

**RENO HOUSING AUTHORITY**

**AGENDA ITEM NUMBER: 1**

**December 17, 2024**

**SUBJECT:** Approval of the Agenda. (For Possible Action)

**FROM:** Executive Director

**RECOMMENDATION:** For Possible Action

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The Agenda is attached on the following page.

**NOTICE OF REGULAR MEETING OF THE  
HOUSING AUTHORITY OF THE CITY OF RENO  
BOARD OF COMMISSIONERS**

The Housing Authority of the City of Reno (Agency) will conduct a public meeting:

**MEETING DATE: Tuesday, December 17, 2024**  
**TIME: 10:00 a.m. (Approximately)**  
**PLACE: Reno Housing Authority Boardroom**  
**1525 East Ninth Street, Reno, Nevada**

*Persons wishing to provide public comment may participate during the scheduled meeting by commenting in person during the course of the meeting, or address their comments, data, views, arguments in written form to Hilary Lopez, Ph.D., Executive Director, Housing Authority of the City of Reno, 1525 East 9th Street, Reno, NV 89512-3012, Fax: 775.786.1712; e-mail address: [HLopez@renoha.org](mailto:HLopez@renoha.org). Written submission should be received by the Board on or before, December 13, 2024, by 5:00 p.m., in order to make copies available to members of the Board and the public.*

*Below is an agenda of all items scheduled to be considered. At the discretion of the chairperson or the Board, items on the agenda may be taken out of order; the Board may combine two or more agenda items for consideration, and the Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The public is advised that one or more members of the Board may participate in the meeting via electronic means.*

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**AGENDA**

- Call to order and roll call.
  - Introduction of guests.
  - First Period of Public Comment. The opportunity for public comment is reserved for any matter within the jurisdiction of the Board. No action on such an item may be taken by the Board unless and until the matter has been noticed as an action item. Comments from the public are limited to three minutes per person.
1. Approval of agenda. (For Possible Action)
  2. Approval of the minutes of the Regular and Closed Session Board Meeting held on November 19, 2024, Closed Session minutes from February 27, 2024, Special Meeting minutes from March 6, 2024, and Regular Board meeting minutes from March 26, 2024. (For Possible Action)
  3. Consent Agenda. (All consent items may be approved together with a single motion, be taken out of order, and/or be heard and discussed individually. Items will be removed and considered separately at the request of the public or Board member.) (For Possible Action)
    - A. Possible approval of Commissioner Taylor's request to expend \$1,000 of her Contingency Fund allotment to purchase bus passes for RHA to make available to its clients and community partners.

- B. Possible adoption of Resolution 24-12-01 RH approving a revision to the Housing Authority of the City of Reno's Administrative (ADMIN) Plan for Section 8 Housing Choice Voucher and Project Based Voucher programs to update policies as they relate to the application of changes to the Payment Standards caused by the implementation of Housing Opportunities Through Modernization Act (HOTMA) regulations, and to update the definition of a full-time student. (For Possible Action)
  - C. Possible adoption of Resolution 24-12-02 RH approving a revision to the Housing Authority of the City of Reno's Admission and Continued Occupancy Plan (ACOP) for the Public Housing program to update the definition of a full-time student. (For Possible Action)
  - D. Discussion and possible adoption of Resolution 24-12-03 RH approving a revision to the Administrative Plan for the Homeless Prevention Program to refine the assistance provided by RHA to eligible households. (For Possible Action)
4. Commissioner Reports. (Discussion)
  5. Executive Director/Secretary's Report. (Discussion)
    - A. Update on Agency activities
    - B. Update on Rental Assistance Voucher Programs / Asset Management
    - C. Update on Workforce Development, Elderly Services, and Youth activities
    - D. Update on Public Affairs activities
    - E. Update on Development activities
    - F. Update on Information Technology activities
    - G. Update on MTW activities
    - H. Update on Legal Inquiries
    - I. Financials  
(Discussion)
  6. Discussion and possible adoption of Resolution 24-12-04 RH approving the demolition of Hawk View Apartments prior to financial closing and disposition of the property for redevelopment of the site and authorizing the Executive Director to contract for demolition. Total fiscal impact of up to \$900,000 in previously authorized funds. (For Possible Action)
  7. Discussion and possible direction to staff regarding upcoming State of Nevada legislation session. (For Possible Action)
  8. Discussion and possible direction to staff regarding future use of 870 Sage Street, Reno, which may include holding the property for use by UNR Early Head Start Childcare, renting the property to Washoe Affordable Housing Corporation, relocating RHA staff to the site, or other uses. (Discussion Only)
  9. Discussion and quarterly update on the RHA development projects including, but not limited to:
    1. Railyard Flats

2. Silverada Manor
3. Hawk View Apartments
4. John McGraw & Silver Sage Apartments
5. Stead Manor
6. Carville Court
7. Reno Avenue  
(Discussion only)

10. Additional Items:

- a) General matters of concern to Board Members regarding matters not appearing on the agenda. (Discussion)
- b) Reports on conferences and trainings. (Discussion)
- c) Old and New Business. (Discussion)
- d) Request for Future Agenda Topics (Discussion)
- e) Schedule of next meeting. The following dates have been scheduled in advance but are subject to change at any time:  
Tuesday, January 28, 2025, and Tuesday, February 25, 2025.  
(For Possible Action)

11. Public Comment. The opportunity for public comment is reserved for any matter within the jurisdiction of the Board. No action on such an item may be taken by the Board unless and until the matter has been noticed as an action item. Comments from the public are limited to three minutes per person.

