

Office of the Assistant Secretary, HUD

§ 903.1

Hot Water Heater  
HVAC System  
Kitchen  
Lighting  
Outlets/Switches  
Patio/Porch/Balcony  
Smoke Detector  
Stairs  
Walls  
Windows

AREA: Common Areas

Items:

Basement/Garage/Carport  
Closets/Utility/Mechanical  
Community Room  
Day Care  
Halls/Corridors/Stairs  
Kitchen  
Laundry Room  
Lobby  
Office  
Other Community Spaces  
Patio/Porch/Balcony  
Pools and Related Structures  
Restroom  
Storage  
Trash Collection Areas

AREA: Health and Safety

Items:

Air Quality  
Electrical Hazards  
Elevator  
Emergency/Fire Exits  
Fire Escapes  
Flammable Materials  
Garbage and Debris  
Ground Fault Interrupters  
Handrails  
Hazards  
Hot Water Heater  
Infestation  
Lead Paint  
Pools and Related Structures  
Smoke Detectors

PART 903—PUBLIC HOUSING AGENCY PLANS

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AUTHORITY: 42 U.S.C. 1437c; 42 U.S.C. 3535(d).

SOURCE: 64 FR 8181, Feb. 18, 1999, unless otherwise noted.

§903.1 What are the public housing agency plans?

(a) There are two public housing agency plans. They are:

(1) The 5-year plan (the 5-Year Plan) that a public housing agency (PHA) must submit to HUD once every 5 PHA fiscal years; and

(2) The annual plan (Annual Plan) that the PHA must submit to HUD for each fiscal year for which the PHA receives:

(i) Section 8 tenant-based assistance (section 8(o) of the U.S. Housing Act of 1937, 42 U.S.C. 1437f(o)) (tenant-based assistance); or

(ii) Public housing operating subsidy or capital fund (section 9 of the U.S. Housing Act of 1937 (42 U.S.C. 1437g) (public housing)).

(b) The purpose of the plans is to provide a framework for local accountability and an easily identifiable source by which public housing residents, participants in the tenant-based assistance program, and other members of the public may locate basic PHA policies, rules and requirements concerning its operations, programs and services.

(c) HUD may prescribe the format of submission (including electronic format submission) of the plans. PHAs will receive appropriate notice of any prescribed format.

(d) The requirements of this part only apply to a PHA that receives the type of assistance described in paragraph (a) of this section.

(e) In addition to the waiver authority provided in 24 CFR 5.110, the Secretary may, subject to statutory limitations, waive any provision of this title on a program-wide basis, and delegate this authority in accordance with section 106 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3535(q)) where the Secretary determines that such waiver is necessary for the effective implementation of this part.

**§ 903.3 When must a PHA submit the plans to HUD?**

(a) *5-Year Plan.* (1) The first PHA fiscal year that is covered by the requirements of this part is the PHA fiscal year that begins January 1, 2000. The first 5-Year Plan submitted by a PHA must be submitted for the 5-year period beginning January 1, 2000. The first 5-Year Plans will be due no later than 75 days before January 1, 2000. For PHAs whose fiscal years begin after January 1, 2000, their 5-Year Plans are due no later than 75 days before the commencement of their fiscal year. For all PHAs, after submission of their first 5-Year Plan, all subsequent 5-Year Plans must be submitted once every 5 PHA fiscal years, no later than 75 days before the commencement of the PHA's fiscal year.

(2) PHAs may choose to update their 5-Year Plans every year as good management practice. PHAs must explain any substantial deviation from their 5-Year Plans in their Annual Plans.

(b) *The Annual Plan.* The first Annual Plan submitted by a PHA must be submitted 75 days in advance of the first PHA fiscal year in which the PHA receives Federal fiscal year 2000 funds. Since the first PHA fiscal year funded with Federal Fiscal Year 2000 funds will commence January 1, 2000, the first Annual Plan will be due 75 days in advance of that date or October 15, 1999. PHAs with later fiscal year commencement dates must submit their Annual Plans 75 days in advance of their fiscal year commencement date. Subsequent Annual Plans will be due 75 days in advance of the commencement of a PHA's fiscal year.

**§ 903.5 What information must a PHA provide in the 5-Year Plan?**

(a) A PHA must include in its 5-Year Plan for the 5 PHA fiscal years immediately following the date on which the 5-Year Plan is due to HUD, a statement of:

(1) The PHA's mission for serving the needs of low-income, very low-income and extremely low-income families in the PHA's jurisdiction; and

(2) The PHA's goals and objectives that enable the PHA to serve the needs of the families identified in the PHA's Annual Plan. For HUD, the PHA and the public to better measure the success of the PHA in meeting its goals and objectives, PHAs must adopt quantifiable goals and objectives for serving those needs wherever possible.

(b) After submission of the first 5-Year Plan, a PHA in their succeeding 5-Year Plans, in addition to addressing their mission, goals and objectives for the next 5 years, must address the progress made by the PHA in meeting its goals and objectives described in the previous 5-Year Plan.

**§ 903.7 What information must a PHA provide in the Annual Plan?**

The Annual Plan must include the information provided in this section, except that for the first Annual Plan, the following information need not be submitted: the information required by paragraph (l) of this section that pertains to section 12 of the U.S. Housing Act of 1937 (42 U.S.C. 1437j(c)); the information required by paragraph (m) of this section that relates to drug elimination policies; and the information required by paragraph (n) of this section. Additionally, the information described in this section applies to both public housing and tenant-based assistance, except where specifically stated otherwise, and the information that the PHA must submit for HUD approval under the Annual Plan are the discretionary policies of the various plan components or elements (for example, selection policies) and not the statutory or regulatory requirements that govern these components.

(a) *A statement of housing needs.* (1) This statement must address the housing needs of the low-income and very low-income families who reside in the