing requirements.
3. Annual gross income is verified and adjusted monthly income is calculated to determine the Total Tenant Payment.
4. Application approved by City staff.
5. Unit inspection.
6. Preparation and execution of the Rental Assistance Contract between the City and the Participating Tenant Household.
7. City sets up project on HUD IDIS.
8. City will make monthly payments to the Property Manager or tenant on a reoccurring basis based on the discretion of the Community and Economic Development Manager. City shall drawdown Federal funds to reimburse City for such costs.
9. Forty-five days prior to the termination of the Rent Payment Contract, the Participating Tenant Household shall submit monthly income information. City or its Consultant shall review documentation for re-certification.
10. The City and the Participating Tenant Household shall execute an additional One-Year Rent Payment contract if applicable.

## **DEFINITIONS**

### **Fair Market Rent (FMR)**

The Fair Market Rent (FMR) is a rent standard that is established and published by the U.S. Department of HUD for individual jurisdictions based upon the rent for standard units within that jurisdiction.

### **Housing Unit Characteristics**

The Housing Unit Characteristics are certain minimum housing quality standards that meet local building codes as well as established Federal Section 8 Program minimum housing quality standards.

### **Initial Income Verification**

Initial Income Verification determines if program applicants are income-eligible by reviewing original source documents.

### **Income eligibility**

Income eligibility is based on anticipated GROSS ANNUAL income from all sources as follows:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
2. The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation or assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the Family;
3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as a deduction in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Household has Net Household Assets in excess of \$5,000, annual Income shall include the greater of the actual income derived from all Net Household Assets or a percentage of the value of such Assets based on the current passbook savings rate, as determined by HUD;
4. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum payment for the delayed start of a periodic payment;
5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see paragraph (c)(3) of this section);
6. Welfare Assistance. If the Welfare Assistance payment includes an amount specifically designed for shelter and utilities that is subject to adjustment by the Welfare Assistance agency in accordance with the actual cost of shelter and utilities, the amount of Welfare Assistance income to be included as income shall consist of:
  - (i) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities, plus
  - (ii) The maximum amount that the Welfare Assistance agency could in fact allow the Household for shelter and utilities. If the Household's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph (b)(6)(ii) shall be the amount resulting from one application of the percentage;
7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;
8. All regular pay, special pay and allowances of a member of the Armed Forces (but see paragraph (c)(7) of this section); and
9. Any earned income tax credit to the extent it exceeds income tax liability.

GROSS ANNUAL income does not include the following:

1. Income from employment of children (including foster children) under the age of 18 years;
2. Payments received for the care of foster children;
3. Lump-sum additions to Household assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (but see paragraph (b)(5) of this section);
4. Amounts received by the Household that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
5. Income of a live-in aide, as defined in 24 CFR 813.102;
6. Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the Government to a veteran, for use in meeting the costs of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student. Any amount of such scholarship or payment to a veteran not used for the above purposes that is available for subsistence is to be included in income;
7. The special pay to a Household member serving in the Armed Forces who is exposed to hostile fire;
8.
  - (i) Amounts received under training programs funded by HUD
  - (ii) Amounts received by a Disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS); or
  - (iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child-care, etc.) and which are made solely to allow participation in a specific program;
9. Temporary, nonrecurring or sporadic income (including gifts);
10. For all initial determinations and reexaminations of income carried out on or after April 23, 1993, reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era; or
11. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category or assistance programs that includes assistance under the United States Housing Act of 1937.

### **Lease**

The lease must be a written document and have a term of at least one year.

### **Maximum TBRA Payment**

The maximum TBRA payment is the difference between 30% of the Participating Tenant Household's adjusted monthly income and the rent limit (payment standard) established by the City.

### **Program Participant Selection**

Participant selection occurs upon the receipt of a complete application package from a tenant household that is processed on a first-come, first-serve basis.

### **Payment Standard**

The Program shall utilize the Payment Standard established by the Anaheim Housing Authority (AHA) for the Section 8 Housing Choice Voucher Program, which is published by AHA on a yearly basis. (See Attached Rent Subsidy Chart). If space rent is above the FMR household will pay 30 percent of its income toward housing plus the amount by which the unit's space rent exceeds the payment standard.

### **Tenant Based Rental Assistance (TBRA)**

Tenant based rental assistance is a rental subsidy program provided by the City to help individual households afford housing costs.

### **Total Tenant Payment**

The total tenant payment is the share of the amount of monthly rent to be paid by the Participating Tenant Household.

## CURRENT INCOME GUIDELINES

Based on HUD Guidelines published April 24, 2019

<b>FAMILY SIZE</b>	<b>VERY LOW (30% OF MEDIAN)</b>	<b>LOW (50% OF MEDIAN)</b>
1	\$24,950	\$41,550
2	\$28,500	\$47,500
3	\$32,050	\$53,450
4	\$35,600	\$59,350
5	\$38,450	\$64,100
6	\$41,300	\$68,850
7	\$44,150	\$73,600
8	\$47,000	\$78,350

**FAIR MARKET RENTS**  
**FY 2019**  
**Santa Ana-Anaheim-Irvine, CA HUD Metro FMR Area**  
**FMRs for All Bedroom Sizes**

2019 FMRs Per Unit Based on Number of Bedrooms			
<u>One-Bedroom</u>	<u>Two-Bedroom</u>	<u>Three-Bedroom</u>	<u>Four-Bedroom</u>
\$1,526	\$1,885	\$2,643	\$3,052

Fair Market Rents (FMRs) are published by HUD to be used by the Orange County Housing Authority (OCHA) for administration of the Housing Choice Voucher Program effective October 1, 2018.