12. Adjournment.

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*This meeting is accessible to the hearing impaired through the RHA TTY/TDD/voice phone line (385) 770-7166. Anyone with a disability, as defined by the Americans with Disabilities Act, requiring special assistance to participate in the meeting, may contact the Board of Commissioners at the following address, at least five days in advance of the meeting in order to make arrangements, if possible, for reasonable accommodations that would enable participation in the meeting by contacting JD Klippenstein, or by calling (775) 329-3630.*

*This agenda has been posted at the Housing Authority of the City of Reno Administrative Office, 1525 East Ninth Street; and further in compliance with NRS 241.020, this agenda has been posted on the official website for the Housing Authority of the City of Reno [www.renoha.org](http://www.renoha.org) and the State of Nevada Public Notification website <http://notice.nv.gov/>.*

*According to the provisions of NRS 241.020(5), a copy of supporting (not privileged and confidential) material provided to Board members may be obtained upon request made to: Hilary Lopez, Ph.D., Executive Director, Housing Authority of the City of Reno, 1525 East Ninth Street, Reno, Nevada, 89512, or by calling (775) 329-3630. Copies of supporting (not privileged and confidential) material provided to Board members by staff may be obtained at the aforementioned address.*

*Dated December 12, 2024*

*Colleen Montgomery-Beltran*

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*By: Colleen Montgomery-Beltran  
Executive Administrative Assistant*

**RENO HOUSING AUTHORITY**

**AGENDA ITEM NUMBER: 2**

**December 17, 2024**

**SUBJECT:** Approval of the minutes of the Regular and Closed Session Board Meeting held on November 19, 2024, Closed Session minutes from February 27, 2024, Special Meeting minutes from March 6, 2024, and Regular Board meeting minutes from March 26, 2024. (For Possible Action)

**FROM:** Executive Director

**RECOMMENDATION:** For Possible Action

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The minutes of the Regular and Closed Session Board Meeting held on November 19, 2024, Closed Session minutes from February 27, 2024, Special Meeting minutes from March 6, 2024, and Regular Board meeting minutes from March 26, 2024, are attached.

**MINUTES OF THE REGULAR MEETING  
HOUSING AUTHORITY OF THE CITY OF RENO  
BOARD OF COMMISSIONERS  
November 19, 2024**

The meeting of the Board of Commissioners of the Housing Authority of the City of Reno (Agency) was called to order by Chairman Aiazzi at 12:05pm on Tuesday, November 19, 2024, in the Agency's Boardroom.

**Commissioners Present**

Dave Aiazzi, Chairman  
Mark Sullivan, Vice Chairman (Zoom)  
Kathleen Taylor, Commissioner

**Commissioners Absent**

Dejanae Solley, Commissioner  
Mayor Hillary Schieve

**Staff Present**

Dr. Hilary Lopez, Ph.D., Executive Director  
Heidi McKendree, Deputy Executive Director  
Darren Squillante, Director of HR  
JD Klippenstein, Director of Development  
Kristin Scott, Director of Asset Management  
Jeremy Stocking, Director of Resident Services  
Jerri W. Conrad, Government & Public Affairs Manager

**Staff Present (continued)**

Brenda Freestone, WAHC  
Jamie Newfelt, Director of Rental Assistance  
Jeff Tenenbaum, Director of Finance  
Kim Anhalt, Director of MTW  
  
Ryan Russell, Legal Counsel

**Others Present**

There being a quorum present, the order of business was as follows:

- **Call to order and roll call.**
- **Introduction of guests.**

None

- **First Period of Public Comment.** The opportunity for public comment is reserved for any matter within the jurisdiction of the Board. No action on such an item may be taken by the Board unless and until the matter has been noticed as an action item. Comments from the public is limited to three minutes per person, under these items.

There were no public comments.

**1. Approval of agenda. (For Possible Action)**

Vice Chairman Sullivan motioned to approve the agenda. Commissioner Taylor seconded the motion. Hearing no further discussion, Chairman Aiazzi called for the vote. All were in favor with 3 ayes, no nays.

**2. Approval of the minutes of the regular Board Meeting held October 22, 2024. (For Possible Action)**

Commissioner Taylor motioned to approve the minutes. Vice Chairman Sullivan seconded the motion. Hearing no further discussion, Chairman Aiazzi called for the vote. All were in favor with 3 ayes, no nays. Chairman Aiazzi declared the motion carried.

**3. Consent Agenda. (All consent items may be approved together with a single motion, be taken out of order, and/or be heard and discussed individually. Items will be removed and considered separately at the request of the public or Board member.) (For Possible Action)**

No items.

