

U.S Department of Housing and Urban Development  
**Public Housing and HCV NEWSLETTER**

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FEATURED SPOTLIGHT

*The Cheryll Edwards story is submitted by Kathryn Kato, Family Self-Sufficiency Specialist of the Kaua'i County Housing Agency.*

"Never in my life did I ever imagine I could own a home in Hawaii," relates a teary Cheryll Edwards. "I left Kaua'i, married, and was living on the mainland when my husband left me and my son."

Cheryll returned to Kaua'i and resided with her mother while looking for work and a place to rent. She found a place of her own and started providing day care for children. Cheryll realized that everything she earned was going for rent.

"Reluctantly, I decided I needed to apply for assistance from welfare while I come up with a plan; thinking if I can just get some help to get on my feet. I was referred to the HUD programs for rental assistance."

After her selection from the Kaua'i County Housing Agency waitlist, Cheryll attended a "briefing" where she heard about the Family Self-Sufficiency Program (FSS).

"I remember thinking 'this is a great concept', but I couldn't imagine it being my reality. With all this help, I still wasn't able to save any money."

Cheryll signed up for FSS, took a full time job with a day care center as a Teacher's Aide, and enrolled at Kaua'i Community College in the Early Childhood Education Program.

"I was encouraged by the FSS staff; my earned income increased and I began having money deposited in my escrow account equal to the increase in my portion of the rent. FSS helped me to set goals, allowed me to work at my own pace, and provided guidance and resources. Soon, I could see a little nest egg building in my escrow account."

"Two years after I enrolled in the FSS Program, the Kaua'i County Housing Agency began administering the first Section 8 Homeownership Program in the state. We talked about how with my escrow account and the Section 8 Homeownership Program, homeownership could be a reality for me. I began working on budgeting and reducing my debt."



Cheryll was advised to sign up for the homeownership classes with the Hawaii Homeownership Center and everyone went to work looking for resources that might help her to purchase.

"It wasn't easy. I was told 'no' five times before all the pieces finally came together. I had my escrow account through the FSS Program, Home \$tart matching grant money, the Section 8 Homeownership Voucher, a GAP Loan through the Kaua'i County Housing Agency, and a USDA loan. Kaua'i County Housing worked with D.R. Horton-Schuler to build the affordable units. "

When Cheryll graduated from the FSS Program in February 2007, she had accumulated a little over \$20,000 in escrow money to use towards her down payment. In August 2007, escrow closed and Cheryll became the owner of a new home.

"Everyone had pieces of the puzzle that they brought to the table to complete the picture and make my dream come true. I was finally able to purchase a 3-bedroom unit at Ho'okena Pui. It fits all my needs; size, location,... everything."

When asked what advice to give to others wanting to purchase Cheryll responded, "if you are motivated, willing to do the work, and persistent, home ownership is possible."

Cheryll graduated from Kaua'i Community College on May 13, 2005 with an Associate of Science Degree in Early Childhood Education. She received a Certificate of Achievement in Early Childhood Education with Honors and won the Edward T. White Foundation Award for Academic Excellence. Cheryll began working for Head Start as Head Teacher shortly after graduation in August of 2005. Since 2006 Cheryll has worked as a program coordinator with the YWCA Domestic Violence Program and Shelter for Women and Children.

*Is there someone you know who should be acknowledged in our Featured Spotlight? Send your spotlight to [marie.miguel-cortez@hud.gov](mailto:marie.miguel-cortez@hud.gov). The Honolulu Office of Public Housing of the US Department of Housing and Urban Development welcomes the opportunity to acknowledge the accomplishments of staff members, residents, tenants and management partners.*

## PUBLIC HOUSING NEWS

### Analyzing a Reasonable Accommodation Request

Persons with disabilities face numerous obstacles to securing housing, ranging from architectural barriers to economics and personal history. Fair housing laws recognize these barriers and include important mandates to expand their housing choices and opportunities.

Applicants as well as current tenants may make requests for accommodation based upon their special needs. In analyzing a request for reasonable accommodation, experts agree that a person with (a) disability(ies) has an obligation to demonstrate four elements to justify their request.

1. A person is disabled by having a significant impairment of a major life activity. Examples of major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, or others. State fair housing laws also have reasonable accommodation provisions, and these do not always require the impairment to be "substantial" in nature.
2. The request is specific, written or oral, for an exception to a standard policy, practice or procedure of the PHA. The request must state in some detail what the accommodation is. For example, if a person with sight limitations in low light situations were to ask a PHA to "improve safety in the complex", this request would be too vague to permit an appropriate response by the PHA. In contrast, a more appropriate request would be to "replace low-wattage bulbs along the exterior route from parking lot to the person's door with higher wattage bulbs, to permit safer passage in low light level areas."
3. There is a connection, or nexus, between the impairment and the accommodation being requested. A PHA should analyze the link between the impairment and the accommodation. If the link is unclear the PHA should ask for clarification from the person making the request.
4. The PHA has either denied the request, or has indefinitely delayed or otherwise refused to respond to it. It is good practice for the PHA to acknowledge receipt of an accommodation request, and to give the person making the request some idea when a decision will be made on the request. Delaying a response may be considered a denial.

