

**EXPANDED AGENDA**

July 13, 2022

YouTube Link: <https://youtu.be/FPA57Ed2XMk>

**In order to continue to implement recommended social distancing guidelines, HOC will conduct its July 13, 2022 monthly meeting through a hybrid model. HOC's Board of Commissioners and certain staff will participate in-person. The public will continue to participate via an online platform and teleconference call until further notice.**

		Res #
3:00 p.m.	<p><b><u>Public Hearing</u></b></p> <ul style="list-style-type: none"> <li>• <b>Housing Choice Voucher:</b> Authorization to Revise Administrative Plan for the Housing Choice Voucher Program to add Clarity to Chapters 4, 7, 8, and 21 <a href="https://youtu.be/oDO4A0sm-el">https://youtu.be/oDO4A0sm-el</a></li> </ul>	
4:00 p.m. Page 5	<p><b>I. <u>CONSENT</u></b></p> <p>A. Approval of 2022 Tony S. Davis Memorial Scholarship Award Winners</p>	22-55 (pg. 8)
4:05 p.m.  Page 10	<p><b>II. <u>INFORMATION EXCHANGE</u></b></p> <p>A. Tony Davis Award Scholarship Winners B. Community Forum C. Introductory Remarks, Executive Director D. Report of the Deputy Executive Director E. Commissioner Exchange</p>	
4:40 p.m. Page 23	<p><b>III. <u>APPROVAL OF MINUTES</u></b></p> <p>A. Approval of Minutes of June 8, 2022</p>	
4:50 p.m.	<p><b>IV. <u>COMMITTEE REPORTS and RECOMMENDATIONS FOR ACTION</u></b></p>	
Page 49	<p><b>A. Administrative and Regulatory Committee</b></p> <p>1. <b>Administrative Plan Amendment:</b> Authorization to Revise Administrative Plan for the Housing Choice Voucher Program to add clarity to Chapters 4, 7, 8, and 21</p>	22-56 (pg. 53)
Page 128  5:10 p.m. Page 133	<p><b>B. Budget, Finance and Audit Committee – Com. Nelson, Chair</b></p> <p>1. <b>IT System Procurement:</b> Approval to Amend and Restate Resolution No. 02-113 to Provide for Administrative Extensions and Renewals to the Yardi Financial and Property Management System in Accordance with Section 16.2 of the Procurement Policy</p> <p>2. <b>Additional Audit Services:</b> Request for Additional Services under the Professional Auditing Services Contract (for GASB 87)</p>	22-57 (pg. 132)  22-58 (pg. 138)
5:20 p.m. Page 140  5:30 p.m. Page 146	<p><b>C. Development and Finance Committee – Com. Simon, Chair</b></p> <p>1. <b>Single Family Lending:</b> Approval of New Participating Lender for Single Family Mortgage Purchase Program</p> <p>2. <b>HOC at Wheaton Gateway, LLC – Wheaton Gateway:</b> Approval and Selection of an Architect, Civil Engineer, and</p>	22-59 (pg. 145)  22-60 <sup>A</sup> (pg. 177) 22-60 <sup>B</sup> (pg. 180)

5:40 p.m. Page 181	Approval of an Amended Predevelopment Budget and Funding  3. <b>Elizabeth House III, LP – EH-III:</b> Selection of a Property Name in Accordance with HOC’s Naming Guidelines	22-61 (pg. 190)
5:50 p.m.	<b><u>ADJOURN</u></b>	
	<b><u>DEVELOPMENT CORPORATION MEETINGS</u></b>	
6:00 p.m. Page 194	<b><u>Alexander House Development Corporation</u></b> • Approval of Minutes of June 8, 2022 Annual Meeting	
6:02 p.m.	<b><u>ADJOURN</u></b>	
6:04 p.m. Page 200	<b><u>Barclay Apartments Development Corporation</u></b> • Approval of Minutes of June 8, 2022 Annual Meeting	
6:06 p.m.	<b><u>ADJOURN</u></b>	
6:08 p.m. Page 205	<b><u>Brookside Glen Development Corporation</u></b> • Approval of Minutes of June 8, 2022 Annual Meeting	
6:10 p.m.	<b><u>ADJOURN</u></b>	
6:12 p.m. Page 211	<b><u>Diamond Square Development Corporation</u></b> • Approval of Minutes of June 8, 2022 Annual Meeting	
6:14 p.m.	<b><u>ADJOURN</u></b>	
6:16 p.m. Page 217	<b><u>Glenmont Crossing Development Corporation</u></b> • Approval of Minutes of June 8, 2022 Annual Meeting	
6:18 p.m.	<b><u>ADJOURN</u></b>	
6:20 p.m. Page 222	<b><u>Glenmont Westerly Development Corporation</u></b> • Approval of Minutes of June 8, 2022 Annual Meeting	
6:22 p.m.	<b><u>ADJOURN</u></b>	
6:24 p.m. Page 228	<b><u>Magruder’s Discovery Development Corporation</u></b> • Approval of Minutes of the June 8, 2022 Annual Meeting	
6:26 p.m.	<b><u>ADJOURN</u></b>	
6:28 p.m. Page 234	<b><u>The Metropolitan Development Corporation</u></b> • Approval of Minutes of the June 8, 2022 Annual Meeting	
6:30 p.m.	<b><u>ADJOURN</u></b>	
6:32 p.m. Page 239	<b><u>Montgomery Arms Development Corporation</u></b> • Approval of Minutes of the June 8, 2022 Annual Meeting	
6:34 p.m.	<b><u>ADJOURN</u></b>	
6:36 p.m. Page 244	<b><u>Paddington Square Development Corporation</u></b> • Approval of Minutes of the June 8, 2022 Annual Meeting	
6:38 p.m.	<b><u>ADJOURN</u></b>	
6:40 p.m. Page 249	<b><u>Pooks Hill Development Corporation</u></b> • Approval of Minutes of the June 8, 2022 Annual Meeting	
6:42 p.m.	<b><u>ADJOURN</u></b>	
6:44 p.m. Page 254	<b><u>RAD 6 Development Corporation</u></b> • Approval of Minutes of the June 8, 2022 Annual Meeting	
6:46 p.m.	<b><u>ADJOURN</u></b>	
6:48 p.m. Page 259	<b><u>Scattered Site One Development Corporation</u></b> • Approval of Minutes of the June 8, 2022 Annual Meeting	

6:50 p.m.	<b><u>ADJOURN</u></b>		
6:52 p.m. Page 264	<b><u>Scattered Site Two Development Corporation</u></b> <ul style="list-style-type: none"> <li>Approval of Minutes of the June 8, 2022 Annual Meeting</li> </ul>		
6:56 p.m.	<b><u>ADJOURN</u></b>		
6:58 p.m. Page 269	<b><u>Sligo Hills Development Corporation</u></b> <ul style="list-style-type: none"> <li>Approval of Minutes of the June 8, 2022 Annual Meeting</li> </ul>		
7:00 p.m.	<b><u>ADJOURN</u></b>		
7:02 p.m. Page 274	<b><u>TPM Development Corporation</u></b> <ul style="list-style-type: none"> <li>Approval of Minutes of the June 8, 2022 Annual Meeting</li> </ul>		
7:04 p.m.	<b><u>ADJOURN</u></b>		
7:06 p.m. Page 279	<b><u>VPC One Corporation</u></b> <ul style="list-style-type: none"> <li>Approval of Minutes of the June 8, 2022 Annual Meeting</li> </ul>		
7:08 p.m.	<b><u>ADJOURN</u></b>		
7:10 p.m. Page 284	<b><u>VPC Two Corporation</u></b> <ul style="list-style-type: none"> <li>Approval of Minutes of the June 8, 2022 Annual Meeting</li> </ul>		
7:12 p.m.	<b><u>ADJOURN</u></b>		
7:14 p.m. Page 289	<b><u>Wheaton Metro Development Corporation</u></b> <ul style="list-style-type: none"> <li>Approval of Minutes of the June 8, 2022 Annual Meeting</li> </ul>		
7:16 p.m.	<b><u>ADJOURN</u></b>		
7:18 p.m. Page 295	<b><u>The Oaks at Four Corners Development Corporation</u></b> <ul style="list-style-type: none"> <li>Approval of Minutes of the June 8, 2022 Annual Meeting</li> </ul>		
7:20 p.m.	<b><u>ADJOURN</u></b>		

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NOTES:

1. This Agenda is subject to change without notice.
2. Public participation is permitted on Agenda items in the same manner as if the Commission was holding a legislative-type Public Hearing.
3. *Times are approximate and may vary depending on length of discussion.*
4. \*These items are listed "For Future Action" to give advance notice of coming Agenda topics and not for action at this meeting.
5. Commission briefing materials are available in the Commission offices the Monday prior to a Wednesday meeting.

If you require any aids or services to fully participate in this meeting, please call (240) 627-9425 or email [commissioners@hocmc.org](mailto:commissioners@hocmc.org).

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# Consent

## **APPROVAL OF 2022 TONY S. DAVIS MEMORIAL SCHOLARSHIP AWARD WINNERS**

**July 13, 2022**

- Tony S. Davis Memorial Scholarship applications were accepted from March 1, 2022 - May 31, 2022. The scholarship review panel has reviewed applicants' submissions and evaluated each candidate on academic merit, innovation, personal drive, and involvement in extracurricular activities. All candidates reside in developments, which are owned by the HOC and/or receive assistance through one of its housing programs.
- Nine applications were received and the review panel now proposes the award of two Tony S. Davis Memorial Scholarships and an award of \$5,000 each, one runner-up scholarship for a monetary value of \$2,000, and three second-runner-up scholarships for a monetary award of \$1,000. All awardees demonstrate high academic achievements, with significant contributions to school and community, received exceptional references; and confirmed acceptance to four-year colleges.
- Commission approval is requested for the following 2022 Tony S. Davis Memorial Scholarship awards: two first place scholarships of \$5,000 to Nazouria Nelson and Jeanne Lubiki; one runner-up scholarship of \$2,000 to Samuel Ebobisse; and three second-runner-up scholarships of \$1,000 each to Antwone Morris, Caleb McBride and Alex Sarmiento.

**MEMORANDUM**

**TO:** Housing Opportunities Commission of Montgomery County

**VIA:** Kayrine Brown, Deputy Executive Director

**FROM:** Staff: Fred Swan      Division: Resident Services      Ext. 9732

**RE:** Approval of 2022 Tony S. Davis Memorial Scholarship Award Winners

**DATE:** July 13, 2022

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**STATUS:** Consent  Deliberation  Status Report  Future Action

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**OVERALL OBJECTIVE:**

To approve the 2022 Tony S. Davis Memorial Scholarship recipients and four runner-up scholarships to enterprising high school seniors who reside in HOC owned housing developments and/or receive rental assistance.

**BACKGROUND:**

HOC established the Tony S. Davis Scholarship Award to honor the memory of Tony S. Davis, a dedicated HOC employee who was tragically killed in year 2000. Mr. Davis was well known and recognized for his extensive volunteer work in the Seneca Ridge community (formerly Middlebrook Square) as a coach and counselor to many children. The scholarships provide high school seniors who demonstrate excellent academic achievement, active participation in extracurricular activities, and have contributed to their communities through volunteer work. Candidates were required to submit two one-page essays, high school transcripts, list of extracurricular/volunteer activities, references, and a letter of acceptance to a college or university.

The scholarship review panel received and reviewed nine (9) scholarship applications and have presented two (2) qualified applicants for the Tony S. Davis Memorial Scholarships and four candidates for other runner-up recognition.

Nazouria Nelson and Jeanne Lubiki are each recommended to receive \$5,000 Tony S. Davis Scholarships. Samuel Ebobisse is recommended for a runner-up scholarship award of \$2,000, and Antwone Morris, Caleb McBride and Alex Sarmento are each recommended for second-runner-up scholarships of \$1,000.

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**ISSUES:**

Does the Commission wish to approve the award of two \$5,000 Tony Davis Scholarships, one runner-up scholarship award of \$2,000, and three second-runner-up scholarship awards of \$1,000?

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**BUDGET IMPACT:**

The FY23 Agency budget allocates \$15,000 for the Scholarship Awards Program.

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**TIME FRAME:**

Action at the July 13, 2022 Commission meeting

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**RECOMMENDATION:**

Staff recommends that the Commission approve the two winners of the 2022 Tony S. Davis Memorial Scholarship, Nazouria Nelson and Jeanne Lubiki, and the award of \$5,000 each.

Staff further recommends that the Commission approve one runner-up winner of the 2022 Tony S. Davis Memorial Scholarship, Samuel Ebobisse, and the award of \$2,000.

Staff further recommends that the Commission approve three second-runner-up winners of the 2022 Tony S. Davis Memorial Scholarship, Antwone Morris, Caleb McBride and Alex Sarmento, and the award of \$1,000 each.

**WHEREAS**, in recognition of the many accomplishments and extensive community volunteer work performed by Tony Davis, a former Housing Opportunities Commission of Montgomery County (“HOC”) employee who was tragically killed in the year 2000, HOC established the Tony S. Davis Memorial Scholarship Awards Program (the “Scholarship Program”) in his memory; and

**WHEREAS**, since its inception, the Scholarship Program has annually provided scholarship awards to high school seniors who are residents of HOC’s affordable housing programs and who also demonstrate excellent academic achievement and school attendance, participate in extracurricular and community activities, and have been accepted by a college or university; and

**WHEREAS**, the selection group considered academic records, recommendations from school personnel and HOC staff, personal essays written by the applicants, pandemic resilience, school and community activities, and college acceptance information; and

**WHEREAS**, HOC staff recommends two outstanding candidates, Nazouria Nelson and Jeanne Lubiki, for \$5,000 Tony S. Davis Scholarship Program awards; and

**WHEREAS**, HOC staff wishes to offer one runner-up scholarship award in the amount of \$2,000 to Samuel Ebobisse, and three second-runner-up \$1,000 scholarships to Antwone Morris, Caleb McBride and Alex Sarmento.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County affirms the recommendation of the Tony S. Davis Scholarship Awards Selection Panel for Nazouria Nelson and Jeanne Lubiki to each receive a \$5,000 scholarship award, Samuel Ebobisse to receive a \$2,000 scholarship award, and Antwone Morris, Caleb McBride and Alex Sarmento to each receive a \$1,000 scholarship award.

**I HEREBY CERTIFY** that the foregoing Resolution was adopted by the Housing Opportunities Commission of Montgomery County at an open meeting conducted on July 13, 2022.

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**Patrice M. Birdsong  
Special Assistant to the Commission**



# Information Exchange

## **REAL ESTATE DEVELOPMENT**



### ***Heritage Emory Grove***

On Sunday, June 19, 2022 a community event was hosted by HOC and the Emory Grove United Methodist Church to formally announce the historic Emory Grove Redevelopment project. The event included a formal program featuring remarks from Montgomery County elected officials and partner organizations, church leadership, and legacy Emory Grove community members. Following the formal program, community members were invited to an outdoor celebration including food, beverages, and

exhibits from county, community, and civic groups.

Heritage Emory Grove—originally settled by freed African Americans in 1864—is a unique, historical redevelopment project that will occur on 40 acres of land owned by the Housing Opportunities Commission of Montgomery County and Emory Grove United Methodist Church that upon final buildout will provide a renewed sense of community.

The mixed-use redevelopment project will be stewarded by HOC and in collaboration with Emory Grove United Methodist Church, Montgomery County, Habitat for Humanity, and other community and private-sector partners. With Emory Grove United Methodist Church serving as a key community partner, Heritage Emory Grove will bring affordable housing and additional amenities on more than thirty acres of land, which reside just north of Mid-County Highway and at the intersection of Washington Grove Lane and Emory Grove Road.

A central component of the redevelopment will pay tribute to the past by encouraging community connectedness and interdependency, which were among the hallmarks of the original Emory Grove. Heritage Emory Grove will achieve this by recreating walking paths, providing space for community gardening, and engaging with residents through youth sports programming, recreational activities and intentional community-building.

The Juneteenth event was well attended by nearly 100 people, including members of Emory Grove United Methodist Church, area community members, Chair Priest, Vice Chair Kelleher, Commissioner Simon, Executive Director Andrews, the County Executive, councilmembers Friedson, Katz, and Riemer, County Regional Services Director Wims, and Delegate Crutchfield.

### ***Oaks Landfill Community Solar***

The nation's largest community solar farm to be 100% dedicated to low- and moderate-income residents began construction earlier this year at the Oaks Landfill in Laytonsville. Through the subscription program for this new project, Montgomery County residents who are on Pepco and who qualify as LMI are eligible to receive 25 percent savings on their electricity costs every month. HOC is in the process of subscribing more than 900 of its units in 8 properties for these discounts.

Project partners include Ameresco, Inc., a leading cleantech integrator specializing in energy efficiency and renewable energy, and Neighborhood Sun, a Maryland-based community solar company making solar accessible to everyone, in partnership with Montgomery County. Community solar farms enable access to affordable, clean energy for residents who are unable to build their own solar systems. Anyone who receives an electric bill can benefit including renters, residents in multi-unit buildings, municipalities, nonprofits and businesses that do not own their roofs.

The solar array is sited on the capped Oaks Landfill in Gaithersburg, transforming underutilized land into an environmental asset that brings local jobs and clean, renewable energy to the community. The project, a total of six (6) megawatts (MW), is divided into three two-MW arrays, and will generate approximately 11.7 million kilowatt hours annually. Array 1 is for use by the County and under a power purchase agreement, providing the County government clean, renewable energy at no upfront cost. Arrays 2 and 3, each with 2 MW, will be the community solar project with 100 percent of the generated electricity provided to low-to-moderate income residents.

Of course, this is not HOC's first involvement in community solar production. HOC made the roofs at Paddington Square available for the County's first community solar project, which has just passed inspection and will electrify presently.

The following HOC properties have been evaluated as ideal participants because they operate on a single master meter—Arcola Towers, Waverly House, Diamond Square, Bauer Park, Manchester Manor, and Westwood. The estimated 25% savings may be realized.

### ***Renovation Updates***

Recall that towards the end of December 2021, staff closed on the issuance of 2021 Multifamily Housing Development Bonds for \$111.36 million to fund the acquisition, renovation, and permanent financing of five (5) very important rental communities throughout the County including the 286-unit age-restricted Willow Manor scattered site properties, 144-unit Shady Grove and 147-unit Georgian Court. As noted in the May 2022 Quarterly Real Estate Report, renovations continue at these communities that will upon full completion provide residents with new and exciting interiors, improved energy-efficiency and operations for HOC and the residents, and expanded community and recreational spaces. Provided below are images showcasing the in-place work at the aforementioned communities.

Willow Manor: Progress photos illustrating the improved common area residential corridors with new flooring, painting and lighting; a renovated kitchen with new cabinetry, appliances, flooring, backsplash & counters; and newly a renovated bathroom featuring curb-less showers, new flooring, vanities and more.



Shady Grove Apartments: Progress illustrating a renovated kitchen and living room area that are part of a comprehensive redesign to allow for more light, openness and functionality; and an example of a newly-renovated accessible bathroom unit incorporating a curb-less shower among other high-end finishes.



Georgian Court Apartments: Progress illustrating a renovated kitchen and living room area that are part of a comprehensive redesign to allow for more light, openness and functionality; an example of a newly-renovated accessible bathroom unit incorporating a curb-less shower among other high-end finishes; and work in-place to the on-site community room that is being expanded to improve circulation and functionality within that space for the residents, service providers and property management staff.



## HOUSING RESOURCES DIVISION

### ***Housing Choice Voucher Program***

Monthly, HOC selects applicants from the Housing Path Waitlist to achieve a 95% program utilization rate or higher. The program baseline is 7,659 vouchers and as of the writing of this report, the utilization rate of 95%. Currently, 320 families with issued vouchers are searching for suitable units to rent and 128 contracts are pending execution. Four hundred (400) families were selected from the HCV wait list last month.

During the month of June, the Housing Resources Division received 10 requests for voucher extensions beyond the initial 90 -day period. The requests include search records reflecting the efforts made to secure housing during the voucher term and contacts to the landlords. Of the ten requests, three families were notified to contact the Human Rights Commission for possible discrimination.

Forty-six customers were recommended for program termination effective July 1, 2022. The Resident Services Division worked in collaboration with the Housing Resources Division to assess client needs and determine why the recertifications are not being completed.

The Resident Services Counselors conducted outreach to every customer in the termination window to ascertain why the annual requirement was not completed and provide assistance. They were able to assist 32 families with the recertification requirement and overturn the termination. Staff will continue the termination proceedings for fourteen families for the following reasons:

- 3 – Deceased
- 1 – Skipped
- 10 – Unable to reach by phone or email. Counselors have left messages.

The Housing Resources Division will continue to work collaboratively with the Resident Services Division to assist those customers who are facing termination.

HOC has an allocation of 118 Emergency Housing Vouchers (“EHVs”). Currently 72 families have successfully leased units. Forty-six (46) families with issued vouchers are searching for suitable units to rent. EHV customers are referred to HOC from the Department of Health and Human Services.

### **Family Self Sufficiency (“FSS”)**

The Department of Housing and Urban Development (“HUD”) published mandatory changes to the FSS Program on May 16, 2022. The final rule became effective June 16, 2022.

A brief summary of the changes includes:

- Allowing family members other than the head of household to sign the contract of participation
- Changing the term of the Contract of Participation;
- Amending the requirements pertaining to the management of the escrow account;
- Revising the use of forfeited escrow funds;
- Allowing families residing in multi-family Project-Based Rental Assistance (“PBRA”) Programs to participate in the FSS Program.

The required changes must be implemented no later than November 14, 2022. Staff are working to update the FSS Action Plan to include the regulatory changes. The FSS Action Plan describes the policies and procedures of the PHA to operate an FSS Program.

## **RESIDENT SERVICES UPDATE**

### ***Service Coordination***

The Service Coordination Unit provides assessment, counseling, information, referrals and program services to HOC customers. During the month of June 2022, staff continued to provide services primarily virtually due to the COVID pandemic and the continued closure of HOC offices. Resident Counselors continued to engage HOC customers to determine their needs. During the

month of June, customers were referred to our partners and received food and other assistance. Resident counselors continued to perform wellness checks with customers to ensure their safety and assess their needs. Customers with delinquent rent were referred/connected to the COVID Rent Program and Housing Stabilization Program.

During the month of June HOC customers also continued to receive referrals to unemployment assistance, Temporary Cash Assistance, Supplemental Nutrition Assistance Program, Maryland Energy Assistance Program, and other benefit programs. Housing Stabilization staff continued to process a vast number of applications for rental assistance. Though resident counselors continued working remotely due to the COVID-19 pandemic, staff continues to come in as needed for emergencies, scheduled appointments and to assist with food distribution, vaccination clinics, and other activities. Resident Counselors have also been in attendance at the Housing Resources Division virtual briefings for new voucher recipients to provide information on the services that Resident Services offer. Additionally, the Resource Services team continues to provide services to persons with disabilities to meet their service needs.

Highlights for June activities of resident counselors include the following:

- 1) Cider Mill
  - a) Worked with the Department of Health and Human Services' Street Outreach Network to plan and coordinate the Summer of Peace event which will be held at Cider Mill in July. The purpose of the event is to promote peace in the community and provide information on community resources;
  - b) Worked to recruit youth as Cider Mill for the So What Else, Inc.'s Team of Stars Musical Theatre Summer Camp which will be held in July.
- 2) Workshops
  - a) Fundamentals of Housing workshops on June 15<sup>th</sup> and June 16<sup>th</sup>;
  - b) Resource sharing workshops on June 28<sup>th</sup> and June 30<sup>th</sup>.
- 3) Resident Wellbeing
  - a) Community bingo activity at Forest Oak Towers on June 9th;
  - b) Senior Brown Bag food distribution at Elizabeth House on June 17th;
  - c) In partnership with St. John's Church of Bethesda, facilitated the nutritional education and food distribution event at Waverly House on each Friday during June.
- 4) Relocation and Certification Assistance
  - a) Assistance to customers relocating from Town Center Rockville to Residences on the Lane;
  - b) Assist customers on an ongoing basis with relocations and other needs for RAD and renovation projects at Rockville Town Center, Stewartown Homes, Shady Grove, Willow Manor, Bauer Park, Town Center Olney, Sandy Spring, Willow Manor and Georgian Court;
  - c) Outreach to customers who have failed to submit all required documents for recertification by the stated deadlines.
- 5) Emergency Rental Assistance
  - a) Provided door-to-door outreach and assistance to customers in applying for Emergency Rental Assistance Program.

## ***Programming***

The Resident Services Division develops and implements programming that provides meals, educational, recreational and enrichment opportunities for HOC customers. Listed below are highlights of programming activities for June 2022.

Resident Services Division continued to provide food resources and other supports with the help of Manna Food Center, Emmanuel Brinklow Seventh Day Adventist Church, Montgomery County Senior Nutrition Lunch Program, and the Capital Area Food Bank's Senior Brown Bag, and My Groceries To Go Programs. In June, 300 HOC customers were provided food. Resident Services staff also continued to facilitate the Senior Nutrition Program. The Senior Nutrition Program, which provides meals and opportunities to socialize, re-opened its congregational meal program on June 1, 2022 at Arcola Towers and Forest Oak Towers. The Arts for the Aging Program hosted its monthly virtual activity in June. Adults participated in an interactive opera experience called CoOPERation with Teaching Artist Peter Joshua Burroughs and Carlos César Rodríguez.

In spite of the limitations on in-person programs, staff continue to find creative ways to engage and support our customers. The Resident Services Division formalized a partnership with the Charles Koerner Center for Urban Farming so that our customers can utilize \$20 MEFP Food Vouchers at a local farm for fresh produce and other food items. The Resident Services Division hosted two (2) Pop-up Food Markets at Fenton Silver Spring (June 7<sup>th</sup>) and Paddington Square Apartments (June 14<sup>th</sup>). A total of 16 households participated from Fenton Silver Spring and 28 households from Paddington Square apartments. Two highlights from the Paddington Square event: Three (3) young adults were introduced to CKC Farm's summer paid internship opportunity. In addition, representatives from SunCatch Energy LLC were on location during the mini food market event (arranged by Property Management Staff) and were able to obtain interest from 18 customers in the community solar project.

In an effort to promote reading and literacy, the Resident Services Division worked in partnership with Commissioner Jackie Simon and property management staff to coordinate book share project at Tanglewood Apartments. This event was the launch of Tanglewood's Community Library Pilot Project. The event was attended by Commissioner Jackie Simon, Resident Services Division staff and members of the Tanglewood community. New and gently used books were donated by HOC Commissioners, Dr. Clive Edward Jackson Scholarship Fund, and Brenda Boykins. Youth attendees received books, toys, coloring books, crayons, comics and a book log to record the number of books read. Prizes will be awarded to the participants who read the highest number of books. Adults also selected books, and bins were placed in the laundry room facilities for book sharing. The subjects included a wide range of reading materials including fiction, nonfiction, autobiographies, self-help and cookbooks. A total of 20 youth and 12 adults attended the event on June 27<sup>th</sup>. A Read Aloud follow up event will be facilitated with Commissioner Jackie Simon in July. Below are photographs from the event.







### ***HOC Academy***

The HOC Academy is an agency developed initiative developed to help HOC customers reach their fullest potential by providing educational, enrichment, job training and job placement opportunities to youth and adults. The program specifically focuses on education and enrichment for you and education and workforce development for adults. Listed below are the highlights for the month of June 2022.

#### **Youth Education/ Enrichment**

The Afterschool Science, Technology, Engineering, Art and Mathematics (STEAM) enrichment for elementary aged youth 3<sup>rd</sup> – 5<sup>th</sup> concluded in June. There are 24 youth participants in program. The program was concluded with fun and exciting STEAM activities, homework assistance, and social emotional learning activities. Participates received certificates for participation. Participants who are now rising 6<sup>th</sup> graders were recruited for middle school programming for the next school year.

HOC Academy staff engaged in recruitment activities for the STEAM Forward Program set to kick off late summer. The program will create a community for youth interested in STEM/STEAM education and careers. The program will offer STEM enrichment, internship opportunities, scholarships for participation in local STEM/STEAM programming, and more. All STEAM Forward

Program participants will have an opportunity as high school juniors and seniors to connect with FGCB for HOC's College Success Program.

HOC Academy's First Generation College Bound, Inc. ("FGCB") program will continue to serve high school juniors and seniors in the upcoming academic year 2022-2023. Twenty (20) additional slots will be available for FGCB mentoring and coaching. A total of 12 high school students were mentored by First Generation College Bound, Inc. Eight graduating seniors were accepted into college/university and have committed to attending those schools in the Fall of 2022. The schools include the University of Maryland College Park, Bowie State University, Morgan State University, Virginia Tech, Lincoln College of Technology, and Montgomery College. Graduating seniors were acknowledged during FGCB's third Annual Virtual Graduation Ceremony on June 15, 2022, with an inspirational message about work ethic presented by FGCB Alumni to take with them as they journey on toward higher education.

#### *Adult Education and Workforce Development*

In June, the Small Business Strategy Course ("SBSC") Cohort #2 completed the 10-week class and will begin their optional three-month mentoring session. In addition, 27 customers attended the Small Business Webinar "How to Read and Respond to RFPs and Grant Applications". This webinar was an overview of how to locate, review and respond to Request for Proposals ("RFP") solicitations and/or grant applications in order to bid on government or state contracts. Each participant received a follow-up email with examples of RFPs and RFQs on SAM.gov and the Maryland Procurement Academy User Guide for more information about bidding on state contracts.

#### ***Financial Literacy***

The Financial Literacy Coach continued to work with HOC customers and individuals on the Housing Path waitlist on creating a financial foundation. During the month of June, the Financial Literacy Coach provided one-on-one financial literacy coaching to 20 HOC customers, and 17 individuals from the HousingPath waitlist. The coaching sessions continued to cover topics including: creating a working budget; identifying disposable income; reading one's credit report; and, creating and accomplishing monthly financial goals. During the month of June, the Financial Literacy Coach facilitated financial literacy workshops. A total of two (2) HOC customers and two (2) individuals from the waitlist attended the workshops.

#### ***Supportive Housing***

The Supportive Housing Program provides housing assistance and case management services to 237 participants who are formerly homeless and have disabilities. The program services some of the most vulnerable residents of the county. In June program staff continued to conduct home visits with program participants. Program staff continue to wear the appropriate personal protective equipment and maintaining distancing. Program staff also continued the process of planning for the conversion to a Leasing program structure. Program staff also continued to help Emergency Voucher recipients get housed through housing search and financial assistance.

During the month of June program staff continued to implement the Rent Supplement Program (RSP). The RSP provides a shallow rental subsidy (up to \$600 monthly) to county residents who struggle to pay their full rent with their current income. The program serves a large number of seniors on fixed incomes. The program continues to work to fill all program slots. Program staff are working with Counselors to identify customers at HOC sites who qualify and can benefit from the program. Additionally, program staff will work with the Department of Health and Human Services (DHHS) to receive referrals for people in the homeless continuum of care.

### ***Fatherhood Initiative***

The Fatherhood Initiative is a national program funded by the U.S. Department of Health and Human Services. HOC is the first and only housing agency to be awarded a grant under the Fatherhood Initiative. HOC completed its first five-year grant as a best practice model. HOC was awarded an additional grant and is currently in year two of the new grant period. **HOC has recently been awarded a renewal of the grant and will begin year three in October 2022.** The program provides parenting education, case management services, financial assistance for educational classes and training, and participation incentives. In June 32 new fathers were enrolled in the program. Additionally, 21 fathers graduated in June.

HOC's Fatherhood Initiative also continued its participation in the Strengthening the Implementation of Responsible Fatherhood Programs ("SIRF") Study. The study works closely with the program to identify and overcome the challenges the program June face along the lines of case management. The study also identifies challenges, helps implement possible solutions, examine those effects on the program, and make adjustments when needed. The SIRF study will produce usable, broadly applicable lessons to inform emerging best practices in recruiting, engaging, and retaining fatherhood participants, as well as methods for implementing rapid cycle evaluations within Responsible Fatherhood programs.

### **SINGLE FAMILY UPDATE**

**2022 Series ABCD Single Family MRB Closing:** On June 29, 2022, HOC's Mortgage Finance team closed on the issuance of \$31.6 million of tax-exempt and taxable, Single Family Mortgage Revenue Bonds for the purpose of (a) funding new mortgage and down payment assistance loans for first-time homebuyers; and, (b) replacement refunding nine (9) series of bonds within the 1979, 2009 and 2019 Indentures, which were eligible for redemption on July 1, 2022, along with the repayment of the Program's \$5 million draw on the PNC Line of Credit made on January 3, 2022 for previously scheduled redemptions.

	2022 Series A (Non-AMT) (Fixed)	2022 Series B (AMT) (Fixed)	2022 Series C (Taxable) (Fixed)	2022 Series D (Non-AMT) (Variable)	Total
<b>New Money</b>	\$3,465,000		\$3,000,000	\$11,000,000	\$17,465,000
<b>Replacement Refunding Bonds</b>	\$11,195,000	\$2,940,000			\$14,135,000
<b>FINAL SFMRB 2022ABCD</b>	<b>\$14,660,000</b>	<b>\$2,940,000</b>	<b>\$3,000,000</b>	<b>\$11,000,000</b>	<b>\$31,600,000</b>

The issuance includes \$17.5 million of new money that include fixed and variable rate, tax-exempt and taxable non-AMT serial, term, and premium bonds, along with \$14.1 million of fixed rate, tax-exempt non-AMT and AMT, serial, term, and premium replacement refunding bonds. Considering several bonds were sold at premium, the issuance was able to gain an additional \$533,468 in bond proceeds. Volume cap totaling \$15 million was utilized for the new tax-exempt, private activity debt. The final swap rate associated with the Series D bonds will be 2.68%.

Closing on this 2022 bond issuance makes available in the coming fiscal year \$32.1 million in lendable proceeds for first-time homebuyers at interest rates ranging from 5% to 6.375%.

# Minutes

**HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

**Minutes**

June 8, 2022

22-06

The monthly meeting of the Housing Opportunities Commission of Montgomery County was conducted via a hybrid platform and teleconference on Wednesday, June 8, 2022, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland beginning at 4:09 p.m. Those in attendance were:

**Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

**Present via Zoom**

Jeffrey Merkowitz

**Absent**

Pamela Byrd

**Also Attending**

Kayrine Brown, Acting Executive Director  
David Brody  
Terri Fowler  
Fred Swan  
Lynn Hayes  
Jennifer Arrington  
Ian-Terrell Hawkins

Aisha Memon, General Counsel  
Marcus Ervin  
Nathan Bovelie  
Olutomi Adebo  
Ali Khademian  
Jay Berkowitz

**Also Attending via Zoom**

Matt Husman  
Claudia Wilson  
Eugenia Pascual  
Gail Willison  
John Broullire  
Darcel Cox  
Leidi Reyes

Timothy Goetzinger  
Paige Gentry  
Alex Torton  
Ira Levy  
Patrick Mattingly  
Sewavi  
Zachary Marks

**IT Support**

Aries "AJ" Cruz  
Genio Etienne

**Commission Support**

Patrice Birdsong, Spec. Asst. to the Commission

Chair Priest opened the meeting welcoming all to the monthly meeting. There was a roll call of Commissioners participating.

I. **Information Exchange**  
**Community Forum**

- There were no participants signed up for the Community Forum.

**Executive Director's Report**

- Kayrine Brown, Acting Executive Director, provided an overview of the written report. Commissioner Merkowitz thanked Ms. Brown for her service during the interim period as Acting Executive Director and for following up on residents facing termination. Darcel Cox, Chief Compliance Officer and Fred Swan, Director of Resident Services addressed Commissioner Merkowitz's question regarding the Rent Supplement Program.

**Commissioner Exchange**

- Chair Pro Tem Nelson shared how the County Council and County Executive praise the work of HOC. The Commissioners all applauded and thanked Ms. Brown for her outstanding leadership during the past 10-months as Acting Executive Director.

II. **Approval of Minutes** - The minutes were approved as submitted with a motion by Commissioner Simon and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**A. Approval of Minutes of May 4, 2022**

**B. Approval of Minutes of May 4, 2022 Closed Session**

III. **CONSENT**

**A. Appointment of Secretary-Treasurer and Executive Director**

The following resolution was adopted upon a motion by Commissioner Croom and seconded by Commissioner Simon. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-38**

**RE: Appointment of Chelsea J. Andrews  
as Secretary-Treasurer and  
Executive Director**

**WHEREAS**, Stacy L. Spann announced his resignation as the Secretary-Treasurer and Executive Director ("Secretary/ED") of the Housing Opportunities Commission of Montgomery County (the "Commission" or "HOC") as of July 31, 2021;



**WHEREAS**, as of August 1, 2021, the Commission appointed Kayrine Brown as HOC's Acting Secretary-Treasurer and Executive Director and began a search for a new Secretary/ED; and

**WHEREAS**, the Commission has selected Chelsea J. Andrews as the Secretary/ED and desires to officially appoint her to the position and to delegate the necessary authority.

**NOW, THEREFORE, BE IT RESOLVED** that, as of July 11, 2022, the Housing Opportunities Commission of Montgomery County hereby appoints Chelsea J. Andrews as HOC's Secretary-Treasurer and Executive Director.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that, as of July 11, 2022, Chelsea J. Andrews, as HOC's Secretary-Treasurer and Executive Director, shall be vested with all the power and authority granted to HOC's Secretary/ED pursuant to state and local statutory/regulatory requirements, HOC's Bylaws, as amended, and any and all HOC policies, agreements, and resolutions, including but not limited to all signatory authority (except as may be limited by specific direction from the Commission).