**4. Commissioner Reports. (Discussion)**

None

**5. Executive Director/Secretary's Report. (Discussion)**

RHA Executive Director, Dr. Hilary Lopez, referencing the full report of agency activities in the packet, highlighted items of interest regarding RHA's activities and programs.

Chairman Aiazzi suggested items 8 through 13 be addressed prior to the Closed Session. The commissioners agreed. Item 8 was addressed next.

## **Closed Session:**

- 6. The Board may give direction to staff in closed session regarding the position or positions to be taken or the strategy to be employed, and staff may provide the Board with an update, regarding:**
  - Discussion and possible direction to staff regarding the potential acquisition of 2026 I Street in Sparks, Nevada, for future development of affordable housing. (Discussion Only)
  - Discussion and update on legal analysis of Right of First Refusal, potential sales options, potential lobby lease options, and or other options for the property located at Parcel 4-B of Paradise Retail I, LLC, Sparks, Nevada (also known as Paradise Plaza) and estimated budgets associated with various potential scopes of work to renovate the site and address needed pest mitigation. No Open Session action will be taken on this item. (Discussion Only)

## **Reconvene Open Session:**

- 7. Discussion and possible direction to staff regarding the potential acquisition of 2026 I Street in Sparks, Nevada, for future development of affordable housing. (For Possible Action)**

This item was only discussed in Closed Session. No Open Session action was taken.

- 8. Discussion and possible approval of Resolution 24-11-01 RH approving the closing of financing on approximately \$90 million in federal, state, and private sources for the redevelopment of Hawk View Apartments. (For Possible Action)**

RHA's Director of Development, JD Klippenstein, presented the authorizing resolution 24-11-01 RH for the Hawk View project, indicating that it was similar to the resolution for the Silverada redevelopment project.

After much discussion, Vice Chairman Sullivan motioned to approve resolution 24-11-01, seconded by Commissioner Taylor. With all ayes and no nays, Chairman Aiazzi declared the motion carried.



**9. Discussion and possible approval of the loan agreement between the Washoe County HOME Consortium and RHA for \$1,000,000 in HOME funds to support the rehabilitation of Silver Sage Court. (For Possible Action)**

RHA's Director of Development, JD Klippenstein, presented that the loan agreement between RHA and the Washoe County HOME Consortium, is ready to be finalized pending Board approval.

After a brief discussion, Commissioner Taylor moved to approve the loan agreement. Vice Chairman Sullivan seconded the motion. Chairman Aiazzi declared the motion carried.

**10. Discussion and possible approval of a 5-Year Capital Improvement Plan for RHA's Community Benefit Properties managed by CloudTen which includes Ala Moana Apartments, Prater Way, Colonial Court, Sarrazin Arms, and Idlewild Townhomes. (For Possible Action)**

RHA's Director of Development, JD Klippenstein, emphasized that this is a draft 5-year capital improvement plan (CIP) for the five properties that RHA owns as part of RHA's community benefit properties, but are managed separately by CloudTen. This CIP was requested following a conversation with the Board regarding improvements at Ala Moana Apartments, who requested more context and information about prioritizing improvements on that part of RHA's portfolio.

No action was made on this item.

**11. Discussion and possible direction to staff on proposed new MTW FY26 activities. (For Discussion Only)**

RHA's MTW coordinator, Kim Anhalt, proposed 4 new MTW initiatives.

- Direct Rental Assistance
- Creation of an alternative inspection policy for newly constructed properties
- Limiting the LIHTC assisted units to the basic payment standard
- Direct referral program for people transitioning out of the transitional housing and allowing them to just get on the wait list, even if that wait list happens to be closed.

There was some discussion on the need to approve the MTW activities before the administration change to ensure continuity.

No action was taken on this item.

**12. Discussion and possible direction to staff on agenda items for the December 17, 2024, annual meeting. (For Discussion Only)**

RHA's Executive Director, Dr. Hilary Lopez, outlined the agenda for the December 17 meeting, including review of goals, proposed evaluation tools, potentially reviewing the bylaws, and RHA's entity annual meetings and elections.

**13. Additional Items:**

- a) **General matters of concern to Board Members regarding matters not appearing on the agenda. (Discussion)**
- b) **Reports on conferences and trainings. (Discussion)**
- c) **Old and New Business. (Discussion)**
- d) **Request for Future Agenda Topics (Discussion)**
- e) **Schedule of next meeting. The following dates have been scheduled in advance but are subject to change at any time:  
Tuesday, November 19, 2024, and Tuesday, December 17, 2024.  
(For Possible Action)**

No additional items were discussed.

**14. Public Comment. The opportunity for public comment is reserved for any matter within the jurisdiction of the Board. No action on such an item may be taken by the Board unless and until the matter has been noticed as an action item. Comments from the public are limited to three minutes per person.**

None

**15. Adjournment.**

Chairman Aiazzi declared the meeting adjourned at 1:23pm.

November 19, 2024, Closed Session Meeting Minutes presented separately.

February 27, 2024, Closed Session Meeting Minutes presented separately.

March 6, 2024, Special Meeting Minutes will be presented separately.