Concerns relating to reasonable accommodation should be directed to your Housing organization's compliance policy and staff.

### Exigent Health & Safety (EHS) Deficiencies Descriptions

An EHS deficiency is a defect in a component of property that could be a threat to the life, health and safety of the residents. An EHS deficiency is found in the five areas of property during conduct of a Uniform Physical Condition Standards (UPCS) inspection.

Property Development	Inspection Check	Deficiency
1. Site	Air Quality Electrical Hazards	1. Propane/Natural Gas/Methane Gas is detected. 1. Exposed Wires/Open Panels. 2. Water Leaks on/near electrical equipment.
2. Building Exteriors	Electrical Hazards  Emergency/Fire Exits Fire Escapes	1. Exposed Wires/Open Panels. 2. Water Leaks on/near electrical equipment. Emergency/Fire Exits are blocked or unusable. Blocked Egress/Ladders.
3. Building Systems	Air Quality  Domestic Hot Water  Electrical Systems Electrical Hazards  Emergency Fire Exits Fire Protection Smoke Detectors HVAC	1. Propane/Natural Gas/Methane Gas is detected. 2. Sewer Odor is detected. 1. Carbon Monoxide Hazard 2. Misaligned Chimney/Ventilation System Inoperable. 1. Missing Breakers/Fuses/Cover Plates 1. Exposed Wires/Open Panels. 2. Water Leaks on/near electrical equipment. Emergency/Fire Exits are blocked or unusable. Missing/Damaged/Expired Fire Extinguishers. Missing/inoperable Smoke Detectors. 1. Misaligned Chimney/Ventilation System inoperable 2. Carbon Monoxide Hazard
4. Common Areas	Air Quality  Electrical Systems Electrical Hazards  Emergency Fire Exits HVAC  Outlets/Switches/Cover Plates Smoke Detectors Windows Elevators	1. Propane/Natural Gas/Methane Gas is detected. 2. Sewer Odor is detected Missing Breakers/Fuses. Missing Covers. 1. Exposed Wires/Open Panels. 2. Water Leaks on/near electrical equipment Emergency/Fire Exits are blocked or unusable. 1. Misaligned Chimney. 2. Ventilation System Inoperable Missing/Broken Cover Plates. Missing/Inoperable Security bars preventing egress. Inspector Certificate expired.
5. Units	Air Quality  Electrical Hazards  Electrical Systems Emergency Fire Exits Hot Water Heater  HVAC  Outlets/Switches Smoke Detectors Windows Infestation	1. Exposed Wires/Open Panels. 2. Water Leaks on/near electrical equipment 1. Exposed Wires/Open Panels. 2. Water Leaks on/near electrical equipment Missing Breakers/Fuses. Missing Covers. Emergency/Fire Exits are blocked or unusable. 1. Misaligned Chimney. 2. Ventilation System Inoperable 1. Misaligned Chimney. 2. Ventilation System Inoperable Missing/Broken Cover Plates. Missing/Inoperable Security Bars Prevent Egress. Rats/Mice/Insects

The UPCS inspection is conducted by the Real Estate Assessment Center (REAC) Inspectors in accordance with the Public Housing Assessment System (PHAS) regulation at 24 CFR 902 and REAC policies in compliance with UPCS at HUD regulation at 24 CFR Part 5, Subpart G.

The annual inspection ensures that Housing Authorities development stock is in safe, sanitary and good repair free of health and safety hazards.

**Measures to reduce EH&S Deficiencies and Improve PASS**

EH&S deficiencies must be corrected or abated within 24 hours of receipt of notice.

The high penalty resulting from EH&S deficiencies will adversely impact Physical Inspection Assessment Subsystem (PASS) under the Public Housing Assessment Program (PHAS).

Prevailing deficiencies with high penalty are found in the units. These are:

1. Missing/inoperable smoke detectors
2. Blocked safety egress from the units.

Here are a few simple techniques to easily improve PASS Scores by aiding residents to establish a routine approach for ensuring their units are in compliance.

1. Property managers should look for opportunities to properly educate through increasing resident awareness of their own safety. Varying repeated reminders to refrain from removing batteries from smoke detectors and from using furniture to block egress through an emergency fire exit will increase resident awareness.
2. Spot checking and on the spot correcting lay the foundation for preventive maintenance in contrast with high penalty, high cost and high stress corrective measures.
3. As REAC penalizes the PHA for deficiencies in terms of their PASS scores, initially and if necessary, noncompliant residents should be penalized. Creative penalizing solutions can increase resident awareness and build capacity to ensure their own units are in compliance.