**B. Approval to Appoint Commissioners to the Board of Directors of Various Development Corporations**

The following resolution was adopted upon a motion by Vice Chair Kelleher and seconded by Chair Pro Tem Nelson. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-39**

**RE: Approval to Appoint Commissioners to the Board of Directors of Various Development Corporations**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission") owns various properties through wholly-controlled corporate instrumentalities, including: Alexander House Development Corporation, Barclay Apartments Development Corporation, Brookside Glen Apartments Development Corporation, Diamond Square Development Corporation, Glenmont Crossing Development Corporation, Glenmont Westerly Development Corporation, Magruder's Discovery Development Corporation, The Metropolitan Development Corporation, Montgomery Arms Development Corporation, Oaks at Four Corners Development Corporation, Paddington Square Development Corporation, Pooks Hill Development Corporation, RAD 6 Development Corporation, Scattered Site One Development Corporation, Scattered Site Two Development Corporation, Sligo Hills Development Corporation, TPM Development Corporation, VPC One Corporation, VPC Two Corporation, and Wheaton Metro Development Corporation (together, the "Corporations");

**WHEREAS**, the Bylaws of the Corporations provide that the Board of Directors of the Corporations shall be selected annually by HOC;

**WHEREAS**, the Commission desires to appoint Roy O. Priest, Fran Kelleher, Richard Y. Nelson, Pamela Byrd, Linda Croom, Jackie Simon, and Jeffrey Merkowitz (each an "Appointee") to the Board of Directors of the Corporations;

**WHEREAS**, when an Appointee is no longer an HOC Commissioner (through death, resignation, or otherwise), such Appointee shall be automatically removed from the Board of Directors of the Corporations; and

**WHEREAS**, in the event a successor Commissioner is appointed to HOC, such Commissioner shall automatically be appointed to the Board of Directors of the Corporations.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County appoints Roy O. Priest, Fran Kelleher, Richard Y. Nelson, Pamela Byrd, Linda Croom, Jackie Simon, and Jeffrey Merkowitz to the Board of Directors of the Corporations.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that when an Appointee is no longer an HOC Commissioner (through death, resignation, or otherwise), such Appointee shall be automatically removed from the Board of Directors of the Corporations, and in the event a successor Commissioner is appointed to HOC, such Commissioner shall automatically be appointed to the Board of Directors of the Corporations.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director (including the Acting Executive Director), or their designee, is authorized to take any and all other actions necessary and proper to carry out the actions contemplated herein, including the execution of any documents related thereto.

### **C. Approval to Increase Executive Leadership Service Pay Grade Schedule**

The following resolution was adopted upon a motion by Commissioner Croom and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-40**

**RE: Approval to Increase Executive Leadership Service Pay Grade Schedules**

**WHEREAS**, on May 4, 2022, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) approved General Wage Adjustments for Non-Represented Merit System employees, which increased the minimums and maximums of the Pay Grade Schedules by \$1,064, effective the first pay period after January 1, 2022, and by an additional \$1,684, effective the first pay period after June 1, 2022; and

**WHEREAS**, on May 4, 2022, the Commission also authorized a third occupational class with its own grade level in the Executive Leadership Service (“ELS”); and

**WHEREAS**, in order to be fair and equitable, the Commission desires to increase the Pay Grade Schedules for the three occupational classes of the ELS to be consistent with the changes made for Non-Represented Merit System staff.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County hereby authorizes increasing the Pay Grade Schedules of the three occupational classes of ELS by \$1,064, the first pay period after January 1, 2022, and by an additional \$1,684, effective the first pay period after June 1, 2022, as shown on Exhibit A.

The meeting went into recess at 4:34 p.m. and reconvened at 4:55 p.m.

**IV. COMMITTEE REPORTS AND RECOMMENDATIONS FOR ACTION**

**A. Administrative and Regulatory Committee – Com. Kelleher, Chair**

**1. Response to Management Letter Comments in the FY 2021 Audited Financial Statement**

Kayrine Brown, Acting Executive Director, introduced David Brody, Manager of Technical Operations, who provided an overview in response to recommendations to strengthen internal controls of the Information and Technology Operations due to FY21 Unqualified Audit Financial Statement. Verbal update - no resolution for approval.

**2. Technology Policy and Acceptable Use Policy: Approval of Information Technology and Acceptable Use Policy of Information Technology Infrastructure and Resources Policy to Reflect Current Processes and Risks**

David Brody, Manager of Technical Operations, was the presenter.

The following resolution was adopted upon a motion by Vice Chair Kelleher and seconded by Commissioner Croom. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowicz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-41**

**RE: Approval of Information Technology and Acceptable Use of Information Technology Infrastructure and Resources Policy to Reflect Current Processes and Risks**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) seeks to replace the Technology Policy, last revised April 2006 (the “2006 Policy”); and

**WHEREAS**, HOC’s systems infrastructure, technology, and operations have undergone significant changes since 2006; and

**WHEREAS**, HOC seeks to implement the Information Technology and Acceptable Use of Information Technology Infrastructure and Resources Policy (“IT Policy”) to reflect current processes and risks; and

**WHEREAS**, HOC has considered and incorporated best practices and protocols to develop the IT Policy in accordance with technology industry standards and regulatory, legal and statutory requirements.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that, effective as of July 1, 2022, it approves the proposed IT Policy and affirms that the 2006 Policy is no longer effective.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director (including the Acting Executive Director), or their designee, is authorized and directed without further action on its part, to take any or all other actions necessary and proper to carry out the activities contemplated in the IT Policy and herein.

3. **Information Security Assurance Policy and Telework Policy:** Approval of Information Technology Security Assurance Policy to Incorporate Changes in Systems Infrastructure, New Technologies, and User Environment to Reflect Current Processes and Risks, and Approval of the HOC Telework Policy

David Brody, Manager of Technical Operations, was the presenter.

The following resolutions were adopted upon a motion by Vice Chair Kelleher and seconded by Commissioner Simon. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-42<sup>A</sup>**

**RE: Approval of Information Technology Security Assurance Policy to Incorporate Changes in Systems Infrastructure, New Technologies, and User Environment to Reflect Current Processes and Risks**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) seeks to replace the Technology Policy, last revised April 2006 (the “2006 Policy”) by means of the Information Security Assurance Policy (“ISA Policy”) in conjunction with the Information Technology and Acceptable Use of Information Technology Infrastructure and Resources Policy (“IT Policy”); and

**WHEREAS**, HOC has implemented changes in systems infrastructure, new technologies, and user environment since 2006; and

**WHEREAS**, HOC seeks to implement the ISA Policy, which incorporates changes in systems infrastructure, new technologies, and user environment to reflect current processes as well as risks; and

**WHEREAS**, HOC has considered and incorporated best practices and protocols to develop the ISA Policy in accordance with technology industry standards as well as federal, state, and local requirements

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that, effective as of July 1, 2022, it approves the ISA Policy.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director (including the Acting Executive Director), or their designee, is authorized and directed without further action on its part, to take any or all other actions necessary and proper to carry out the activities contemplated in the ISA Policy and herein.

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**RESOLUTION NO.: 22-42<sup>B</sup>**

**RE: Approval of the HOC Telework Policy**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) seeks to implement the HOC Telework Policy, wherein key provisions were incorporated in the Telework Program of the Collective Bargaining Agreement and were approved by the Commission on May 4, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that, effective as of July 1, 2022, it approves the HOC Telework Policy.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director (including the Acting Executive Director), or their designee, is authorized and directed without further action on its part, to take any or all other actions necessary and proper to carry out the activities contemplated in the HOC Telework Policy and herein.

**B. Budget, Finance and Audit Committee – Com. Nelson, Chair**

1. **Fiscal Year 2022 (FY’22) Third Quarter Budget to Actual Statements:** Commission Acceptance of Third Quarter FY’22 Budget to Actual Statement

Olutomi Adebo, Assistant Budget Officer, provided an overview requesting formal acceptance of the Third Quarter FY’22 Budget to Actual Statements.

The following resolution was adopted upon a motion by Vice Chair Kelleher and seconded by Commissioner Simon. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-43**

**RE: Acceptance of the Third Quarter  
FY’22 Budget to Actual Statements**

**WHEREAS**, the Budget Policy for the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”) states that quarterly budget to actual statements will be reviewed by the Commission; and

**WHEREAS**, the Commission reviewed the Third Quarter FY’22 Budget to Actual Statements during its June 8, 2022 meeting; and

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it hereby accepts the Third Quarter FY’22 Budget to Actual Statements.

2. **Calendar Year 2022 (CY’22) First Quarter Budget Amendment:** Commission Approval of the FY’22 First Quarter Budget Amendment for MetroPointe Apartments

Terri Fowler, Budget Officer, provided the presentation requesting formal approval of the proposed CY’22 First Quarter Budget Amendments for MetroPointe Limited Partnership.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-44**

**RE: Approval of CY'22 First Quarter Budget  
Amendment MetroPointe Apartments**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC”) acting for itself and on behalf of Wheaton Metro Limited Partnership (“MetroPointe”), as its managing member, acting for itself and on behalf of MetroPointe LP (the “Partnership”), as its general partner adopted a budget for CY’22 on November 3, 2021 for the Partnership; and

**WHEREAS**, the Commission’s Budget Policy allows for amendments to the budget; and

**WHEREAS**, the CY’22 First Quarter Budget Amendment will increase the capital budget by \$45,002 from \$329,544 to \$374,546.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of Wheaton Metro Limited Partnership (“MetroPointe”), as its managing member, acting for itself and on behalf of MetroPointe LP, as its general partner, hereby approves the CY’22 First Quarter Budget Amendment for the Partnership.

3. **Uncollectable Tenant Accounts Receivable:** Authorization to Write-Off Uncollectable Tenant Accounts Receivable (January 1, 2022 – March 31, 2022)

Eugenia Pascual, Controller, was the presenter.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-45**

**RE: Uncollectible Tenant Accounts Receivable:  
Authorization to Write-Off Uncollectible  
Tenant Accounts Receivable**

**WHEREAS**, the current policy of the Housing Opportunities Commission of Montgomery County (“HOC”) is (i) to provide for an allowance for tenant accounts receivable balances that are delinquent for more than ninety (90) days; and (ii) to propose the write-off of former tenant balances; and

**WHEREAS**, staff periodically proposes the write-off of uncollected former tenant balances, which updates the financial records to accurately reflect the receivables and the potential for collection; and

**WHEREAS**, the proposed write-off of former tenant accounts receivable balances for the period of January 1, 2022 – March 31, 2022 is \$126,942, consisting of \$116,357 from Opportunity Housing properties, \$9,261 from Supportive Housing Properties and \$1,324 from LIHTC/RAD Properties.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County authorizes and directs the Acting Executive Director, or her designee, without further action on its part, to take any and all actions necessary and proper to write off \$126,942 in uncollectible accounts receivable related to (i) tenant balances that are delinquent for more than ninety (90) days, and (ii) former tenant balances, including the execution of any and all documents related thereto.

4. **Calendar Year 2021 Audits:** Acceptance of Calendar Year 2021 Low Income Tax Credit Partnership and Limited Liability Company Audits

Eugenia Pascual, Controller, was the presenter.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-46**

**Re: Acceptance of CY 2021 Low Income  
Tax Credit Partnerships and Limited  
Liability Company Audits**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“Commission”), or its wholly-controlled affiliate, is the managing general partner in 15 tax credit partnerships, including: 900 Thayer Limited Partnership, 4913 Hampden Lane Limited Partnership, Alexander House Limited Partnership, Arcola Towers RAD Limited Partnership, Bauer Park Apartments LP, Forest Oak Towers Limited Partnership, Greenhills Limited Partnership, HOC at Georgian Court, LLC, HOC at Shady Grove, LLC, HOC at Stewartown Homes, LLC, HOC at the Upton II, LLC, Spring Garden One Associates Limited Partnership, Tanglewood and Sligo Limited Partnership, Waverly House RAD Limited Partnership and Wheaton Metro Limited Partnership (together, the “Tax Credit Partnerships”); and

**WHEREAS**, the Commission is the managing member of CCL Multifamily LLC (“CCL Multifamily”) and HOC at Westside Shady Grove, LLC (“Westside Shady Grove”); and

**WHEREAS**, the calendar year annual audits for the Tax Credit Partnerships, CCL Multifamily, and Westside Shady Grove have been completed; and

**WHEREAS**, a standard unqualified audit opinion was received from the respective independent certified public accounting firms performing the audits for all of the Tax Credit Partnerships; and

**WHEREAS**, a standard unqualified audit opinion was received from the respective independent certified public accounting firms performing the audits for CCL Multifamily and Westside Shady Grove.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County accepts the CY 2021 audits for the Tax Credit Partnerships, CCL Multifamily, and Westside Shady Grove.

5. **Extension of the Use of Credit Facilities:** Approval to Extend the use of the PNC Bank N.A. Line of Credit (“PNC LOC”) and the Real Estate Line of Credit (“RELOC”) to Finance Commission Approved Actions related to: Montgomery Homes Limited Partnership (“MHLP”) VII, Fairfax Court Apartments, Lyttonsville (8800 Brookville Road), Lindsay Ford Holdings Site (Wheaton Gateway), HOC Fenwick & Second Headquarters, Brooke Park Apartments, MPDI I (64), Ambassador Apartments, Avondale Apartments and Year 15 LIHTC Properties

Eugenia Pascual, Controller, was the presenter.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Commissioner Croom. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowicz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-47**

**RE: Approval to Extend the Use of PNC Bank N.A. Line of Credit (“PNC LOC”) and the Real Estate Line of Credit (“RELOC”) to Finance Commission-Approved Actions related to: Montgomery Homes Limited Partnership (MHLP) VII, Fairfax Court Apartments, Lyttonsville (8800 Brookville Road), Lindsay Ford Holdings Site (Wheaton Gateway), HOC Fenwick & Second Headquarters, Brooke Park Apartments, MPDU I (64), Ambassador Apartments, Avondale Apartments, and Year 15 LIHTC Properties**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”) has approved various actions related to Montgomery Homes Limited Partnership (MHLP) VII, Fairfax Court Apartments, Lyttonsville (8800 Brookville Road), Lindsay Ford Holdings Site (Wheaton Gateway), HOC Fenwick & Second Headquarters, Brooke Park Apartments, MPDU I (64), Ambassador Apartments, Avondale Apartments, and Year 15 LIHTC Properties (together, the “Properties”), which are currently financed through the PNC Bank N.A. Line of Credit (the “PNC LOC”) and the PNC Bank N.A. Real Estate Line of Credit (the “RELOC”);

**WHEREAS**, staff recommends extending, through September 30, 2024, the use of the LOC at the taxable borrowing rate or the tax exempt rate, and the use of the RELOC at the taxable rate or the tax exempt rate to continue to finance Commission-approved actions related to the Properties;

**WHEREAS**, the extended maturity date of September 30, 2024 will be co-terminus with the PNC LOC and the RELOC agreements with PNC Bank, National Association; and

**WHEREAS**, the estimated cost, as of April 30, 2022, under the PNC LOC and the RELOC is expected to be approximately \$747,808.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it hereby approves extending, through September 30, 2024, the use of the PNC Bank N.A. Line of Credit and the PNC Bank N.A. Real Estate Line of Credit to finance Commission actions related to Montgomery Homes Limited Partnership (MHLP) VII, Fairfax Court Apartments, Lyttonsville (8800 Brookville Road), Lindsay Ford Holdings Site (Wheaton Gateway), HOC Fenwick & Second Headquarters, Brooke Park Apartments, MPDU I (64), Ambassador Apartments, Avondale Apartments, and Year 15 LIHTC Properties.

6. **Inspection Services Contract Extension:** Authorization to Extend Inspection Services Contract with Inspection Experts, Inc. (“IEI”)



Lynn Hayes, Director of Housing Resources, introduced Ali Khademian, Program Coordinator, who provided the presentation requesting authorization to renew the inspections services contract with Inspection Experts, Inc. for one year to provide inspection services for the Housing Choice Voucher Program and HOC properties, and approve an increase to the contract value.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-48**

**RE: Authorization to Extend Inspection  
Services Contract with Inspection Experts, Inc.  
("IEI")**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County ("HOC") is required to perform Housing Quality Standards Inspections per the U.S. Department of Housing and Urban Development and Chapter 10 of HOC's Administrative Plan;

**WHEREAS**, the Housing Choice Voucher program requires all participants to undergo Initial, Annual, Quality Control, and other Housing Quality Standards inspections;

**WHEREAS**, in June 2020, HOC entered into a contract with Inspections Experts, Inc. for a term of two years with two one-year renewals to carry out all of its inspection needs; and

**WHEREAS**, the existing contract with Inspections Experts, Inc., is set to expire on July 1, 2022, and staff recommends exercising the first renewal option.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director (including the Acting Executive Director), or their designee, is hereby authorized and directed, without any further action on its part, to execute a contract with Inspections Experts, Inc. for a renewal term of one year.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County hereby approves an increase of approximately \$61,347, raising the total contract value to no more than \$759,186.25.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County hereby authorizes and directs the Executive Director (including the Acting Executive Director), or their designee, without further action on its part, to take any and all other actions necessary and proper to carry out the transactions contemplated herein.

- 7. Procurement of Property Management Services:** Renewal of Property Management Contracts for Alexander House, Cider Mill Apartments, Fenton Silver Spring, Forest Oak Towers, Georgian Court Apartments, Greenhills Apartments, Stewartown Homes, Westwood Towers, and Wheaton Metro (MetroPointe)

Nathan Bovelleville, Chief Maintenance Officer / Acting Director of Property Management, introduced Jay Shepherd, Asset Manager, who provided the presentation requesting approval to renew the property

management services contracts with respective management companies for one year through June 30, 2023, and August 29 for Fenton Silver Spring.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-49**

**RE: Renewal of Property Management Contracts  
for Alexander House, Cider Mill Apartments,  
Fenton Silver Spring, Forest Oak Towers, Greenhills  
Apartments, Georgian Court Apartments,  
Stewartown Homes, Westwood Towers, and  
Metropointe**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC”) is the general partner of Forest Oak Towers Limited Partnership (“Forest Oak LP”), and Forest Oak LP owns the development known as Forest Oak Towers located in Gaithersburg, Maryland (“Forest Oaks”);

**WHEREAS**, HOC is the sole member of Alexander House GP LLC, the general partner of Alexander House Apartments Limited Partnership (“Alexander House LP”), and Alexander House LP partly owns the development known as Alexander House located in Silver Spring, Maryland (“Alexander House”);

**WHEREAS**, HOC is the ultimate managing member of HOC at Georgian Court, LLC (“Georgian Court LLC”), and Georgian Court LLC owns the development known as Georgian Court located in Silver Spring, Maryland (“Georgian Court”);

**WHEREAS**, HOC is the ultimate managing member of HOC at Stewartown Homes, LLC (“Stewartown LLC”), and Stewartown LLC owns the development known as Stewartown Homes located in Gaithersburg, Maryland (“Stewartown”);

**WHEREAS**, HOC is the general partner of Wheaton Metro Limited Partnership (“Wheaton Metro LP”), and Wheaton Metro LP partly owns the development known as MetroPointe located in Wheaton, Maryland (“MetroPointe”);

**WHEREAS**, HOC is the sole member of Greenhills Apartments GP LLC, the general partner of Greenhills Apartments Limited Partnership (“Greenhills LP”), and Greenhills LP owns the development known as Greenhills Apartments located in Damascus, Maryland (“Greenhills”);

**WHEREAS**, HOC owns the development known as Westwood Towers located in Bethesda, Maryland (“Westwood Towers”);

**WHEREAS**, HOC is the sole member of MVG II, LLC, the sole member of MV Gateway LLC (“MV Gateway”), and MV Gateway owns the development known as Cider Mill Apartments located in Gaithersburg, Maryland (“Cider Mill”);

**WHEREAS**, HOC is the sole member of 900 Thayer GP LLC, which is the general partner of 900 Thayer Limited Partnership (“900 Thayer LP”), and 900 Thayer LP owns the development known as Fenton Silver Spring (“Fenton Silver Spring”) located in Silver Spring, Maryland;

**WHEREAS**, staff desires to renew the current property management contract at Forest Oaks for one (1) year with Habitat America, LLC;

**WHEREAS**, staff desires to renew the current property management contracts at Alexander House, Georgian Court, and Stewartown for one (1) year with Edgewood Management Corporation;

**WHEREAS**, staff desires to renew the current property management contract at MetroPointe for one (1) year with Bozzuto Management Company;

**WHEREAS**, staff desires to renew the current property management contract at Greenhills and Westwood Towers for one (1) year with CAPREIT Residential Management;

**WHEREAS**, staff desires to renew the current property management contracts at Cider Mill for one (1) year with Grady Management, Inc.; and

**WHEREAS**, staff desires to renew the current property management contract at Fenton Silver Spring for one (1) year with Edgewood Management Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of Forest Oak LP, as its general partner, that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at Forest Oaks with Habitat America, LLC.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of Alexander House LP, as the sole member of its general partner, that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at Alexander House with Edgewood Management Corporation.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of Georgian Court LLC, as its ultimate managing member, that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at Georgian Court with Edgewood Management Corporation.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of Stewartown LLC, as its ultimate managing member, that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at Stewartown with Edgewood Management Corporation.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of Wheaton Metro LP, as its general partner, that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at MetroPointe with Bozzuto Management Company.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of Greenhills LP, as the sole member of its general partner, that the Executive

Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at Greenhills with CAPREIT Residential Management.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at Westwood Towers with CAPREIT Residential Management.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and as the sole member MVG II, LLC, acting for itself and on behalf of MV Gateway, as its sole member, that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at Cider Mill with Grady Management, Inc.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and on behalf of 900 Thayer GP LLC, as its sole member, on behalf of itself and on behalf of 900 Thayer LP, as its general partner, that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contract at Fenton Silver Spring with Edgewood Management Corporation.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director (including the Acting Executive Director), or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transactions contemplated herein.

**8. Elizabeth House III: Approval to Procure Property Management Services**

Marcus Ervin, Director of Real Estate Development, provided a presentation requesting authorization for the Acting Executive Director to negotiate and execute a property management agreement with Habitat America, LLC for property management services.

A detailed discussion was held among Commissioners and Staff. The following Resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Kelleher, Nelson, Merkwowitz, and Simon. Commissioners Priest and Croom opposed. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-50**

**RE: APPROVAL TO SELECT HABITAT AMERICA, LLC AS THE PROPERTY MANAGER FOR THE ELIZABETH HOUSE III DEVELOPMENT AND APPROVAL FOR THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE PROPERTY MANAGEMENT CONTRACT WITH HABITAT AMERICA, LLC**

**WHEREAS**, on April 22, 2022 the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) issued a Request for Proposal (RFP #2323) soliciting responses from qualified property management firms with a focus on leasing-up and achieving stabilized occupancy for HOC’s under

construction 267-unit, age-restricted (65+), mixed-income and mixed-use apartment community in Silver Spring, Maryland known as the Elizabeth House III development (the “Property”); and

**WHEREAS**, HOC is the managing member of EH III GP LLC, the general partner of Elizabeth House III Limited Partnership, LLC (“Owner”), the owner of the Property; and

**WHEREAS**, Habitat America, LLC (“Habitat”) received the highest score among respondents to RFP #2323; and

**WHEREAS**, the Commission wishes to select Habitat as the Property Manager for the Property and authorize the Executive Director to negotiate and execute a Property Management Agreement with Habitat (“Property Management Agreement”) for an initial term of two (2) years with two (2) optional one-year renewals to be approved by the Commission in accordance with the Procurement Policy; and

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County, on behalf of itself and as the ultimate managing entity of Owner, approves the selection of Habitat as the Property Manager for the Property and authorizes the Executive Director (including the Acting Executive Director) of HOC, or their designee, to negotiate and execute a Property Management Agreement for an initial term of two (2) years with two (2) optional one-year renewals to be approved by the Commission in accordance with the Procurement Policy.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, on behalf of itself and as the ultimate managing entity of Owner, that the Executive Director (including the Acting Executive Director) of HOC, or their designee, is authorized, without any further action on their respective parts, to take any and all other actions necessary and proper to carry out the transactions and actions contemplated herein, including the execution of any documents related thereto.

## 9. Adoption of the Fiscal Year 2023 Budget

Timothy Goetzinger, Chief Development Funds Officer / Acting Chief Financial Officers, provided an overview and introduced Terri Fowler, Budget Officer, who provided a presentation requesting adoption of the FY’23 Operating and Capital Budgets.

The following resolutions were adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Kelleher. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-51<sup>A</sup>**

**RE: Adoption of the FY’23 Budget, Bond Draw  
Downs and Transfers**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (the “Commission” or “Agency”) is required to adopt a budget based on the current chart of accounts in use before July 1, 2022; and

**WHEREAS**, the Commission is required to approve the transfer of equity between Agency funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it hereby adopts a total Operating Budget for FY'23 of \$311.9 million by fund as attached.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County approves the drawdown of bond funds for the Operating Budget as follows:

- \$2,319,502 from the 1996 Multifamily Housing Development Bond ("MHDB") Indenture; and
- \$1,513,533 from the 1979 Single Family Mortgage Revenue Bond ("MRB") Indenture.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County approves the following transfers between funds in order to balance the Operating Budget:

- Up to \$2,570,161 for FY'23 from the combined cash flow from the Opportunity Housing properties in the Opportunity Housing Fund to the General Fund.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County hereby adopts a Capital Budget for FY'23 of \$247.2 million as attached.

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**RESOLUTION NO. 22-51<sup>B</sup>**

**RE: Reimbursement Resolution**

**A RESOLUTION OF THE HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY (THE "COMMISSION") DECLARING ITS OFFICIAL INTENT TO REIMBURSE ITSELF WITH THE PROCEEDS OF A FUTURE TAX-EXEMPT BORROWING FOR CERTAIN CAPITAL EXPENDITURES TO BE UNDERTAKEN BY THE COMMISSION; IDENTIFYING SAID CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (the "Commission"), a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law, and authorized thereby to effectuate the purpose of providing affordable housing, including providing for the acquisition, construction, rehabilitation and/or permanent financing or refinancing (or a plan of financing) of the multifamily rental housing properties which provide a public purpose; and

**WHEREAS**, the Commission has determined that it is in the best interest of the Commission to make certain capital expenditures on the projects named in this Resolution; and

**WHEREAS**, the Commission currently intends and reasonably expects to participate in tax-exempt borrowings to finance such capital expenditures in an amount not to exceed \$250,000,000, *all or a portion of which may reimburse* the Commission for the portion of such capital expenditures incurred or to be incurred subsequent to the date which is 60 days prior to the date hereof but before such borrowing, and the proceeds of such tax-exempt borrowing will be allocated to reimburse the Commission's expenditures within 18 months of the later of the date of such capital expenditures or the date that *each of* the Projects (as hereinafter defined) is placed in service (but in no event more than three years after the date of the original expenditure of such moneys); and

**WHEREAS**, the Commission hereby desires to declare its official intent, pursuant to Treasury Regulation §1.150-2, to reimburse the Commission for such capital expenditures with the proceeds of the Commission's future tax-exempt borrowing for such projects named in this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION THAT:**

Section 1. ***Declaration of Official Intent.*** The Commission presently intends and reasonably expects to finance certain Commission facilities and property improvements to the properties as described in the Commission's FY 23 Capital Budget attached, including **Alexander House, Avondale Apartments, The Barclay Apartments, Bauer Park Apartments, Bradley Crossing, Brookside Glen, Camp Hill Square Apartments, CDBG-NSP-NCI, Chelsea Towers, Cider Mill Apartments, Dale Drive, Deeply Affordable Unit Renovation, Diamond Square Apartments, Elizabeth House III, Fairfax Court, Georgian Court Apartments, Glenmont Crossing, Glenmont Westerly, Hillandale Gateway, Holiday Park, Jubilee Falling Creek, Jubilee Hermitage, Jubilee Horizon Court, Jubilee Woodedge, King Farm Village Center, Magruder's Discovery, Manchester Manor, McHome, McKendree, MetroPointe, The Metropolitan, Montgomery Arms, MHLP VII, MHLP VIII, MHLP IX-Pond Ridge, MHLP IX-Scattered, MHLP X, MPDU 2007 Phase II, MPDU I, MPDU II (TPM), MPDU III (Sligo), The Oaks at Four Corners, Paddington Square, Paint Branch, Pomander Court, Pooks Hill High-Rise, Pooks Hill Mid-Rise, RAD 6 Properties (Ken Gar, Parkway Wood, Sandy Spring Meadow, Seneca Ridge, Towne Centre Place, and Washington Square), Scattered Site One, Scattered Site Two, Shady Grove Apartments, Southbridge, State Rental Combined, Strathmore Court, Stewartown Homes, Timberlawn Crescent, Upton II (newly named Residences on The Lane), VPC One, VPC Two, West Side Shady Grove (newly named The Laureate), Westwood Tower, Willow Manor Properties Resyndication, and The Willows** and capital improvements to the Commission's administrative offices and information technology (collectively, the "Projects") with moneys currently contained in its Operating Reserve Account, Replacement Reserve Account and General Fund Property Reserve Account for these Projects and from its operating cash.

Section 2. ***Dates of Capital Expenditures.*** All of the capital expenditures covered by this Resolution which may be reimbursed with proceeds of tax-exempt borrowings were made not earlier than 60 days prior to the date of this Resolution except preliminary expenditures related to the Projects as defined in Treasury Regulation Section 1.150-2(f)(2) (e.g. architect's fees, engineering fees, costs of soil testing and surveying).

Section 3. ***Issuance of Bonds or Notes.*** The Commission presently intends and reasonably expects to participate in tax-exempt borrowings of which proceeds in an amount not to exceed \$250,000,000 **will be applied** to reimburse the Commission for its expenditures in connection with the Projects.

Section 4. ***Confirmation of Prior Acts.*** All prior acts and doings of the officials, agents and employees of the Commission which are in conformity with the purpose and intent of this Resolution, and in furtherance of the Projects, shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 5. ***Repeal of Inconsistent Resolutions.*** All other resolutions (other than prior reimbursement resolutions adopted by the Commission for the same Projects included herein) of the Commission, or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 6. ***Effective Date of Resolution.*** This Resolution shall take effect immediately upon its passage.

**C. Development and Finance Committee – Com. Simon, Chair**

1. **Single Family:** Approval of Structure, Cost of Issuance Budget, and Adoption of Series Resolution(s) for the Issuance of Single Family Mortgage Revenue Bonds

Jennifer Arrington, Acting Director of Mortgage Finance, provided the presentation.

The following resolutions were adopted upon a motion by Commissioner and seconded by Chair Pro Tem Nelson. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkwowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-51<sup>A</sup>**

**RE: Adoption of the FY'23 Budget, Bond Draw  
Downs and Transfers**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (the “Commission” or “Agency”) is required to adopt a budget based on the current chart of accounts in use before July 1, 2022; and

**WHEREAS**, the Commission is required to approve the transfer of equity between Agency funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it hereby adopts a total Operating Budget for FY'23 of \$311.9 million by fund as attached.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County approves the drawdown of bond funds for the Operating Budget as follows:

- \$2,319,502 from the 1996 Multifamily Housing Development Bond (“MHDB”) Indenture; and
- \$1,513,533 from the 1979 Single Family Mortgage Revenue Bond (“MRB”) Indenture.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County approves the following transfers between funds in order to balance the Operating Budget:

- Up to \$2,570,161 for FY'23 from the combined cash flow from the Opportunity Housing properties in the Opportunity Housing Fund to the General Fund.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County hereby adopts a Capital Budget for FY'23 of \$247.2 million as attached.

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HOUSING OPPORTUNITIES COMMISSION  
OF MONTGOMERY COUNTY

Resolution No. 2022-52<sup>B</sup>



SERIES RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF

\$15,195,000 PRINCIPAL AMOUNT OF SINGLE FAMILY  
MORTGAGE REVENUE BONDS, 2022 SERIES A OF THE HOUSING  
OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

\$2,940,000 PRINCIPAL AMOUNT OF SINGLE FAMILY  
MORTGAGE REVENUE BONDS, 2022 SERIES B OF THE HOUSING  
OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

and

\$3,865,000 PRINCIPAL AMOUNT OF SINGLE FAMILY  
MORTGAGE REVENUE BONDS, 2022 SERIES C OF THE HOUSING  
OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

Adopted as of June 1, 2022

**Note: The full Resolution is available upon request due to the length of the document.**

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HOUSING OPPORTUNITIES COMMISSION  
OF MONTGOMERY COUNTY

Resolution No. 2022-52<sup>C</sup>

SERIES RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE  
OF

\$11,000,000 PRINCIPAL AMOUNT OF SINGLE FAMILY  
MORTGAGE REVENUE BONDS, 2022 SERIES D OF THE HOUSING  
OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

Adopted as of June 1, 2022

**Note: The full Resolution is available upon request due to the length of the document.**

2. **Financial Advisor Contract:** Approval of Firm to Serve the Commission as its Financial Advisor in Accordance with Request for Proposal (RFP) #2318

Jennifer Arrington, Acting Director of Mortgage Finance, provided the presentation.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Commissioner Simon. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-53**

**Re: Approval of Firm to Serve the Housing Opportunities Commission of Montgomery County, as its Financial Advisor, in Accordance with Request for Proposal #2318**

**WHEREAS**, to advance its mission and operate a successful bond financing program, the Housing Opportunities Commission of Montgomery County (the "Commission" or "HOC") engages the services of a number of industry professionals, including a Financial Advisor; and

**WHEREAS**, Caine Mitter & Associates Incorporated ("Caine Mitter") has successfully served the Commission since 1979 and continues to provide a high level of service and professionalism; and

**WHEREAS**, on June 7, 2017, the Commission approved the selection of Caine Mitter to serve as financial advisor for a term of five (5) years and the final renewal expires on June 30, 2022; and

**WHEREAS**, on March 28, 2022, a Request for Proposal ("RFP") #2318 for firms to provide financial advisory services was published on HOC's website and electronically mailed to 24 firms; and

**WHEREAS**, one qualified firm, Caine Mitter, responded to the RFP; and

**WHEREAS**, while it was determined that neither scoring nor an interview was necessary since only one proposal was received, Caine Mitter's proposal, including its qualifications, responses to the evaluation criteria, and its respective fee structures, was found to be qualified.

**NOW THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that Caine Mitter is approved to serve the Commission as Financial Advisor for a new four (4) year contract term with two (2) optional one-year renewals; provided, that each renewal shall be subject to Commission approval.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director (including the Acting Executive Director), or their designee, is authorized to negotiate and execute an initial four (4) year contract with Caine Mitter with two (2) one-year renewals on the terms and conditions outlined in RFP #2318 in an amount of up to \$500,000 annually.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission of Montgomery County hereby authorizes and directs the Executive Director (including the Acting Executive Director), or their designee, without any further action on its part, to take any and all other actions necessary and proper to carry out the transactions contemplated herein, including the execution of any and all documents.

3. Authorization to Enter Into Interest Rate Hedge and/or Novation in Connection with Certain Single Family Mortgage Revenue Bonds and Multifamily Housing Development Bonds and to Execute and Deliver Documents in Connection Therewith

Jennifer Arrington, Acting Director of Mortgage Finance, provided the presentation.

The following resolution was adopted upon a motion by Commissioner Simon and seconded by Chair Pro Tem Nelson. Affirmative votes were cast by Commissioners Priest, Kelleher, Nelson, Croom, Merkwowitz, and Simon. Commissioner Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-54**

**RE: Authorization to Enter Into Interest Rate Hedges and/or Novations in Connection with Certain Single Family Mortgage Revenue Bonds and Multifamily Housing Development Bonds and to Execute and Deliver Documents in Connection Therewith**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (the "Commission") is a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law (the "Act"), and authorized thereby to effectuate the purpose of providing affordable housing, including, without limitation, by the issuance of bonds (as defined in the Act) to finance housing projects (as defined in the Act), make mortgage loans to or for the benefit of persons of eligible income, or for any of its corporate purposes;

**WHEREAS**, the Commission previously issued its (a) Single Family Mortgage Revenue Bonds, 2021 Series C (the "2021 Series C Bonds") and Single Family Mortgage Revenue Bonds, 2018 Series B (the "2018 Series B Bonds," and together with the 2021 Series C Bonds, the "Single Family Bonds") to finance mortgage loans for the benefit of persons of eligible income; and (b) Multifamily Housing Development Bonds, 2011 Series A and Multifamily Housing Development Bonds, 2011 Series B (together, the "Multifamily Bonds") to finance the MetroPointe housing project; and

**WHEREAS**, the Single Family Bonds and the Multifamily Bonds were issued, respectively, as variable rate demand obligations; and

**WHEREAS**, to mitigate the risk of potential increases in variable interest rates, the Commission previously entered interest rate hedge agreements (the "Prior Interest Rate Hedges") relating, respectively, to the 2018 Series B Bonds and Multifamily Bonds; and

**WHEREAS**, Merrill Lynch Capital Services, Inc., counterparty under the Prior Interest Rate Hedges, has informed the Commission of its intention to consolidate the Prior Interest Rate Hedges with its affiliate, Bank of America, N.A. ("BANA"), under one or more new International Swaps and Derivatives Association Master Agreements, with substantially the same terms of the Prior Interest Rate Hedges other than dates and identification of BANA as the new counterparty (collectively, the "Novations"); and

**WHEREAS**, the Commission has determined (a) to enter into an interest rate hedge with BANA, or such other qualified counterparty acceptable to the Commission, relating to the 2021 Series C Bonds (the "Interest Rate Hedge"), in order to reduce costs relating to, and provide better credit protection for, the 2021 Series C Bonds, in light of rising variable interest rates and (b) to enter into the Novations;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Housing Opportunities Commission of Montgomery County that:

**1. Authorization to Enter into the Interest Rate Hedge and the Novations.** The Commission is hereby authorized to enter into the Interest Rate Hedge and the Novations, with any scheduled or termination payment owed by the Commission being from the Commission's legally available funds,

subject to agreements now or hereafter made with holders of the Commission's notes and bonds, pledging particular revenues, assets or moneys for the payment thereof, and subject to agreements with governmental agencies or other parties providing funds to the Commission and restricting the uses to which such funds may be applied. The Executive Director (including the Acting Executive Director) is hereby authorized to approve the provisions of the Interest Rate Hedge and the Novations.