March 26, 2024, Regular Board Meeting Minutes had been approved previously during the April, 23, 2024, Board of Commissioners Meeting.

**RENO HOUSING AUTHORITY**

**AGENDA ITEM NUMBER: 3**

**December 17, 2024**

**SUBJECT:** Consent Agenda. (All consent items may be approved together with a single motion, be taken out of order, and/or be heard and discussed individually. Items will be removed and considered separately at the request of the public or Board members.)  
(For Possible Action)

**FROM:** Executive Director

**RECOMMENDATION:** For Possible Action

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- A. Possible approval of Commissioner Taylor's request to expend \$1,000 of her Contingency Fund allotment to purchase bus passes for RHA to make available to its clients and community partners. (For Possible Action)

- B. Possible adoption of Resolution 24-12-01 RH approving a revision to the Housing Authority of the City of Reno's Administrative (ADMIN) Plan for Section 8 Housing Choice Voucher and Project Based Voucher programs to update policies as they relate to the application of changes to the Payment Standards caused by the implementation of Housing Opportunities Through Modernization Act (HOTMA) regulations, and to update the definition of a full-time student. (For Possible Action)

## **Background:**

Staff is proposing to make the following changes to the Administrative Plan for the Housing Choice Voucher and Project Based Voucher programs:

### Regulatory Changes

- Housing Opportunities Through Modernization Act (HOTMA) implementation regarding the application of changes to payment standard schedules:
  - Decreases in Payment Standard. (Section 2.4.3)
    - Staff clarified the adoption of a Hold Harmless policy regarding the application of decreases in payment standards during the term of a HAP contract.
      - Currently, due to the administrative burden of applying decreases in payment standards, RHA leadership reviews and sets each payment standard individually to avoid (as much as possible) decreasing a payment standard. By adopting a Hold Harmless policy for in-place households, the payment standards can be set uniformly (such as at 100% of the FMR/SAFMR) and the decreased payment standards can be applied to all new leases, thereby lowering HAP costs.
  - Increases in Payment Standard. (Section 2.4.4)
    - Staff added regulatory language regarding the application of increased payment standards at the earliest of the three circumstances.
    - Staff clarified that families who qualify for triennial recertification under our approved MTW Activity will not be subject to the requirement to apply increased payment standards one year following the effective date of the increase.
      - For triennial households who do not experience a contract rent increase or otherwise have an interim or annual reexamination to process, this requirement would increase the amount of processing being done on their file with no change to the HAP or tenant portions. Waiving this requirement as part of our MTW Activity reduces administrative burden with no harm to the household.
  - Changes in Subsidy/Voucher Size. (Section 2.4.5)
    - Staff clarified that changes to the household which increase the subsidy/voucher size will be used immediately, while those that decrease the subsidy/voucher size will take effect at the family's first annual reexamination following the date of the change.
      - This is the current practice, but HOTMA required PHAs to specify in their policies how this would be applied.



## General Changes

- Staff clarified the definition of a full-time student to include any high school student and a person attending an institution of higher education completing at least 12 credit hours per semester.
  - Clarifying this definition will provide staff with greater flexibility in verifying student status, reducing the time and cost associated with that process.

## **Staff Recommendation and Motion:**

Staff recommends the Board of Commissioners motion to approve the updates to the Administrative Plan as presented.

Consent Agenda Item B

Housing Authority of the City of Reno's Administrative Plan  
is presented separately.

HOUSING AUTHORITY OF THE CITY OF RENO  
RESOLUTION **24-12-01 RH**

A RESOLUTION APPROVING REVISIONS TO THE HOUSING AUTHORITY OF THE CITY OF RENO ADMINISTRATIVE (ADMIN) PLAN FOR SECTION 8 HOUSING CHOICE VOUCHER AND PROJECT BASED VOUCHER PROGRAMS TO UPDATE POLICIES AS THEY RELATE TO THE APPLICATION OF CHANGES TO THE PAYMENT STANDARDS CAUSED BY THE IMPLEMENTATION OF HOUSING OPPORTUNITIES THROUGH MODERNIZATION ACT (HOTMA) REGULATIONS, AND TO UPDATE THE DEFINITION OF A FULL-TIME STUDENT.

WHEREAS, the Authority wishes to keep the Administrative Plan for Section 8 Housing Choice Voucher and Project Based Voucher up to date, clear, and in accordance with all required regulations, and

WHEREAS, staff has proposed the following revisions to the Administrative Plan as shown in attached Exhibit 241201-A, and

WHEREAS, staff has determined that these changes to the ADMIN Plan are in accordance with HUD regulations;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of the Housing Authority of the City of Reno as follows:

1. That the Board of Commissioners hereby approves the revision to the Section 8 Administrative Plan in substantially the form attached hereto marked Exhibit 241201-B

BE IT FURTHER RESOLVED, that this Resolution becomes effective immediately.

ADOPTED THIS 17<sup>th</sup> DAY OF December, 2024.