Contact William (Bill) Sabalbuero at [William.Sabalbuero@hud.gov](mailto:William.Sabalbuero@hud.gov) (808 522-8175 ext 238) with questions regarding EH&S deficiency correction, mitigation, and certification.

## SECTION 8 VOUCHER NEWS

### HOMEOWNERSHIP REPORT

From CY 04 through CY07 there were 19 closings amongst 7 Hawaii PHAs:

PHA	CY04/07	CY08	Totals
Hawaii Public Housing Authority (HPHA)	2	0	2
Guam Housing and Urban Renewal Authority (GHURA)	0	0	0
Northern Marianas Housing Corporation (NMHC)	0	0	0
City & County of Honolulu	12	2	14
Hawaii County	1	1	2
Maui County	0	0	0
Kaua'i County	4	2	6

Contact Jun Chung at [jun.chung@hud.gov](mailto:jun.chung@hud.gov) (808-522-8175 x260) with questions relating to Homeownership Programs.

### Over Subsidization in the Housing Choice Voucher Program

The Office of Inspector General (OIG) issued a report on over subsidization in the HCV program due to the issuance of vouchers with unit sizes greater than the number of family members (see Notice PIH-2008-20 (HA)). One area of concern is the bedroom size for a person requesting a live-in aide.

The primary reason public housing agencies (PHA) issued vouchers with more bedrooms as recorded on line 12a of the Family Report (form HUD-50058) than the number of family members recorded on line 3t was related to live-in aides. Although a health care provider must document the need for a live-in aide (which would result in the issuance of an additional bedroom size voucher), the live-in aide must be identified by the family and approved by the PHA first.

The definition of a live-in aide is recorded in 24 CFR Section 5.403 which states that a live-in aide is a person who resides with one or more elderly persons, near-elderly persons or persons with disabilities and who is:

- (1) determined to be essential to the care and well-being of the persons;
- (2) is not obligated for the support of the persons; and
- (3) would not be living in the unit except to provide the necessary supportive services.

It should be noted that the definition applies to a specific person. In accordance with this definition, a live-in aide is not a member of the assisted family and is not entitled to the HCV as the remaining member of the tenant family.

In accordance with 24 CFR Section 982.316, the PHA must approve the person identified as the live-in aide. The PHA may disapprove such a person if s/he has:

- (1) committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
- (2) committed drug-related criminal activity or violent criminal activity; or
- (3) currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

Additionally, under 24 CFR Section 982.402(a), the PHA must establish subsidy standards to determine the number of bedrooms needed for families of different sizes and compositions. Consequently, PHAs may not approve an unidentified live-in aide, nor a larger unit than the family qualifies for under the PHA's subsidy standards for an unidentified live-in aide.

The guidance outlined in Notice PIH 2008-20 is in accordance with these regulatory provisions. Occasional, intermittent, multiple or rotating care givers do not meet the definition of a live-in-aide since 24 CFR Section 982.402(7) implies live-in-aides must reside with a family permanently for the family unit size to be adjusted in accordance with the subsidy standards established by the PHA. Therefore, regardless of whether these caregivers spend the night, an additional bedroom should not be approved. See Notice PIH 2008-20 for more details.

Contact Mei Tong at [Mei.Tong@hud.gov](mailto:Mei.Tong@hud.gov) (808-522-8175 x230) with questions regarding over subsidization.

## HUDCLIPS

The latest Notices for the Public Housing and HCV programs can be found at

<http://www.hud.gov/offices/pih/publications/notices>

and, are also available through HUDClips at

<http://www.hud.gov/offices/adm/hudclips/notices/pih/>.

The HUDCLIPS website provides direct access to HUD forms, notices, handbooks, regulations and other information about the HUD programs. HUDClips is located at

<http://www.hud.gov/offices/adm/hudclips>

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## LET US KNOW WHAT YOU THINK!

THE HONOLULU OFFICE OF PUBLIC HOUSING HAS STARTED THIS QUARTERLY NEWSLETTER AS ONE WAY TO PROVIDE A DIGEST OF INFORMATION TO KEEP YOU UP TO DATE WITH CHANGES IN THE HUD PUBLIC HOUSING AND HOUSING CHOICE VOUCHER PROGRAMS. WE INVITE YOUR COMMENTS AND SUGGESTIONS ON HOW WE CAN MAKE THIS NEWSLETTER BENEFICIAL TO YOU: PROVIDE YOUR FEEDBACK TO MARIE MIGUEL-CORTEZ AT [marie.miguel-cortez@hud.gov](mailto:marie.miguel-cortez@hud.gov) .

PROPERTY MANAGERS, PUBLIC HOUSING STAFF AND PARTNERS ARE WELCOME TO REQUEST OUR NEWSLETTERS. IF YOU WOULD LIKE TO BE PLACED ON OUR DISTRIBUTION LIST, SEND YOUR REQUEST TO [marie.miguel-cortez@hud.gov](mailto:marie.miguel-cortez@hud.gov)