



## ANNUAL PLAN COMMENTS FROM PINECREST RESIDENT UNITED AND THE GREATER CINCINNATI HOMELESS COALITION SUMMARY OF COMMENTS TO PLAN and RAD CONVERSION AND CMHA RESPONSE

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CMHA provides the following written comments regarding the Annual Plan, the proposed changes to the Plan and the related documents. The following is a summary of the comments and CMHA's responses to the comment(s). Similar comments have been paraphrased and grouped together with CMHA's response. The text of all comments is included as an attachment to this summary.

Additionally, CMHA will provide an opportunity for a face-to-face meeting to ensure that all parties are heard as it pertains to their viewpoints and concerns. CMHA values the input of its community stakeholders in the annual planning process. Thank you for your comments as we take them into consideration as we help shape the future of affordable housing in our community.

### PINECREST COMMUNITY APARTMENTS EXPECTATIONS FOR RAD CONVERSION RENTAL ASSISTANCE DEMONSTRATION PROGRAM

**Policy Referenced:** CMHA received the following recommendations from Pinecrest Resident United, which were comments related to the residents' concerns about CMHA portfolio conversion through Rental Assistance Demonstration ("RAD") or via other re-positioning of its asset management housing stock.

**Comment:** CMHA responds to the following comments as they specifically were asked by the Pinecrest Resident United concerning the Pinecrest property.

1. Keep Utilities included in rent. – **Response:** CMHA concurs with utilities remaining as part of rent.
2. No rent increases not associated with income increases. – **Response:** See CMHA Board Resolution No. 5205 – CMHA supports the right the right to pay no more than 30 percent of your income and no more due to improvements and redevelopment, unless required by federal law or regulation
3. Meeting room stays free of charge for resident council activities and resident organizing activities. – **Response:** This will be determined in accordance with the established *House Rules*, which will be created in conjunction with all residents' input and resident approval.

4. **Transparency during RAD conversion** (i.e. Timeline of RAD conversion, what companies might be buying the building, etc) – **Response:** See CMHA Board Resolution No. 5205. **CMHA supports the residents of public housing and their rights that must be respected during any public housing conversion process; including the right to be informed; the right to return to any remodeled or redeveloped property; the right to written relocation plans about temporary relocation.** CMHA agrees and will continue to be transparent about all plans and action concerning portfolio conversion.

5. **One for One replacement of Apartments**, no de minimis loss, no vacant unit loss, no consolidation of units. **Response:** In an effort to comply with current regulations as it pertains to upgrades to electrical, plumbing, and common space areas, CMHA may need to combine units to accommodate new City, State, and Federal laws. In addition, CMHA may need to make room for much needed accessible units. In either case, CMHA will make every effort not to reduce any units inside the building. If, CMHA loses a unit inside the building, then we will commit to replace that unit in close proximity to the site.

6. **Public Ownership of the Land:** CMHA can retain ownership of the land and require new owners to sign 99 year leases. CMHA should retain interest in any “tax credit” partnerships created by new owners, including nonprofits, to control performance and long-term affordability. CMHA and new owners must be required to hold open meetings and share information with tenants and the public. CMHA should retain the right to “buy back” the development to maintain affordable housing. These protections should trump any bank loan or foreclosure claims. **Response:** CMHA concurs with this approach as it pertains to Pinecrest conversion.

7. **Keep Public Housing Public:** Public housing for people with low income should be maintained under public or social ownership in perpetuity, whether through a public agency, legitimate mission-driven nonprofit organization, or resident-controlled nonprofit or limited equity cooperative. At a minimum, priority should be given to nonprofit or resident-controlled partnerships in the redevelopment of CMHA housing. **Response:** When possible, CMHA concurs if a legitimate nonprofit organization has the ability to manage, maintain, and keep facilities presentable to the community and residents overall, it is a good idea to partner with those organizations. Currently, CMHA has no plans to sell the Pinecrest.

8. **Permanent Affordability:** New owners must be required to “seek and accept” subsidies to maintain affordability for the maximum 99 year period allowed under state law. If subsidies are not available, owners must be required to limit rents and not convert to market. Do not allow public housing to become “expiring use” housing!: **Response:** See CMHA Board Resolution No. 5205 – CMHA supports the right of residents to pay no more than 30% of income as rent, unless required by federal law or regulation. CMHA supports the idea of making sure affordable housing stays affordable for all tenants; to the extent, HUD along with Congress makes the appropriate appropriations and continues to support subsidies provided to individuals and families. As the number one “advocate” for affordable housing in our community, CMHA in no way wants to see a subsidized property be turned over to the private market and taken away from our tenants and our community. We feel this will be devastating to the local economy, our tenants, and the wonderful neighborhoods in Hamilton County.

9. **1 to 1 Replacement: Preserve the number of “hard” low income units:** New owners proposing “mixed income” housing must be required to maintain the existing number of “hard” units affordable to low income households, for the same income profile of tenants housed today, and not substitute less secure rent vouchers. If developers propose to move some units off site, tenants must have a say in how many and where they are rebuilt, with a preference to the immediate neighborhood. – **Response:** CMHA will commit to ensuring that every resident at the Pinecrest will have a “hard” unit to reside in, unless the resident chooses another method of subsidized housing. CMHA will make every effort to ensure, if consolidation of a unit is required, to replace that hard unit in the current neighborhood. Please keep in mind that HUD has to approve the development because of potential impact into the local neighborhood. CMHA commits to consulting with the residents if this instance occurs.

10. **Preserve and Improve Diversity:** Any redevelopment should be done in a way that preserves and improves neighborhood diversity, not re-segregating communities by race and class. Any “mixed income” housing should guarantee income and racial diversity within the development, and not create segregated enclaves by class, race or ethnicity. **Response:** CMHA concurs that any redevelopment that is done is done in a way that promotes choices and opportunities for everyone that would like to partake in the redevelopment.

11. **Guarantee a Right to Return:** If relocation is required during repairs, guarantee tenants the Right to Return to their original apartment, if appropriate sized. Rehab and relocation should be phased and on-site to the maximum extent. **Response:** See Resolution CMHA Board Resolution No. 5205 – CMHA concurs with the right of the resident to return to any remodeled or redeveloped property if the resident chooses to return to the said property. The ability of CMHA to guarantee to each resident the right to return to their original unit is virtually impossible, because redevelopment and/or new construction happens in phases.

12. **Give Tenants the Right to Enforce:** Tenants and their organizations must be given Third Party Enforcement rights (the right to sue) in any ground lease and similar documents to secure affordability and performance by new owners. **Response:** HUD currently has established rules and regulations that govern any housing that HUD provides subsidizes. These rules and regulations will follow any CMHA conversion efforts to ensure affordability and performance of any owners of subsidized property.

13. **Ensure Grievance Rights:** CMHA must require new owners to honor existing tenants rights under public housing (two step grievance process, binding effect of hearing decisions, right to examine documents, etc) and include these in all new leases.- **Response:** Through any conversion process HUD requires the establishment of its grievance processes through the Model Lease Agreement. This lease agreement ensures residents have rights to present concerns, problem, issues, and challenge adverse actions.

14. **Affirm Right to Organize:** Owners must be required to honor tenants’ Right to Organize, including new HUD rules for properties converting to Project Based Section 8 recognizing committees that are completely independent of owners and CMHA, while preserving the \$25/unit set aside for tenant groups. **Response:** CMHA supports the right to continued representation for legitimate resident organizations. CMHA cannot guarantee the \$25 per unit set aside, but CMHA intends on ensuring