ATTEST:

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CHAIRPERSON

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SECRETARY

- C. Possible adoption of Resolution 24-12-02 RH approving a revision to the Housing Authority of the City of Reno's Admission and Continued Occupancy Plan (ACOP) for the Public Housing program to update the definition of a full-time student. (For Possible Action)

**Background:**

Staff is proposing to make the following changes to the Admission and Continued Occupancy Plan for the Public Housing program:

General Changes

- Staff updated the definition of a full-time student to assist with verifying student status. (Appendix 1, Definition #39)

**Staff Recommendation and Motion:**

Staff recommends the Board of Commissioners motion to approve the updates to the Admission and Continued Occupancy Plan as presented.

Consent Agenda Item C

Housing Authority of the City of Reno's Admission and Continued Occupancy Plan (ACOP) is presented separately.

HOUSING AUTHORITY OF THE CITY OF RENO  
RESOLUTION **24-12-02 RH**

A RESOLUTION APPROVING A REVISION TO THE HOUSING AUTHORITY OF THE CITY OF RENO'S ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP) OF PUBLIC HOUSING UNITS TO UPDATE POLICIES AS THEY RELATE TO THE STUDENT STATUS DEFINITION.

WHEREAS, the Authority wishes to keep the Public Housing Admissions and Continued Occupancy Policy (ACOP) up to date, clear, and in accordance with all required regulations, and

WHEREAS, staff is proposing to make the following revisions to the ACOP for Public Housing Units as shown in attached Exhibit 241202-A, and

WHEREAS, staff has determined that these changes to the ACOP is in accordance with HUD regulations;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of the Housing Authority of the City of Reno as follows:

1. That the Board of Commissioners hereby approves this revision to the Public Housing Admissions and Continued Occupancy Policy in substantially the form attached hereto marked Exhibit 241202-B.

BE IT FURTHER RESOLVED, that this Resolution becomes effective immediately.

ADOPTED THIS 17th DAY OF December, 2024.

ATTEST:

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SECRETARY

- D. Discussion and possible adoption of Resolution 24-12-03 RH approving a revision to the Administrative Plan for the Homeless Prevention Program to refine the assistance provided by RHA to eligible households. (For Possible Action)

## **Background:**

Since 2017, Washoe Affordable Housing Corporation (WAHC) had received State of Nevada Affordable Housing Trust Fund monies from the Nevada Housing Division (NHD) for the Homeless Prevention Program (HPP). HPP has provided emergency rental assistance to eligible households throughout Washoe County since its inception. In June 2024, with approval from RHA's Board of Commissioners, RHA began administering this assistance. At that time, RHA also applied for additional funding from NHD to continue, and possibly further expand, the program in FY25. In November 2024, RHA received notification that the funding awarded for FY25 would be \$155,027.87, significantly less than the FY24 award. Staff reached out to NHD for further information and was told that the reduced award was due to NHD having substantially less Housing Trust Funds available than in previous years, and the reduced award was not a reflection on RHA's current program or application.

Given the reduced funding available, RHA staff again engaged in meetings with community partners to identify areas where HPP overlapped with other available assistance and pinpoint gaps in available assistance and/or populations served to maximize the available funding and align it with the needs of our community.

The partner meetings identified that the existing Emergency Rental Assistance program overlaps significantly with the rental assistance provided by the City of Reno. Additionally, staff from both programs reported the inefficiency of having to verify with the other program that assistance had not already been provided. Instead, the partner meetings identified that Transition Aged Youth (TAY) would benefit from emergency eviction diversion by fast-tracked emergency rental assistance.

In response, staff redesigned the Emergency Rental Assistance program to aid with up to two months of rent and/or utility arrears to households containing a TAY who are at risk of experiencing homelessness in the next 30 days due to a recent financial hardship which has caused them to fall behind in their rent and/or utilities. This assistance will prevent the household from experiencing homelessness and utilizing the limited number of youth shelter beds available in the community. Applications for this program would come directly from designated community partners whose scope of services includes homeless services for TAY.

The partner meetings also identified that the existing Motel Assistance program overlaps significantly with the motel assistance provided by the City of Reno, though several community partners cited the need for additional motel assistance in cases where a household is homeless or at risk of homelessness but is actively working with a partner agency on a plan for long-term housing stability.

In response, staff redesigned the Motel Assistance to provide up to 60 days of rent in a motel to households at risk of, or experiencing, homelessness who are working with designated community partners on a plan for long-term housing stability. Examples of this assistance may include, but are

not limited to, motel stays after fleeing a domestic violence situation or when their previous unit was closed down due to Health Department or Code Enforcement actions. This assistance will shorten or prevent shelter stays, increasing their success once a long-term housing solution can be identified. Applications for this program would come directly from designated community partners.

The partner meetings also identified that one of the more significant barriers faced by their populations when attempting to secure long-term housing was the lack of assistance and/or the long delay in receiving assistance for application fees, holding fees, and security deposits. This gap in assistance often results in households experiencing extended shelter stays, which has been shown to negatively impact the household's physical and mental well-being and jeopardize their success once a long-term housing unit has been secured.