**2. Commission Documents.** The Chair, the Vice-Chair, the Chair Pro Tem and the Executive Director (including the Acting Executive Director) of the Commission are each hereby authorized and directed to execute and deliver the Interest Rate Hedge, the Novations and any such other documents and agreements to be prepared in connection with the execution and delivery of the Interest Rate Hedges and the Novations (collectively, the "Commission Documents") in such forms as shall be approved by the Chair, the Vice Chair, the Chair Pro Tem or the Executive Director (including the Acting Executive Director), their execution and delivery of the Commission Documents being conclusive evidence of such approval and of the approval of the Commission, and the Secretary of the Commission, or any other Authorized Representative (defined below), is hereby authorized and directed to affix the seal of the Commission to the Commission Documents, where applicable, and to attest the same.

**3. Authorizing Ongoing Determinations under Commission Documents.** The Executive Director (including the Acting Executive Director) is hereby authorized, without further authority from the Board of Commissioners, to perform any act, to execute any documents, and to make any ongoing determinations as may be required to be made on behalf of the Commission from time to time, including, but not limited to, the determination of other terms to be in effect with respect to the Interest Rate Hedge and the Novations as shall be set forth in the Commission Documents.

**4. Other Action.** The Chair or Vice Chair or Chair Pro Tem and the Executive Director (including the Acting Executive Director) of the Commission or a person designated by the Executive Director (including the Acting Executive Director) to act on his behalf (the "Authorized Representative") are each hereby authorized and directed to undertake any other actions necessary (i) for the execution and delivery of the Interest Rate Hedge and the Novations, (ii) for the performance of any and all actions required or contemplated under the Commission Documents, and (iii) for the entire period during which the Interest Rate Hedge and the Novations shall remain in effect.

**5. Appointment of Financial Advisor and Bond Counsel.** Caine Mitter & Associates Incorporated is hereby appointed as Financial Advisor, and Kutak Rock LLP, Washington, D.C., is hereby appointed as Bond Counsel in connection with Interest Rate Hedge and the Novations.

**6. Action Approved and Confirmed.** All acts and doings of the officers of the Commission which are in conformity with the purposes and intent of this resolution and in the furtherance of the execution and delivery of the Interest Hedge and the Novations, and the execution, delivery and performance of the Commission Documents authorized hereby are in all respects approved and confirmed.

**7. Severability.** If any provision of this resolution shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provision to be invalid, inoperative or unenforceable to any extent whatsoever.

**8. Effective Date.** This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session of the Commission, the Commission adjourned the open session at 6:42 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer

/pmb

Attachment(s)

1 – Exhibit A

2 – Resolution 22-52<sup>B</sup>: Series Resolution SFMRB 2022 Series ABC (Available upon request)

3 – Resolution 22-52<sup>C</sup>: Series Resolution SFMRB 2022 Series D (Available upon request)

**EXHIBIT A**

**AMENDED ELS PAY GRADE SCHEDULES**

**EXECUTIVE LEADERSHIP SERVICE**

**PAY GRADES**

**(as of January 8, 2022)**

<b><u>Pay Grade</u></b>	<b><u>Minimum</u></b>	<b><u>Midpoint</u></b>	<b><u>Maximum</u></b>
EX-01	\$131,598	\$161,265	\$190,933
EX-02	\$149,400	\$179,067	\$208,734

**EXECUTIVE LEADERSHIP SERVICE**

**PAY GRADES**

**(as of June 11, 2022)**

<b><u>Pay Grade</u></b>	<b><u>Minimum</u></b>	<b><u>Midpoint</u></b>	<b><u>Maximum</u></b>
EX-01	\$133,282	\$122,500	\$192,617
EX-02	\$151,084	\$181,751	\$210,418
EX-03	\$171,302	\$200,594	\$229,886

# Committee Reports and Recommendations for Action

# Administrative and Regulatory Committee



# **AUTHORIZATION TO REVISE HOC'S ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM TO ADD CLARITY TO CHAPTERS 4, 7, 8, AND 21**

**July 13, 2022**

- The Code of Federal Regulations (CFR) requires Public Housing Agencies (PHAs) to adopt written plans and policies that describe the federal regulations and establish local policies for administration of the voucher programs of the given PHA. For the Housing Choice Voucher (HCV) program, this governing document is the Administrative Plan.
- The CFR also requires that PHAs revise their Administrative Plan as needed in order to comply with federal requirements. Optional changes unique to a specific PHA may also be added, provided they do not conflict with federal regulations.
- At this time, HOC has developed proposed various revisions to its Administrative Plan.
- The updates to the HCV Administrative Plan require a 30-day public comment period. The public comment period commenced on June 11, 2022 and will culminate with a virtual Public Hearing on July 13, 2022.
- The Administrative and Regulatory Committee reviewed this item at its meeting on May 16, 2022 and supports staff's request for authorization to implement the proposed updates to the HCV Administrative Plan.
- HOC is recommending revisions to chapters 4, 7, 8, and 21 of the Administrative Plan. The detailed changes are provided in Exhibits A, B, C, and D.



- Chapter seven (7) details the verification processes used to determine program eligibility, including the verification of income. Staff propose that self-employed individuals must certify that a minimum of 51% of their business is conducted in Montgomery County.
- Chapter eight (8) details the voucher issuance process. Staff propose that voucher extensions are granted to all customers who request an extension prior to the voucher expiration date for a maximum search time of 180 days. The current policy is applicable only to disabled customers for a maximum term of 150 days. A completed search record is required with a minimum of 10 entries. A Family may request a reasonable accommodation if additional search time is needed in excess of 180 days.
- Chapter 21 details the HCV Homeownership Program. This program is limited to twenty-five (25) participants of which three (3) slots are designated for disabled families. The administration of the HCV Homeownership Program is a collaborative effort between the Housing Resources Division and Mortgage Finance Division. Annually, the Area Median Income (“AMI”) for Montgomery County is updated. This income is used to determine the minimum income requirement for participation in the homeownership program. The current requirement has increased from \$24,000 to \$40,000.

The recommended changes will ultimately increase the opportunities for the residents of Montgomery County to find safe, affordable housing and reduce the risk of homelessness.

As part of the process for making revisions to a PHA’s Administrative Plan, public comment is required. Accordingly, HOC will provide a 30-day public comment period, which will conclude with a public hearing on July 6, 2022, on the Administrative Plan revisions. During the comment period, HOC will make a draft of the proposed revisions to the Administrative Plan available on the Agency’s website as well as in hard copy form at all four of HOC’s primary offices. Also during the comment period, HOC staff will meet and discuss these proposed revisions with HOC’s Resident Advisory Board (“RAB”), seeking the RAB’s comments and endorsement of these proposed changes. Notice of the comment period and public hearing were advertised in a local newspaper in Montgomery County.

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**ISSUES FOR CONSIDERATION:**

Does the Commission wish to accept staff’s recommendation, which is supported by the Administrative and Regulatory Committee, to adopt revisions to HOC’s Administrative Plan for the Housing Choice Voucher program to update, revise, and clarify Chapters 4, 7, 8 and 21 of the Plan, and authorize the Executive Director or their designee, to implement the revisions to the Administrative Plan for the Housing Choice Voucher Program?

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**TIME FRAME:**

For formal Commission action on July 13, 2022.

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**STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:**

Staff recommends that Housing Opportunities Commission of Montgomery County to adopt

revisions to HOC's Administrative Plan for the Housing Choice Voucher program to update, revise, and clarify Chapters 4, 7, 8 and 21 of the Plan, and authorize the Executive Director or their designee, to implement the revisions to the Administrative Plan for the Housing Choice Voucher Program.

**RESOLUTION NO.: 22-56**

**RE: Authorization to Revise Administrative Plan for the Housing Choice Voucher Program to Add Clarity to chapters 4, 7, 8, and 21**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“Commission” or “HOC”) desires to revise its Administrative Plan for the Housing Choice Voucher Program (the “Administrative Plan”) to update the (i) Chapter 4 in regards to the first preference (as shown on Exhibit A), (ii) processes related income verification in Chapter 7 (as shown on Exhibit B), (iii) voucher issuance and extension in Chapter 8 (as shown on Exhibit C), and (iv) income limit referencing homeownership program in Chapter 21 (as shown on Exhibit D) (collectively, the “Revisions”); and

**WHEREAS**, a public comment period for the Revisions began on June 11, 2022 and concluded on July 11, 2022 with a public hearing on July 13, 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County adopts the Revisions, as identified in the revised Administrative Plan chapters attached hereto as Exhibit A, B C and Exhibit D.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director, or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the actions contemplated herein.

**I HEREBY CERTIFY** that the forgoing resolution was adopted by the Housing Opportunities Commission of Montgomery County at a regular open meeting conducted on July 13, 2022.



**RESIDENT ADVISORY BOARD**  
**Housing Opportunities Commission**  
**10400 Detrick Avenue**  
**Kensington, Maryland 20895**  
**240-627-9735**

July 13, 2022

Ms. Kayrine Brown  
Acting Executive Director  
Housing Opportunities Commission  
10400 Detrick Avenue  
Kensington, Maryland 20895

**RE: Endorsement of Proposed Revisions to HOC's Housing Choice Voucher Administrative Plan** Dear

Ms. Brown:

This letter certifies that the Resident Advisory Board (RAB) to the Housing Opportunities Commission (HOC) of Montgomery County reviewed and discussed the proposed revisions to HOC's Housing Choice Voucher (HCV) Administrative Plan, as outlined below. Please be advised that the RAB fully supports and endorses these proposed revisions to HOC's HCV Administrative Plan.

- **Chapter four (4)** details the administration of the waitlist and the six adopted waitlist preferences. Staff propose an amendment to the first preference, to include forced displacement of families resulting from a fire, flood damage, and natural disaster.
- **Chapter seven (7)** details the verification processes used to determine program eligibility, including the verification of income. Self-employed individuals must certify that a minimum of 51% of their business is conducted in Montgomery County.
- **Chapter eight (8)** details the voucher issuance process. Staff propose that voucher extensions are granted to all customers who request an extension prior to the voucher expiration date for a maximum search time of 180 days.
- **Chapter twenty-one (21)** details the HCV Homeownership Program. The current requirement has increased from \$24,000 to \$40,000.

The RAB recognizes and appreciates HOC's efforts to update HOC's HCV Administrative Plan based on updates to the current rules and regulations, and to add additional clarity to the existing HCV Administrative Plan. It is essential that HOC continue these efforts to keep HOC's policies, procedures, and governing documents up to date.

Sincerely,

A handwritten signature in black ink that reads "K. Flanagan".

Kathleen Flanagan

Parliamentarian

## **EXHIBIT A**

### **Chapter 4**

#### **ESTABLISHING PREFERENCES AND MAINTAINING THE WAIT LIST [24 CFR Part 5, Subpart D;**

982.54(d)(1); 982.204, 982.205, 982.206]

#### **INTRODUCTION**

It is HOC's objective to ensure that families are placed in the proper order on the wait list and selected from the wait list for admission in accordance with the policies in this Administrative Plan.

This chapter explains how HOC will administer its consolidated wait list for all of its housing programs, including the tenant-based and project-based voucher wait lists, hereinafter referred to as the consolidated list or master list. The tenant-based wait list has ~~five~~ **six** local preferences that HOC adopted to meet local housing needs, define the eligibility criteria for the preferences, and explain HOC's system of applying them. The wait list for housing subsidized with project-based vouchers is maintained as a sub list within the consolidated list. Any family selected to be housed utilizing a project-based voucher is only eligible for a specific bedroom sized unit based on their family size.

By maintaining an accurate wait list, HOC is able to perform the activities, which ensure that an adequate pool of qualified applicants is available, so that program funds are used in a timely manner. Each family on the tenant-based wait list may also have its name on the project-based wait list.

#### **A. MANAGING THE WAIT LIST**

##### **Opening and Maintaining the Wait List**

Opening of the wait list will be announced with a public notice stating that applications for public housing, Housing Choice Voucher and all other wait lists maintained by the **Housing Opportunities Commission of Montgomery County (HOC)** will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media, including social media. The public notice will state any limitations on who may apply. Wait lists for all sub-jurisdictions and Countywide will be opened and closed at the same time.

The notice will state that applicants already on wait lists for other housing programs must apply separately for this program and such applicants will not lose their place on other wait lists when they apply for public housing. The notice will include the Fair Housing logo and slogan, and will be in compliance with Fair Housing requirements.

HOC intends for the wait list to remain open indefinitely; however, if the Executive Director decides to close the list, the closing of the wait list will also be announced with a public notice. This public notice will state the date the wait list will be closed, and it will be published in a local newspaper of general circulation and by any available minority media, including social media.

## Organization of the Wait List

In July 2015, HOC merged its existing sub-jurisdictional wait lists for the Housing Choice Voucher program and all other housing programs into one combined wait list, referred to herein interchangeably as merged list, master list, merged master list, or wait list, except as specifically noted.

In conjunction with the merge of all of HOC's wait lists, HOC opened its merged master wait list for all programs, and left the merged list open indefinitely or until such time as a determination is made by the Executive Director that there is cause to close the wait list, at which time proper notice will be posted in a local newspaper of general circulation and by any available minority media, including social media.

Only one application may be submitted and it must be submitted by the head of household or his/her designee.

The wait list is maintained in accordance with the following guidelines:

1. The application will be a permanent file. Any contact between HOC and the applicant will be documented in the electronic applicant file.
2. All applications will be maintained in order of date and time of application, and applicable preference(s).
3. Under the merged wait list, one master list is maintained electronically through a proprietary program. All applications and updates to an application are submitted electronically through a proprietary on-line web portal. Paper and telephone submissions are not permitted. To the extent an applicant requires assistance, upon request, staff from HOC is available to assist with electronic submissions.
4. All applicants must give notice of any changes to their application within two weeks of a change. Changes include: change of mailing address, change of email address, change of phone number, change in family composition, change in income, or changes in factors affecting preference points. As noted in paragraph 3, all changes must be done electronically because paper and telephone submissions are not accepted. To the extent an applicant requires assistance, upon request, staff from HOC is available to assist with electronic update submissions.
5. The master wait list is updated daily and applicants' wait list profiles are accessible via the internet on a 24-hour basis.
6. For the Housing Choice Voucher program, HOC maintains one merged master list in order of date-time stamp and any applicable preference(s). However, within the master list there are sub-sorted separate lists for certain programs and properties. This includes the Choice Mobility wait



list for those customers eligible for

project-based to tenant-based subsidy conversion. See Chapter 22 of this Administrative Plan for more information.

7. HOC entered into Housing Assistance Payments (HAP) contracts to subsidize units at several properties that are operated by third-party managers and/or owners. The individual, property-specific wait lists for these properties are included within the master list but are sorted separately to only reflect applicants who satisfy the various property and programmatic eligibility criteria. More specifically, the details regarding these property-specific wait lists are as follows:
  - i. HOC maintains separate wait lists for Arcola Towers, Elizabeth House, Holly Hall, and Waverly House, which are housing facilities operated for the benefit of senior and/or disabled customers.
  - ii. HOC entered into a HAP contract to subsidize units at Emory Grove, Ken- Gar, Parkway Woods, Sandy Spring Meadow, Seneca Ridge, Town Centre Place, and Washington Square as required as part of the Rental Assistance Demonstration (RAD) program, and required Housing Choice Vouchers. The individual wait lists created for these RAD properties are included in the merged master list but are sorted separately to reflect only those applicants who are eligible for these properties.
  - iii. HOC entered into HAP contracts to subsidize units at several properties that are managed by third-party managers and/or owners. These properties provide supportive services to at-risk populations in the form of Housing Choice Vouchers. Applicants for these programs must meet stringent requirements and are ranked by date and time of application only. The individual wait lists created for these properties are included in the merged master list but are sorted separately to reflect only those applicants who are eligible for these properties.
8. Contact between HOC and wait list applicants for the purposes of selection from the list is documented in the applicant's wait list file.

### **Implementation of RAD Wait List Provisions**

Former public housing (PH) applicants and residents receive priority consideration on the site-based wait lists created within *HOC Housing Path*, HOC's electronic wait list. Prior to the opening of the HOC Housing Path wait list, HOC mailed to all former PH wait list applicants a post card notifying them of the new wait list and instructed them to submit an application. The following policies describe how former PH applicants and residents receive priority consideration for housing at all of HOC's RAD-converted properties and at properties with Project-Based Voucher (PBV) assistance provided using the non-competitive selection process created by the Housing Opportunities Through Modernization Act (HOTMA), and described in Chapter 22, Section G of this Administrative Plan.

In order to provide former PH applicants with the best opportunity to be housed at one of the RAD properties, HOC adopted and follows the procedures listed below:

- Analyze HOC Housing Path to identify former PH wait list applicants and residents that have submitted a new application.
- Issue notices to former PH wait list applicants and residents informing them that they are eligible to receive priority consideration for housing at RAD properties, and instruct them to respond to the notice if they would like to be considered.
- Former PH applicants and residents who respond, but have not submitted a new HOC Housing Path application will be instructed to do so.
- For those families who respond to the notice and/or have submitted a new HOC Housing Path application, HOC will create a separate pool of applications that will receive priority consideration for vacancies at HOC's RAD properties.
- As vacancies become available at RAD properties, applicants will be selected from the priority pool based on their date and time of application to Housing Path.

**B. WAIT LIST CUSTOMERS (FAMILIES)**

All wait list applicants are required to maintain an e-mail address. To the extent an applicant chooses to use the e-mail address of another person, the applicant is solely responsible for receiving information sent to the listed email address and lack of access to that account is not considered a valid excuse for missing notices. To the extent a family does not have an e-mail address, HOC can assist the family in obtaining a free email account. The applicant is responsible for notifying HOC of any change in their e-mail address. HOC maintains public use computers at all of its HUB locations. Public use computers are also widely available at other public locations such as local libraries. To the extent an applicant requires assistance, upon request, staff from HOC is available to assist with electronic submissions.

All wait list applicants are required to list an address in their Housing Path application. If the applicant is homeless or does not have a permanent address, the applicant can choose to list the address of another person, so long as it is not the address of a current voucher holder. This address is used to send any paper correspondence to the applicant, including required paperwork as part of the selection process. The applicant is solely responsible for receiving information sent to the listed address and lack of access to mail at that address is not considered a valid excuse for missing notices or paperwork. The applicant is responsible for notifying HOC of any change in address.

**Treatment of Single Applicants**

Single applicants are treated as any other eligible family on the wait list for the tenant-based and project-based voucher wait lists.

**C. WAIT LIST [24 CFR 982.204]**

**Tenant-Based Voucher**

HOC uses a consolidated wait list for the admission of all of its housing programs. The

consolidated list includes a sub list for admissions to the tenant-based voucher assistance program.

Except for Special Admissions, applicants are selected from the consolidated wait list in accordance with the policies, preferences, and income targeting requirements defined in this Administrative Plan.

HOC will maintain information that permits proper selection from the wait list. The wait list contains the following information for each applicant listed:

- . Applicant Name
- . Family Unit Size (number of bedrooms' family qualifies for under HOC's subsidy standards)
- . Date of application
- . Qualification for any local preference(s)
- . Racial or ethnic designation of the head of household
- . Targeted program qualifications

**Project-Based Voucher**

HOC maintains separate sub lists for admissions to the project-based voucher (PBV) assistance program. Any applicant that submits an application to the master wait list is also considered for inclusion on the PBV wait list.

Except for Special Admissions, applicants are selected from HOC's wait list in accordance with the policies, preferences, and income targeting requirements defined in this Administrative Plan.

Families are selected from the PBV wait list based on the bedroom size of the unit available at the time of selection.

HOC must maintain information that permits proper selection from the wait list. The wait list contains the following information for each PBV applicant listed:

- . Applicant Name
- . Family Unit Size (number of bedrooms' family qualifies for under HOC's subsidystandards)
- . Date of application
- . Qualification for any local preference(s)

. Racial or ethnic designation of the head of household

. Targeted program qualifications

**D. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]**

If HUD awards HOC program funding that is targeted for specifically named families, HOC must admit these families under a Special Admission procedure.

Special admissions families are admitted outside of the regular wait list process. They may not have to qualify for any preferences, nor are they required to be on the program wait list. HOC administers two Special Programs and maintains separate records of these admissions.

**The Family Unification Program (FUP):**

The Family Unification Program (FUP) qualifies for special admissions as long as the individuals referred to HOC meet the program definition.

Family Unification Program-Eligible Family (A family that the Public Child Welfare Agency (PCWA) has certified as a family for whom a lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care, or in the delay of discharge of a child, or children, to the family from out-of-home care, and that the HOC has determined is eligible for a Housing Choice Voucher.)

Family Unification Program-Eligible Youth (A youth that the Public Child Welfare Agency (PCWA) has certified to be at least 18 years old and not more than 24 years old (has not reached his/her 25<sup>th</sup> birthday) who left foster care at age 16 or older and who does not have adequate housing, and that HOC has determined is eligible for a Housing Choice Voucher.)

**Emergency Housing Vouchers (EHV):**

HOC administers 118 Emergency Housing Vouchers (EHVs). Eligible EHV applicants are referred to HOC from the Continuum of Care (CoC) via the Department of Health and Human Services (HHS). HOC can accept direct referrals outside of HHS to facilitate an emergency transfer in accordance with the Violence Against Women Act (VAWA) as outlined in HOC's Emergency Transfer Plan, or if HHS lacks a sufficient number of eligible families to refer. HOC must enter into Memorandum of Understanding (MOU) with a Victims Service Provider (VSP) to accept EHV referrals apart from HHS.

HOC must maintain a separate waitlist for EHV referrals at initial leasing and for any turnover vouchers. HOC cannot issue an EHV subsequent to September 30, 2023. Provided that the re-issuance date is prior to September 30, 2023 the term of the EHV may extend beyond September 30, 2023.

**EHV Eligibility Criteria:**

Eligible applicants must meet one of the four eligibility categories:

- Homeless,
- At risk of homelessness,
- Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking, or
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

EHV customers are not required to meet the local residency preference to live or work in Montgomery County. Additionally, income targeting requirements are not applicable for EHV families. EHV households can range from extremely low incomes (30% AMI) to low incomes (80% AMI).

HOC cannot deny program admission for the following reasons, pursuant to Title 24 part 982.552 and 982.55of the Code of Federal Regulations (CFR):

- If any member of the family has been evicted or terminated from federally assisted housing
- The family owes rent or other amounts owed to a Public Housing Authority ("PHA") in connection with Section 8 or Public Housing assistance
- The family has not reimbursed any PHA for amounts paid to an owner under a Housing Assistance Payment ("HAP") Contract for rent, damages to the unit or other amounts owed by the family under the lease
- The family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA
- The family would otherwise be prohibited admission under alcohol abuse standards established by the PHA
- The PHA determines that any household member is currently engaged in or has engaged in drug-related criminal activity, during a reasonable time before the admission

HOC will deny program admission for the following reasons pursuant to Title 24 part 982.553 of the CFR:

- If any member of the household has been convicted of drug-related criminal activity for the manufacture or production of methamphetamine on the premises of federally assisted housing
- If any member of the household is subject to a lifetime registration requirement under a

State sex offender registration program

- If any household member is currently engaged in, has engaged in violent criminal activity within the last 12 months
- If any household member has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program within the previous 12 months.
- If any household member engaged in or threatened abusive or violent behavior toward HOC personnel within the previous 12 months

### **Voucher Issuance/Lease Term**

HOC will issue the EHV voucher for a term of 120 days. The initial lease term for EHV households can be for a period less than 12 months, regardless of whether the shorter term is the prevailing market practice.

### **Services**

HOC will assist EHV households by providing the following services based on documented need based and funding availability:

- Housing Location - EHV applicants will receive housing location assistance from HOC and/or the CoC. This includes helping the family identify and visit available units, providing transportation assistance and directions, assisting with the completion of rental applications and HOC forms and helping to find an accessible unit that meets the needs of a disabled household.
- Transportation Assistance – HOC will provide transportation assistance to EHV households to help them view and select housing units. HOC will provide up to \$150 in transportation assistance per EHV household based on documented need and funding availability.
- Security Deposit - HOC will provide security deposit assistance to EHV households to help them secure housing. HOC will provide up to \$2,500 in security deposit assistance per EHV household based on documented need and funding availability. If refundable, the security deposit will be refunded to HOC for future use of eligible EHV households.
- Application Fee/Holding Fee - HOC will provide application and/or holding fee assistance to EHV households to help them secure housing. HOC will provide up to \$200 in application and/or holding fee assistance per EHV household based on documented need and funding availability.
- Moving Expenses - HOC will provide moving assistance to EHV households. HOC will provide up to \$1,800 moving expenses per EHV household based on documented need and funding availability.
- Essential Household Items - HOC will provide EHV households with assistance to secure essential household items. HOC will provide up to \$200 in assistance for essential household items per EHV household based on documented need and funding availability.
- Renters Insurance - HOC will provide EHV households with assistance to secure



renter's insurance. HOC will provide up to \$175 in assistance for renter's insurance per EHV household based on documented need and funding availability.

- Furniture - HOC will provide EHV households with assistance to secure furniture. HOC will provide up to \$1,000 in assistance for furniture per EHV household based on documented need and funding availability.

### **Portability**

EHV applicants can immediately port to another jurisdiction of their choice. The requirement to have a legal domicile in Montgomery County at the time of the application submission is waived. HOC cannot restrict an EHV family from exercising portability options because they are a non-resident applicant.

If the EHV family moves to another jurisdiction that does not administer an EHV Program, the receiving PHA may absorb the family into its regular HCV program or bill the initial PHA.

If the EHV family moves to another jurisdiction that administers an EHV program, the receiving PHA may only absorb the EHV family with an available EHV allocated voucher. If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA.

The EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.

### **Initial Certification Exam**

HOC can accept income calculations and verifications from third party providers or an examination that HOC conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as the income was calculated in accordance with the rules outlined at Title 24 CFR Part 5 within the last six months, and the family certifies there has been no change in income or the family composition in the interim. At the time of the family's annual reexamination, HOC must conduct the annual reexamination of income as outlined in 24 CFR 982.516.

EHV applicants may provide third-party documentation which represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of HOC's request.

### **HQS Inspections**

HOC can pre-inspect available units that EHV Families may be interested in leasing. If an EHV family selects a unit that passed a HQS inspection within 45 days of the date of the Request for Tenancy Approval (RFTA) Form, the unit may be approved as long as it meets all other conditions under Title 24 part 982.305 of the CFR.

### **Interim Examinations**

When adding a family member after the EHV family has been placed under a Housing Assistance Payment (HAP) Contract, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption or court-awarded custody of a child, the HOC must approve additional family members and may apply its regular screening criteria in doing so.

EHV applicants may provide third-party documentation which represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of HOC's request.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit.

1. A family displaced because of demolition or disposition of a public or Indian housing project;
2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
3. For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;
4. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and
5. A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

Applicants who are admitted under Special Admissions, rather than from the wait list, are identified in HOC's database with special codes.

At turnover:

If a voucher issued to an FUP-eligible family or FUP-eligible youth under the FUP program is terminated, the voucher is reissued to the extent practicable, to another FUP-eligible family or FUP-eligible youth. If the award on turnover is not practicable, FUP vouchers may be used by HOC for such families based upon local needs.

If a customer served through Special Admissions in the FUP program is on an HOC Program Admissions Wait List (Tenant Based Voucher or Project Based Voucher), the client remains eligible on the wait list for the period of time the list is active. If a client is selected from the Program Wait List and utilizes the voucher, the FUP voucher is reissued, to the extent practicable, to another FUP-eligible family or FUP-eligible youth.

#### **E. WAIT LIST PREFERENCES [24 CFR 982.207]**

When a family is selected from the wait list, the family is invited to an interview and the verification process begins. It is at this point in time that the family's wait list preference(s) are verified. To qualify for a preference, an applicant must provide verification that shows he or she qualified either at the time of the initial application or at the time of selection from the wait list. However, placement based upon preference is dependent on the family still qualifying for the preference at the time of selection.

If the family no longer qualifies to be near the top of the list, because the family does not qualify for a preference, then the family's preference status is removed. Importantly, however, the family will remain on the wait list based upon their original date and time of application. HOC must notify the family in writing of this determination and give the family the opportunity for an informal hearing to appeal the decision.

Once a preference is verified, the family completes a full application, presents Social Security number information, citizenship/eligible immigrant information, and signs the Consent for Release of Information forms.

An applicant is not granted any local preference for the tenant-based and project-based voucher wait lists if any member of the family was evicted from housing assisted under a HUD 1937 Housing Act program during the past three years because of drug-related criminal activity or felonious charged criminal activity.

HOC will grant an exception to such a family if:

- The responsible member has successfully completed a rehabilitation program;
- The evicted person clearly did not participate in or know about the drug-related activity; and/or
- The evicted person no longer participates in any drug related criminal activity.

If an applicant makes a false statement in order to qualify for a local preference, HOC will deny the local preference.

#### F. **LOCAL PREFERENCES** [24 CFR 5.410]

HOC offers public notice when changing its preference system and the notices are publicized using the same guidelines as those for opening and closing the wait list.

HOC uses the following local preference system:

**First Local Preference** – Displacement: Families who are displaced as a result of a **fire, flood, natural disaster**, State or County redevelopment project, or a change in the nature of a project that is part of the County plan for maintaining affordable housing, and who are referred by the County Executive's Office. A signed certification from the County Executive's office is required for the family to qualify for this preference. [Two Points]

**Second Local Preference** – Residency preference for families who live, work, or have a bona fide offer to work in Montgomery County. To qualify for this preference, evidence is required either at the time of application or at the time of selection from the wait list. HOC will treat graduates of, or active participants in, education or training programs in Montgomery County as residents of Montgomery County if the education or training program is designed to prepare individuals for the job market. To qualify and satisfy this preference, graduates must have graduated after the initial application for housing. [One Point]

**Third Local Preference** – HUD funded 2006 Main Stream Disabled (MSD) program; 15 units.  
[Two Points]

**Fourth Local Preference** – Veterans: Preference is given for ten (10) veterans and their families. The applicant must be at least 18 years old and a veteran.

HOC verifies the preference with a list of homeless veterans and their families provided by the Montgomery County Department of Health and Human Services (DHHS). [Three Points]

**Fifth Local Preference** – Families with Histories of Homelessness: Preference is given for ten (10) families with histories of homelessness who are currently housed within the Montgomery County Homeless Continuum of Care. The applicant must be at least 18 years old and have at least one minor child (under the age of 18) within the household.

HOC verifies the preference by receiving direct referrals from the Montgomery County Department of Health and Human Services (DHHS). [Three Points]

**Sixth Local Preference** – HUD funded 2017/2018 Mainstream Disabled (MSD) Grant program: Preference is given for Non-Elderly Disabled (NED) families who meet at least one of the following criteria:

1. Transitioning out of institutional or other segregated settings;
2. At serious risk of institutionalization;
3. Homeless; or
4. At risk of becoming homeless.

NED is defined as disabled persons aged 18-62 and can include any member of a household. Eligibility for this preference is initially indicated based on responses to questions on HOC's wait list, which are designed to capture these criteria. Once a NED family is called up for a subsidy based on this preference, HOC staff conducts comprehensive verification of the preference qualifications, as explained in Section M of this Chapter. [Three Points]

### **Treatment of Single Applicants**

Single applicants are treated as any other eligible family on the wait list for the tenant-based and project-based voucher wait lists.

## **G. INCOME TARGETING**

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year HOC reserves a minimum of seventy-five (75) percent of its Section 8 new admissions for families whose incomes do not exceed thirty (30) percent of the area median income (AMI). HUD refers to these families as “extremely low-income families.” HOC must admit families who qualify under the

Extremely Low-Income limit to meet the income targeting requirement, regardless of preference. This policy applies to the tenant-based and project-based voucher waitlists.

HOC's income targeting requirement does not apply to low-income families continuously assisted, as provided for under the 1937 Housing Act.

HOC is also exempted from this requirement when HOC provides assistance to low income or moderate-income families entitled to preservation assistance under the tenant-based voucher program as a result of a mortgage prepayment or opt-out.

## **H. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION**

[24 CFR 5.415]

May 2017

At the time of application, an applicant's entitlement to a local preference may be made on the following basis:

An applicant's certification that they qualify for a preference is accepted without verification at the pre-application. When the family is selected from the wait list for the final determination of eligibility, the preference is verified. To Qualify for the preference, an applicant must provide verification that shows he or she qualified either at the time of the pre-application or at the time of certification.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant is returned to the wait list (tenant-based or project-based) without the local preference, and given an opportunity for an office meeting.

## **I. TARGETED FUNDING [24 CFR 982.203]**

When HUD awards special funding for certain family types, families who qualify are placed on the regular wait list. When a specific type of funding becomes available, the tenant-based and project-based voucher wait lists are searched for the first available family meeting the targeted funding criteria. HOC reserves the right to use this assistance under the "Interim Use" policy. [See Glossary under "Interim Use" for definition].

Applicants who are admitted under targeted funding which are not identified as a Special Admission are identified by codes in the automated system. HOC has the following "Targeted" Programs:

- Veterans Affairs Supportive Housing (VASH)
- Mainstream Allocation Plan for Persons with Disabilities
- Voucher allocation for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans

For any voucher allocation for Non-Elderly Persons with Disabilities (NED) in Support of

Designated Housing Plans, HOC identifies a non-elderly disabled family, as defined by HUD, on HOC's wait list that will not be housed due to an approved or submitted Designated Housing Plan.

At turnover:

Re-issuance upon turnover of vouchers in the Non-Elderly Persons with Disabilities in Support of Designated Housing Plans 2008 allocation will be to Non-Elderly Persons with Disabilities on the wait list.

5.410] **Change in Circumstances**

Changes in an applicant's circumstances while on the wait list may affect the family's entitlement to a preference. Applicants are required to update their on-line application when their circumstances of change.

**Cross-Listing of Different Housing Programs and Section 8** [24 CFR 982.205(a)]

HOC maintains a consolidated master wait list for all of its housing programs. An applicant is considered for admission to any program for which they are eligible until such time that documentation is presented which establishes a customer as ineligible for a given housing program(s). If a customer is determined ineligible for the voucher program, their application is maintained on the consolidated wait list so that they may continue to be considered for other housing opportunities.

**Other Housing Assistance** [24 CFR 982.205(b)]

Other housing assistance means a federal, State, or local housing subsidy, as determined by HUD, including public housing.

HOC may not take any of the following actions because an applicant has applied for, received, or refused other housing: [24 CFR 982.205(b)]

- . Refuse to list the applicant on the wait list for tenant-based voucher assistance;

**J. PREFERENCE AND INCOME TARGETING ELIGIBILITY** [24 CFR

- . Deny any admission preference for which the applicant is currently qualified;
- . Change the applicant's place on the wait list based on a preference, date of application, or other factors affecting selection under HOC's selection policy; or
- . Remove the applicant from the wait list.

However, HOC may remove the applicant from the wait list for tenant-based assistance if HOC has offered the applicant assistance under the Project-Based Voucher program.

**K. ORDER OF SELECTION** [24 CFR 982.207(e)]

HOC's method for selecting applicants from a preference category leaves a clear audit trail which can be used to verify that each applicant was selected in accordance with the method specified in the Administrative Plan. **Tenant-Based Voucher Wait List**

## **Local Preferences**

HOC provides the following system to apply local preferences:

Each preference receives an allocation of points. The more preference points an applicant receives, the higher the applicant's position on the wait list.

### **Among Applicants with Equal Preference Status**

Among applicants with equal preference status, the tenant-based voucher wait list was organized by the lottery selection process for the first 365 days after the wait list was opened in the summer of 2015. Thereafter, applicants with equal preference status on the tenant-based voucher wait list are organized by date and time stamp.

### **Project-Based List**

HOC provides the following system to apply local preferences:

Each preference receives an allocation of points. The more preference points an applicant receives, the higher the applicant's position on the wait list.

The PBV sub list is organized by family size and the corresponding bedroom size as follows:

- . One and two person families are eligible for a one-bedroom unit.
- . Three and four person families are eligible for a two- bedroom unit.
- . Five and six person families are eligible for a three- bedroom unit.
- . Seven and eight person families are eligible for a four- bedroom unit.

Exceptions to this policy are made in accordance with HOC's policies of reasonable accommodation for persons with disabilities.

The number of persons per bedroom is subject to compliance with the Montgomery County Code, Chapter 26-5, Space, Use, and Location. Paragraph (b) of Chapter 26-5 is shown below:

b) *Floor area, sleeping.* In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant must contain at least 70 square feet of habitable space, and every room occupied for sleeping purposes by more than one occupant must contain at least 50 square feet of habitable space for each occupant. However, in a mobile home every room occupied for sleeping purposes by one occupant must contain at least 50 square feet of habitable space; by 2 occupants, at least 70 square feet of habitable space; and by more than 2 occupants, at least an



additional 50 square feet of habitable space for each additional occupant.

Among Applicants with equal preference status, the PBV wait list is organized by the regular date-time selection process for each bedroom size.

### **L.1 PROJECT-BASED VOUCHER REFERRALS**

Applicants referred to HOC for housing subsidy through PBVs by way of Offender Reentry programs sponsored by the Silver Spring Interfaith Housing Coalition and Threshold Services, Inc. are granted an eligibility criminal background exception. The participant does not have rights to the HOC Grievance Procedures.

The eligibility exception is not extended to the following individuals:

1. Persons convicted of manufacturing or producing methamphetamine;
2. Any person evicted from federally assisted housing for a serious violation of the lease (and for three years following the eviction);
3. Any person who fails to sign and submit consent forms to obtain information in accordance with the Administrative Plan Part 5, subparts B and F;
4. Any person required under HUD regulation to establish citizenship or eligible immigration status;
5. Any person subject to a life time registration requirement under a state sex offender registration program; and
6. Any persons convicted for violent felonies.

### **L.2 PROJECT-BASED VOUCHER REFERRALS**

In an effort to minimize displacement of families, if a unit that is to be included in the PBV contract is occupied by an eligible family, the in-place family must be placed on the program wait list. When eligibility is determined, the family must be given an absolute selection preference and referred to the project owner for an appropriately size PBV contract.