In response to this feedback, staff designed the Application Fee, Holding Fee, and Security Deposit Assistance program to provide households who are at risk of or experiencing homelessness up to two application fees, up to two holding fees, and one security deposit in order to assist them with securing long-term housing, thereby shortening or preventing their shelter stay and increasing their chance of success in the long-term housing unit they have selected. Applications for this program would come directly from designated community partners whose scope of services includes homeless services.

Given the level of renewal funding awarded, staff also evaluated the existing Short-Term Tenant-Based Rental Assistance program. Since this program overlaps with ones operated by the Cities of Reno and Sparks, and the fact this program would have required at least \$300,000 to operate, staff proposes removing Short-Term Tenant-Based Rental Assistance from the HPP Administrative Plan. Staff believes the redesigned Emergency Rental Assistance program, Motel Assistance program, and Application Fee, Holding Fee, and Security Deposit Assistance program are a more effective use of the limited funding available, and a better reflection of the needs expressed by the community.

RHA will continue to allocate six percent (6%) of funds to support administrative costs. After administrative fees, staff anticipates allocating approximately 25% of funds to the emergency rental assistance program, 25% of funds to motel assistance and 50% of funds to application fee, holding fee, and security deposit assistance. However, based on demand, these proportions may change. Under the initial funding scenario, and based on current average costs for these services, RHA estimates it could serve nearly 70 households across the programs.

Based on the above information, staff is proposing to make the following changes to the Administrative Plan for the Homeless Prevention Program, related to the award of renewed funding with Nevada Housing Division:

- Staff revised the objective to reflect the updated target populations. (Section 1.2)
- Staff updated the program descriptions to clarify the existing Emergency Rental Assistance and Motel Assistance programs, added the Application Fee, Holding Fee, and Security Deposit Assistance program, and removed the Short-Term Tenant-Based Rental Assistance program. (Section 1.3)
- Staff updated the following program-specific eligibility requirements:
  - Emergency Rental Assistance: Staff added the requirement that the household contain a Transition Aged Youth (TAY) and modified the requirement from needing to be facing



eviction or utility shutoff to be at risk of homelessness in the upcoming 30 days. (Section 2.1.5.1)

- Motel Assistance: Staff modified the requirement from needing to be exiting homelessness with a long-term unit identified to be at risk of or experiencing homelessness and working with a community-based social service agency on a long-term housing plan. (Section 2.1.5.2)
  - Application Fee, Holding Fee, and Security Deposit Assistance: Staff added requirements for this new program, including that the household be at risk of or experiencing homelessness with a potential long-term housing unit within Washoe County identified. (new Section 2.1.5.3)
  - Short-Term Tenant Based Rental Assistance: Staff removed this section. (former Section 2.1.5.3).
- Staff updated the procedures for accepting applications among the three programs and specified the amount of assistance that will be provided. (Section 3.4 and 4.1)
  - Staff revised the policy regarding providing applications to all interested households, stating that the designated community partners providing referrals would be provided the application and could submit it via email, returning it to RHA on behalf of the applicant. (Section 4.1.2 and Section 4.2.2)
  - Staff updated the following application documentation requirements for proof of program-specific eligibility. (Section 4.2.2.5)
    - Emergency Rental Assistance: Staff removed the requirement that the emergency situation include documentation that the associated costs exceeded one month of rent, updated the requirement from needing a pending eviction or utility shutoff to be proof of their risk of homelessness, and clarified the requirements regarding proof of the balance due. (Section 4.2.2.5.1)
    - Motel Assistance: Staff removed the requirement to provide proof of acceptance in a long-term housing unit within Washoe County and replaced it with proof the household's plan for housing stability, added a requirement to provide proof of the household's risk of homelessness, and clarified the requirement to provide proof of the household's motel expenses. (Section 4.2.2.5.2)
    - Application Fees, Holding Fees, and Security Deposit Assistance: Staff added the requirement to provide proof of the household's risk of homelessness and proof of the potential long-term housing unit, including the requested expenses (such as Application fees, Holding fees, and Security Deposit). (new Section 4.2.2.5.3)
    - Short-Term Tenant-Based Rental Assistance: Staff removed this section. (former Section 4.2.2.5.3)
  - Staff clarified that applicants would be given up to ten (10) days to supply the required information. (Section 4.2.4)
  - Staff added that if a document provided by the applicant is verified to be a forgery, the application would be denied and the household would be placed on a list, preventing them from receiving HPP funds in the future. (Section 4.3.1.1.3)
  - Staff updated the following policies on determining the amount of assistance that will be provided and the approval process: (Section 5)

- Emergency Rental Assistance: Staff updated that assistance would be provided to prevent households from becoming homeless and utilizing a shelter bed, clarified that if the household owes more than the maximum assistance amount and the landlord has verified they will NOT accept a partial payment, the application will be denied, and removed the requirement that the household provide an eviction notice or utility shutoff notice. (Section 5.1)
- Motel Assistance: Staff updated the amount of assistance to be provided from up to 30 days to up to 60 days and removed the requirement that the household provide proof of their acceptance at a long-term housing unit in Washoe County. (Section 5.2)
- Application Fees, Holding Fees, and Security Deposit Assistance: Staff added that RHA would provide eligible households up to two (2) application fees, up to two (2) holding fees, and one (1) security deposit. (new Section 5.3)
- Short-Term Tenant-Based Rental Assistance: Staff removed this section. (former Section 5.3)
- Staff added definitions for Application Fee, Holding Fee, and Transition Aged Youth, and updated the definition of Net Family Assets based on implemented Housing Opportunities Through Modernization Act (HOTMA) regulations. (Appendix 1)

These changes conform with the program parameters allowed by the Nevada Housing Division (NHD) but are subject to their ultimate approval. Additionally, if additional funds become available in future years and/or the community needs change, then the plan can be further amended, subject to NHD approval, at that time.