A preference will be extended through the PBV program (only) for services offered. In selecting families, HOC may give a preference to disabled families who need services offered at a particular project. This preference (more specifically a referral) is limited to the population of families with disabilities that significantly interfere with their ability to obtain and maintain themselves in housing who, without appropriate supportive services, are not able to maintain themselves in housing.

Selection of applicants in the targeted funding Family Unification Program (FUP) 2008 allocation are completed in conjunction with referrals from the Montgomery County Department of Health and Human Services (MCHHS). HOC will accept families certified by the MCHHS as eligible applicants for FUP. HOC will compare the names provided with the names on the current HOC wait list. Any referred family on the HOC wait list is served first. Those families referred and not on the HOC wait list will be added to the wait list and served based on date of referral or on a first come first served basis.

M. **FINAL VERIFICATION OF PREFERENCES** [24 CFR 5.415]

Preference information on pre-applications is updated as applicants are selected from the wait list. At that time, HOC will obtain necessary verifications of preference(s) at the interview and by third party verification.

**Subsection A – Secondary Review/Credit Checks**

Before issuing vouchers to applicant families, HOC requests a credit report of all new applicant families, all adults (persons 18 years of age and older) who will reside in the assisted household. The credit report is reviewed by HOC. Applicant households claiming they have zero income automatically undergo a credit check review. The information contained in the credit check is used to confirm the information provided to HOC by the family. Specially, the credit report is used to confirm:

1. **Employment:** A credit report will list any employers the applicant has listed in any recent credit applications. If the credit report reveals employment for any adult household member within the last 12 months that was not disclosed, the family will be asked to provide additional documentation to resolve the discrepancy. Failure to disclose current employment may result in denial of participation in the Housing Choice Voucher and Section 8 programs.
2. **Aliases:** A credit report can provide information on other names that have been used for the purposes of obtaining credit. Common reasons for use of other names include a recent marriage or a divorce. If an alias has not been disclosed to HOC, the family will be asked to provide additional evidence of the legal identity of all adult family members.
3. **Current and previous addresses:** A credit report can provide a history of where the family has lived. This is particularly important because HOC provides a residency preference. If the family has provided one address to HOC and the credit report indicates a different address, the family will be asked to provide additional proof of residency. This may include a history of utility bills, bank statements, school enrollment records for children, credit card statements, and/or other relevant documentation. Failure to provide adequate proof could result in denial of the residency preference.
4. **Credit card and loan payments:** A credit report will usually include a list of the family's financial obligations. Examples of the items that may show up include car loans, mortgage loans, student loans, and credit cards payments. HOC will review this information to confirm the

income and asset information provided by the family. If the family's current financial obligations (total amount of current monthly The applicant fails to respond to an electronic or written request for information or payments) exceed the amount of income reported by the family, HOC will ask the family to disclose how they are currently meeting their financial obligations. Accounts that have been charged off or are significantly delinquent are not included in this calculation. Failure to provide adequate proof of income could result in denial of participation in the Housing Choice Voucher and Section 8 programs.

5. **Multiple Social Security Numbers:** A credit report may list multiple Social Security numbers if an adult family member has used different Social Security numbers to obtain credit. If the credit report information does not match the information provided by an adult family member, the family member or head of household will be required to obtain written confirmation of the Social Security number that was issued to him/her from the Social Security Administration.

Applicant families are not issued vouchers until all discrepancies between the information provided by the applicant family and the information contained in the credit report have been cleared by the applicant family and approved by HOC.

When discrepancies are found, the family will be contacted by HOC. In most cases, the family will be allowed a maximum of ten (10) business days to provide the additional information. On a case-by-case basis, as a reasonable accommodation, the family may be granted additional time. If additional time is granted, the family receives written notification of the new deadline. No second or additional extensions will be granted. Failure to provide the required information to HOC could result in denial of participation in the Housing Choice Voucher and Section 8 Programs.

When the credit report reveals multiple discrepancies which require interview appointments, HOC will schedule up to two interview appointments. An additional appointment may be scheduled as a reasonable accommodation. Failure to appear at the interview session could result in denial of participation in the Housing Choice Voucher and Section 8 Programs.

N. **PREFERENCE DENIAL** [24 CFR 5.415]

If HOC denies a preference, HOC notifies the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review to appeal the decision. If the preference denial is upheld as a result of the review, or the applicant does not request a review, the preference is removed from the applicant's entry on the wait list, returning the applicant to their regular date-time positioning. Applicants may exercise other rights if they believe they are a victim of discrimination.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the wait list.

O. **REMOVAL FROM THE WAIT LIST AND PURGING** [24 CFR 982.204(c)] HOC will not

remove an applicant's name from the wait list unless:

1. The applicant requests in writing that their name be removed; a request

to declare their continued interest in the program;

P. The applicant does not meet either the eligibility or suitability criteria for the program.

Q. The applicant refuses two housing units without good cause.

### **Obligation to Annually Confirm Application Information**

Each year, or at such time as HOC determines reasonable, HOC will issue notice to all applicants on the wait list requesting that each applicant confirm their continued interest in remaining on the wait list. Failure to renew the information in a timely manner will result in removal from the wait list.

HOC will provide notice to wait list applicants to confirm their continued interest and set a date by which their renewal must be completed. HOC will send notices thirty days, fifteen days, five days, and one day prior to the date when that renewal or confirmation is due.

All notices under this Section are sent by HOC electronically to the last known e-mail address listed on the application. Wait list applicants may also request text message notifications. If a family does not have an e-mail address, HOC can assist the family in obtaining a free email account. It will be the applicant's sole responsibility to check that email account from time to time and to respond to any email and/or SMS text from HOC. To the extent an applicant requires assistance, upon request, staff from HOC is available to assist with electronic submissions.

**Should an applicant not respond to the request to confirm their continued interest in remaining on the wait list by renewing their application or to their notification of selection for a program for any reason, prior to the established deadline, the applicant is removed from the wait list. Reasons for non-response, resulting in removal from the list, include (but are not limited to) negligence in completing the electronic update/application in a timely manner and relocation resulting in a return of the e-notice to HOC with no forwarding email address provided. Applicants removed from the wait list will receive a notification identifying their removal from Housing Path.**

### **Missed Appointments**

All applicants who fail to keep a scheduled appointment with HOC are sent a written notice of termination of the process for eligibility. That written notification of termination may be sent as an attachment to an e-mail.

HOC will allow the family to reschedule an appointment for good cause. Generally, no more than one opportunity is given to reschedule without good cause, and no more than two opportunities are given for good cause. When good cause exists for missing an appointment, HOC will work closely with the family to find a more suitable time. Applicants are advised of their right to an informal review before being removed from the wait list.

### **Notification of Negative Actions**

Any applicant whose name is being removed from the wait list will be notified by HOC, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the wait list if they fail to respond within the timeframe specified. HOC's system of removing applicant names from the wait list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, HOC will verify that there is in fact a disability, that the disability is what caused the failure to respond, and then provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the wait list based on the date and time of their original application.

### **Purging the Wait List**

HOC will update and purge its wait list as needed to ensure that the pool of applicants reasonably represents the interested families for whom HOC has current information, i.e. applicant's address, family composition, income category, and preference.

## **EXHIBIT B**

### **Chapter 7**

#### **VERIFICATION PROCEDURES**

[24 CFR Part 5, Subparts B, D, E and F; 982.108]

#### **INTRODUCTION**

HUD regulations require that the factors of eligibility and Total Tenant Payment/Family Share be verified by the PHA. PHA staff will obtain written verification from independent sources whenever possible, or will document in tenant files why third party verification was impossible to obtain.

Applicants and program participants must provide true and complete information to the PHA whenever information is requested. The PHA's verification requirements are designed to maintain program integrity. This Chapter explains the PHA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and changes in family composition. The PHA will obtain proper authorization from the family before requesting information from independent sources.

#### **A. METHODS OF VERIFICATION AND TIME ALLOWED [24 CFR982.516]**

The PHA will verify information through the five methods of verification acceptable to HUD in the following order:

1. Upfront Income Verification through HUD's Enterprise Income Verification system, see HOC's EIV policy
2. Third-Party Written Verification
3. Third-Party Oral Verification
4. Review of Documents
5. Certification/Self-Declaration

The PHA will verify information through a secondary review through third party credit reports.

The PHA will allow 14 days for return of third-party verifications and 14 days to obtain other types of verifications before going to the next method. The PHA will document the file as to why third party written verification was not used.

For applicants, verifications may not be more than 60 days old at the time of voucher issuance. For participants, they are valid for 60 days from date of receipt.

#### **Upfront Income Verification (W-UIV)**

The verification of income, before or during a family re-examination, through an independent

source that systemically and uniformly maintains income information in a computerized form for a large number of individuals.

The UIV data is used to validate client reported income and supplement client provided documents. When the client disputes the UIV data, the PHA must request written third party verification.

Acceptable Verification:

UIV plus current client provided documents or

UIV plus current client provided documents plus written third-party verification

Tenant-provided documents should be dated within the last 120 days of the reexamination, pay stubs should be current and consecutive.

The PHA will use state or federal records of child support payments to document and calculate income

Projecting Annual Income through UIV:

When UIV data is not substantially different than client-reported income:

If UIV data is less than client reported income, use client provided documents to calculate anticipated annual income.

If UIV data is greater than client reported income, use UIV data to calculate anticipated annual income, unless client can provide the PHA with acceptable documentation to verify a change in circumstances.

When UIV data is substantially different than client reported income:

The PHA must request written third-party verification from the discrepant income source.

**Third-Party Written Verification**

Third-party verification is used to verify information directly with the source. Third-party written verification forms will be sent and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information.

Verifications received electronically directly from the source are considered third party written verifications.

**Third-Party Oral Verification**

Oral third-party verification will be used when written third party verification is delayed or not possible. When third-party oral verification is used, staff will be required to complete a

Certification of Document Viewed or Person Contacted form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the PHA will compare the information to any documents provided by the Family. If provided by telephone, the PHA must originate the call.

### **Review of Documents**

In the event that third-party written or oral verification is unavailable, or the information has not been verified by the third party within two weeks, the PHA will annotate the file accordingly and utilize documents provided by the family as the primary source if the documents provide complete information.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed or Person Contacted form or document.

The PHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer print-outs from the employer
- Signed letters (provided that the information is confirmed by phone)
  - Other documents noted in this Chapter as acceptable verification The PHA will

accept photocopies after review of the original documents.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the PHA will utilize the third party verification.

The PHA will not delay the processing of an application beyond 14 days because a third party information provider does not return the verification in a timely manner.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification or review of documents, families will be required to complete a self-certification.

#### **Subsection — Secondary Review/Credit Checks**

The Housing Authority uses credit reports obtained from a third party source as a secondary review of income verifications for all adult household members (non-student persons 18 years of age and older) who reside in the assisted household and claim zero income. The secondary review includes a comparison between the information contained in the credit report, for each adult household member and the information provided by the family to the Housing Authority for eligibility purposes (Personal Declaration). Specifically, the Housing Authority reviews the credit report to verify:



**Employment:** If the credit report reveals employment during the subsidized period that has not been disclosed to the Housing Authority, the family will be required to provide documentation that the employment did not occur or provide information regarding the amount of earnings received during the employment period. If a family contends that the employment was made up for the purposes of obtaining credit or was erroneously placed on the credit report, the family must supply a letter from the employers listed confirming such information. If the family failed to disclose employment for a period longer than six months, the Housing Authority may purpose termination of the family's housing assistance and seek repayment of any overpayment. If the family failed to disclose employment for less than six months, the family will be required to attend a counseling interview and re-sign all program documents reinforcing the family's obligations. The family will also be required to repay any housing subsidy overpayment. A recurrence of this violation could result in termination from the Housing Choice Voucher and Section 8 programs.

**Assets:** The credit report information will be used to verify assets, particularly large items such as real property. If the credit report reveals that the family owns property, the family will be required to provide the appropriate documentation regarding the property. If all documentation confirms that the family or any household member owns real estate property that was purposely concealed, the Housing Authority will propose termination of assistance and seek repayment of any overpayment amount.

**Aliases:** A credit report can provide information on other names that have been used for the purposes of obtaining credit. Common reasons for use of other names include a recent marriage or a divorce. If an alias has not been disclosed to the Housing Authority, the family will be asked to provide additional evidence of the legal identity of all adult family members.

**Current and previous addresses:** A credit report can provide a history of where the family has lived. This is particularly important because the Housing Authority provides a residency preference. If the family has provided one address to the Housing Authority and the credit report indicates a different address, the family will be asked to provide additional proof of residency. This may include a history of utility bills, bank statements, and school enrollment records for children, credit card statements or other relevant documentation. Failure to provide adequate proof could result in denial of the residency preference.

**Credit card and loan payments:** A credit report will usually include a list of the family's financial obligations. Examples of the items that may show up include car loans, mortgage loans, student loans and credit cards payments. The Housing Authority will review this information to confirm the income and asset information provided by the family. If the family's current financial obligations (total amount of current monthly payments) exceed the amount of income reported by the family, the Housing Authority will ask the family to disclose how they are currently meeting their financial obligations. Accounts that have been charged off or are significantly delinquent are not included in this calculation. Failure to provide adequate proof of income could result in denial of participation in the Housing Choice Voucher and Section 8 programs.

**Multiple Social Security Numbers:** A credit report may list multiple Social Security numbers if an adult family member has used different Social Security numbers to obtain credit. If the credit report information does not match the information provided by an adult family member, the family

member or head of household will be required to obtain written confirmation of the Social Security number that was issued to him/her from the Social Security Administration.

A family will not be issued a voucher until all discrepancies between the information provided by the applicant family and the information contained in the credit report have been cleared by the applicant family and approved by the Housing Authority. When discrepancies are found, the family will be contacted by the Housing Authority. In most cases, the family will be allowed a maximum of ten business days to provide the additional information. On a case-by-case basis, as a reasonable accommodation, the family may be granted additional time. If additional time is granted, the family receives written notification of the new deadline. No second or additional extension will be granted. Failure to provide the required information to the Housing Authority could result in denial of participation in the Housing Choice Voucher and Section 8 Programs. When the credit report reveals multiple discrepancies which require interview appointments, the Housing Authority will schedule up to two interview appointments. An additional appointment may be scheduled as a reasonable accommodation. Failure to appear at the interview session could result in denial of participation in the Housing Choice Voucher and Section 8 Programs.

**B. RELEASE OF INFORMATION [24 CFR 5.230]**

Adult family members will be required to sign the HUD 9886 Release of Information/Privacy Act form.

In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice.

Each member requested to consent to the release of specific information will be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to supply any information and to sign consent forms requested by the PHA or HUD.

**C. COMPUTER MATCHING**

Where allowed by HUD and/or other State or local agencies, computer matching will be done.

The PHA will utilize the HUD established Enterprise Income Verification (EIV)/Upfront Income Verification (UIV) tool for obtaining Social Security benefits, Supplemental Security Income, benefit history and tenant income discrepancy reports from the Social Security Administration (Refer to EIV policy).

**A. INITIAL LEASE UP [24 CFR 5.233]**

For each New Admission (form HUD-50058 action type 1) Income Report

- . PHAs must review the Income Report to confirm/validate family-reported income within 90 days of the admission date.

Any income discrepancies must be resolved with the family within 30 days of the Income Report date

For each Historical Adjustment (form HUD-50058 action type 14) Income Report

- . PHAs must review the Income Report to confirm/validate family-reported income within 90 days of the PIC submission date
- . Any income discrepancies must be resolved with the family within 30 days of the Income Report date

When computer matching results in a discrepancy with information in the PHA records, the PHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, the PHA will follow the procedures in the Program Integrity Addendum of the Administrative Plan.

**D. ITEMS TO BE VERIFIED [24 CFR 982.516]**

All income not specifically excluded by the regulations.

Full-time student status including High School students who are 18 or over.

Current assets including assets disposed of for less than fair market value in preceding two years.

Child-care expense where it allows an adult family member to be employed or to further his/her education.

Total medical expenses of all family members in households whose head or spouse is elderly or disabled.

Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family, which allow an adult family member to be employed.

Disability for determination of preferences, allowances or deductions.

U.S. citizenship/eligible immigrant status. "Preference" status.

Familial/Marital status when needed for head or spouse definition.

Verification of Reduction in Benefits for Noncompliance:

The PHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance before denying the family's request for rent reduction.

**E. VERIFICATION OF INCOME [24 CFR 982.516]**

This section defines the methods the PHA will use to verify various types of income.

**Employment Income**

Verification forms request the employer to specify the: Dates of employment

Amount and frequency of pay Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12 months. Acceptable methods of verification include, in this order:

1. Employment verification form completed by the employer.
2. Four current consecutive pay stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.
3. W-2 forms plus income tax return forms.

Self-certification or income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

**Employment verification must reflect a home base in Montgomery county or 51 percent of business is conducted within Montgomery county.**

**Applicants claiming self-employment income must provide documentation that 51 percent of the business is conducted within Montgomery county.**

Applicants and program participants may be requested to sign an authorization for release of information from the Internal Revenue Service for further verification of income.

In cases where there are questions about the validity of information provided by the family, the PHA will require the most recent federal income tax statements.

Where doubt regarding income exists, a referral to IRS for confirmation will be made on a case-by-case basis.

**Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

Acceptable methods of verification include, in this order:

1. Utilize the HUD established Enterprise Income Verification (EIV)/Upfront Income Verification (UIV) tool for benefits, benefit history and tenant income discrepancy reports from the Social Security Administration (Refer to EIV policy).
2. Benefit verification form completed by agency providing the benefits.
3. Award or benefit notification letters prepared and signed by the providing agency.
4. Computer report electronically obtained or in hard copy.

### **Unemployment Compensation**

Acceptable methods of verification include, in this order:

1. Utilize the HUD established Enterprise Income Verification (EIV)/Upfront Income Verification (UIV) tool for benefits and benefit history reports from the Unemployment Compensation agency.
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs.

### **Welfare Payments or General Assistance**

Acceptable methods of verification include, in this order:

1. PHA verification form completed by payment provider.
2. Written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next 12 months.
3. Computer-generated Notice of Action.
4. Computer-generated list of recipients from Welfare Department.

### **Alimony or Child Support Payments**

Acceptable methods of verification include, in this order:

1. Copy of a separation or settlement agreement or a divorce decree stating amounts and types of support and payment schedules.
2. State or federal records of child support payments.

3. A notarized statement or affidavit signed by the person providing the support. This document must include amount of support, pay or name, address, and phone number
4. Copy of 3 latest check and/or payment stubs from Child Support Enforcement. For verbal third party the PHA must record the date, amount, and number of the check.
5. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

A copy of the separation or settlement agreement, or a divorce decree stating the amount and type of support and payment schedules.

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A notarized affidavit from the family indicating the amount(s) received.

A welfare notice of action showing amounts received by the welfare agency for child support.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

### **Net Income from a Business**

In order to verify the net income from a business, the PHA will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable methods of verification include:

1. IRS Form 1040, including:  
Schedule C (Small Business) Schedule E (Rental Property Income) Schedule F (Farm Income)
2. If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense computed using straight-line depreciation rules.
3. Audited or un-audited financial statement(s) of the business.
4. Credit report or loan application.
5. Documents such as manifests, appointment books, cashbooks, bank statements, and receipts will be used as a guide for the prior 180 days (or lesser period if not in business for 90 days) to project income for the next 12 months. The family will be advised to maintain these documents in the

future if they are not available.

6. Family's self-certification as to net income realized from the business during previous years.

### **Child Care Business**

If an applicant/participant is operating a licensed day care business, income will be verified as with any other business.

If the applicant/participant is operating a "cash and carry" operation (which may or may not be licensed), the PHA will require that the applicant/participant complete a form for each customer which indicates: name of person(s) whose child (children) is/are being cared for, phone number, number of hours' child is being cared for, method of payment (check/cash), amount paid, and signature of person.

If the family has filed a tax return, the family will be required to provide it.

The PHA will conduct interim reevaluations every year and require the participant to provide a log with the information about customers and income.

If childcare services were terminated, third-party verification will be sent to the parent whose child was cared for.

### **Recurring Gifts**

Acceptable methods of verification include, in this order:

- A notarized statement or affidavit signed by the person providing the assistance giving the purpose, date and value of gifts. This document should include the pay or name, address and phone number.
- A self-certification provided by the family that contains the following information: The person who provides the gift, the value of the gifts, the dates of the gifts and the purpose of the gifts.

### **Zero Income Status**

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household.

The PHA will request information from the State Employment Development Department.

The PHA will run a credit report if information is received that indicates the family has an unreported income source.

### **Full-time Student Status**



Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by full time students is not counted towards family income.

Verification of full time student status includes:

Written verification from the registrar's office or other school official; or school records which show a sufficient number of credits to be considered a full-time student by the educational institution attended.

School records, such as an official report card, indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

**F. INCOME FROM ASSETS [24 CFR 982.516]**

**\*VERIFICATION OF ASSESTS**

Asset Accounts with Interest Income and Dividends with current balance exceeding \$1,000 Acceptable methods of verification include, in this order:

1. Verification forms from a financial institution or broker.
2. Passbook, account statements, certificate of deposit, bonds, or financial statements completed by a financial institution or broker including current interest rates and dividends.
3. Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained by oral broker's verification or current newspaper quotations.
4. IRS Form 1099 from the financial institution provided that the PHA must adjust the information to project earnings expected for the next 12 months.

Interest Income from Mortgages or Similar Arrangements

Acceptable methods of verification include, in this order:

1. Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.
2. A letter from an accountant, attorney, real estate broker, the buyer, or financial institution stating interest due for the next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless of a breakdown of interest is present.

Net Rental Income from Property Owned by Family

Acceptable methods of verification include, in this order:

1. IRS Form 1040 with Schedule E (Rental Income)
2. A copy of latest rent receipts, leases, or other documentation of rent amounts.
3. Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.
4. Lessee's written statement verifying rent payments to the family and family's self- certification as to the net income realized.

Verification for assets to determine the current cash value

(the net amount the family would receive if the assets were converted to cash).

Quotes from a stock broker or realty agent as to the net amount family would receive if they liquidated securities or real estate.

Real estate tax statements if the approximate current cash value can be deduced from the assessment.

Financial statements from business assets

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in a safe deposit boxes.

Assets Disposed of for Less than Fair Market Value (FMV) During the Two Years Preceding the Effective Date of Certification or Recertification

For all Certifications and Recertifications, the PHA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.

If the family certifies that they have disposed of assets for less than fair market value, verification if required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained whenever possible.

**H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME**

[24 CFR 982.516]

**Child Care Expenses**

Written verification from the person who receives the payments is required. If the child care provider is an individual, s/he must provide a statement of the amount they are charging the family for their services. Additionally, the family must provide two months of cancelled checks or cancelled cashier money orders verifying the child care costs.

Verifications must specify the child care provider's name, address, telephone number, Social Security Number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

### **Medical Expenses**

Families, who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.

Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.

Receipts or other record of medical expenses incurred during the past 12 months that can

be used to anticipate future medical expenses, which includes regular visits to doctors or dentists, for "general medical expenses". For non-prescription drugs verification is needed from a medical professional stating that these drugs are prescribed is also needed along with receipts. One time, nonrecurring expenses from the previous year will not be included.

The PHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

**Assistance to Persons with Disabilities** [24 CFR 5.611(c)] In All Cases:

Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.

Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

**Attendant Care:**

Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided.

Certification of family and attendant and/or copies of canceled checks family used to make payments.

**Auxiliary Apparatus:**

Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.

In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

**I. VERIFYING NON-FINANCIAL FACTORS** [24 CFR 982.153(b) (15)]

**Verification of Legal Identity**

In order to prevent program abuse, the PHA will require applicants to furnish verification of legal identity for all family members.

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Certificate of Birth, naturalization papers.

- Church issued baptismal certificate
- Current, valid Driver's license
- U.S. military discharge (DD 214)
- U.S. passport
- Department of Motor Vehicles Identification Card
- Hospital records

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

- Certificate of Birth
- Adoption papers
- Custody agreement
- Health and Human Services ID
- School records

### **Verification of Marital Status**

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records.

Verification of marriage status is a marriage certificate.

### **Familial Relationships** (pages 7-16 and 7-17)

Certification will normally be considered sufficient verification of family relationships. In cases where reasonable doubt exists, the family may be asked to provide verification.

The following verifications will always be required if applicable:

- Verification of relationship:
- Official identification showing names
- Birth Certificates
- Baptismal certificates
- Verification of guardianship is:
  - Court-ordered assignment
  - Verification from social services agency

### **Verification of Permanent Absence of Family Member**

If an adult member who was formerly a member of the household is reported permanently absent by the family, the PHA will consider any of the following as verification:

Husband or wife institutes divorce action. Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, if available.

Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.

If the adult family member is incarcerated, a document from the Court or correctional facility should be obtained stating how long they will be incarcerated.

### **Verification of Change in Family Composition**

The PHA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, credit data, school, employment, or DMV records, and other sources. In cases of domestic violence, stalking, or dating violence, HOC will accept a final order of protection, peace order, or similar court order to remove a household member.

If the family is unable to obtain the above documentation, HOC will accept documentation from the U.S. Postal Service that indicates that the removed household member does not receive mail at the program unit address and a notarized statement from the head of household, the former member or both.

### **Verification of Disability**

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) or for those who do not receive disability benefits the disability can be verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehab specialist, or licensed social worker, using the HUD language as the verification format.

**Verification of Citizenship/Eligible Immigrant Status** [24 CFR 5.508, 5.510, 5.512, 5.514]

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contest their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Family members must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the PHA hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.

The PHA will require citizens to provide documentation of citizenship. Acceptable documentation will include at least one of the following original documents:

United States birth certificate  
United States Passport  
Resident alien/registration card

Other appropriate documentation as determined by the PHA

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The PHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the PHA must request within 10 days that the INS conduct a manual search.

Ineligible family members who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.

Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

Failure to Provide: If an applicant or participant family member fails to sign required declarations and consent forms or provide documents as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

## **Time of Verification**

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination.

The PHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.

The PHA will verify the U.S. citizenship/eligible immigration status of all participants no later than the date of the family's first annual reexamination following the enactment of the Quality Housing and Work Responsibility Act of 1998.

For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in.

Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial PHA does not supply the documents, the PHA must conduct the determination.

## **Extensions of Time to Provide Documents**

The PHA will grant an extension of 30 days for families to submit evidence of eligible immigrant status.

## **Acceptable Documents of Eligible Immigration**

The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register:

Resident Alien Card (I-551)

Alien Registration Receipt Card (I-151) Arrival-Departure Record (I-94)

Temporary Resident Card (I-688) Employment Authorization Card (I-688B)

Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept 5 years.

The PHA will verify the eligibility of a family member at any time such eligibility is in question, without regard to the position of the family on the waiting list.



If the PHA determines that a family member has knowingly permitted another individual who is not eligible for assistance to reside permanently in the family's unit, the family's assistance will be terminated for 36 months, unless the ineligible individual has already been considered in prorating the family's assistance.

#### **Verification of Social Security Numbers** [24 CFR 5.216]

Social security numbers must be provided as a condition of eligibility for all family members if they have been issued a number, except any member who is older than 62 as of Jan 31, 2010 and receiving assistance as of that date.

At the time any change in family composition is reported to HOC, each new family member will be required to produce a Social Security card or original document issued by a federal or state government agency that provides the Social Security Number of the individual along with other identifying information. HOC will accept HUD prescribed documentation of this information.

If an applicant or participant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or participant cannot become a participant or continue as a participant until the applicant or participant can provide the complete and accurate Social Security Number assigned to each member of the household.

HOC permits a 90-day period during which an applicant family may become a program participant, even if the family lacks the documentation necessary to verify the Social Security Number (SSN) of a family member under the age of six (6) years old. An extension of one additional 90-day period must be granted if HOC determines that, in its discretion, the applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside of the control of the applicant. For example, an applicant may be able to demonstrate timely submission of a request for a Social Security Number, in which case processing time would be the cause of the delay. If the applicant family does not produce the required documentation within the authorized time period, HOC must impose appropriate penalties, in accordance with the Code of Federal Regulations at 24 CFR 5.218.

If merited, HOC will offer a grace period and/or an extension. HOC will implement this provision just as it currently implements the provision for program participants. Specifically, an applicant family with a child under the age of six (6) years may become a participant family, even if the Social Security Number for the child has not been verified at the time of admission. If the Social Security Number has still not been verified at the end of the initial 90-day period, then HOC must determine whether a 90-day extension is merited. If it is not merited, then HOC must follow the provisions of 24 CFR 5.218. If a 90-day extension is merited, then HOC must either verify the Social Security Number for the child by the end of the 90-day extension period or follow the provisions of 24 CFR 5.218.

Failure to provide the required documentation during the recertification process will result in an incomplete recertification action and may subject the family to termination of housing assistance.

### **Medical Need for Larger Unit**

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker.

## **EXHIBIT C**

### **Chapter 8**

#### **VOUCHER ISSUANCE AND BRIEFINGS**

[24 CFR 982.301, 982.302]

#### **INTRODUCTION**

The PHA's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an acceptable housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, the PHA will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, PHA procedures, and how to lease a unit. The family will also receive a briefing packet that provides more detailed information about the program including the benefits of moving outside areas of poverty and minority concentration. This Chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

#### **A. ISSUANCE OF VOUCHERS** [24 CFR 982.204(d), 982.54(d)(2)]

When funding is available, the PHA will issue Vouchers to applicants whose eligibility has been determined. The number of Vouchers issued must ensure that the PHA stays as close as possible to 100 percent lease-up. The PHA performs a monthly calculation electronically to determine whether applications can be processed, the number of Vouchers that can be issued, and to what extent the PHA can over-issue (issue more Vouchers than the budget allows to achieve lease-up).

The PHA may over-issue Vouchers only to the extent necessary to meet leasing goals. All Vouchers that are over-issued must be honored. If the PHA finds it is over-leased, it must adjust future issuance of Vouchers in order not to exceed the ACC budget limitations over the fiscal year.



**B. BRIEFING TYPES AND REQUIRED ATTENDANCE [24 CFR 982.301]**

**Initial Applicant Briefing**

Briefings will be conducted in English.

The purpose of the briefing is to explain how the program works and the documents in the Voucher holder's packet to families so that they are fully informed about the program. This will enable them to utilize the program to their advantage, and it will prepare them to discuss it with potential owners and property managers.

The PHA will not issue a Voucher to a family unless the household representative has attended a briefing and signed the Voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend 2 scheduled briefings, without prior notification and approval of the PHA, may be denied admission based on failure to supply information needed for certification. The PHA will conduct individual briefings for families with disabilities at their home, upon request by the family, if required for reasonable accommodation.



**Briefing Packet** [24 CFR 982.301(b)]

The documents and information provided in the briefing packet for the voucher program will comply with all HUD requirements. The PHA also includes other information and/or materials that are not required by HUD. This information will be provided at the applicant's Initial and the participant's Move Briefing.

The family is provided with the following information and materials

The term of the voucher, and the PHA policy for requesting extensions or suspensions of the voucher (referred to as tolling).

A description of the method used to calculate the housing assistance payment for a family, including how the PHA determines the payment standard for a family; how the PHA determines total tenant payment for a family and information on the payment standard and utility allowance schedule. How the PHA determines the maximum allowable rent for an assisted unit.

For a family that qualifies to lease a unit outside the PHA jurisdiction under portability procedures, the information must include an explanation of how portability works.

The HUD required tenancy addendum, which must be included in the lease.

The Request for Approval of Tenancy form, and a description of the procedure for requesting approval for a unit.

A statement of the PHA policy on providing information about families to prospective owners.

The PHA Subsidy Standards including when and how exceptions are made and how the voucher size relates to the unit size selected.

The HUD brochure on how to select a unit and/or the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS.

The HUD brochure on lead-based paint and information about where blood level testing is available.

Information on Federal, State and local equal opportunity laws and a copy of the housing discrimination complaint form. The PHA will also include the pamphlet "Fair Housing: It's Your Right" and other information about fair housing laws and guidelines, and the telephone numbers of the local fair housing agency and the HUD enforcement office.

A list of units available for the Section 8 program which is updated monthly and compiled by bedroom size.

If the family includes a person with disabilities, notice that the PHA will provide assistance in locating accessible units.

The Family Obligations under the program.

The grounds on which the PHA may terminate assistance for a participant family because of family action or failure to act.

PHA informal hearing procedures including when the PHA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

Information packet including an explanation of how portability works, including a list of neighboring housing agencies with the name, address and telephone number of a portability contact person at each for use by families who move under portability. (required for PHAs in MSAs)

A family participating in the project-based voucher program will be offered available tenant-based assistance either under the voucher program or under another comparable form of tenant-based assistance as defined by HUD

Information regarding the PHA's outreach program that assists families who are interested in, or experiencing difficulty in obtaining available housing units in areas outside of minority concentrated locations.



The HQS checklist.

Procedures for notifying the PHA and/or HUD of program abuses such as side payments, extra charges, violations of tenant rights, and owner failure to repair.

The family's rights as a tenant and a program participant. Requirements for reporting changes between annual recertifications. Information on security deposits and legal referral services.

Exercising choice in residency

Choosing a unit carefully and only after due consideration. The Family Self-Sufficiency program and its advantages.

If the family includes a person with disabilities, the PHA will ensure compliance with CFR 8.6 to ensure effective communication.

### **Move Briefing**

A full HUD-required move briefing will be held for participants who will be reissued a Voucher to move, and who have been recertified within the last 120 days, and have given notice of intent to vacate to their landlord. This briefing includes incoming and outgoing portable families. The briefings will be conducted in groups. Families who attend group briefings and still have the need for individual assistance will be referred to their Rental Assistance Specialist.

### **Owner Briefing**

Briefing may be held for owners periodically. The purpose of the briefing is to assure successful owner participation in the program. Information provided will include the responsibilities and obligations of the three parties.

**C. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION (Regional Opportunity Counseling (ROC) Grant)**

At the briefing, families are encouraged to search for housing in non-impacted areas and the PHA will provide assistance to families who wish to do so.

The PHA has areas of poverty and minority concentration clearly delineated in order to provide families with information and encouragement in seeking housing opportunities outside highly concentrated areas.

The PHA provides information about facilities and services in neighboring areas such as schools, transportation, and supportive and social services.

The PHA will investigate and analyze when voucher holders are experiencing difficulties locating or obtaining housing units outside areas of concentration.

The assistance provided to such families includes:

- Providing families with a search record form to gather and record info.
- Direct contact with landlords.
- Counseling with the family.
- Providing information about services in various non-impacted areas.
- Meeting with neighborhood groups to promote understanding.
- Formal or informal discussions with landlord groups.
- Formal or informal discussions with social service agencies.
- Meeting with rental referral companies or agencies.
- Will meet with fair housing groups or agencies as needed or upon request.

**D. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION** The PHA will give

participants a copy of HUD form 903 to file a complaint. **E. SECURITY DEPOSIT REQUIREMENTS**

[24 CFR 982.313] **Leases Effective Prior to October 2, 1995** -

The amount of Security Deposit that could have been collected by owners under contracts effective prior to October 2, 1995 is:

Under the pre-merger Certificate Program, the owner could have collected a Security Deposit in an amount not to exceed Total Tenant Payment or \$50.00, whichever is greater, for non-lease-in-place families.

For the pre-merger Voucher Program, the owner, at his/her discretion, could have collected a Security Deposit in an amount not to exceed (PHA policy):

The greater of 30% of adjusted monthly income or \$50 for non-lease-in-place families.

The amount charged to unassisted tenants may not exceed the maximum allowed under state or local law.

The greater of 30% of adjusted monthly income or [amount].

**Leases Effective on or after October 2, 1995**

The owner is not required to, but may collect a security deposit up to the maximum allowed by State and local law.

Security deposits charged to families may be any amount the owner wishes to charge, subject to the following conditions:

Security deposits charged by owners may not exceed those charged to unassisted tenants nor the maximum prescribed by State or local law.

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance.

**F. TERM OF VOUCHER** [24 CFR 982.303, 982.54(d) (11)]

During the briefing session, each household will be issued a voucher which represents a contractual agreement between the PHA and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program which occurs when the lease and contract become effective.

**Expirations**

The Voucher is valid for a period of at least ninety (90) calendar days from the date of issuance. The family must submit a Request for Tenancy Approval and Lease within the ninety-day period unless an extension has been granted by the PHA.

If the Voucher has expired, and has not been extended by the PHA or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.

**Suspensions**

When a Request for Approval of Tenancy is received, the PHA will deduct the number of days required to process the request from the 90-day term of the voucher.

## **Extensions**

The PHA ~~will~~ **may** extend the term up to ~~150~~ **90** days from the **voucher expiration date, beginning of the initial term if the family needs and request an extension as a reasonable accommodation to make the program accessible to and usable by a family member with a disability.** If as a reasonable accommodation, the family needs an extension in excess of **180** days, they must request the **extension same** in writing, prior to the expiration date of the voucher. ~~The PHA may grant such a request.~~

A family may request an extension of the voucher time period. All requests for extensions must be received, in writing, prior to the expiration date of the voucher.

Extensions are permissible at the discretion of the PHA up to a maximum of an additional ~~60~~ **90** days primarily for these reasons:

- Extenuating circumstances such as hospitalization or a family emergency for an extended period of time which has affected the family's ability to find a unit within the initial 90-day period. Verification is required.
- The PHA is satisfied that the family has made a reasonable effort to locate a unit, including seeking the assistance of the PHA, throughout the initial 90-day period. A completed search record is required **including a minimum of 10 units viewed.**
- The family was prevented from finding a unit due to disability accessibility requirements or bedroom unit requirement. The Search Record is part of the required verification.

## **Assistance to Voucher Holders**

Families who require additional assistance during their search may call the PHA Office to request assistance. Voucher holders will be notified at their briefing session that the PHA periodically updates the listing of available units and how the updated list may be obtained.

The PHA will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

After the first 30 days of the search the family is required to maintain a search record.

**G. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS**

24 CFR 982.315]

In those instances, when a family assisted under the Section 8 program becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, the Director of Rental Assistance shall consider the following factors to determine which of the families will continue to be assisted:

- Which of the two new family units has custody of dependent children.
- Which family member was the head of household when the Voucher was initially issued (listed on the initial application).
- The composition of the new family units, and which unit contains elderly or disabled members.
- Whether domestic violence was involved in the breakup.
- Which family members remain in the unit.
- Recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the PHA will terminate assistance on the basis of failure to provide information necessary for a recertification.

**H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF VOUCHER**

[24 CFR 982.315]

To be considered the remaining member of the tenant family, the person must have been previously approved by the PHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

- The court has to have awarded emancipated minor status to the minor, or
- The PHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a reduction in the voucher family unit size.

**I. SPLIT HOUSEHOLDS DURING PROGRAM PARTICIPATION**

When families currently receiving assistance split, the current head of household retains continual voucher assistance. Remaining family members must separately apply when the waiting list is open to receive assistance.

## **EXHIBIT D**

### **Chapter 21**

#### **HOUSING CHOICE VOUCHER HOMEOWNERSHIP OPTION A. GENERAL**

##### **PROVISIONS**

The Housing Choice Voucher Homeownership Program of the Housing Opportunities Commission of Montgomery County, Maryland ("HOC") offers eligible participants in the Housing Choice Voucher program, including participants with portable vouchers, the option of purchasing a home with their Housing Choice Voucher assistance rather than renting. This is a program, which is limited to up to twenty-five (25). As many as three (3) slots are designated for households meeting HUD definition of disabled.

Participants will be chosen through the Commission-approved random selection and screening process.

Eligible applicants for the Housing Choice Voucher homeownership program must be participants in the Housing Choice Voucher rental program, may not owe HOC or any other Housing Authority an outstanding debt (unless they are making regular payments on the debt), and must meet the eligibility criteria set forth herein.

Housing Choice Voucher homeownership assistance may be used to purchase a home within Montgomery County (excluding the city of Rockville). HOC also will permit portability of Housing Choice Voucher homeownership assistance to another jurisdiction, provided the receiving jurisdiction operates and has an opening in Housing Choice Voucher homeownership program for which the Housing Choice Voucher homeownership applicant qualifies.

##### **B. FAMILY ELIGIBILITY REQUIREMENTS**

Participation in the Housing Choice Voucher homeownership program is voluntary. Each Housing Choice Voucher homeownership applicant must meet the general requirements for admission to the Housing Choice Voucher program as set forth in HOC's Administrative Plan. Such Housing Choice Voucher family also must be "eligible" to participate in the homeownership program. The additional eligibility requirements for participation in HOC's Housing Choice Voucher homeownership program include that the family must: (1) be a first-time homeowner or have a member who is a person with disabilities; (2) with the exception of elderly and disabled households, meet a minimum income requirement without counting income from "welfare assistance" sources; (3) with the exception of elderly and disabled households, meet the requisite employment criteria; (4) be a current participant in the Housing Choice Voucher program; (5) have fully repaid any outstanding debt owed to HOC or any other Housing Authority (unless they are making regular payments); (6) not defaulted on a mortgage securing debt to purchase a home under the homeownership option; and (7) not have any member who has a present ownership interest in a residence at the commencement of home- ownership



assistance.

## 1. First-Time Homeowner.

Each Housing Choice Voucher family, except families with a disabled member, must be a first-time homeowner. A "first-time homeowner" means that no member of the household has had an ownership interest in any residence during the three years preceding commencement of homeownership assistance.

However, a single parent or displaced homemaker who, while married, owned a home with a spouse (or resided in a home owned by a spouse), and no longer owns the home, is considered a "first-time homeowner" for purposes of the Housing Choice Voucher homeownership option; and the right to purchase title to a residence under a lease-purchase agreement is not considered an "ownership interest."

## 2. Minimum Income Requirement.

### (a) Amount of Income.

At the time the family begins receiving homeownership assistance, the head of household, spouse, and/or other adult household members who will own the home must have a gross annual income of ~~\$24,000~~ \$40,000.

### (b) Exclusion of Welfare Assistance Income.

With the exception of elderly and disabled families, HOC will disregard any "welfare assistance" income in determining whether the family meets the minimum income requirement. Welfare assistance includes assistance from Temporary Assistance for Needy Families ("TANF"), Supplemental Security Income ("SSI") that is subject to an income eligibility test, food stamps, general assistance, or other welfare assistance specified by HUD. The disregard of welfare assistance income under this section affects the determination of minimum monthly income in determining initial qualification for the homeownership program. It does not affect the determination of income-eligibility for admission to the Housing Choice Voucher program, calculation of the family's total tenant payment, or calculation of the amount of homeownership assistance payments.

## 3. Employment History.

With the exception of disabled and elderly households, each family must demonstrate that one or more adult members of the family who will own the home at commencement of homeownership assistance is employed full-time (an average of 30 hours per week) and has been so continuously employed for one year prior to execution of the sales agreement. In order to reasonably accommodate a family's enrollment in the program, HOC will exempt families that include a person with disabilities from this requirement. HOC's Executive Director may also consider whether and to

what extent an employment interruption is considered permissible in satisfying the employment requirement. The Executive Director may also consider successive employment during the one-year period and self-employment in a business.

4. Current Participant in Housing Choice Voucher Program.

Applicants for and new applicants and participants in the Housing Choice Voucher homeownership program must be current participants in the rental program and be in good standing with HOC.

5. Repayment of any Housing Authority Debts.

Applicants in the Housing Choice Voucher program shall be ineligible for participation in the Housing Choice Voucher homeownership program in the event any debt or portion of a debt remains owed to HOC or any other Housing Authority. Nothing in this provision will preclude Housing Choice Voucher participants that have fully repaid such debt(s) from applying for and participating in the Housing Choice Voucher homeownership program (unless they are making regular payments on the debt).

6. Additional Eligibility Factors.

(a) Elderly and Disabled Households.

Elderly and disabled families are exempt from the employment requirements set forth in Section B (3) above. In the case of an elderly or disabled family, HOC will consider income from all sources, including welfare assistance, in evaluating whether the household meets the minimum income required to purchase a home through the Housing Choice Voucher homeownership program.

(b) Participation in FSS Program.

In order to be selected for the homeownership program, all applicants, excluding those with disabilities, must have either successfully graduated from HOC's Family Self-Sufficiency (FSS) Program or be currently enrolled in HOC's FSS Program and completed two years of participation in HOC's Family Self-Sufficiency ("FSS") Program prior to completion of homeownership counseling, and be in good standing with the FSS Program, in order to apply for and participate in

the homeownership program. Persons with disabilities must have completed one year of participation in HOC's Family Self Sufficiency ("FSS") Program.

(c) Prior Mortgage Defaults.

If a head of household, spouse, or other adult household member who will execute the contract of sale, mortgage and loan documents has previously defaulted on a mortgage obtained through the Housing Choice Voucher home- ownership program, the family will be ineligible to participate in the homeownership program.

**C. FAMILY PARTICIPATION REQUIREMENTS**

Once a family is determined to be eligible to enroll in the program, it must comply with the following additional requirements: (1) complete a home- ownership counseling program approved by HOC prior to commencement of homeownership assistance; (2) within three years of completion of counseling, locate and contract for the home it proposes to purchase; (3) submit a sales agreement containing specific components to HOC for approval; (4) allow HOC to inspect the proposed homeownership dwelling to assure that the dwelling meets appropriate housing quality standards; (5) obtain an independent inspection covering major building systems; (6) obtain HOC approval of the proposed mortgage (which must comply with generally accepted mortgage underwriting requirements); and (7) enter into a written agreement with HOC to comply with all of its obligations under the Housing Choice Voucher program.

1. Homeownership Counseling Program.

A family's participation in the homeownership program is conditioned on the family attending and successfully completing a homeownership counseling program provided or approved by HOC prior to commencement of homeownership assistance. The homeownership and counseling program will include home maintenance; budgeting and money management; credit counseling; negotiating purchase price; securing mortgage financing; finding a home; and the advantages of purchasing and locating homes in areas that do not have a high concentration of low-income families.

The counseling agency providing the counseling program shall be approved either by HUD and/or HOC, or the program shall be consistent with the homeownership counseling provided under HUD's Housing Counseling program. HOC may require families to participate in a HOC-approved homeownership counseling program on a continuing basis.

## 2. Locating and Purchasing a Home.

### (a) Locating a Home.

Upon approval for the Housing Choice Voucher home- ownership program and completion of counseling, a family shall have three years to settle on a home to purchase. A home shall be considered located if the family submits a signed sales agreement with the requisite components to HOC. During a Housing Choice Voucher participant's search for a home to purchase, the Housing Choice Voucher rental assistance shall continue pursuant to the Administrative Plan. If a Housing Choice Voucher participant family is unable to locate a home within the time approved by HOC, their Housing Choice Voucher rental assistance through the Housing Choice Voucher program shall continue.

### (b) Type of Home.

A family approved for Housing Choice Voucher homeownership assistance may purchase the following type of homes within Montgomery County: a new or existing home with a purchase price at or below the FNMA/FHLMC Single Family Loan Limits, a single-family home, a condominium, a home in a planned use development, a cooperative, a loft or live/work unit, or a manufactured home to be situated on a privately owned lot or on a leased pad in a mobile home park. The home must already exist or be under construction at the time HOC determines the family eligible for homeownership assistance to purchase the unit. The family also may purchase a home in a jurisdiction other than Montgomery County, provided the Housing Authority in the receiving jurisdiction operates a Housing Choice Voucher homeownership program for which the Housing Choice Voucher homeownership applicant qualifies. In such a case, a family's participation in the Housing Choice Voucher home- ownership program will be subject to the Housing Choice Voucher homeownership program and policies of the receiving jurisdiction.

### (c) Purchasing a Home.

Once a home is located and a sales agreement approved by HOC is signed by the family, the family shall have up to three (3) months, or such other time as is approved by HOC's Executive Director or set forth in the HOC- approved sales agreement, to purchase the home.

### (d) Failure to Complete Purchase.

If a Housing Choice Voucher participant is unable to purchase the home within the maximum time permitted by HOC, HOC shall terminate the participant's enrollment in the home- ownership program. The family may

not re-apply for the Housing Choice Voucher homeownership program until they have completed two additional years of participation in the Housing Choice Voucher program following the initial determination of their eligibility for the homeownership option.

(e) Lease-Purchase

Lease-purchase agreements are not permitted.

(f) Down Payment

The family must meet a minimum homeowner down payment requirement of at least three percent of the purchase price for participation in the Voucher homeownership program. At least one percent of the purchase price must come from the family's personal resources.

3. Sales Agreement.

Prior to execution of the offer to purchase or sales agreement, the financing terms must be provided by the family to HOC for approval. The sales agreement must provide for inspection by HOC and the independent inspection referred to in Section C (4) and must state that the purchaser is not obligated to purchase unless such inspections are satisfactory to HOC. The contract also must provide that the purchaser is not obligated to pay for any necessary repairs. The sales agreement must provide that the purchaser is not obligated to purchase if the mortgage financing terms are not approved by HOC pursuant to Section C (6). The sales agreement must also contain a seller certification that the seller is not debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

4. Independent Initial Inspection Conducted.

To assure the home complies with the housing quality standards of the Housing Choice Voucher program, homeownership assistance payments may not commence until HOC first inspects the home. An independent inspection of existing homes covering major building systems also must be completed by a professional selected by the family and approved by HOC. HOC will not pay for the independent inspection. The independent inspection report must be provided to HOC. HOC may disapprove the unit due to information contained in the report or for failure to meet federal housing quality standards.

5. Financing Requirements.

The proposed financing terms must be submitted to and approved by HOC prior to close of escrow. HOC will approve or disapprove the financing terms within five (5) business days. HOC shall determine the affordability of the family's proposed financing. In making such determination, HOC may take into account

other family expenses, including but not limited to child care, unreimbursed medical expenses, education and training expenses and the like. Certain types of financing, including but not limited to, balloon payment mortgages and adjustable rate mortgages, are prohibited and will not be approved by HOC. Seller-financing mortgages shall be considered by HOC on a case by case basis. If a mortgage is not FHA-insured, HOC will require the lender to comply with generally accepted mortgage underwriting standards consistent with those of HUD/ FHA, Ginnie Mae, Fannie Mae, Freddie Mac, the Federal Home Loan Bank of Atlanta, or other private lending institution.

A second trust for closing costs is permitted.

#### 6. Family Compliance with Program Policies.

A family must agree, in writing, to comply with all family obligations under the Housing Choice Voucher program and HOC's homeownership policies. These obligations include (1) attending ongoing home- ownership counseling, if required by HOC; (2) complying with the mortgage terms; (3) not selling or transferring the home to anyone other than a member of the assisted family who resides in the home while receiving homeownership assistance; (4) not refinancing or adding debt secured by the home without prior approval by HOC; (5) not obtaining a present ownership interest in another residence while receiving home- ownership assistance; and (6) supplying all required information to HOC including, but not limited to, annual verification of household income, notice of change in homeownership expenses, notice of move-out, and notice of mortgage default. HOC's Homeownership Family Obligation policies are set forth in Appendix A. Once the home purchase is complete, the family becomes a participant in the HCV homeownership program.

#### **D. AMOUNT OF ASSISTANCE**

The amount of the monthly assistance payment will be based on three factors: the voucher payment standard for which the family is eligible, the monthly home- ownership expenses, and the family's household income. HOC will pay the lower of either the payment standard minus the total family contribution ("TFC") or the family's monthly homeownership expenses minus the TFC. The Housing Choice Voucher family will pay the difference.

#### 1. Determining the Payment Standard.

The voucher payment standard is the fixed dollar amount the HOC annually establishes for a unit of a particular size located within the HOC jurisdiction. In the homeownership program, the initial payment standard will be the lower of either (1) the payment standard for which the family is eligible based on family size, or (2) the payment standard which is applicable to the size of the home the

family decides to purchase. The payment standard for subsequent years will be based on the higher of: (1) the payment standard in effect at commencement of the homeownership assistance, or (2) the payment standard in effect at the most recent regular reexamination of the family's income and size. The initial payment standard, for purposes of this comparison, shall not be adjusted even if there is a subsequent decrease in family size.

Exception rents, if in effect for the Housing Choice Voucher rental program, will also apply to the homeownership program.

## 2. Determining the Monthly Homeownership Expense.

Monthly homeownership expense includes all of the following: principal and interest on the initial mortgage and any mortgage insurance premium (MIP) incurred to finance the purchase and any refinancing of such debt; real estate taxes and public assessments; homeowner's insurance; maintenance expenses per HOC allowance; costs of major repairs and replacements per HOC allowance (replacement reserves); utility allowance per HOC's schedule of utility allowances; principal and interest on mortgage debt incurred to finance major repairs, replacements or improvements for the home including changes needed to make the home accessible; and homeowner association dues, fees or regular charges assessed, if any. Homeownership expenses for a cooperative member may only include HOC approved amounts for the cooperative charge under the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home; principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such debt; home insurance; the allowances for maintenance expenses, major repairs and replacements and utilities; and principal and interest on debt incurred to finance major repairs, replacements, or improvements, including changes needed to make the home accessible.

## 3. Determining the Total Family Contribution

The TFC is that portion of the homeownership expense that the family must pay. It is generally 30% of the family's adjusted income plus any gap between the payment standard and the actual housing cost. All family income (including public assistance) will be counted to determine the family's adjusted monthly income for purposes of determining the amount of assistance.

## 4. Payment to Family or Lender.

HOC will provide the lender with notice of the amount of the housing assistance payment prior to close of escrow and will pay HOC's contribution towards the family's homeowner expense directly to the family unless otherwise required by the lender. The family will be responsible to submit the entire mortgage payment to the lender unless the lender requires direct payment of HOC's contribution.



**E. TERMINATION OF HOUSING CHOICE VOUCHER  
HOMEOWNERSHIP ASSISTANCE**

1. Grounds for Termination of Homeownership Assistance.

- (a) Failure to Comply with Family Obligations under Housing Choice Voucher Program or HOC's Homeownership Policies.

A family's homeownership assistance may be terminated if the family fails to comply with its obligations under the Housing Choice Voucher program, HOC homeownership policies, or if the family defaults on the mortgage. If required, the family must attend and complete ongoing homeownership and housing counseling classes. The family must comply with the terms of any mortgage incurred to purchase and/or refinance the home. The family must provide HOC with written notice of any sale or transfer of any interest in the home, any plan to move out of the home prior to the move, the family's household income and homeownership expenses on an annual basis, any notice of mortgage default received by the family, and any other notices which may be required pursuant to HOC homeownership policies. Except as otherwise provided in this Section, the family may not convey or transfer the home to any entity or person other than a member of the assisted family while receiving homeownership assistance.

- (b) Occupancy of Home.

Homeownership assistance will only be provided while the family resides in the home. If the family moves out of the home, HOC will not continue homeownership assistance commencing with the month after the family moves out. Neither the family nor the lender is obligated to reimburse HOC for homeownership assistance paid for the month the family moves out.

- (c) Changes in Income Eligibility.

A family's homeownership assistance may be changed in the month following annual recertification of the household income, but participation in the Housing Choice Voucher Homeownership program shall continue until such time as the assistance payment amounts to \$0 for a period of six

- (6) consecutive months.

- (d) Maximum Term of Homeownership Assistance.

Notwithstanding the provisions of Section E (1), subparagraphs (a) through (c), except for disabled and elderly families, a family may receive Housing Choice Voucher homeownership assistance for not longer than ten (10) years from the date of close of escrow unless the initial mortgage incurred to finance purchase of the home has a term that is 20 years or longer, in which case the maximum term is 15 years. Families that qualify as elderly at the commencement of homeownership assistance are not subject to a maximum term limitation. Families that qualify as disabled families at the commencement of homeownership assistance or at any time during the provision of homeownership assistance are not subject to a maximum term limitation. If a disabled family or elderly family ceases to qualify as disabled or elderly, the appropriate maximum term becomes applicable from the date homeownership assistance commenced provided, however, that such family shall be eligible for at least six additional months of homeownership assistance after the maximum term becomes applicable.

The time limit applies to any member of the household who has an ownership interest in the unit during any time that homeownership payments are made or is a spouse of any member of the household who has an ownership interest.

## 2. Procedure for Termination of Homeownership Assistance.

A participant in the Housing Choice Voucher Homeownership program is a family who has purchased a home in this program. Participants shall be entitled to the same termination notice and informal hearing procedures as set forth in the Administrative Plan of the HOC for the Housing Choice Voucher program.

## **E.** **CONTINUED PARTICIPATION IN HOUSING CHOICE VOUCHER PROGRAM**

### 1. Default on FHA-Insured Mortgage.

If the family defaults on an FHA-insured mortgage, HOC may permit the family to move with continued Housing Choice Voucher rental assistance if the family demonstrates that it has (a) conveyed title to the home to HUD or its designee as required by HUD, and (b) moved from the home within the period established or approved by HUD.

### 2. Default on non-FHA-Insured Mortgage.

If the family defaults on a mortgage that is not FHA-insured, HOC may permit the family to move with continued Housing Choice Voucher rental assistance if the family demonstrates that it has (a) conveyed title to the home to the lender, to HOC or to its designee, as may be permitted or required by the lender; and (b)

moved from the home within the period established or approved by the lender and/or HOC.

### 3. Continued Housing Choice Voucher Rental Assistance

HOC will determine on a case-by-case basis, in compliance with federal law and regulations, if a family terminated from the home- ownership program will remain eligible Housing Choice Voucher rental assistance.

#### **G. HOC ADMINISTRATIVE FEE**

For each month that homeownership assistance is paid by HOC on behalf of the family, HOC shall be paid the ongoing administrative fee described in 24 C.F.R. §982.152(b).

#### **H. WAIVER OR MODIFICATION OF HOMEOWNERSHIP POLICIES**

The Executive Director of HOC shall have the discretion to waive or modify any provision of the Housing Choice Voucher homeownership program or policies not governed by statute or regulation for good cause or to comply with changes in HUD regulations or directives.

### **APPENDIX A: HOUSING CHOICE VOUCHER HOMEOWNERSHIP OBLIGATIONS**

This form is to be signed by the home buyer(s) in the presence of the Housing Opportunities Commission's (HOC) Homeownership Program Coordinator. The Coordinator will explain any and all clauses which you, the home buyer(s), may not understand.

The following paragraphs describe your responsibilities under the Housing Choice Voucher Homeownership Program. If you or members of your household do not meet these responsibilities through your actions or your failure to act, you may be determined ineligible for or terminated from the Housing Choice Voucher Homeownership Program.

1. Family Obligations: You must comply with all Family Obligations of the Housing Choice Voucher Program, excepting only the prohibition against owning or having an interest in the unit. Family Obligations §§ 982.551(c),(d),(e),(f),(g) and (j) do not apply to the Housing Choice Voucher Homeownership Program.

2. Housing Counseling: All applicant family members (i.e. those who will be signing the purchase offer and loan documents) must satisfactorily complete a HOC provided or approved counseling program prior to commencement of homeownership assistance. HOC may require any or all applicant family members to attend additional housing counseling classes as a condition of continued assistance.

3. Employment History: With the exception of disabled and elderly households, each family must demonstrate that one or more adult members of the family who will own the home at commencement of homeownership assistance is employed full-time (an average of 30 hours per week) and has been so continuously employed for one year prior to execution of the sales agreement. In order to reasonably accommodate a family enrollment in the program, HOC will exempt families that include a person with disabilities from this requirement. HOC's Executive Director may also consider whether and to what extent an employment interruption is considered permissible in satisfying the employment requirement. The Executive Director may also consider successive employment during the one-year period and self-employment in a business.

4. Purchase Contract: You must include contract conditions in any Offer to Purchase that give HOC a reasonable time (a) to inspect the home for compliance with HUD's Housing Quality Standards, (b) to review and approve a professional home inspection report obtained by you from a HOC approved inspector, and (c) approve the terms of your proposed financing. Advise your real estate broker, agent or Realtor of these requirements. You must settle on a home within three years of completion of home ownership counseling.

5. Mortgage Obligations: You must comply with the terms of any mortgage incurred in the purchase of the property and must notify HOC's Homeownership Program Counselor within five (5) days of receipt of any late payment notice or default notice.

6. Occupancy: You must occupy the unit as your principal residence. You may not transfer, sell, or assign any interest in the property without HOC's prior written consent. You may not rent or lease any part of the premises without HOC's prior written consent. You must notify HOC in writing at least 30 days prior to moving out of the house for a period of 30 days or longer or prior to any sale, transfer, assignment, lease or other form of alienation of the assisted property.

7. Maintenance: You must maintain the property in a decent, safe and sanitary manner in compliance with County codes and other prevailing standards. You must allow HOC to inspect the property within one-week of a demand by HOC to conduct an inspection. You must correct any notice of deficiency issued by HOC within the time limit specified in the notice. If you fail to adequately maintain the property, HOC may divert the maintenance and replacement reserves portions, if applicable, of the Homeownership Assistance Payment to an escrow account to be used to pay for reasonable and necessary maintenance expenses.

8. Annual Re-examination: You must annually provide HOC with current information regarding family income and composition in a format required by HOC.

9. Refinancing: You must notify HOC in writing of any proposal to refinance the original purchase mortgage or of any proposal to encumber the property with secondary financing and obtain HOC's written approval of such financing prior to executing any loan documents.

10. Default: In the event of a default on your mortgage obligation, you must cooperate with HOC and the lender to minimize any loss to the lender in order to maintain your eligibility to continue as a participant in the Housing Choice Voucher Program.

By signing below, I attest that I have read and understand my obligations as an applicant and a participant in the Housing Choice Voucher Homeownership Program and I agree to abide by these responsibilities. I understand that HOC may determine me ineligible for homeownership assistance if I violate my obligations after the purchase of a home, but that I may request an informal hearing of any notice of termination prior to it becoming effective.

# Budget, Finance & Audit Committee

**IT SYSTEM PROCUREMENT: APPROVAL TO AMEND AND  
RESTATE RESOLUTION NO. 02-113 TO PROVIDE FOR  
ADMINISTRATIVE EXTENSIONS AND RENEWALS TO THE YARDI  
FINANCIAL AND PROPERTY MANAGEMENT SYSTEM IN  
ACCORDANCE WITH SECTION 16.2 OF THE PROCUREMENT  
POLICY**

**July 13, 2022**

- Yardi Voyager (“Yardi”), provided by Yardi Systems, Inc., is the core enterprise system for financial and property management, as well as the primary system of record for all customer related information at HOC.
- On December 11, 2002, HOC passed Resolution 02-113, “Approval of Financial Software Acquisition” (the “Authorizing Resolution”), which authorized the purchase and implementation of the software conversion utilizing the Yardi Financial and Property Management System.
- The Yardi contract is considered a “core” contract and governed by Appendix IV and Section 16 of the HOC Procurement Policy. The Authorizing Resolution met the requirements of Section 16.1; however, it did not expressly authorize renewals and therefore fails to meet the requirements of Section 16.2.
- The pending one-year contract renewal period starts July 1, 2022 and runs through June 30, 2023. Staff requests that the Commission clarify that the Authorizing Resolution intended to include extensions and renewals per Section 16.2 of the Procurement Policy.
- The Budget, Finance and Audit Committee reviewed this item at its meeting on June 29, 2022 and supports staff’s request for the Commission to adopt the amendment and restatement of Resolution No. 02-113 to provide for administrative extensions and renewals to the Yardi Financial and Property Management System in accordance with Section 16.2 of the Procurement Policy.





The Yardi contract is considered a “core” contract and is governed by the provisions of Appendix IV and Section 16 of the HOC Procurement Policy.

Appendix IV:

- Contracts for core functions and services such as telephone, technology systems, customer relations software and property management software, electronic mortgage application software system and single family mortgage database software will not be procured on a schedule but as needed.

Section 16.1 – Awarding Authority:

- All Awarding Authority under this Policy is vested in the Commission. However, the Commission may and has delegated procurement Awarding Authority to the Executive Director and other employees as provided in Appendix III. All procurement awards that exceed the limits set forth in Appendix III must be presented to and approved by the Commission prior to award and/or contract execution.

Section 16.2 – Renewals and Extensions:

- Except as may be required for contract provided for in Appendix IV....in instances in which the Commission has approved an award of a contract with authorization for extensions or renewals, the Executive Director may administratively renew or extend such contract even if the value of the contract exceeds the Executive Director's Awarding Authority unless the Commission, as part of the initial award, requires reconsideration or review prior to the renewal or extension.

The Authorizing Resolution met the requirements of Section 16.1; however, it did not expressly authorize renewals and therefore fails to meet the requirements of Section 16.2. Given that the Commission has been aware that the Yardi contract has been continuously renewed on an annual basis since the Authorizing Resolution was passed, it can be inferred that the Commission intended to include renewals in the Authorizing Resolution.

The new contract period will commence on July 1, 2022 and runs through June 30, 2023. Staff is requesting that the Commission clarify that the Authorizing Resolution intended to include extensions and renewals per Section 16.2 of the Procurement Policy.

The pending one-year renewal contract will incorporate two new products/features, which are Yardi Aspire (training) and RENTCafe PHA Portal Package; these were acquired separately on a prorated basis in FY2022. Pricing reflects a 3.0% cost of living increase as allowed in the agreement. The remainder of the contract is relatively unchanged and stipulates the same terms as the current agreement. The total amount of the contract is \$738,063.17.

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**ISSUES FOR CONSIDERATION:**

Does the Commission wish accept staff’s recommendation, which is supported by the Budget, Finance and Audit Committee, to approve the amendment and restatement of Resolution No.

02-113 to provide for administrative extensions and renewals to the Yardi Financial and Property Management System in Accordance with Section 16.2 of the Procurement Policy?

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**PRINCIPALS:**

Housing Opportunities Commission of Montgomery County  
Yardi Systems, Inc.

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**BUDGET IMPACT:**

The FY2023 Recommended Budget included \$788,400.00 in operating funds to support this contract renewal.

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**TIME FRAME:**

For formal action at the July 13, 2022 meeting of the Commission.

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**STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:**

Staff recommends that the Commission adopt the amendment and restatement of Resolution No. 02-113 to provide for administrative extensions and renewals to the Yardi Financial and Property Management System in Accordance with Section 16.2 of the Procurement Policy.

**WHEREAS**, on December 11, 2002, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) passed Resolution No. 02-113, which authorized the purchase and implementation of the software conversion utilizing the Yardi Financial and Property Management system (the “Authorizing Resolution”);

**WHEREAS**, the Yardi contract is considered a “core” contract per HOC’s Procurement Policy (the “Policy”), and is therefore governed by Appendix IV and Section 16 of the Policy;

**WHEREAS**, the Authorizing Resolution did not expressly authorize extensions or renewals, and the Commission desires to amend and restate the Authorizing Resolution in order to rectify that error.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that the approval in the Authorizing Resolution is hereby amended and restated in its entirety as follows:

**“NOW, THEREFORE, BE IT RESOLVED**, by the Housing Opportunities Commission of Montgomery County that it authorizes the purchase and implementation of the software conversion utilizing the Yardi Financial Property Management System, and authorizes the Executive Director, or their designee, to administratively renew and/or extend such contract, until such time as the Executive Director determines to terminate and/or not renew the agreement.”

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that this Resolution shall be deemed ratified as of December 11, 2002 with the same force and effect as if approved on that date.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director, or their designee, is authorized and directed without further action on its part, to take any or all other actions necessary and proper to carry out the activities contemplated herein.

**I HEREBY CERTIFY** the foregoing resolution was adopted by the Housing Opportunities Commission of Montgomery County at a regular open meeting conducted on July 13, 2022.

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**Patrice M. Birdsong**  
**Special Assistant to the Commission**

# **ADDITIONAL AUDIT SERVICES: REQUEST FOR ADDITIONAL SERVICES UNDER THE PROFESSIONAL AUDITING SERVICES CONTRACT (FOR GASB 87)**

**July 13, 2022**

- On March 8, 2021, the Housing Opportunities Commission of Montgomery County (“HOC”) issued Request for Proposal #2252 for Professional Auditing Services.
- On December 8, 2021, the Commission selected CliftonLarsonAllen LLP (“CLA”) to be the auditor of the HOC for fiscal years 2022 and 2023.
- The RFP included language regarding rates for additional professional services not explicitly covered under the RFP. One such additional service—in connection with GASB 87, Leases—is required for the FY22 audit.
- GASB 87 is the new lease accounting and reporting standard and aims to increase the usefulness of governments' financial statements by requiring reporting of certain lease assets and liabilities that currently are not reported.
- To assist HOC in timely implementing GASB 87 and related financial statements, CLA proposes to deliver a turnkey lease solution providing all necessary services, advice and support.
- It is of utmost importance that this analysis and financial reporting be completed correctly and timely. HOC would receive a qualified opinion due to GAAP departure if GASB 87 were not included in the FY22 audit.

**M E M O R A N D U M**

**TO:** Housing Opportunities Commission of Montgomery County

**VIA:** Kayrine Brown, Deputy Executive Director

**FROM:** Division: Finance  
Staff:  
Tim Goetzinger, Chief Development Funds Officer and Acting CFO Ext. 5763  
Eugenia Pascual, Controller Ext. 9478

**RE:** **Additional Audit Services:** Request for Additional Services under the Professional Auditing Services Contract (for GASB 87)

**DATE:** July 13, 2022

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**STATUS:** **Committee Report** **Deliberation**   X  

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**OVERALL GOAL & OBJECTIVE**

To seek Commission approval to allow for additional services under the professional auditing services contract with CliftonLarsenAllen LLP, to include CLA's GASB 87 turnkey lease solution.

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**BACKGROUND:**

On March 8, 2021, the Housing Opportunities Commission of Montgomery County ("HOC") issued Request for Proposal ("RFP") #2252 for Professional Auditing Services to public accounting firms to perform the Annual Combined Financial Audit of the Housing Opportunities Commission, including the Single Audit, seven Indenture Audits, and Agreed Upon Procedures when necessary. The term of the initial contract would be for two years, with three (3) one-year renewals subject to approval of the Commission, and outlined in the RFP. The renewals are subject to the satisfactory negotiation of terms, including price acceptable to both HOC and the selected firm, and the review by the Budget, Finance and Audit Committee and approval by HOC Board of Commissioners.

On December 8, 2021, the Commission selected CliftonLarsonAllen LLP ("CLA") to be the auditor of the HOC for fiscal years 2022 and 2023 as evidenced by Resolution 21-117AS, "Approval of the Selection for Professional Auditing Services". Approved fees for CLA were as follows:

## Audit Fees

Fiscal Year	CLA Fees*
2022	\$232,239
2023	\$238,224
2024	\$245,424
2025	\$252,624
2026	\$259,824
<b>Five-Year Total</b>	<b>\$1,228,335</b>

\*Prices include all Bond Indenture Audits and one (1) annual Agreed Upon Procedures and Comfort Letter for a single bond issuance.

## Rates for Additional Professional Services

Request for Proposal #2252 for Professional Auditing Services included language regarding rates for additional professional services not explicitly covered under the RFP. Any such additional work agreed to between the HOC and CLA would be performed at the same rates set forth in the schedule of fees and expenses included in the firm's proposal. One such additional service—in connection with GASB 87, Leases—is required for the FY22 audit. At the time the RFP was published, there was no way to determine the implementation cost for GASB 87, given that HOC had not yet performed an initial review of its inventory of leases. As such, no firms included fees related to GASB 87 in their proposals.

## GASB Statement No. 87 ("GASB 87"), Leases

The Governmental Accounting Standards Board ("GASB") is a private non-governmental organization that creates accounting reporting standards for state and local governments. The GASB is responsible for the generally accepted accounting principles. The board's mission is to promote clear, consistent, transparent, and comparable financial reporting.

GASB 87 is the new lease accounting standard and reporting standard established by GASB. It applies to state and local governments that use GASB standards for financial reporting. GASB 87 aims to increase the usefulness of governments' financial statements by requiring reporting of certain lease assets and liabilities that currently are not reported. It does not replace any existing standard but improves the current lease accounting reporting process. It was originally proposed in 2017, with an effective date of December 15, 2019, but it was delayed until June 15, 2021. For governmental entities, GASB 87 is to be implemented by fiscal year 2022. HOC is implementing GASB 87 within the required timeframe.

To assist HOC in timely implementing GASB 87 and related financial statements, CLA will deliver a turnkey lease solution providing all necessary services, advice and support. Specifically, CLA will:

- Provide HOC with an Excel-based CLA Import Template,

- Calculate the lease asset and lease liability (lease schedule) based on the lease information HOC provides to CLA in the CLA Import Template,
- Propose journal entries to record the lease asset and lease liability in accordance with GASB 87 and ASC 842, as applicable, and the related amortization/depreciation expense and lease/interest expense,
- Assist with drafting the related GASB 87 and ASC 842 financial statement disclosures, and
- Provide to HOC sufficient information to oversee the services, evaluate the adequacy and results of the services; accept responsibility for the results of the services and ensure HOC's data and records are complete.

**Fees to Implement GASB 87**

CliftonLarsonAllen LLP's professional service fees are expected to be \$11,500 based on 620 total leases (500 lessor real estate, 80 lessee real estate and 40 auto) and is inclusive of both GASB and Financial Accounting Standards Board ("FASB") computations. CLA will also bill for expenses (including internal and administrative charges) plus a technology and client support fee of five percent (5%) of all professional fees billed. In addition to CLA's professional service fees, CLA will bill a flat rate of \$100 for each lease maintained in its environment annually. Based on 620 leases, the fee will be \$62,000. The estimated first year total is \$73,500. A summary of these costs is presented below:

Description	Total Cost
Professional Service Fees	\$10,950
Admin, Tech and Client Support Fees	\$550
CLA Lease Software / System	\$62,000
<b>Total Year 1 Costs*</b>	<b>\$73,500</b>

\* Based on 620 total leases, including 500 lessor real estate, 80 lessee real estate and 40 auto.

HOC has taken ownership of this project and has invested a considerable amount of staff time to review each lease to determine its applicability to GASB 87 and to populate reports and summaries for CLA's analysis. The cost estimate stated above would be significantly higher had CLA performed the entire review. Additionally, the County's two-year lease requirement, in which tenants are given the option to sign a two-year lease at lease commencement and renewal, has complicated the process and inflated the cost. GASB 87 applies only to leases with terms greater than one year, so a one-year lease is not accounted for in GASB 87. However, two-year leases are. The initial estimate is based on 500 tenant leases (accounting for 80% of the total project cost). As mentioned previously, CLA will bill a flat rate of \$100 per lease, so if there are fewer leases, the cost will be less.

It is of utmost importance that this analysis and financial reporting be completed correctly and timely; therefore, it is proposed that CLA performs this work and that the HOC utilize CLA's lease system. HOC would receive a qualified opinion due to GAAP departure if GASB 87 were not



included in the FY22 audit. Moving forward, the HOC will review other GASB 87 reporting systems to determine whether more cost-effective options are available. One such system is Yardi Corom.

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**ISSUES FOR CONSIDERATION:**

Will the Commission accept staff's recommendation, which is supported by the Budget, Finance and Audit Committee, to allow for additional services under the professional auditing services contract to include CLA's GASB 87 Turnkey Lease Solution?

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**PRINCIPALS:**

CliftonLarsonAllen LLP  
HOC

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**BUDGET IMPACT:**

Audit costs are paid from HOC's General Fund; therefore, the impact will be an increase to the FY'23 by no more than \$73,500 and will be reflected in a future amendment to the FY'23 budget.

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**TIME FRAME:**

For formal Commission action on July 13, 2022.

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**STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:**

Staff recommends that the Commission approve additional services under the professional auditing services contract with CLA to include CLA's GASB 87 Turnkey Lease Solution for an amount not to exceed \$73,500.