**Staff Recommendation and Motion:**

Staff recommends the Board of Commissioners motion to approve the updates to the Homeless Prevention Program Administrative Plan as presented.

Exhibit 241203-A  
ADMINISTRATIVE PLAN  
FOR THE HOMELESS PREVENTION PROGRAM

Resolution 24-~~0612-02-XY01~~ adopted ~~June 25~~December 17, 2024 to be effective ~~July 1, 2024~~January 1, 2025

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## 1. OVERVIEW, OBJECTIVES AND PROGRAM DESCRIPTIONS

### 1.1. OVERVIEW

The Homeless Prevention Program was created by Washoe Affordable Housing Corporation (WAHC) in June 2017 and transferred to the Reno Housing Authority (RHA) effective June 1, 2024. RHA applies annually for funds from the Nevada Housing Division's (NHD) Account for Affordable Housing Trust Funds. RHA may also seek other funding sources in the future to support this program.

Administration of this program will comply with all federal, state and local housing laws and fair housing regulations.

### 1.2. OBJECTIVE

The objective of RHA's Homeless Prevention Program is to prevent homelessness arising from emergencies that temporarily jeopardize a family or individual's ability to pay rent or utilities, assist individuals or families with short-term motel assistance while they develop a long-term housing plan, and to shorten the shelter stays of homeless individuals who have either identified a long-term housing unit that will be ready for occupancy within 30 days or who are on a waiting list for long-term income-based housing, thereby increasing their chance of long-term success and housing stability. The number of households served is limited by the funding available from RHA's reserves and the annual application for funds through the NHD. The jurisdiction for this program is Washoe County.

The Homeless Prevention Program allocates resources to preventing homelessness so that families do not have to experience shelters or live on the streets. It also helps minimize public resources dedicated to the homeless population within Washoe County.

### 1.3. PROGRAM DESCRIPTIONS

The Homeless Prevention Program has the following features:

#### 1.3.1. Emergency Rental Assistance

1.3.1.1. Eligible households facing an emergency situation, as defined in Appendix 1, that have received an eviction notice for non-payment of rent or due to a utility shut-off may receive one-time assistance to pay the unpaid rent and/or utility bills in order to defer them from experiencing homelessness and utilizing a shelter bed in the upcoming 30 days to resolve the eviction or utility shut-off situation.

1.3.1.1.1. The payment is made directly to the landlord or utility company.

#### 1.3.2. Motel Assistance

1.3.2.1. Eligible households exiting-facing homelessness who have identified a suitable long-term housing unit but where the unit is not yet ready are actively working with a community-based social service agency to develop a long-term housing plan, may receive assistance to pay for a motel for up to 30-60 days while their unit becomes available situation stabilizes.

1.3.2.1.1. The payment is made directly to the landlord.

#### 1.3.3. Application Fee, Holding Fee, and Security Deposit Assistance

1.3.3.1. Eligible households exiting homelessness or at risk of homelessness who have identified a suitable long-term housing unit may receive assistance to pay the application fee, holding fee, and/or security deposit in order to shorten or prevent their shelter stay and assist them to secure the long-term housing unit.

1.3.3.1.1. The payment is made directly to the landlord.

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~~1.3.3. Short-Term Tenant-Based Rental Assistance~~

~~1.3.3.1. Eligible households experiencing homelessness whose only income is Social Security or who are pending approval for Social Security benefits, may be provided short term tenant based rental assistance for up to two (2) years to ensure their portion of the rent is 30% of their adjusted income while long term income based housing is secured.~~

~~1.3.3.1.1. ——— The payment is made directly to the landlord.~~

**1.4. NONDISCRIMINATION AND REASONABLE ACCOMMODATIONS**

1.4.1. Federal regulations prohibit discrimination because of race, color, sex, religion, familial status, age, disability or national origin.

1.4.1.1. If an applicant or participant believes that any family member has been discriminated against by RHA or an owner, the family should advise RHA.

1.4.2. A person with a disability may require special accommodations in order to have equal access to the program. If an applicant or participant indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, the family must explain what type of accommodation is needed to provide the person with the disability full access to the program. If the need for the accommodation is not readily apparent, the family must explain the relationship between the requested accommodation and the disability. There must be an identifiable relationship between the accommodation and the disability.

1.4.2.1. The definition of disability for the purpose of reasonable accommodation is different than the definition used for admission. The Fair Housing definition used for this purpose is: "A person who has a physical or mental impairment that substantially limits one or more major life activity, has a record of such impairment, or is regarded as having such impairment."