**RESOLUTION NO.: 22-58**

**RE: Request for Additional Services Under the Professional Auditing Services Contract (for GASB 87)**

**WHEREAS**, on March 8, 2021, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) issued Request for Proposals #2252 for Professional Auditing Services (the “RFP”);

**WHEREAS**, on December 8, 2021, pursuant to the RFP, the Commission selected CliftonLarsonAllen LLP (“CLA”) to be its primary auditor for fiscal years 2022 and 2023;

**WHEREAS**, the RFP included a request for rates for additional professional services not explicitly outlined in the RFP, and CLA’s contract includes such option;

**WHEREAS**, the Commission requires an additional service in connection with GASB 87 requirements (a new lease accounting and reporting standard) for the FY 22 audit (the “Additional GASB Service”); and

**WHEREAS**, CLA’s fees for the Additional GASB Service is expected to be no more than \$73,500.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that staff is authorized to engage CLA for the Additional GASB Service for no more than \$73,500.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director, or their designee, is authorized, without any further action on its part, to take any and all other actions necessary and proper to carry out the transactions and actions contemplated herein, including the execution of any documents related thereto.

**I HEREBY CERTIFY** that the forgoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on Wednesday, July 13, 2022.

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**Patrice Birdsong**  
**Special Assistant to the Commission**

# Development and Finance Committee

## **SINGLE FAMILY LENDING: APPROVAL OF NEW PARTICIPATING LENDER FOR THE SINGLE FAMILY MORTGAGE PURCHASE PROGRAM**

**July 13, 2022**

- The Housing Opportunities Commission of Montgomery County (hereinafter, the “Commission” or “HOC”) has approved continuous lender participation in the Mortgage Purchase Program (“MPP”) and continuous lender solicitation for new lender participation. While over the years HOC has approved 34 lenders, through non-participation or the mortgage company’s notice to no longer participate, there are currently 19 lenders that are active participants in the MPP.
- The criteria for lender participation in the MPP are: 1) the lender is not a mortgage broker and can close loans in its own name; and, 2) the lender is approved to do business with Freddie Mac and/or Fannie Mae, or the lender is an approved FHA originating lender. New lenders are also required to be approved by U.S. Bank, N.A. (“U.S. Bank”), HOC’s master servicer for the Mortgage Backed Securities (“MBS”) program.
- Only approved MPP lenders have access to the County Revolving County Closing Cost Assistance Program and other special Closing Cost Programs.
- Celebrity Home Loans, LLC has applied for participation in the MPP, and meets the criteria for participation.
- The Development and Finance Committee, having considered this item at its meeting on June 24, 2022, supports staff’s recommendation to approve Celebrity Home Loans, LLC for participation in the Single Family Mortgage Purchase Program.
- Therefore, staff recommends the Commission’s approval of Celebrity Home Loans, LLC, as a new MPP participating lender.



Approved lenders receive training from HOC staff and U.S. Bank before they are allowed to begin originating and closing loans in the MPP. Under the MBS program, HOC underwrites for program compliance and the lenders underwrite for credit worthiness.

Lender approval will apply to the 1979 Single Family Mortgage Revenue Bond Resolution, the 2009 Single Family Housing Revenue Bond Resolution and the 2019 Program Revenue Bond Resolution.

### **Celebrity Home Loans, LLC**

Celebrity Home Loans, LLC (hereinafter “Celebrity”) has submitted a request to participate in the MPP and meets the criteria for approval.

Celebrity is an approved seller/servicer with FHA, Fannie Mae and Freddie Mac, and is an approved lender with U.S. Bank’s Mortgage Revenue Bond Program (“MRBP”) division.

Celebrity was established in 2006 and is headquartered in Oakbrook Terrace, Illinois. It is licensed in 48 states and has loaned over \$21 billion in home loans since its inception in 2006.

Apex Home Loans, Inc. (hereinafter “Apex”), which has been originating HOC loans for several years and is a top level company with loan officers, who have an extensive knowledge of the Commission’s single family programs, was acquired by Celebrity Financial, Inc. on November 30, 2021. Celebrity Financial, Inc. also owns Celebrity. Apex will continue to operate as a stand-alone company until July 1, 2022 at which time it will become a division of Celebrity.

Apex (NMLS# 2884) is approved with U.S. Bank with its Correspondent and HFA divisions and does have active pipeline, which is being allowed to proceed. The survivor, Celebrity (NMLS# 227765), is also approved with U.S. Bank’s Correspondent and HFA divisions.

Loan application, processing and underwriting are done at the two (2) participating branches located in Rockville and Clarksville. Celebrity has also applied to participate with Maryland’s Community Development Administration (“CDA”) Mortgage Program and the Virginia Housing Development Authority. Both currently do business with Apex.

Apex, now Celebrity, will continue to market any affordable housing programs that work in conjunction with the Commission’s lending programs. Its loan officers have extensive knowledge and work closely with Montgomery County’s Moderately Priced Dwelling Unit (“MPDU”) program as well with HCII Counseling, teaching MPDU classes.

### **Servicing**

Under the Commission’s MBS Program, lenders will release servicing and receive a loan origination fee up to 2%, based on the time lapse between loan origination and purchase. Lenders receive a higher origination fee the earlier the loan is purchased. Servicing is handled through U.S. Bank, which the Commission has approved as the Master Servicer.

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**ISSUES FOR CONSIDERATION:**

Will the Commission accept staff's recommendation, which is supported by the Development and Finance Committee, and approve Celebrity Home Loans, LLC for participation in the Single Family Mortgage Purchase Program?

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**PRINCIPALS:**

Housing Opportunities Commission of Montgomery County  
Celebrity Home Loans, LLC

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**BUDGET IMPACT:**

None.

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**TIME FRAME:**

For formal action at the July 13, 2022 meeting of the Commission.

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**STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:**

Staff recommends that the Commission accept its recommendation, which is supported by the Development and Finance Committee, having considered this item at its meeting on June 24, 2022, and approve Celebrity Home Loans, LLC for participation in the Single Family Mortgage Purchase Program.

**Attachment 1**  
**Approved HOC/U.S. Bank Lenders**

- Apex Home Loans, Inc.
- Ameris Bank Mortgage
- Embrace Home Loans, Inc.
- Fairway Independent Mortgage Corporation
- First Heritage Mortgage, LLC
- First Home Mortgage Corp
- HomeBridge Financial Services, Inc.
- Homeside Financial LLC
- loandepot.com
- Mortgage Access Corp
- Movement Mortgage, LLC
- NFM, Inc. dba NFM Lending
- NVR Mortgage Finance, Inc.
- Presidential Bank, FSB
- PrimeLending, a Plains Capital Company
- Prosperity Home Mortgage, LLC
- Sandy Spring Bank
- Severn Bank
- TowneBank Mortgage



**RESOLUTION No: 22-59**

**RE: Approval of New Participating Lender  
for the Single Family Mortgage  
Purchase Program**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (the "Commission") approves lenders to participate in the Single Family Mortgage Purchase Program ("MPP"); and

**WHEREAS**, such participation is continuous and for multiple programs; and

**WHEREAS**, the Commission has approved an ongoing process for adding new lenders to the MPP;  
and

**WHEREAS**, Celebrity Home Loans, LLC has applied for participation in the MPP; and

**WHEREAS**, Celebrity Home Loans, LLC has satisfied the required criteria for admittance into the MPP.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that Celebrity Home Loans, LLC is approved for participation in the MPP, effective immediately.

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the Housing Opportunities Commission of Montgomery County at a regular meeting conducted on July 13, 2022.

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**Patrice M. Birdsong**  
**Special Assistant to the Commission**

# WHEATON GATEWAY: APPROVAL OF REVISED PRE-DEVELOPMENT BUDGET AND FUNDING; APPROVAL OF AN ARCHITECT AND CIVIL ENGINEER

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## Wheaton Gateway



**KAYRINE BROWN, ACTING EXECUTIVE DIRECTOR**

**Daejauna Donahue, Project Manager  
Marcus Ervin, Director of Real Estate  
Zachary Marks, Chief Real Estate Officer**

**July 13, 2022**

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# Executive Summary



*Veirs Mill West (Lindsay Ford), Ambassador, and Mattress Firm comprise the Wheaton Gateway Development.*

In 2017, the Lindsay family, owners of the existing Lindsay Ford dealership located at 11250 Veirs Mill Road in Wheaton, desired to relocate the dealership and its operations to a new site. Located adjacent to the Ambassador Apartments, which was jointly owned at the time as a condominium between HOC and an affiliate of Willco, LLC (“Willco”), acquisition of the Lindsay Ford holdings would not only create the opportunity for synergies for the redevelopment of The Ambassador Apartments, but would also dramatically increase the scope of the revitalization for a core part of Wheaton, whose greatest challenge is the highly fragmented nature of land ownership. A cohesive redevelopment of this prominent corner, which, if consolidated, could deliver approximately **700+** units at full buildout, was a vision shared by the Planning staff during the Sector Plan process.

To jumpstart this redevelopment effort, HOC staff negotiated the acquisition of the Lindsay Ford dealership consisting of 11 parcels, totaling approximately 5.4 acres (the “LAG Properties”). The LAG Properties include approximately 3.8 acres of property West of Veirs Mill Road (together the “Veirs Mill West Properties”) and approximately 1.6 acres of property East of Veirs Mill Road (the “Veirs Mill East Properties”).

On **January 17, 2019**, the Commission completed acquisition of the LAG Properties, which represented the culmination of several years of negotiation to secure one of the largest and most impactful redevelopment opportunities in Wheaton allowing for the opportunity to combine those properties with the adjacent Ambassador Apartments site.

In keeping with the “Gateway” concept that HOC and private development partner The Duffie Companies (“Duffie”), a third-generation, Montgomery County-based, family-owned real estate development and asset management company, have promoted in partnership as part of the Hillandale Gateway development, HOC and Duffie created a similar partnership and structure for the redevelopment of the Lindsay West Properties (together the HOC/Duffie joint venture being Wheaton Gateway, LLC or the “Duffie JV”).

# Executive Summary



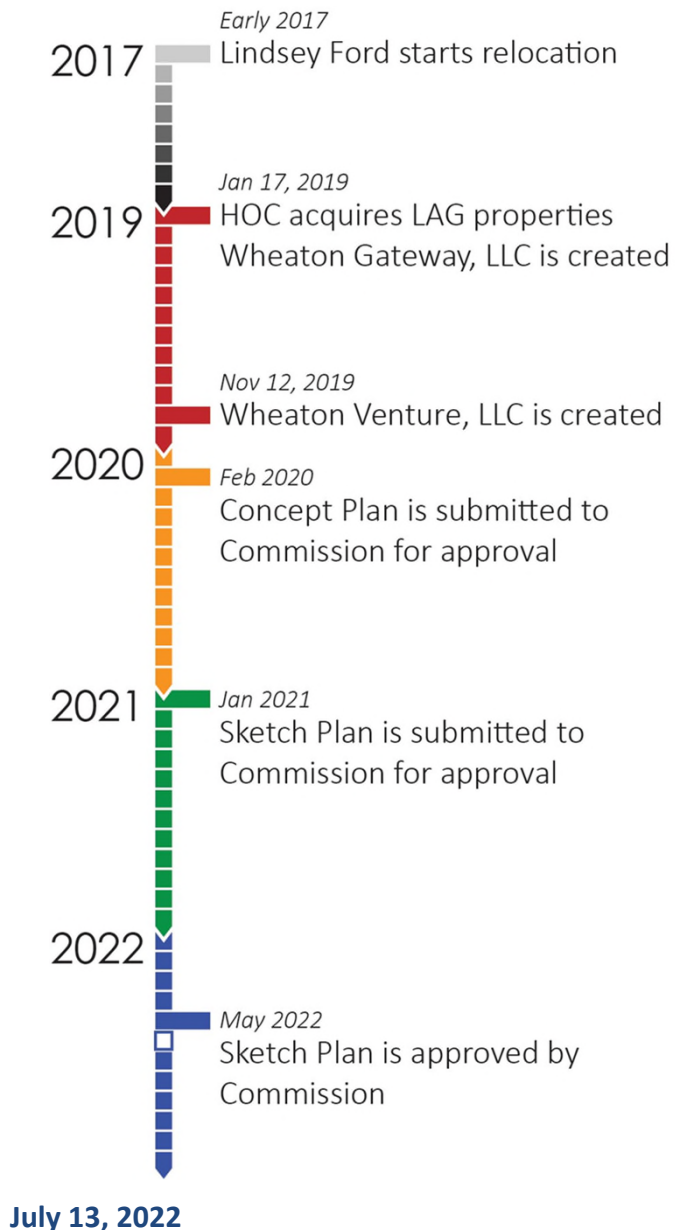
*Regional Site Plan*

On **November 12, 2019**, following fruitful negotiations with Duffie’s assistance, the Commission approved the creation of Wheaton Venture, LLC, a partnership between Wheaton Gateway, LLC and Willco (the “Venture”). This partnership fully unlocked the development potential of this prominent corner by earning Willco’s participation with respect to the Ambassador Apartments site and further augmenting the assemblage of the Veirs Mill West Properties through incorporation of Willco’s corner Mattress Firm property to form what is now known as the “Wheaton Gateway” development site.

Serving as lead developer in this effort will be Duffie affiliate PS Ventures, LLC (“PS Ventures”). PS Ventures is a highly specialized real estate development firm whose primary mission is to help design and develop buildings that are more resilient, more durable, and more efficient utilizing building science and passive building principles. PS Ventures will be responsible for managing the day-to-day project activities, feasibility analysis, and crafting the vision for the project.

While the plans are being developed and subject to approval by the members of the Venture and the Commission, the opportunity to transform this Gateway site will greatly contribute to the overall Wheaton economy and life.

# Entitlement Process



The Wheaton Gateway team has consistently sought community input since the project's inception. With the benefit of early outreach and extensive design efforts (including a project design charrette hosted by HOC), a Concept Plan was developed and submitted in **February of 2020**.

Following a productive Concept Planning process, the team proceeded to prepare a robust Sketch Plan set of design drawings. Notwithstanding the COVID pandemic, the team continued its planning efforts and met community outreach requirements prior to Sketch Plan submission. Following Commission Approval, the Sketch Plan was submitted in **January of 2021**. While the Sketch Plan was under review, the team became aware of challenges being faced by the Montgomery County Department of General Services in finding a suitable location for a Cultural Arts Center ("CAC") being investigated by the County for Wheaton. The Development team has worked to create a plan suitable for the CAC and remains eager to earn the County's consideration as a location for this regional amenity. Notwithstanding a challenging period addressing staff comments (including a brief pause in the Sketch Planning process to consider an alternative entitlement pathway via a consolidated "speed to market" application) the team ultimately decided to proceed with a traditional two-step entitlement process. The Sketch Plan was updated to incorporate elements favorable to the inclusion of a CAC and resubmitted. Sketch Plan approval was successfully earned by unanimous decision in **May of 2022**.

Simultaneous with the Sketch Plan approval process the development team has worked to solicit proposals from the primary third party professionals to proceed to the Site Plan and Subdivision Plan phase of the entitlement process (i.e. Architect, Civil Engineer, and Land Use Counsel.)



## TARGETING



Energy-efficiency, carbon reduction, and resiliency are cornerstones of the Project's goals. The Project is anticipated to target LEED-H Midrise V4 Platinum certification, Passive House (PHIUS+ 2021) certification, and Energy Star Multifamily New Construction Certification. The Project will also need to achieve all relevant building, energy, and green building codes.

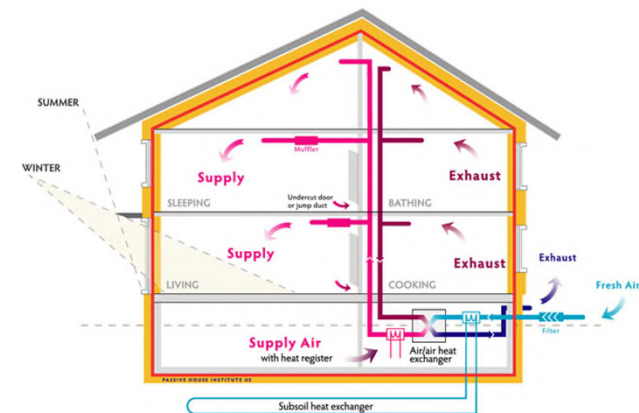
# Resiliency and Sustainability

Passive House is a voluntary standard for energy efficiency in a building, which reduces the building's ecological footprint. It results in **ultra-low energy buildings** that require little energy for space heating or cooling. Compared to buildings designed to meet current minimum building and energy code requirements, Passive House buildings reliably deliver **an energy savings of 75% or more**. Passive House building method is a comprehensive approach to ensure thermal comfort, healthy indoor air quality, and measurable energy efficiency. The five features of Passive House buildings are:

1. **Solar Orientation and Compact Building Form:** Lay out and locate the building on the site to take advantage of free heat and light from the sun and free cooling from breezes and shading.
2. **Continuous Insulation:** Resist heat transfer through the building envelope and eliminate thermal bridges.
3. **Airtight Construction:** Prevent loss of conditioned air through infiltration and improve building durability by preventing transport of moisture into the building assemblies.
4. **Continuous Ventilation:** Provide excellent indoor air quality and thermal comfort through continuous mechanical ventilation with heat recovery and filtered fresh air.
5. **High Performance Windows and Doors:** Manage solar gain with proper window placement, size, specifications, and shading to optimize capture solar energy in the heating season with minimal overheating in the cooling season.

As a result, passive buildings offer tremendous long-term benefits in addition to energy efficiency:

- Superinsulation and airtight construction provide **unmatched comfort** even in extreme weather conditions.
- Continuous mechanical ventilation of fresh filtered air provides **superb indoor air quality**.
- A comprehensive systems approach to modeling, design, and construction produces **extremely resilient buildings**.
- Passive building principles offer the **best path to Net Zero and Net Positive** buildings by minimizing the load that renewables are required to provide.





# Approach to Sustainability: MoCo Climate Action

Importantly, the Montgomery County Council in 2017, declared a climate emergency and demanded the focus of all available resources toward achieving zero carbon emissions by 2035. In response, the County's Climate Action Plan outlines a strategy to cut greenhouse gas (GHG) emissions 80 percent by 2027 and 100 percent by 2035.

The Climate Action Plan details the effects of a changing climate on Montgomery County and includes strategies to reduce GHG emissions and climate-related risks to the County's residents and businesses, as well as the built and natural environment.

Outlined within the Climate Action Plan is a "Vision for Building a Healthy, Equitable, Resilient Community." This includes specific priorities of newly constructed buildings, including:

- High-performance buildings should be equitably available to all County residents.
- Increase energy conservation and efficiency and decrease fossil fuel use in all buildings, with the County leading by example with its own building portfolio.
- Support sustainable, carbon-neutral building design, improvements, and energy sources.

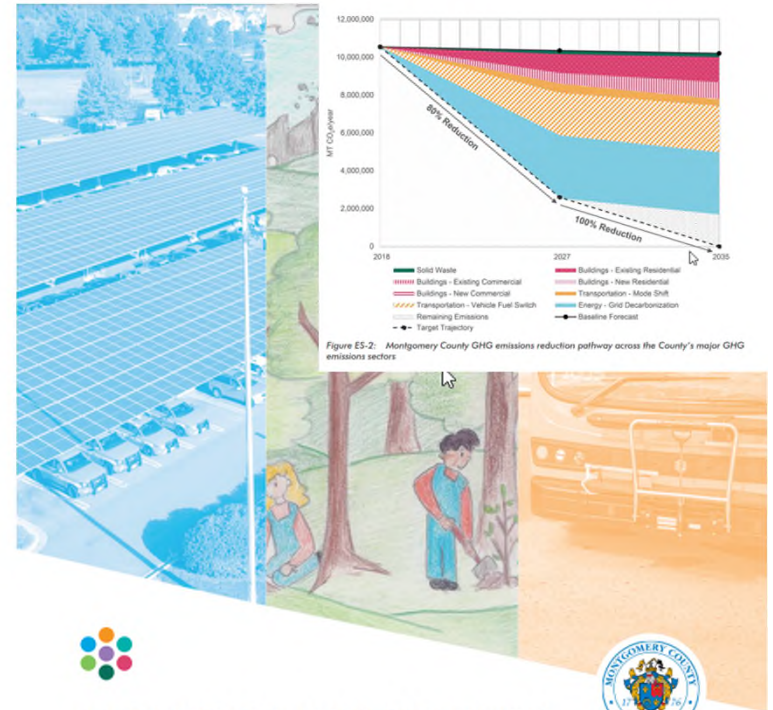
Building upon the same sustainability and resiliency efforts previously programmed into HOC's proposed Hillandale Gateway development, the Wheaton Gateway project will strive to exemplify all these priorities, as well. With these efforts, the Applicant is confident that Wheaton Gateway will make an impactful contribution toward meeting the objectives outlined within the Sector Plan.



## Buildings

**Montgomery County is home to resilient and efficient buildings.**

- High-performance buildings should be equitably available to all County residents.
- Increase energy conservation and efficiency and decrease fossil fuel use in all buildings, with the County leading by example with its own building portfolio.
- Support sustainable, carbon neutral building design, improvements, and energy sources.
- Phase in building requirements while providing transparency to residents and businesses and developing the market knowledge to best meet those requirements.
- Expand access to incentives, financing, and programs to construct or upgrade to resilient, efficient commercial and residential buildings.
- Create demand for jobs and grow the workforce by transitioning to resource-efficient, low-carbon, resilient buildings.

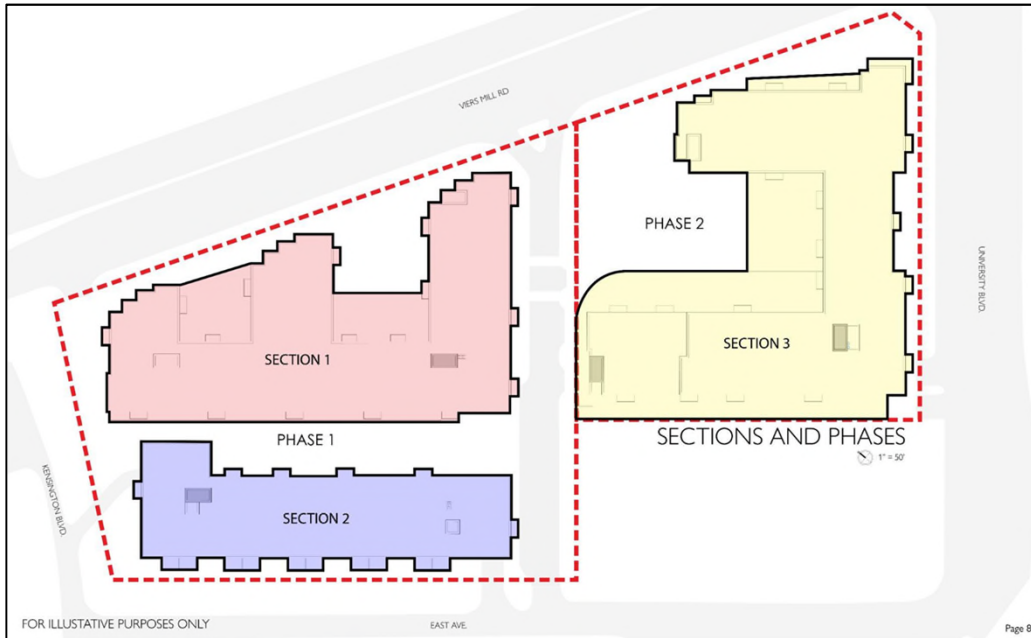


## MONTGOMERY COUNTY CLIMATE ACTION PLAN

Building a Healthy, Equitable, Resilient Community



# Development Program



*Phasing and Section Diagram*

The combination of the Duffie JV's Veirs Mill West Properties, HOC and Willco's Ambassador property and Willco's Mattress Firm property allow for an impactful redevelopment program that will incorporate a mix of uses including high-quality mixed-income multifamily housing; a community use urban park to provide needed passive open space; and a curated selection of retail/commercial uses. **The pre-development budget is representative of the entitlement of Phases I and II for 770 units. The design and construction documentation services are for Phase I and includes permitting of Sections 1 and 2.**

## Mixed-Use & Mixed-Income

### 770+/- Units

- 30% Affordability within each respective Section
- *Sustainability Targets*
  - LEED H Platinum
  - Energy Star Multifamily
  - Passive House Target

## Multi-Phase: Multi-Building Program

### PHASE 1

- **Section 1 -**
  - 320 +/- Units
  - 40k +/- s.f Commercial
- **Section 2 -**
  - 100 +/- Residential Units

### PHASE 2

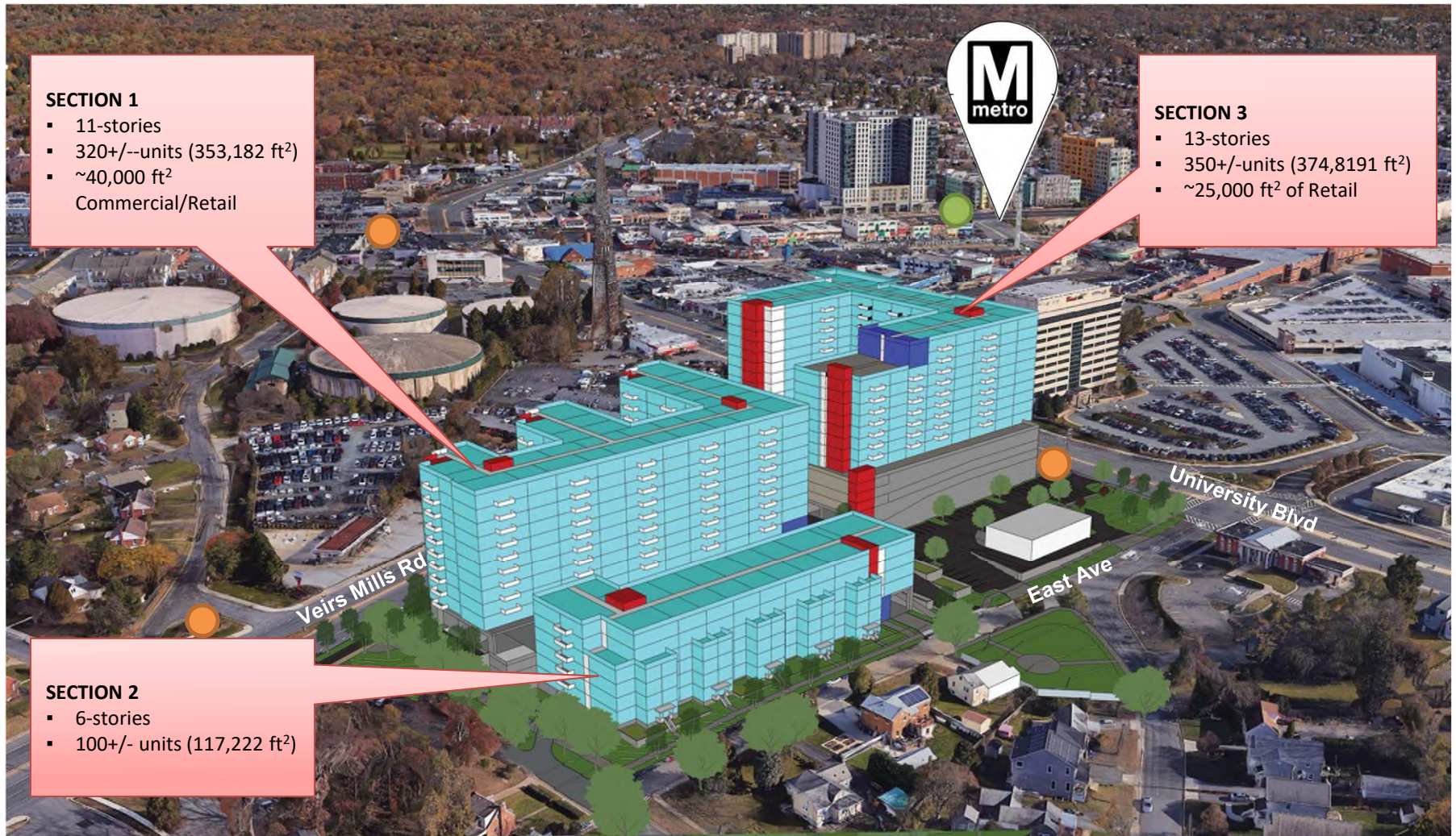
- **Section 3 -**
  - 350 +/- Units
  - 25k +/- s.f Commercial

# Development Program and Massing



*Aerial view illustrating the rear of the site that is comprised of Section 2 (foreground) along University of Blvd and East Ave.*

# Development Program and Massing

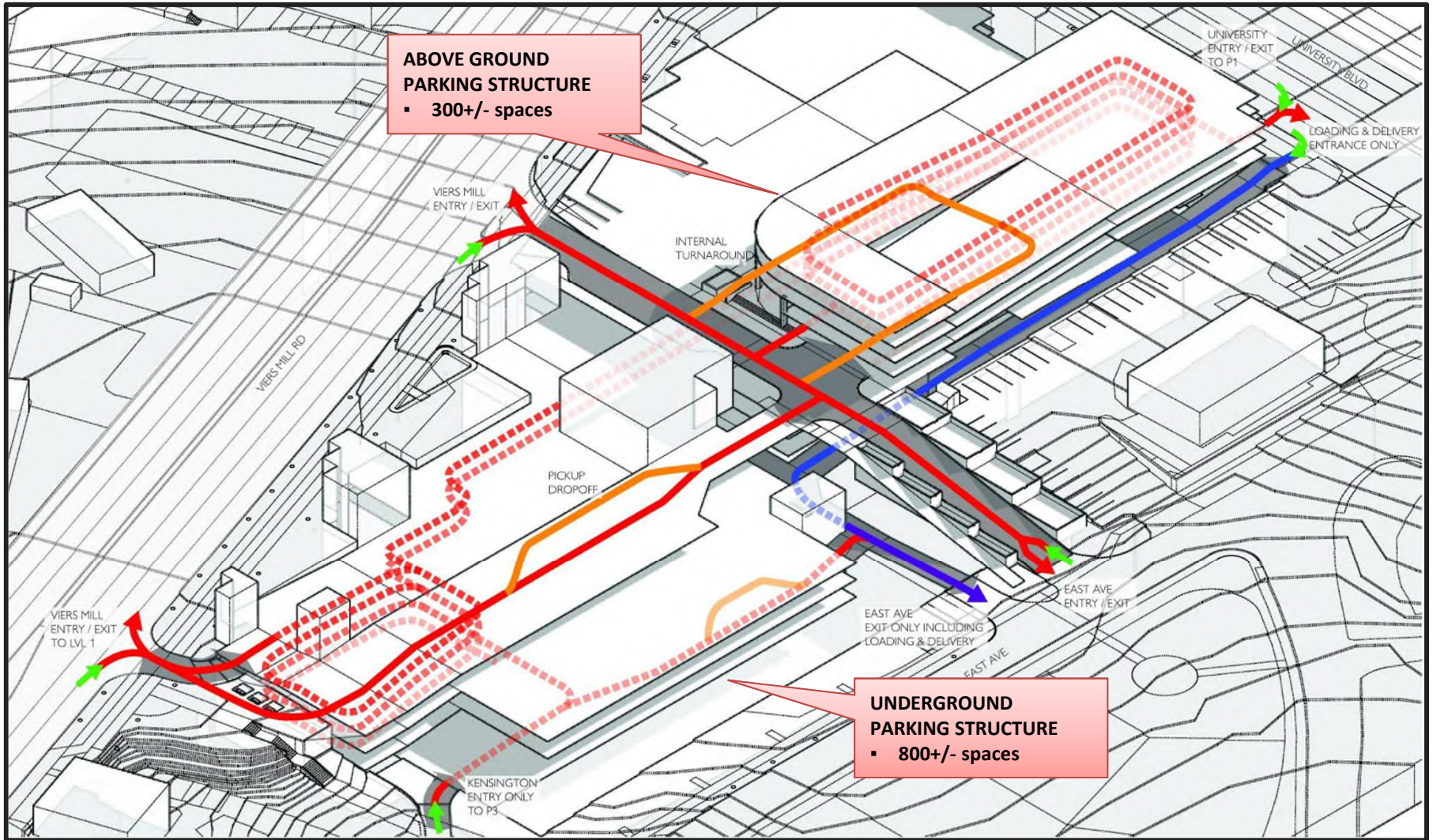


*Aerial view illustrating the rear of the site that is comprised of Section 2 (foreground) along University of Blvd and East Ave.*

Bus Stop

Metro

# Site Circulation



Site Circulation diagram illustrating the complex below-grade parking system.

# Sketch Plan

## LEVEL 1 PLAN

★ Main Entrances

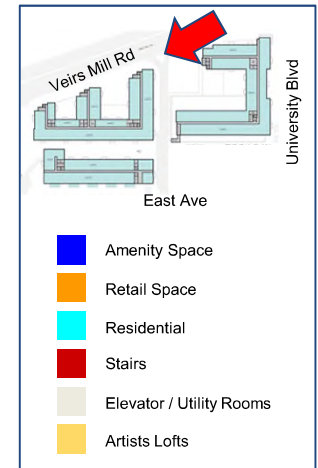


**DEVELOPMENT NARRATIVE SUMMARY:** The current plan reflects three (3) distinct sections that would be delivered in two phases over several years. Section 1 incorporates ~320-units with a substantial ~ 40,000 sqft of commercial retail. Section 2 envisions a smaller ~100-unit development along East Ave. Section 3, which incorporates the Ambassador Apartments & Mattress Firm parcels, will include a 13-story building with ~350 units and a large ground floor retail area.

# PHASE 1: Section 1

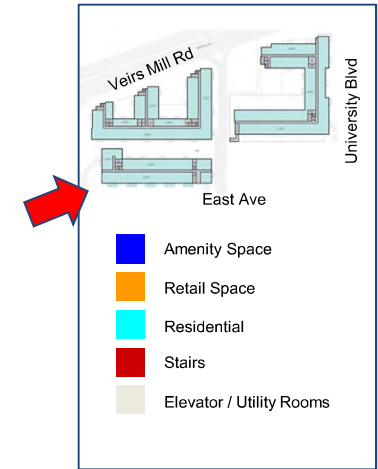
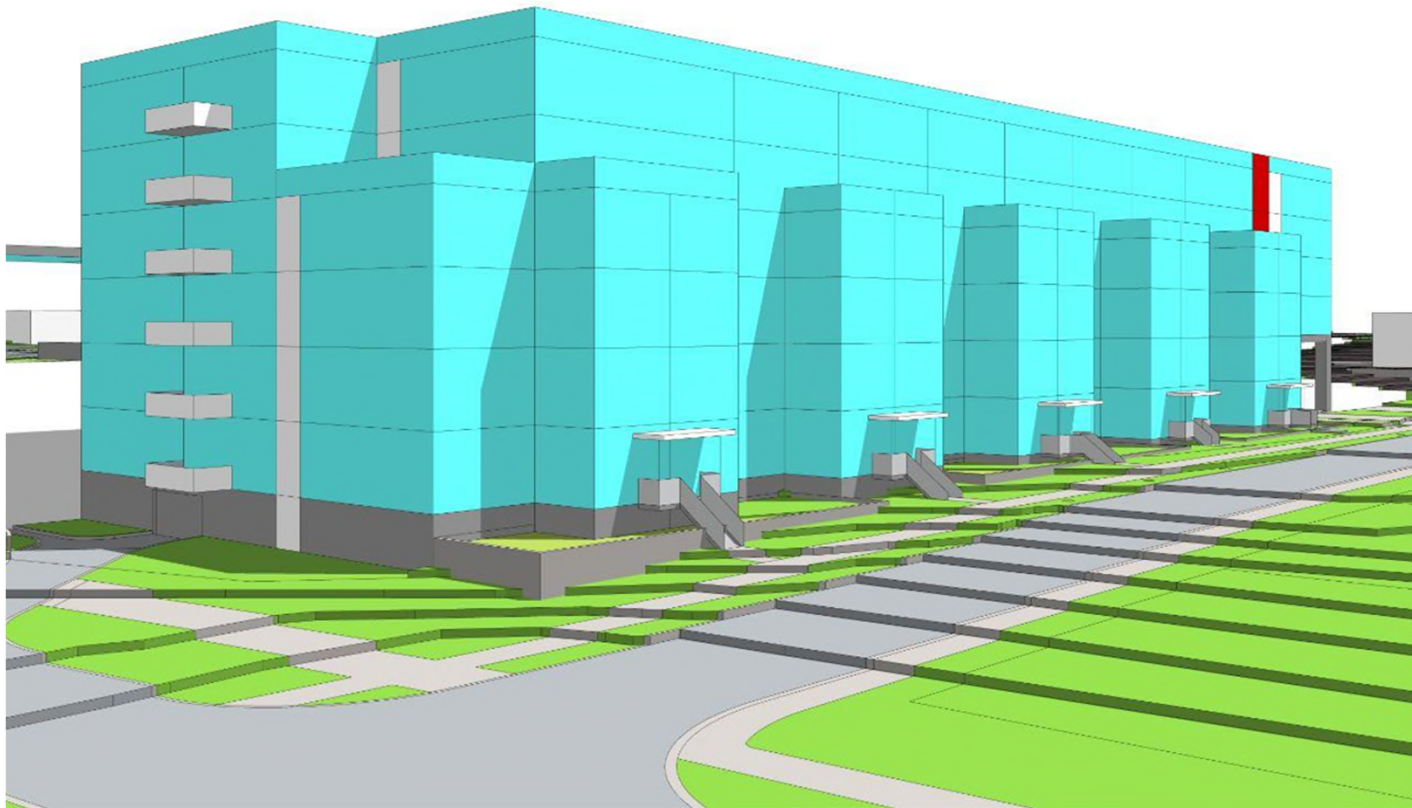


View from Veirs Mills Rd looking South



- 393,182 ft<sup>2</sup> total
  - 353,182 ft<sup>2</sup> res.
    - ~320 units
  - 40,000 ft<sup>2</sup> retail
- 11 Stories
  - 125' height
- Features
  - 6 Artists' lofts (flexible live/work environment)

# PHASE 1: Section 2

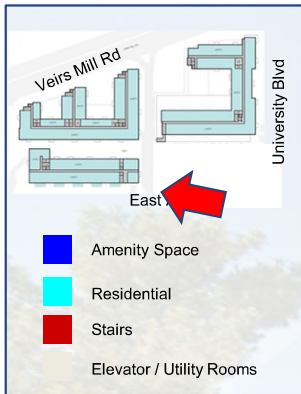


- 117,222 ft<sup>2</sup> total
  - ~100 units
- 6 Stories
  - 70' height

**View from the corner of Kensington Blvd and East Ave looking East**  
(Site accessibility will continued to be explored in this location.)

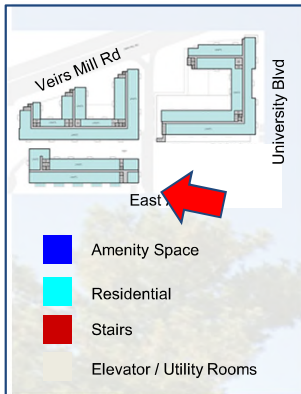


# PHASE 1: Section 2 Before



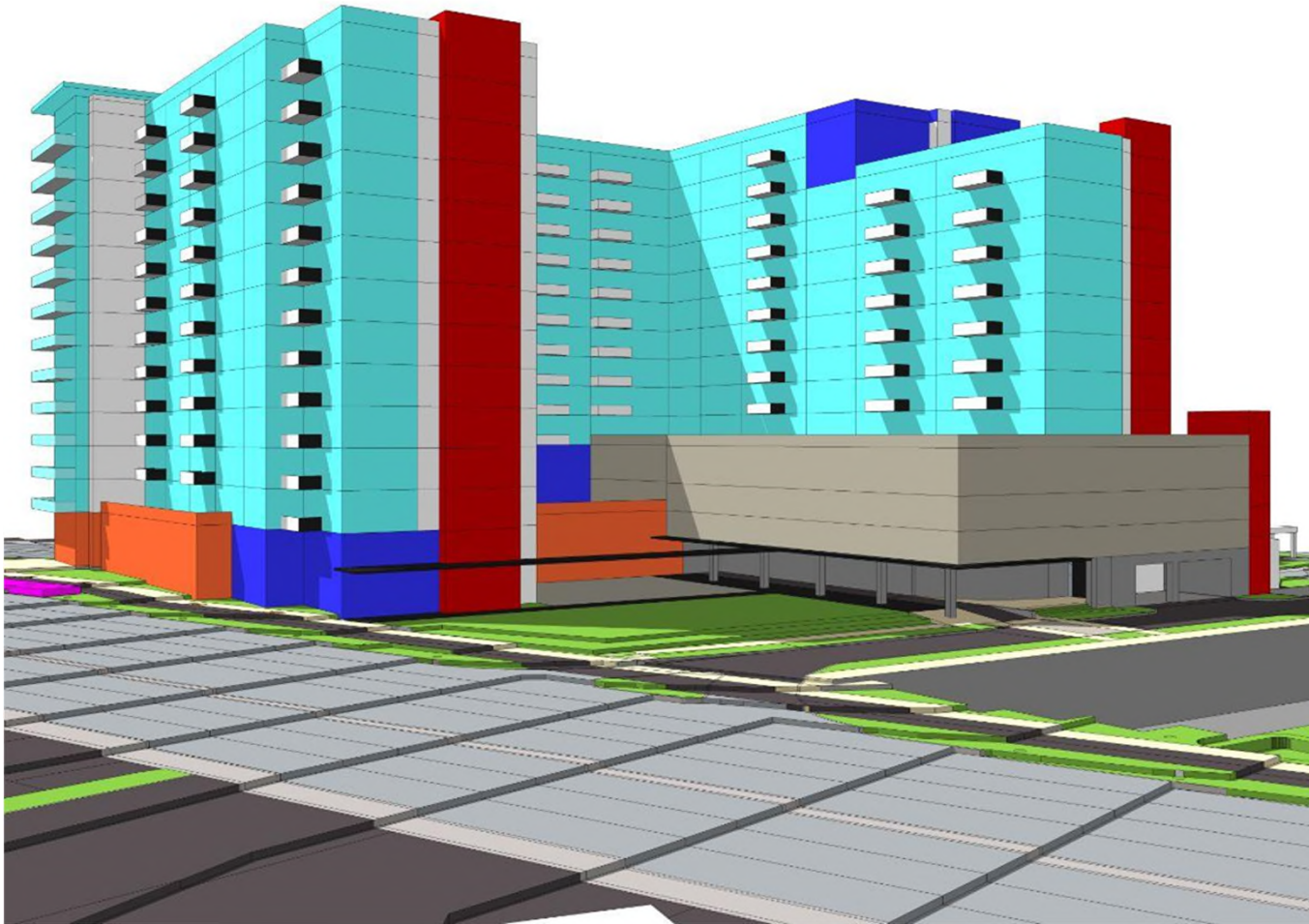
View from East Ave looking West

# PHASE 1: Section 2 After

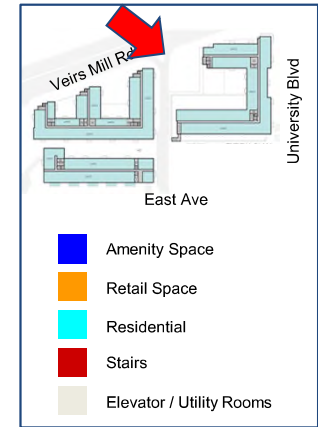


View from East Ave looking West

# PHASE 2: Section 3



View from Veirs Mill Rd looking Southeast



- 399,819 ft<sup>2</sup> total
  - 374,819 ft<sup>2</sup> res.
    - ~350 units
  - 25,000 ft<sup>2</sup> retail
- 13 Stories
  - 155' height
- Features
  - Prominent Corner
  - Community Use
  - Urban Park
  - Pocket Green

# Construction Technologies Comparison

## Stick Frame



- Sustainable material with **lower carbon footprint** than alternatives.
- Cheap and widely available building material.
- **Limited in height to five stories above a podium.**
- **Combustible.**
- **Lighter weight frame not generally as durable as other options.**
- More susceptible to water, mildew, mold, and rot.
- Widely available skill set in workforce, don't need special training to build.

## Mass Timber



- Sustainable material with **lower carbon footprint** than other tall alternatives.
- Can match or exceed the performance of concrete and steel.
- **Fast and easy to assemble** onsite when compared with concrete.
- **Less energy intensive** to produce versus steel or concrete.
- Rapidly developing, but still new (added to code in 2018)
- **Accepted in Montgomery County** in 2021 building code.
- Aesthetically appealing.

## Mid-Weight Steel ( Prescient)



- Historically more affordable than concrete.
- Prescient integrates with BIM and other building systems
- Manufacturing and assembly are designed into system.
- Less susceptible to water, mildew, mold, and rot.
- Not widely available subcontractor base.
- Non-Combustible

## Concrete



- Concrete construction is extremely durable.
- Allows for taller construction than other systems.
- Less susceptible to water, mildew, mold, and rot.
- Very high embodied carbon
- Widely available subcontractor base.
- Non-Combustible.
- Costly.

# Selection of an Architect - Criteria

HOC's Procurement Office issued a Request for Proposal (RFP #2311) for architectural services for Wheaton Gateway accordance with HOC's Procurement Policy. RFP #2311 was released on February 23, 2022 with a due date of April 8, 2022. The RFP was posted to HOC's website and distributed to more than 300 vendors registered in the Montgomery County Central Vendor Registration System ("CVRS"). The applicable vendors receive a notification via the system that there is a solicitation for their review and potential response. A pre-proposal meeting and conference was held virtually on March 4, 2022. Twelve (12) firms attended the pre-bid conference. However, the pre-bid conference does not reveal whether a firm intends to submit a response to the RFP.

The scope of work outlined in RFP #2311 included six (6) months of site plan preparation, nine (9) months of entitlement phase services (Park and Planning), six (6) months of construction document preparation, a permitting phase (Department of Permitting Services), followed by a construction phase services including construction administration services and construction observation. The scoring team received written instructions prior to scoring and currently consists of staff from Risk Management, Asset Management, and Real Estate divisions, as well as Duffie and Willco representatives (together, the "Architectural Scoring Team") who reviewed the responses on May 25, 2022. After corresponding with some of the firms in attendance at the pre-bid conference, they stated that due to the lack of capacity, they did not respond to the solicitation. The Proposals were scored on the following: four (4) evaluation criteria. The maximum points a proposal could receive is 100.

Qualifications (Maximum 50 Points)	Additional MFD Participation (Maximum 15 Points)	References (Maximum 5 Points)	Price (Maximum 30 Points)
<p>Demonstrated experience with projects involving: i) high-rise mixed-use and residential ii) achieving energy standards beyond code requirements, iii) high performance construction standards and certifications, iv) experience with Low Income Housing Tax Credit ("LIHTC"), showing successful track record with LIHTC projects, with a preference for LIHTC projects in the State of Maryland.</p>	<p>The 15% of MFD scoring shall be subdivided in two areas. The first is the Architect's direct MFD efforts (5% Direct MFD). All firms can receive 5% MFD effort and any respondents that are a certified MFD firm are awarded the full 5% as well. The second area is MFD subcontractors (10% MFD Subcontracting). Respondents who meet the MFD requirement (i.e., 25%) will score 0% , &gt;25% – 29% will receive 6%, and 30% or above will receive the full 10%.</p>	<p>Reference checks were conducted to evaluate and verify past performance regarding ability for on-time completion and change order management.</p>	<p>Lowest priced bid reflecting full project scope shall be awarded full percentage point (30%). For each percentage point that a bid exceeds the lowest full scope bid, that comparative bid's score shall be reduced by 2% (i.e. if a comparative bid is 6% higher than the lowest bid, that comparative bid shall lose 12% in this selection criterion).</p>

# Selection of an Architect – Criteria Continued

## **MFD Participation (maximum 15 points):**

The MFD Participation is structured in two (2) components.

The intention is to provide various areas for the consultants to proactively engage MFD personnel.

### **1) The Direct MFD Efforts (5 points)**

- Commitment to directly employ and/or train minority, female, or disabled persons.
- Propose a staffing plan with MFD personnel on the project.
- Certified MFD firms can also receive the full points.

### **II) MFD Subcontracting (10 points)**

- Per direction from former Executive leadership Procurement requires a minimum 25% MFD subcontracting for 0 points.
- Greater than 25%-29% MFD subcontracting is awarded 6 points.
- 30% or higher MFD subcontracting receives the full 10 points.

Direct MFD Efforts (5 points)	MFD Subcontracting (10 points)	Points Eligibility
Commitment to directly employ MFD personnel	25%	0
Project Staffing	>25% - 29%	6
Certified MFD Firm	30% +	10

# Selection of an Architect – Bidders

HOC received three (3) proposals in response to RFP# 2311 by the proposal deadline on April 8, 2022 at 12:00 pm and are listed below. One respondent was deemed non-responsive, as their proposal did not include the full scope identified in the RFP.

## **KGD Architecture (“KGD”)**

KGD Architecture is an award-winning full service design firm headquartered in Washington, D.C., with offices around the world. KGD has received accolades for design excellence and environmental stewardship for its work addressing the pressing needs of our communities including but not limited to: Affordable Housing, Mixed-Use, Multi-Family Residential, and Sustainable Design. KGD has experience on the following HOC projects: Elizabeth House III and Alexander House.



## **Moya Design Partners (“Moya”)**

Moya Design Partners is a multidisciplinary boutique studio producing creative work in the fields of architecture, interiors, and visual design. The firm was founded five years ago by designer Paola Moya. Moya is currently designing and developing over 1500 units in Maryland, Virginia, Pennsylvania, Durham, and DC. Their mission is to provide high-quality, inclusive, accessible housing to all levels of affordability including experience navigating complex entitlement processes.



## **Torti Gallas + Partners (“Torti Gallas”)**

Founded in 1953, the firm has continued to evolve. Today, Torti Gallas + Partners is a leading proponent of New Urbanism—and a powerful force in the creation of environmentally, economically, and socially sustainable communities. Torti Gallas is dedicated to designing quality affordable housing communities. In total they have designed over 40,000 affordable and workforce housing units in neighborhoods and communities throughout the country. Torti Gallas has experience on the following HOC projects: Hillandale Gateway, Residences on the Lane formerly Upton II , and MetroPointe.



# Selection of an Architect – Scoring

Torti Gallas has the highest score at 93 points. Scores below reflect the average of the individual scores from each member of the Architectural Scoring Team. The results of the Architectural Scoring Team are summarized below.

Rank	Architect	Qualifications (50 Points)	References (5 Points)	Additional MFD Participation (15 Points)	Price (30 Points)	Total (100 Points)
1	<b>Torti Gallas</b>	<b>47</b>	<b>5</b>	<b>15</b>	<b>26</b>	<b>93</b>
2	*Moya	33	4	15	30	82
3	KGD	46	4	15	0	65

## Qualifications:

- Torti Gallas’ proposal included predominantly high-rise new construction mixed-use and residential projects within the area and with energy goals beyond code including Passive House certification, which resulted in the highest score. KGD was the only other respondent with a similar level of experience.
- Moya did not demonstrate in their proposal the sufficient completion or experience of high-rise and mixed-use projects. As a result, they received the lowest points in this category to reflect that lack of experience as it pertains to those building types.

## References:

- HOC has experience with Torti Gallas on Hillandale Gateway, Residences on the Lane formerly Upton II, and MetroPointe. The references also spoke highly of Torti Gallas’ experience with mixed-use residential projects regarding the ability for on-time completion, change order history, and quality assurance and control.
- KGD has experience with HOC projects including, Elizabeth House III and Alexander House. Although, Moya received a good reference based on the specified criteria, they have no prior experience on HOC projects.



# Selection of an Architect – MFD and Pricing

Torti Gallas & Partners has demonstrated the capability to perform the architectural services for Wheaton Gateway, and has provided the lowest comprehensive pricing in their proposal reflective of the full project scope for Wheaton Gateway. As a result, their pricing was deemed the lowest bid. Staff proposes the selection of Torti Gallas & Partners for \$4,248,618.

Architect	Direct MFD Efforts	MFD Subcontracting	MFD Contract Amount	Pricing
KGD	Certified MFD Firm	75%	\$4,393,500	\$5,858,000
*Moya	Certified MFD Firm	70%	\$2,915,780	\$4,165,400
Torti Gallas	<ul style="list-style-type: none"> <li>40% MFD personnel on staffing plan</li> <li>Demonstrated commitment to employ MFD personnel</li> </ul>	36%	\$821,017	\$4,248,618

## MFD Participation:

- All respondents demonstrated direct MFD employment efforts for the first area of consideration, which was worth five (5) points.
- For the second area of consideration, Torti Gallas’ subcontractor plan included 36% MFD participation, which was worth 10 points.
- Both KGD and Moya are certified MFD firms self-performing 75% and 70% respectively, which was worth 10 points.
- Therefore, all respondents achieved the full 15 points for MFD participation.

## Pricing:

- Passive house is integral to the design of the Wheaton Gateway project. Notwithstanding clear direction within the RFP, Moya was initially unclear whether their bid was inclusive of the requisite passive house design scope. With follow-up, Moya failed to clearly indicate who would be providing passive house consulting services for the Wheaton project.
- Although Moya submitted the lowest pricing, the scoring team is confident that additional passive house design services (likely from a third party passive house consultant) would be required to allow Moya to provide the comprehensive passive house scope of services proposed by the other respondents.
- Accordingly, **it did not change the final ranking**, despite having the lowest bid, Moya was still ranked second eleven points behind Torti Gallas due to their lack of experience in high-rise and mixed-use projects.

\* **NOTE:** Moya was deemed non-responsive, as they did not identify and quantify the passive house services, which are integral to the overall project goals. After evaluation from the scoring team, they were also ranked second behind the highest scorer by 11 points. Founded five (5) years ago, their proposal did not demonstrate the sufficient experience for high-rise and mixed-use construction. They do not have the expertise to sufficiently provide architectural services for Wheaton Gateway.

# Selection of Civil - Criteria

HOC’s Procurement Office issued a Request for Proposal (RFP #2321) for civil engineering services for Wheaton Gateway in accordance with HOC’s Procurement Policy. RFP #2321 was released on April 13, 2022 with a due date of May 18, 2022. **The RFP was posted to HOC’s website and distributed to more than 300 vendors registered in the Montgomery County Central Vendor Registration System (“CVRS”).** The applicable vendors receive a notification via the system that there is a solicitation for their review and potential response. A pre-proposal meeting and conference was held virtually on April 20, 2022. **Four firms attended the pre-bid conference. However, the pre-bid conference does not reveal whether a firm intends to submit a response to the RFP.**

The scope of work outlined in RFP #2321 included six (6) months of site plan preparation, nine (9) months of entitlement phase services (Park and Planning), construction phase services and construction administration services. HOC received one (1) responsive proposal in response to RFP# 2321 by the proposal deadline on May 18, 2022 at 12:00 pm. In accordance with HOC’s Procurement Policy and after consulting with Procurement, the minimum requirements were evaluated to bring forth a recommendation for civil engineering services. The scoring team similarly received written instructions prior to reviewing and scoring the proposal. After corresponding with the firms in attendance at the pre-bid conference, they stated that due to the lack of capacity they did not respond to the solicitation. The minimum requirements included the following:

High-Rise Residential Projects	Mixed-Use Projects	Low Income Housing Tax Credit (“LIHTC”)	3rd Party Certifications	References	MFD Participation
Demonstrates experience, which includes providing satisfactory evidence of and completion of projects of similar scope.	Demonstrates experience, which includes providing satisfactory evidence of and completion of projects of similar scope.	Demonstrates experience, which includes providing satisfactory evidence of and completion of projects of similar scope.	Certifications above code minimum standards including but not limited to Leadership in Energy and Environmental Design (LEED), Energy Star, Passive House Institute US (PHIUS), Green Globes, National Green Buildings Standard (NGBS), etc.	Respondent’s references shall demonstrate successful experience with multifamily residential / mixed-use construction in Montgomery County, Maryland or the surrounding Baltimore-Washington Metropolitan area.	MFD scoring shall be subdivided in two areas. The first is the Architect’s direct MFD efforts (5% Direct MFD). All firms can receive 5% MFD effort and any respondents that are a certified MFD firm are awarded the full 5% as well. The 2nd area is MFD subcontractors (10% MFD Subcontracting). Respondents who meet the MFD requirement (i.e., 25%) will score 0% , >25% – 29% will receive 6%, and 30% or above will receive the full 10%.

# Selection of Civil – Bidder and Evaluation

HOC received one (1) responsive proposal in response to RFP# 2321 by the proposal deadline on May 18, 2022 at 12:00 pm and is listed below.

## **Charles P. Johnson & Associates (“CPJ”)**

CPJ is a full-service civil engineering firm that has provided quality engineering, land planning, surveying, and landscape architecture services to both the public and private sector since 1971. They are comprised of approximately 96 talented employees including licensed engineers, registered landscape architects, and professional surveyors. Charles P. Johnson & Associates is a corporation organized under the laws of the state of Maryland, is headquartered in Silver Spring, MD. CPJ is currently working with HOC on Hillandale Gateway, a high performance, mixed-use residential, and LIHTC project.



### High-Rise Residential:

CPJ’s proposal included predominantly high-rise new construction residential projects within the area, such as Hillandale Gateway.

### Mixed-Use:

CPJ’s proposal included mixed-use new construction, such as Hillandale Gateway.

### LIHTC:

CPJ’s proposal demonstrated experience with LIHTC projects in Montgomery County including Hillandale Gateway.

### 3<sup>rd</sup> Party Certification:

CPJ’s proposal included projects that had energy goals beyond code including Passive House certification, such as Hillandale Gateway.

### References:

HOC has experience with CPJ on Hillandale Gateway. The references also spoke highly of CPJ’s experience with mixed-use residential projects.

### MFD Participation:

CPJ’s subcontractor plan included 32% MFD participation.

In addition to meeting the minimum requirements for RFP #2321, CPJ has also exceeded those requirements and demonstrated the ability to provide civil engineering services for Wheaton Gateway. **As a result, staff is confident in their services and proposes the selection of CPJ to provide civil engineering services at Wheaton Gateway for \$1,476,121.**

# Selection of Architectural & Civil – Pricing Comparison

Torti Gallas and Partners serves as the Architect on the Hillandale Gateway Project. CPJ serves as the Civil Engineer for the Hillandale Gateway project. The table shows the difference in pricing for Wheaton Gateway versus Hillandale Gateway.

Wheaton Gateway Units (Entitled / Phase 1)	Hillandale Gateway Units (Entitled /Phase 1)
770 / 420	463 / 463
Wheaton Gateway Architecture	Hillandale Gateway Architecture
\$4,248,618 <i>\$10,116 per unit</i>	\$3,838,133 <i>\$8,290 per unit</i>
Wheaton Gateway Civil	Hillandale Gateway Civil
\$1,476,121 <i>\$3,315 per unit</i>	\$1,340,913 <i>\$2,896 per unit</i>

Pricing:

- CPJ’s Wheaton pricing is 10% higher than that provided for Hillandale Gateway.
- This pricing shows the increase in market changes and approximately 30% increase in the number units for Wheaton Gateway.

# Pre-Development Budget by Year

Budget Code	Project Total	2022 & Prior	Total Previous Cost to date	Net 2022 Spend	2023	2024	2025 to Financial Close
<b>SOFT COSTS</b>	<b>\$14,583,412.32</b>	<b>\$5,104,490.13</b>	<b>\$1,827,416.88</b>	<b>\$3,277,073.25</b>	<b>\$3,166,400.84</b>	<b>\$3,196,357.58</b>	<b>\$3,116,163.76</b>
A. Land and Acquisition Costs	\$103,768.55	\$79,983.55	\$79,068.55	\$915.00	\$1,008.00	\$1,008.00	\$21,769.00
B. Site Studies & Reports	\$107,240.00	\$55,403.50	\$54,740.00	\$663.50	\$0.00	\$0.00	\$51,836.50
C. Government & Registration Fees	\$2,060,905.52	\$718,405.52	\$237,995.50	\$480,410.02	\$51,200.00	\$620,450.00	\$670,850.00
D. Design Consultants	\$8,412,077.23	\$2,439,816.86	\$385,709.73	\$2,054,107.13	\$2,185,413.22	\$1,998,788.45	\$1,788,058.70
E. Professional Consultants	\$3,899,421.02	\$1,810,880.71	\$1,069,903.10	\$740,977.61	\$928,779.62	\$576,111.13	\$583,649.56
F. Lease Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>HARD COST</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
G. Construction	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
H. Furniture, Fixtures & Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>FINANCING/OTHER COSTS</b>	<b>\$5,314,776.28</b>	<b>\$1,995,771.63</b>	<b>\$1,235,776.28</b>	<b>\$759,995.35</b>	<b>\$926,984.84</b>	<b>\$939,970.80</b>	<b>\$1,452,049.02</b>
I. Financing	\$1,774,859.61	\$51,405.79	\$36,859.61	\$14,546.18	\$275,971.92	\$413,957.88	\$1,033,524.02
J. Other / General Contingency	\$3,539,916.67	\$1,944,365.84	\$1,198,916.67	\$745,449.17	\$651,012.92	\$526,012.92	\$418,525.00
<b>TOTAL</b>	<b>\$19,898,188.60</b>	<b>\$7,100,261.76</b>	<b>\$3,063,193.16</b>	<b>\$4,037,068.60</b>	<b>\$4,093,385.68</b>	<b>\$4,136,328.38</b>	<b>\$4,568,212.77</b>

## Summary Predevelopment Budget

<b>Previously Approved</b>	<b>\$ 7,100,262.00</b>
Spent/Obligated to Date (2022)	\$ (3,063,193.00)
Available to Spend/Obligate	\$ 4,037,069.00
Projected for 2023	\$ 4,093,385.68
Projected for 2024	\$ 4,136,328.38
Projected for 2025 to Financial Close	\$ 4,568,212.77
<b>Total Predevelopment Budget</b>	<b>\$ 19,898,188.60</b>

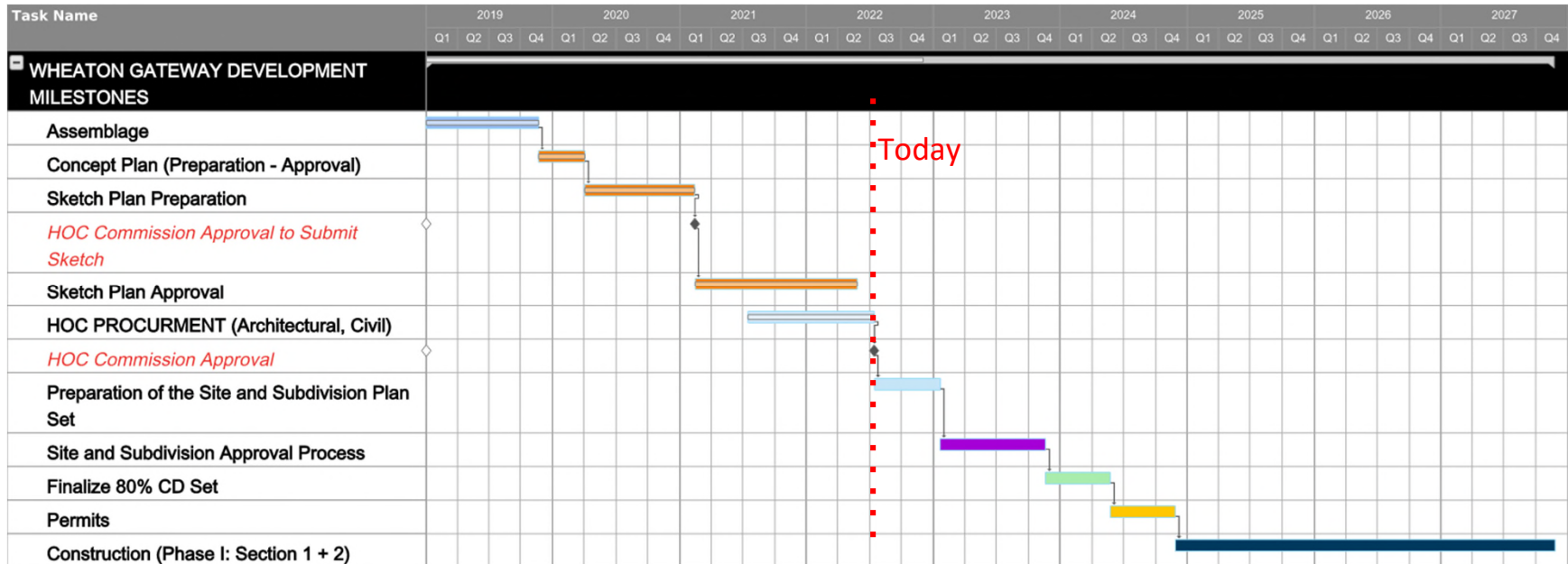
# CY 2022-25 Pre-Development Budget Comparison

The pre-development budget is representative of the entitlement of Phases I and II for 770 units. The design and construction documentation services are for Phase I and includes permitting of Sections 1 and 2 as illustrated on Slide 7. The table below illustrates the comparison of Wheaton Gateway to Hillandale, which contains three (3) distinct buildings over two (2) phases, 39% more residential units, and additional commercial square footage not contained in Hillandale Gateway.

	Wheaton Gateway	Hillandale Gateway
# of Buildings	3	2
# of Phases	2	1
Total Site Area (a.c./s.f.)	5.15 ac or 224,717 s.f.	6.60 ac or 287,744 s.f.
Total # of Units Entitled	770	463
Total # of Units - Phase 1	420	463
Total Amt of Commercial (s.f.)	~65,000 s.f.	~11,000 s.f.
Total Predev Amt (\$)	\$19,898,188	\$11,427,510

# Pre-Development Timeline – Master Schedule

## Wheaton Gateway Predevelopment Schedule



### CY 2019

- Assemblage of Lindsay Properties
- Begin development of the Concept plan

### CY 2020-2021

- Submitted Concept Plan to the commission for approval.
- Development of the Sketch Plan & Submission to MNCPPC for approval

### CY 2020-2021 Cont'd

- Received unfavorable DRC comments.
- Evaluated Speed to Market permit process.
- Began the HOC vendor procurement process consultants.
- Elected to proceed with traditional entitlement process

### CY 2022 - 2023

- Finalized HOC procurement process for Site/Subdivision consultants
- Begin the Site/Subdivision process and submit to MNCPPC
- Pre-Submission Community Meeting
- Approval of the Site/Subdivision by MNCPPC
- Procure potential Construction manager

July 13, 2022



# Summary and Recommendations

## ISSUES FOR CONSIDERATION

Does the Commission wish to accept staff's recommendation, which is supported by the Development and Finance Committee, and authorize:

1. Approval of the CY22-25 Pre-development Budget in an amount of \$19,898,188.60, which shall be funded from the PNC Bank, N.A. Real Estate Line of Credit ("RELOC");
2. Approval of a loan in an amount of \$19,898,188.60 to Wheaton Gateway, LLC in accordance with the terms of the joint venture agreement, fund the ongoing predevelopment costs for Wheaton Venture, which includes \$10,284,538.60 for the full entitlement of the site and \$9,613,650.00 for Phase I construction documents and permitting;
3. The selection of Torti Gallas and Partners to provide architectural services in the amount \$4,248,618; and
4. The selection of Charles P. Johnson and Associates to provide civil engineering services in the amount of \$1,476,121?

## BUDGET/FISCAL IMPACT

As the outstanding balance of the RELOC will gradually increase over the course of the predevelopment period, so will the outstanding interest, which would be paid from the General Fund and reimbursed at the closing of the construction financing. The RELOC has sufficient resources to cover the projected costs.

## TIME FRAME

For formal action at the July 13, 2022 meeting of the Commission.

## STAFF RECOMMENDATION AND COMMISSION ACTION NEEDED

Staff recommends that the Commission:

1. Approve the CY22-25 Pre-development Budget in an amount of \$19,898,188.60, which shall be funded from the PNC Bank, N.A. RELOC;
2. Approve a loan in an amount of \$19,898,188.60 to Wheaton Gateway, LLC in accordance with the terms of the joint venture agreement, fund the ongoing predevelopment costs for Wheaton Venture, which includes \$10,284,538.60 for the full entitlement of the site and \$9,613,650.00 for Phase I construction documents and permitting;
3. Approve the selection of Torti Gallas and Partners to provide architectural services in the amount \$4,248,618; and
4. Approve the selection of Charles P. Johnson and Associates to provide civil engineering services in the amount of \$1,476,121.



**RESOLUTION No.: 22-60A**

**RE: Approval of the CY 2022-2025 Predevelopment Budget and Funding for Wheaton Gateway; Approval of a Loan to Wheaton Gateway, LLC; Approval of the Selection of an Architect; and Approval of the Selection of a Civil Engineer**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) through its subsidiary, Wheaton-University Boulevard Limited Partnership, a Maryland limited partnership, owned a residential condominium unit in a now-demolished condominium located at 2715 University Blvd W., Silver Spring, MD 20902 (the “Ambassador Property”); and

**WHEREAS**, Wheaton Commercial Center Associates Limited Partnership, a Maryland partnership (“Willco”), owned the commercial condominium unit at the Ambassador Property and property adjacent to the Ambassador Property located at 11200 Veirs Mill Road, Silver Spring, MD 20902 (the “Mattress Firm Property”); and

**WHEREAS**, as described in this Resolution and as previously authorized by the Commission, HOC has assembled the Ambassador Property, the Mattress Firm Property, and a third adjacent property located at 11250 Veirs Mill Road, Silver Spring, MD 20902 (the “Lindsay Ford Property”, collectively with the Ambassador Property and the Mattress Firm Property, the “Wheaton Gateway Property”); and

**WHEREAS**, on August 9, 2017, the Commission authorized the creation of a joint venture known as Wheaton Gateway, LLC (“Wheaton Gateway”) between The Duffie Companies and HOC in order to further the potential redevelopment of the Wheaton Gateway Property; and

**WHEREAS**, HOC, in accordance with previous Commission resolutions, formed HOC at 11250 Veirs Mill Road, LLC (the “Venture Entity”) to acquire the Wheaton Gateway Property; and

**WHEREAS**, on April 3, 2019, the Commission authorized the creation of a joint venture, Wheaton Venture, LLC (“Wheaton Venture”) between Wheaton Gateway and Willco and the Commission approved a land assembly strategy for the Venture Entity; and

**WHEREAS**, on June 5, 2020, Wheaton Venture became the sole member of the Venture Entity; and

**WHEREAS**, as previously authorized by the Commission, the Venture Entity acquired the Lindsay Ford Property on January 17, 2019, and acquired each of the Mattress Firm Property and the Ambassador Property on June 5, 2020; and

**WHEREAS**, on May 26, 2022, the Montgomery County Planning Board unanimously approved the Sketch Plan submission for the development that will allow for the furtherance of the design and permitting efforts of the development; and

**WHEREAS**, the Commission desires to approve the calendar years 2022-2025 Predevelopment Budget in the amount of \$19,898,188.60 (the “2022-2025 Predevelopment Budget”) to cover predevelopment costs related to the redevelopment of the Property (the “Wheaton Gateway Redevelopment”) and needed to continue with the design and planning options for the redevelopment

plan; and

**WHEREAS**, staff recommends that the 2022-2025 Predevelopment Budget be funded by a draw from the PNC Bank, N.A. Real Estate Line of Credit (“RELOC”) and the proceeds loaned to HOC at Wheaton Gateway, LLC (“HOC at Wheaton”) to fund the ongoing predevelopment costs for the Wheaton Gateway Redevelopment, which loan and interest will be repaid upon the closing of the construction or permanent financing of the Property; and

**WHEREAS**, the Commission issued a Request for Proposals for architectural services (“RFP #2311”) for the Wheaton Gateway Redevelopment; and

**WHEREAS**, Torti Gallas and Partners (“TGP”) received the highest score among the respondents to RFP #2311, and staff recommends selecting TGP and authorizing the Executive Director to execute a contract (“Architect Agreement”) with TGP for such services; and

**WHEREAS**, the Commission issued a Request for Proposals for civil engineering services (“RFP #2321”) for the Wheaton Gateway Redevelopment; and

**WHEREAS**, Charles P. Johnson & Associates (“CPJ”) was the sole respondent for RFP #2321, and staff recommends selecting CPJ and authorizing the Executive Director to execute a contract (“Engineering Agreement”) with CPJ for such services.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it approves the 2022-2025 Predevelopment Budget of \$19,898,188.60 for the design and entitlement of the Wheaton Gateway Redevelopment and the use of the RELOC as the source to fund the predevelopment budget, which shall be loaned to HOC at Wheaton and will be repaid upon the closing of the construction or permanent financing of the Property.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and in its capacity as the sole member of HOC at Wheaton, which HOC at Wheaton is the manager and a member of Wheaton Gateway, which Wheaton Gateway is a member of Wheaton Venture, which Wheaton Venture is the sole member of the Venture Entity, that HOC, HOC at Wheaton, Wheaton Gateway, Wheaton Venture, and the Venture Entity are each authorized to take any and all actions necessary and proper to carry out the transactions and actions contemplated herein, including the execution of any documents related to HOC at Wheaton’s acceptance of the loan from HOC’s RELOC in the amount of \$19,898,188.60.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and in its capacity as the sole member of HOC at Wheaton, which HOC at Wheaton is the manager and a member of Wheaton Gateway, which Wheaton Gateway is a member of Wheaton Venture, which Wheaton Venture is the sole member of the Venture Entity, that it approves the selection of TGP as the architect for the Wheaton Gateway Redevelopment and authorizes the Executive Director, or her designee, to execute the Architect Agreement for an amount not to exceed \$4,248,618.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and in its capacity as the sole member of HOC at Wheaton, which HOC at Wheaton is the manager and a member of Wheaton Gateway, which Wheaton Gateway is a member of Wheaton Venture, which Wheaton Venture is the sole member of the Venture Entity, that it approves the selection

of CPJ as the civil engineer for the Wheaton Gateway Redevelopment and authorizes the Executive Director, or her designee, to execute the Civil Engineer Agreement for an amount not to exceed \$1,476,121.

**BE IT FURTHER RESOLVED** that the Housing Opportunities Commission Montgomery County, acting for itself and in its capacity as sole member of HOC at Wheaton, which HOC at Wheaton is the manager and a member of Wheaton Gateway, which Wheaton Gateway is a member of Wheaton Venture, which Wheaton Venture is the sole member of the Venture Entity, authorizes HOC's Executive Director, without any further action on its part, to take any and all other actions necessary and proper to carry out the transaction and actions contemplated herein.

**I HEREBY CERTIFY** that the foregoing resolution was approved by the Housing Opportunities Commission of Montgomery County at an open meeting on July 13, 2022.

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**Patrice M. Birdsong**  
**Special Assistant to the Commission**

**RESOLUTION No. 22-60B**

**RE: Approval to Draw on the PNC Bank, N.A. Real Estate Line of Credit to Fund the Predevelopment Budget and Funding for the Wheaton Gateway Redevelopment**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”), in accordance with previous Commission resolutions, is the sole member of HOC at Wheaton Gateway, LLC (“HOC at Wheaton”), the manager and a member of Wheaton Gateway, LLC (“Wheaton Gateway”), a member of Wheaton Venture, LLC (“Wheaton Venture, LLC”), the sole member of HOC at 11250 Veirs Mill Road, LLC (the “Venture Entity”); and

**WHEREAS**, the Venture Entity own several properties known as the “Ambassador Property,” the “Mattress Firm Property,” and the “Lindsay Ford Property” (together, the “Property”); and

**WHEREAS**, the Commission desires to approve the calendar years 2022-2025 Predevelopment Budget in the amount of \$19,898,188.60 (the “22-25 Predevelopment Budget”) to fund predevelopment costs related to the redevelopment of the Property and needed to continue with the design and planning options for the redevelopment plan; and

**WHEREAS**, the 22-25 Predevelopment Budget would be funded by a draw on the \$150 million PNC Bank, N.A. Real Estate Line of Credit (“PNC RELOC”) by the Commission and loaned to HOC at Wheaton, a wholly owned subsidiary of HOC; and

**WHEREAS**, the Commission may make draws on the PNC RELOC at a contractual rate based on the London Interbank Offered Rate (“LIBOR”) index plus a spread.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Opportunities Commission of Montgomery County authorizes a draw from the PNC RELOC in the amount of \$19,898,188.60 at the contractual rate, which is based on the 30-day LIBOR plus a spread, to fund the 22-25 Predevelopment Budget, to be repaid, including cost of interest, from the proceeds of the construction or permanent financing closing at a future date.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director, or their designee, is hereby authorized, without any further action on its part, to take any and all actions necessary and proper to carry out the transactions and actions contemplated herein, including the execution of any documents related thereto.

**I HEREBY CERTIFY** that the foregoing resolution was approved by the Housing Opportunities Commission of Montgomery County at a regular open meeting conducted on July 13, 2022.

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**Patrice M. Birdsong**  
**Special Assistant to the Commission**

# **ELIZABETH HOUSE III : APPROVAL OF THE NAMING AND BRANDING IN ACCORDANCE WITH HOC NAMING GUIDELINES**

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**KAYRINE V. BROWN, ACTING EXECUTIVE DIRECTOR**

**ZACHARY MARKS, CHIEF REAL ESTATE OFFICER  
MARCUS ERVIN, DIRECTOR OF DEVELOPMENT  
HYUNSUK CHOI, HOUSING ACQUISITION MANAGER  
BRIAN SELDEN, PUBLIC INFORMATION SPECIALIST**

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# EXECUTIVE SUMMARY

Elizabeth House III (the “Property”) is a 267-unit development (106 units will serve households earning less than 30% Area Media Income (“AMI”), 14 units will serve households earning less than 60% AMI, 118 units will serve households earning less than 80% AMI, and 29 units will serve as market-rate units) for seniors (including replacement housing for the current Elizabeth House residents) and will include the South County Regional Recreation and Aquatic Center (“SCRRAC”), totaling approximately 120,000 square feet and a 7,500 square feet Senior Resource Center/Primary Care Facility that will be operated by Holy Cross Hospital.

**The selection of a permanent name for the Property is required to support ongoing marketing, branding and leasing efforts for the Property.**

As this represents the third community to be named under the Commission’s Naming Guidelines (“Guidelines”), staff will remain committed to making naming recommendations that reflect the unique nature of each property while recognizing the surrounding and immediate location, the future resident experience, and the high-quality spaces incorporated into the development.

**Proposed Name:** In alignment with the “Guidelines for Naming of HOC Properties and Facilities,” the proposed name is: ***“The Leggett”, which was vetted and subsequently approved personally and with humility by Mr. Leggett.***

Isiah (Ike) Leggett was the first African American to be elected to the public office of Montgomery County Executive and the first African American to be elected to the County Council where he chaired the Council’s Transportation and Environment Committee and served on the Education Committee. During his 12-year tenure as County Executive, he built an extraordinary legacy including accomplishments affecting all aspects of the lives of vital and vulnerable older adults of diverse backgrounds and cultures.



*Proposed Name: The Leggett*

# EXECUTIVE SUMMARY

Elizabeth Square will be a mixed-income, multigenerational, mixed-use development consisting of three (3) buildings: The Leggett, below which will reside the county's aquatic and recreational facility; the proposed multifamily Elizabeth Square Building IV; and the renovated Alexander House.

Elizabeth Square will be a landmark achievement. A bold and energetic place that brings together people of all ages and backgrounds to experience a life of connection, wellness, and opportunity in the heart of Silver Spring.

One of the key elements of Elizabeth Square will be The Leggett, a pioneering senior living community and more. A place that welcomes people from surrounding neighborhoods to a state-of-the-art public aquatic and recreation center, promoting physical health and intergenerational activity. A destination where seniors can thrive within modern residences, benefit from a senior wellness center, and enjoy shopping and dining, surrounded by green spaces and walking paths, for a truly holistic living experience.



*Elizabeth Square Rendering*

Naming such a dynamically and progressive senior living community after Isiah Leggett makes perfect sense. As the first African American elected to the Montgomery County Council and County Executive, Mr. Leggett is a trailblazer, a bold and compassionate public servant of all the people of Montgomery County, notably its seniors. He is best known as a tireless Montgomery County Executive who achieved real results, expanding housing opportunities and access to services. As one of Montgomery County's cornerstone senior communities, The Leggett will honor and enhance the legacy of Ike Leggett for generations to come. He has a long record of leadership and accomplishments in serving the people of Montgomery County.



# GUIDELINES FOR NAMING OF HOC PROPERTIES AND FACILITIES

The naming guidelines require consideration of the following principles for the selection of a permanent name of a property or facility and should:

- Have a strong positive image and stand the test of time;
- Have appropriate regard to the facility's location, geography, natural land feature, and/or history;
- Commemorate places, people or events that are of continued importance to the town, region, state, and/or nation;
- Recognize outstanding accomplishments by an individual for the good of the community.
- Consider the quality of the contribution along with the length of service by the individual.



# OUTSTANDING ACCOMPLISHMENTS

As County Executive, Isiah (Ike) Leggett focused on ensuring that every part of diverse Montgomery County had a seat at the table and a voice in the decisions that affected their lives. During his tenure, the County population grew significantly in size and diversity, becoming a “majority minority” community, meaning no single population group was in the majority.

Many claim that one of his most noteworthy accomplishments was protecting the County’s long-term finances after the nation’s “Great Recession” of 2008. Thanks to his efforts, the County ultimately increased its reserves from \$79 million to \$500 million, and protected its Triple-A bond rating.

With a strengthened County economy, Ike Leggett expanded the tax base, constructed more than 21,000 new school classroom seats, and funded the development and preservation of some 77,000 affordable housing units during his tenure.

Mr. Leggett relocated County facilities to pave the way for a burst of development in Shady Grove and launched nearly sixty (60) major public infrastructure projects during his 12 years in office. He also converted the County’s economic development entity from a public department to one led by the private sector.

Under his leadership, Montgomery County expanded affordable-housing funding, added programs for immigrants, increased the minimum wage, and created a program to hire people with disabilities.

These accomplishments have touched all aspects of County life for older adults, including civic and social involvement, communications and outreach, elder abuse prevention, employment, health and wellness, home and community-based services, housing, open spaces and buildings, senior public safety, transportation and those aspects that are designated “dementia-friendly.”



# INVESTED GREATLY IN SENIOR PROGRAMS

Ike Leggett commissioned a task force for a County-wide study about the plight of seniors, and how the County may respond to their needs. Subsequently, and thanks to Mr. Leggett's support of the task force's recommendations, life for senior adults dramatically improved. **Additional senior program investments include the following:**

- Several initiatives, public private partnerships, County staff positions and a variety of specialized work groups were created to strengthen elder abuse prevention programs;
- Dozens of services were enacted to increase opportunities for civic and social involvement;
- Communication and public outreach tools were redesigned to more effectively engage seniors;
- Robust efforts were undertaken to increase and enhance educational, volunteer and employment opportunities for the 50+ population of the County;
- Expanded senior recreational opportunities were developed and curb-to-curb transportation to senior centers were provided;
- The number of exercise and healthy nutrition programs were increased to improve overall health & wellness;
- Subsidies, partnerships and a variety of services were created to improve in-home and community-based health and wellness programs;
- Seventeen (17) senior housing projects were initiated, and when complete, a total of 2,100 rental units, including approximately 1,700 units affordable for seniors will be preserved or created;
- Upon recommendations from the Senior Citizen Fire Safety Task Force, the Montgomery County's Fire and Rescue Service ("MCFRS") visited thousands of senior's homes to improve fire prevention;
- Several transportation programs were enhanced, such as extended free bus hours for seniors and people with disabilities, Call-N-Ride outreach and scope, increase of number of wheel-chair accessible taxicabs and improved pedestrian safety measures for senior adults.

# AWARDS AND RECOGNITION

In January 2016, Leggett was named "Washingtonian of the Year" by the Washingtonian Magazine. He received more than 200 honors and awards from a variety of organizations, including the Leadership Award from the Maryland State Teachers Association, Humanitarian of the Year Award from the Montgomery County Humane Society, the Distinguished Public Service Award from the American Lung Association, the Advancement of Public Service Responsibility Award from the Maryland Bar Foundation, the award for Achievement in Environmental & Occupational Health from Metropolitan Washington Public Health Association, Alzheimer's Association, Excellence in Leadership, George Washington University Law School, J. William Fulbright Public Service Award, and several others.

Also, Mr. Leggett has served on several boards of directors for a number of professional, civic and community organizations including: The Jewish Foundation for Group Homes, the Maryland College of Art and Design, Leadership Montgomery, the Montgomery Multiple Sclerosis Center, the Montgomery County Chapter of the NAACP, Impact Silver Spring, the Washington Area Housing Partnership, Montgomery County Boys and Girls Club, the African American Business Council and others. In addition, he has been a member of the Urban League, the Vietnam Veterans Leadership Forum, the National Bar Association, the American Bar Association, Phi Alpha Delta Legal Fraternity, Southern Christian Leadership Conference, Burtonsville Kiwanis, and the Alpha Phi Alpha Fraternity.

Mr. Leggett has made a significant impact on the life of all residents of Montgomery County, especially senior adults, people with disabilities and low-income families. The programs that he either created or enhanced will provide much needed services to those who need them the most. His legacy will ensure the wellbeing of County residents for generations to come.

**So fittingly, staff are proud to propose the permanent name of our newest premier mixed-income housing community, The Leggett.**



# Summary and Recommendations

## ISSUES FOR CONSIDERATION

Does the Housing Opportunities Commission of Montgomery County (the “Commission”) wish to accept staff’s recommendation, which is supported by the Development and Finance Committee and approve the permanent name, “ The Leggett” for the Elizabeth House III development?

## COMMITTEE CONSIDERATION

The Development & Finance Committee considered this proposal at its meeting on June 24, 2022, and by a vote of two to one advanced it to the Commission for approval. However, the committee cautioned staff about naming Commission assets for 1) living individuals and 2) those who recently held political offices in the County. This action does not set a precedent for future naming, but is intended to honor a Montgomery County figure who has contributed in particular to the lives of its seniors and the County in general.

## BUDGET/FISCAL IMPACT

There is no budget or fiscal impact.

## TIME FRAME

For formal action at the July 13, 2022 meeting of the Commission.

## STAFF RECOMMENDATION AND COMMISSION ACTION NEEDED

Staff recommends that the Commission approve the permanent name, “The Leggett” for the Elizabeth House III development.

**RESOLUTION NO: 22-61**

**Re: Approval of the Naming and Branding in Accordance with HOC Naming Guidelines for Elizabeth House III**

**WHEREAS**, Elizabeth House III (the “Property”) is a 267-unit development for seniors (including replacement housing for the current Elizabeth House residents) and will include the South County Regional Recreation and Aquatic Center, and a Senior Resource Center/Primary Care Facility that will be operated by Holy Cross Hospital; and

**WHEREAS**, the Property is owned by Elizabeth House III Limited Partnership, a Maryland limited partnership (the “Partnership”), which is ultimately controlled by the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”) as the sole member of the Partnership’s general partner; and

**WHEREAS**, staff, in alignment with the Guidelines for Naming of HOC Properties and Facilities (the “Guidelines”), developed a permanent name for the Property; and

**WHEREAS**, the recommended permanent name aligns with the general principles set forth in the Guidelines, including: having a strong positive image that withstands the test of time; having appropriate regard for the Property’s location and history; and recognizing outstanding accomplishments by individuals for the good of the community.

**NOW, THEREFORE, BE IT RESOLVED**, that the Housing Opportunities Commission of Montgomery County, on behalf of itself and on behalf of the Partnership, as the sole member of its general partner, approves “The Leggett” as the permanent name for the Property.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, on behalf of itself and on behalf of the Partnership, as the sole member of its general partner, that HOC’s Executive Director, or their designee, is authorized to take any and all other actions necessary and proper to carry out the actions contemplated herein, including the execution of any documents related thereto.

**I HEREBY CERTIFY** that the foregoing resolution was duly adopted by the Housing Opportunities Commission of Montgomery County at a regular open meeting conducted on July 13, 2022.

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**Patrice M. Birdsong**  
**Special Assistant to the Commission**

# Adjourn

# Development Corporation Meetings



# Alexander House Development Corporation

## **ALEXANDER HOUSE DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Alexander House Development Corporation on Wednesday, June 8, 2022, at 4:35 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or their designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Alexander House Development Corporation to approve two items on the agenda.

**A. Alexander House Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

A motion was made by Frances Kelleher, to approve Resolution 22-001<sup>AH</sup>, and seconded by Linda Croom. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sup>AH</sup>**

**RE: Alexander House Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the Alexander House Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Alexander House Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Alexander House Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

**B. Authorization to Renew the Property Management Contracts for Alexander House**

Nathan Bovelle, Chief Maintenance Officer/Acting Director Property Management introduced Jay Berkowitz, Asset Manager, who provided a presentation requesting authorization to renew the property management contract for Alexander House.

A motion was made by Jackie Simon, to approve Resolution 22-002<sub>AH</sub>, and seconded by Richard Y. Nelson, Jr. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-002<sub>AH</sub>**

**RE: Authorization to Renew the Property Management Contract for Alexander House**

**WHEREAS**, Alexander House Development Corporation owns 186 units in the development known as Alexander House located in Silver Spring, Maryland; and

**WHEREAS**, staff desires to renew the current property management contract at Alexander House with Edgewood Management Corporation for one (1) year through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Alexander House Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed to execute a renewal of the property management contact at Alexander House with Edgewood Management Corporation for one (1) year through June 30, 2023.

**BE IT FURTHER RESOLVED** by the Board of Directors of Alexander House Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transaction contemplated herein, including the execution of any documents related thereto.

Based upon this report and there being no further business to come before this session, the meeting of the Alexander House Development Corporation adjourned at 4:37 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer - Alexander House  
Development Corporation

/pmb

Adjourn

# Barclay Apartments Development Corporation

## BARCLAY APARTMENTS DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Barclay Apartments Development Corporation on Wednesday, June 8, 2022, at 4:37 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry



**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Barclay Apartments Development Corporation to approve a single item on the agenda.

- **Barclay Apartments Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Linda Croom, to approve Resolution 22-001<sub>BC</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>BC</sub>**

**RE: Barclay Apartments Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the Barclay Apartments Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Barclay Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Barclay Apartments Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the Barclay Apartments Development Corporation adjourned at 4:38 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Barclay Apartments Development  
Corporation

/pmb

Adjourn

# Brookside Glen Apartments Development Corporation

**BROOKSIDE GLEN APARTMENTS DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

**Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Brookside Glen Apartments Development Corporation on Wednesday, June 8, 2022, at 4:38 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

**Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

**Via Zoom**

Jeffrey Merkowitz

**Absent**

Pamela Byrd

**Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Brookside Glen Apartments Development Corporation to approve two items on the agenda.

**A. Brookside Glen Apartments Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

A motion was made by Frances Kelleher, to approve Resolution 22-001<sup>BG</sup>, and seconded by Jackie Simon. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sup>BG</sup>**

**RE: Brookside Glen Apartments Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the Brookside Glen Apartments Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Brookside Glen Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Brookside Glen Apartments Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

**B. Authorization to Renew the Property Management Contracts for Brookside Glen Apartments**

Nathan Bovel, Chief Maintenance Officer/Acting Director Property Management introduced Jay Berkowitz, Asset Manager, who provided presentation requesting authorization to renew the property management contract for Brookside Glen.

A motion was made by Frances Kelleher, to approve Resolution 22-002<sub>BG</sub>, and seconded by Linda Croom. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-002<sub>BG</sub>**

**RE: Authorization to Renew the Property Management Contract for Brookside Glen**

**WHEREAS**, Brookside Glen Development Corporation is the general partner of Brookside Glen Limited Partnership (“Brookside Glen LP”), and Brookside Glen LP owns the development known as Brookside Glen located in Wheaton, Maryland; and

**WHEREAS**, staff desires to renew the current property management contract at Brookside Glen with Edgewood Management Corporation for one (1) year through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Brookside Glen Development Corporation, acting for itself and on behalf of Brookside Glen LP, that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed to execute a renewal of the property management contract at Brookside Glen with Edgewood Management Corporation for one (1) year through June 30, 2023.

**BE IT FURTHER RESOLVED** by the Board of Directors of Brookside Glen Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transaction contemplated herein, including the execution of any documents related thereto.

Based upon this report and there being no further business to come before this session, the meeting of the Brookside Glen Apartments Development Corporation adjourned at 4:40 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Brookside Glen  
Development Corporation

/pmb



# Adjourn

# Diamond Square Development Corporation

## DIAMOND SQUARE DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Diamond Square Development Corporation on Wednesday, June 8, 2022, at 4:40 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Diamond Square Development Corporation to approve two items on the agenda.

**A. Diamond Square Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

A motion was made by Richard Y. Nelson, Jr., to approve Resolution 22-001<sub>DS</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkwowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>DS</sub>**

**RE: Diamond Square Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the Diamond Square Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Diamond Square Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Diamond Square Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

**B. Authorization to Renew the Property Management Contracts for Diamond Square**

Nathan Bovelleville, Chief Maintenance Officer/Acting Director Property Management introduced Jay Berkowitz, Asset Manager, who provided presentation requesting authorization to renew the property management contract for Diamond Square.

A motion was made by Jackie Simon, to approve Resolution 22-002<sub>DS</sub>, and seconded by Richard Y. Nelson, Jr. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-002<sub>DS</sub>**

**RE: Authorization to Renew the Property Management Contract for Diamond Square**

**WHEREAS**, Diamond Square Development Corporation is the general partner of Diamond Square Limited Partnership ("Diamond Square LP"), and Diamond Square LP owns the development known as Diamond Square located in Gaithersburg, Maryland ("Diamond Square"); and

**WHEREAS**, staff desires to renew the current property management contract at Diamond Square with Residential One for one year through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Diamond Square Development Corporation, acting for itself and on behalf of Diamond Square Limited Partnership, as its general partner, that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contact with Residential One for one year through June 30, 2023.

**BE IT FURTHER RESOLVED** by the Board of Directors of Diamond Square Development Corporation, acting for itself and on behalf of Diamond Square Limited Partnership, as its general partner, that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transactions contemplated herein, including the execution of any documents related thereto.

Based upon this report and there being no further business to come before this session, the meeting of the Diamond Square Development Corporation adjourned at 4:42 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Diamond Square  
Development Corporation

/pmb

# Adjourn

# Glenmont Crossing Development Corporation



**GLENMONT CROSSING DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

**Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Glenmont Crossing Development Corporation on Wednesday, June 8, 2022, at 4:42 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

**Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

**Via Zoom**

Jeffrey Merkowitz

**Absent**

Pamela Byrd

**Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Glenmont Crossing Development Corporation to approve two items on the agenda.

**A. Glenmont Crossing Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

A motion was made by Richard Y. Nelson, Jr., to approve Resolution 22-001<sub>GC</sub>, and seconded by Linda Croom. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkwowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>GC</sub>**

**RE: Glenmont Crossing Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the Glenmont Crossing Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Glenmont Crossing Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Glenmont Crossing Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

**B. Authorization to Renew the Property Management Contracts for Glenmont Crossing**

Nathan Bovel, Chief Maintenance Officer/Acting Director Property Management introduced Jay Berkowitz, Asset Manager, who provided presentation requesting authorization to renew the property management contract for Glenmont Crossing.

A motion was made by Jackie Simon, to approve Resolution 22-002<sub>GC</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-002<sub>GC</sub>**

**RE: Authorization to Renew the Property Management Contract for Glenmont Crossing**

**WHEREAS**, Glenmont Crossing Development Corporation owns the development known as Glenmont Crossing located in Wheaton, Maryland; and

**WHEREAS**, staff desires to renew the current property management contract at Glenmont Crossing with Edgewood Management Corporation for one (1) year through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Glenmont Crossing Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed to execute a renewal of the property management contact at Glenmont Crossing with Edgewood Management Corporation for one (1) year through June 30, 2023.

**BE IT FURTHER RESOLVED** by the Board of Directors of Glenmont Crossing Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transaction contemplated herein, including the execution of any documents related thereto.

Based upon this report and there being no further business to come before this session, the meeting of the Glenmont Crossing Development Corporation adjourned at 4:43 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Glenmont Crossing  
Development Corporation

/pmb

# Adjourn

# Glenmont Westerly Development Corporation

## **GLENMONT WESTERLY DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Glenmont Westerly Development Corporation on Wednesday, June 8, 2022, at 4:43 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Glenmont Westerly Development Corporation to approve two items on the agenda.

**A. Glenmont Westerly Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

A motion was made by Richard Y. Nelson, Jr., to approve Resolution 22-001<sub>GW</sub>, and seconded by Linda Croom. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkwowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>GW</sub>**

**RE: Glenmont Westerly Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the Glenmont Westerly Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Glenmont Westerly Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;



**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Glenmont Westerly Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

**B. Authorization to Renew the Property Management Contracts for Glenmont Westerly**

Nathan Bovellet, Chief Maintenance Officer/Acting Director Property Management introduced Jay Berkowitz, Asset Manager, who provided presentation requesting authorization to renew the property management contract for Glenmont Westerly.

A motion was made by Richard Y. Nelson, Jr., to approve Resolution 22-002<sub>GW</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkwowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.:** 22-002<sub>GW</sub>

**RE: Authorization to Renew the Property Management Contract for Glenmont Westerly**

**WHEREAS**, Glenmont Westerly Development Corporation owns the development known as Glenmont Westerly located in Wheaton, Maryland; and

**WHEREAS**, staff desires to renew the current property management contract at Glenmont Westerly with Edgewood Management Corporation for one (1) year through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Glenmont Westerly Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed to execute a renewal of the property management contract at Glenmont Westerly with Edgewood Management Corporation for one (1) year through June 30, 2023.

**BE IT FURTHER RESOLVED** by the Board of Directors of Glenmont Westerly Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transaction contemplated herein, including the execution of any documents related thereto.

Based upon this report and there being no further business to come before this session, the meeting of the Glenmont Westerly Development Corporation adjourned at 4:45 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Glenmont Westerly  
Development Corporation

/pmb

# Adjourn

# Magruder's Discovery Development Corporation

**MAGRUDER’S DISCOVERY DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

**Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Magruder’s Discovery Development Corporation on Wednesday, June 8, 2022, at 4:45 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

**Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

**Via Zoom**

Jeffrey Merkowitz

**Absent**

Pamela Byrd

**Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries “AJ” Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County (“HOC”) and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY’23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Magruder’s Discovery Development Corporation to approve a single item on the agenda.

- **Magruder’s Discovery Development Corporation Annual Meeting:** Election of Officers and Adoption of FY’23 Operating and Capital Budgets

A motion was made by Frances Kelleher, to approve Resolution 22-001<sub>MD</sub>, and seconded by Jackie Simon. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>MD</sub>**

**RE: Magruder’s Discovery Development Corporation Annual Meeting: Election of Officers and Adoption of FY’23 Operating and Capital Budgets**

**WHEREAS**, the Magruder’s Discovery Development Corporation (the “Corporation”) is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County (“HOC” or the “Commission”);

**WHEREAS**, the Corporation’s Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Magruder’s Discovery Apartments (the “Property”);

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Magruder's Discovery Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the Magruder's Discovery Development Corporation adjourned at 4:46 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Magruder's Discovery  
Development Corporation

/pmb

# Adjourn



# The Metropolitan Development Corporation

## THE METROPOLITAN DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-002

Mr. Priest convened the annual meeting of the Metropolitan Development Corporation on Wednesday, June 8, 2022, at 4:46 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Metropolitan Development Corporation to approve two items on the agenda.

- A. Approval of Minutes of the May 4, 2022 Meeting of The Metropolitan Development Corporation:** The minutes were approved as submitted by a motion made by Jackie Simon and seconded by Richard Y. Nelson, Jr. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.
- B. The Metropolitan Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Linda Croom to approve Resolution 22-003<sub>ME</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-003<sub>ME</sub>**

**RE: The Metropolitan Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, The Metropolitan Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of The Metropolitan Apartments (the “Property”);

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property’s annual budget preparation, presentation, and approval process with the Commission’s budget process;

**WHEREAS**, the Corporation’s FY’23 Operating and Capital Budgets were presented to the Commission’s Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY’23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by The Metropolitan Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY’23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of The Metropolitan Development Corporation adjourned at 4:46 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – The Metropolitan Development Corporation

/pmb

# Adjourn

# Montgomery Arms Development Corporation

## **MONTGOMERY ARMS DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Montgomery Arms Development Corporation on Wednesday, June 8, 2022, at 4:47 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Montgomery Arms Development Corporation to approve a single item on the agenda.

- **Montgomery Arms Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Richard Y. Nelson, Jr., to approve Resolution 22-001<sub>MA</sub>, and seconded by Jackie Simon. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkwowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>MA</sub>**

**RE: Montgomery Arms Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the Montgomery Arms Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Montgomery Arms Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;



**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery Arms Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the Montgomery Arms Development Corporation adjourned at 4:47 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Montgomery Arms  
Development Corporation

/pmb

# Adjourn

# Paddington Square Development Corporation

## **PADDINGTON SQUARE DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-002

Mr. Priest convened the annual meeting of the Paddington Square Development Corporation on Wednesday, June 8, 2022, at 4:47 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Paddington Square Development Corporation to approve a single item on the agenda.

- **Paddington Square Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Jackie Simon to approve Resolution 22-002<sub>PS</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-002<sub>PS</sub>**

**RE: Paddington Square Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the Paddington Square Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Paddington Square Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Paddington Square Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the Paddington Square Development Corporation adjourned at 4:47 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Paddington Square  
Development Corporation

/pmb

# Adjourn

# Pooks Hill Development Corporation



## **POOKS HILL DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Pooks Hill Development Corporation on Wednesday, June 8, 2022, at 4:48 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Pooks Hill Development Corporation to approve a single item on the agenda.

- **Pooks Hill Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Jackie Simon to approve Resolution 22-001<sub>PH</sub>, and seconded by Richard Y. Nelson, Jr. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkwowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>PH</sub>**

**RE: Pooks Hill Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the Pooks Hill Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Pooks Hill Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Pooks Hill Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the Pooks Hill Development Corporation adjourned at 4:48 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Pooks Hill  
Development Corporation

/pmb

# Adjourn

# RAD 6 Development Corporation

## **RADS 6 DEVELOPMENT CORPORATION MEETING**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the RAD 6 Development Corporation on Wednesday, June 8, 2022, at 4:48 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the RAD 6 Development Corporation to approve a single item on the agenda.

- **RAD 6 Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Jackie Simon to approve Resolution 22-001<sup>RAD6</sup>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sup>RAD6</sup>**

**RE: RAD 6 Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the RAD 6 Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of RAD 6 Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the RAD 6 Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the RAD 6 Development Corporation adjourned at 4:48 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer –  
RAD 6 Development Corporation

/pmb



# Adjourn

# Scattered Site One Development Corporation

## SCATTERED SITE ONE DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Scattered Site One Development Corporation on Wednesday, June 8, 2022, at 4:48 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Scattered Site One Development Corporation to approve a single item on the agenda.

- **Scattered Site One Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Linda Croom to approve Resolution 22-001<sup>SS1</sup>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sup>SS1</sup>**

**RE: Scattered Site One Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the Scattered Site One Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Scattered Site One Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Scattered Site One Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the Scattered Site One Development Corporation adjourned at 4:49 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Scattered Site  
One Development Corporation

/pmb

# Adjourn

# Scattered Site Two Development Corporation

## SCATTERED SITE TWO DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Scattered Site Two Development Corporation on Wednesday, June 8, 2022, at 4:49 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry



**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Scattered Site Two Development Corporation to approve a single item on the agenda.

- **Scattered Site Two Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Frances Kelleher to approve Resolution 22-001<sup>SS2</sup>, and seconded by Linda Croom. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sup>SS2</sup>**

**RE: Scattered Site Two Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the Scattered Site Two Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Scattered Site Two Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Scattered Site Two Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the Scattered Site Two Development Corporation adjourned at 4:49 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Scattered Site  
Two Development Corporation

/pmb

# Adjourn

# Sligo Development Corporation

## SLIGO HILLS DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Sligo Hills Development Corporation on Wednesday, June 8, 2022, at 4:49 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Sligo Hills Development Corporation to approve a single item on the agenda.

- **Sligo Hills Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Jackie Simon to approve Resolution 22-001<sub>SH</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>SH</sub>**

**RE: Sligo Hills Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the Sligo Hills Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Sligo Hills Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Sligo Hills Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the Sligo Hills Development Corporation adjourned at 4:50 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Sligo Hills  
Development Corporation

/pmb

Adjourn



# TPM Development Corporation

## TPM DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the TPM Development Corporation on Wednesday, June 8, 2022, at 4:50 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the TPM Development Corporation to approve a single item on the agenda.

- **TPM Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Jackie Simon to approve Resolution 22-001<sub>TPM</sub>, and seconded by Richard Y. Nelson, Jr. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkwowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>TPM</sub>**

**RE: TPM Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the TPM Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of TPM Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the TPM Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the TPM Development Corporation adjourned at 4:50 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer -  
TPM Development Corporation

/pmb

# Adjourn

# VPC One Development Corporation

## VPC ONE DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the VPC One Development Corporation on Wednesday, June 8, 2022, at 4:50 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the VPC One Development Corporation to approve a single item on the agenda.

- **VPC One Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Frances Kelleher to approve Resolution 22-001<sub>VPC1</sub>, and seconded by Linda Croom. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>VPC1</sub>**

**RE: VPC One Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the VPC One Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of VPC One Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;



**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the VPC One Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the VPC One Development Corporation adjourned at 4:51 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer -  
VPC One Development Corporation

/pmb

# Adjourn

# VPC Two Development Corporation

## VPC TWO DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the VPC Two Development Corporation on Wednesday, June 8, 2022, at 4:51 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the VPC Two Development Corporation to approve a single item on the agenda.

- **VPC Two Development Corporation Annual Meeting:** Election of Officers and Adoption of FY'23 Operating and Capital Budgets

A motion was made by Frances Kelleher to approve Resolution 22-001<sub>VPC2</sub>, and seconded by Jackie Simon. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>VPC2</sub>**

**RE: VPC Two Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the VPC Two Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of VPC Two Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the VPC Two Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

Based upon this report and there being no further business to come before this session, the meeting of the VPC Two Development Corporation adjourned at 4:51 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer -  
VPC Two Development Corporation

/pmb

Adjourn

# Wheaton Metro Development Corporation



## WHEATON METRO DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of the Wheaton Metro Development Corporation on Wednesday, June 8, 2022, at 4:51 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of the Wheaton Metro Development Corporation to approve two items on the agenda.

**A. Wheaton Metro Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

A motion was made by Jackie Simon, to approve Resolution 22-001<sub>WM</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>WM</sub>**

**RE: Wheaton Metro Development Corporation  
Annual Meeting: Election of Officers and  
Adoption of FY'23 Operating and Capital  
Budgets**

**WHEREAS**, the Wheaton Metro Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Wheaton Metro Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;

**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Wheaton Metro Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

**B. Authorization to Renew the Property Management Contracts for Wheaton Metro**

Nathan Bovelleville, Chief Maintenance Officer/Acting Director Property Management introduced Jay Berkowitz, Asset Manager, who provided presentation requesting authorization to renew the property management contract for Wheaton Metro.

A motion was made by Frances Kelleher, to approve Resolution 22-002<sub>WM</sub>, and seconded by Linda Croom. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-002<sub>WM</sub>**

**RE: Authorization to Renew the Property Management Contract for Wheaton Metro Development Corporation**

**WHEREAS**, Wheaton Metro Development Corporation owns 120 units in the development known as MetroPointe Apartments located in Wheaton, Maryland; and

**WHEREAS**, staff desires to renew the current property management contract at MetroPointe Apartments with Bozzuto Management Company for one (1) year through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Wheaton Metro Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed to execute a renewal of the property management contact at MetroPointe Apartments with Bozzuto Management Company for one (1) year through June 30, 2023

**BE IT FURTHER RESOLVED** by the Board of Directors of Wheaton Metro Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transaction contemplated herein, including the execution of any documents related thereto.

Based upon this report and there being no further business to come before this session, the meeting of the Wheaton Metro Development Corporation adjourned at 4:53 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – Wheaton Metro  
Development Corporation

/pmb

# Adjourn

# The Oaks at Four Corners Development Corporation

## THE OAKS AT FOUR CORNERS DEVELOPMENT CORPORATION MEETING

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

### **Minutes**

June 8, 2022

22-001

Mr. Priest convened the annual meeting of The Oaks at Four Corners Development Corporation on Wednesday, June 8, 2022, at 4:53 p.m. via a hybrid platform and teleconference, with moderator functions occurring at 10400 Detrick Avenue, Kensington, Maryland. Those in attendance were:

### **Present**

Roy Priest, Chair  
Frances Kelleher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Jackie Simon

### **Via Zoom**

Jeffrey Merkowitz

### **Absent**

Pamela Byrd

### **Also Attending**

Kayrine Brown, HOC Acting Executive Director  
Timothy Goetzinger  
John Broullire  
Marcus Ervin  
Zachary Marks  
Eugenia Pascual  
Jay Berkowitz  
Terri Fowler  
Gail Willison  
Olutomi Adebo  
Alex Torton  
Sewavi Agbodjan  
Ian Hawkins

Aisha Memon, HOC General Counsel  
Nathan Bovelle  
Lynn Hayes  
Matt Husman  
Leidi Reyes  
Fred Swan  
Ali Khademian  
Jennifer Arrington  
Claudia Wilson  
David Brody  
Patrick Mattingly  
Darcel Cox  
Paige Gentry

**IT Support**

Irma Rodriguez

Aries "AJ" Cruz

**Development Corporation Support**

Patrice Birdsong, Special Assistant

Prior to calling the meeting to order, Mr. Priest explained that development corporations are entities that are wholly-controlled by the Housing Opportunities Commission of Montgomery County ("HOC") and own various HOC properties. For each development corporation, the Board of Directors is comprised of the HOC Commissioners and the officers are the same as the officers of the Commission. Mr. Priest also announced that the development corporations are being asked to approve electing the officers of the Commission as the officers of the Corporation; to approve their respective FY'23 Operating and Capital Budgets for the property owned by the corporation; and to authorize the Executive Director of HOC, or his designee, to execute documents that have been approved by the corporation.

Mr. Priest called to order the meeting of The Oaks at Four Corners Development Corporation to approve two items on the agenda.

**A. The Oaks at Four Corners Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

A motion was made by Jackie Simon, to approve Resolution 22-001<sub>oc</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkowitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-001<sub>oc</sub>**

**RE: Oaks at Four Corners Development Corporation Annual Meeting: Election of Officers and Adoption of FY'23 Operating and Capital Budgets**

**WHEREAS**, the Oaks at Four Corners Development Corporation (the "Corporation") is a wholly-controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County ("HOC" or the "Commission");

**WHEREAS**, the Corporation's Board of Directors is solely comprised of HOC Commissioners;

**WHEREAS**, the Corporation desires to elect the officers of the Commission as officers of the Corporation;

**WHEREAS**, the Corporation needs an annual budget that provides a sound financial and operating plan for operation of Oaks at Four Corners Apartments (the "Property");

**WHEREAS**, the Corporation entered into an Asset Management Agreement with the Commission;



**WHEREAS**, by resolution at the April 23, 1997 Board of Directors meeting, the Corporation agreed to include the Property's annual budget preparation, presentation, and approval process with the Commission's budget process;

**WHEREAS**, the Corporation's FY'23 Operating and Capital Budgets were presented to the Commission's Budget, Finance and Audit Committee on May 10, 2022;

**WHEREAS**, the Corporation has reviewed and desires to approve the FY'23 Operating and Capital Budgets for the Property; and

**WHEREAS**, the Corporation desires to authorize the Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.

**NOW, THEREFORE, BE IT RESOLVED** by the Oaks at Four Corners Development Corporation that:

1. The officers of the Commission are elected as the officers of the Corporation.
2. The Corporation approves the FY'23 Operating and Capital Budgets for the Property.
3. The Executive Director of HOC (including the Acting Executive Director), or their duly authorized designee, is authorized to execute any and all documents (including, without limitation, all deeds, mortgages, bonds, and contracts) that have been approved by the Corporation.
4. This resolution shall take effect immediately.

**B. Authorization to Renew the Property Management Contracts for The Oaks at Four Corners**

Nathan Bovel, Chief Maintenance Officer/Acting Director Property Management introduced Jay Berkowitz, Asset Manager, who provided presentation requesting authorization to renew the property management contract for The Oaks at Four Corners.

A motion was made by Richard Y. Nelson, Jr., to approve Resolution 22-002<sub>oc</sub>, and seconded by Frances Kelleher. Affirmative votes were cast by Roy Priest, Frances Kelleher, Richard Y. Nelson, Jr., Linda Croom, Jeffrey Merkwitz, and Jackie Simon. Pamela Byrd was necessarily absent and did not participate in the vote.

**RESOLUTION NO.: 22-002<sub>oc</sub>**

**RE: Authorization to Renew the Property Management Contract for Oaks at Four Corners Development Corporation**

**WHEREAS**, Oaks at Four Corners Development Corporation owns the development known as Oaks at Four Corners located in Silver Spring, Maryland (the “Property”); and

**WHEREAS**, staff desires to renew the current property management contract at the Property for one (1) year with Edgewood Management.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Oaks at Four Corners Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed to execute a one (1) year renewal of the property management contact at the Property.

**BE IT FURTHER RESOLVED** by the Board of Directors of Oaks at Four Corners Development Corporation that the Executive Director (including the Acting Executive Director) of the Housing Opportunities Commission of Montgomery County, or their designee, is hereby authorized and directed, without any further action on its part, to take any and all other actions necessary and proper to carry out the transactions contemplated herein, including the execution of any documents related thereto.

Based upon this report and there being no further business to come before this session, the meeting of The Oaks at Four Corners Development Corporation adjourned at 4:55 p.m.

Respectfully submitted,

Kayrine Brown  
Acting Secretary-Treasurer – The Oaks at Four  
Corners Development Corporation

/pmb

# Adjourn