1.4.2.1.1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic skin; and endocrine.

1.4.2.1.2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

1.4.2.1.3. "Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning.

1.4.2.2. RHA will provide the applicant or participant with the necessary forms to be completed with RHA staff. RHA staff will send the Reasonable Accommodation forms directly to a professional third party, of the applicant or participants choosing, who is competent to make the assessment and provide written verification that the individual needs the specific accommodation due to their disability and the change is required for them to have equal access to the housing program. The professional third party provider must return the completed Reasonable Accommodation forms directly to RHA for final review by the Director of Rental Assistance or designated staff. In the case where the professional third party provider fails to respond, a second request for verification may be made of a different provider of the applicant or participants choosing.

1.4.2.3. When such accommodations are granted they do not confer special treatment or

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advantage for the person with a disability; rather, they make the program fully accessible to them in a way that would otherwise not be possible. The requested accommodation will not violate or release applicant/participant from any family obligation under the program.

## 2. CONDITIONS GOVERNING ELIGIBILITY

### 2.1. ELIGIBILITY FOR ASSISTANCE

To be eligible for financial assistance through the Homeless Prevention Program, applicants must meet the following criteria and provide acceptable documentation of each criterion, as outlined in Section 4.2:

- 2.1.1. Must reside in Washoe County at the time of application. Must verify they have lived in Nevada for the past two years.
- 2.1.2. Have annual income that does not exceed the HUD determined low-income limits (60% of Area Median Income) set forth in Appendix 2.
- 2.1.3. Must not have combined assets with a current cash value exceeding the equivalent of three months of rent at the household's current unit, or have ownership interest in a suitable dwelling unit which they have a legal right to reside in.
- 2.1.4. Citizenship Status: At least one household member must be a U.S. citizen or national or non-citizen with an eligible immigration status as defined in 24 CFR 5.508 (see Appendix 1, "Eligible Immigration Status").
- 2.1.5. Must meet one of the following program-specific criteria:

~~2.1.5.1. Emergency Rental Assistance: Facing eviction or utility shut off for non-payment household containing Transition Aged Youth, as defined in Appendix 1, which is at risk of homelessness in the upcoming 30 days as a result of an emergency situation, as defined in Appendix 1, which occurred in the last 90 days, that has associated costs exceeding one month of rent at the household's current unit.~~

~~2.1.5.2. Motel Assistance: Exiting A household at risk of or experiencing homelessness with a suitable long-term housing unit identified but that is not currently available to move in and household is able to secure a motel unit in the interim who is working with a community-based social service agency on a long-term housing plan.~~

~~2.1.5.2.1. The new unit must be available for occupancy within 30 days (as verified by the landlord/property manager) and must be located within Washoe County.~~

~~2.1.5.3. Application Fee, Holding Fee, and Security Deposit Assistance: A household at risk of or experiencing homelessness with a potential suitable long-term housing unit identified.~~

~~2.1.5.3.1. The potential new unit must be located within Washoe County.~~

~~2.1.5.3. Short Term Tenant Based Rental Assistance: Experiencing homelessness with only household income from Social Security or who are pending approval for Social Security benefits, and are on a waiting list for long-term income based housing assistance.~~

- 2.1.6. Must not have received assistance from WAHC/RHA's Homeless Prevention Program within three years preceding the date of application or have been denied for assistance within 90 days preceding the date of application.

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### 3. APPLICATION PROCEDURE

#### 3.1. SELECTION

3.1.1. Eligible households will be selected according to the date and time applications were received.

#### 3.2. PREFERENCE

3.2.1. No preferences will be given beyond the date and time the application was received.

#### 3.3. APPLICANT WITHDRAWAL

3.3.1. An applicant may, at any time, request their application to be withdrawn should they no longer require the assistance. Withdrawn applicants are not considered denied, and therefore can reapply with no time restriction for future assistance.

#### 3.4. FUNDING

##### 3.4.1. Emergency Rental Assistance Program

3.4.1.1. RHA will accept ~~applications until the 10th of each month, or until sufficient applications have been received to utilize 1/12<sup>th</sup> of the awarded funding for this activity for the year, whichever is sooner. A waiting list will not be maintained and those wishing to apply after the deadline will need to wait until the following month.~~ direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

3.4.1.2. RHA will provide up to 2 months of total eligible rent and/or utilities and fees. Eligible rent includes the rent documented in the lease verified by the landlord and/or property manager.

##### 3.4.2. Motel Assistance Program

3.4.2.1. RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

3.4.2.2. RHA will provide up to ~~30-60~~ days of total eligible rent and fees. Eligible rent includes the rent documented in the lease or summary of charges verified by the landlord and/or property manager.

##### 3.4.3. Application Fee, Holding Fee, and Security Deposit Assistance Program

3.4.3.1. RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

3.4.3.2. RHA will provide up to two (2) application and/or holding fees, as well as one (1) security deposit.

3.4.3.2.1. Any application and/or holding fees which are refunded due to the household not leasing the unit must be returned to the Homeless Prevention Program.

##### ~~3.4.3. Short-Term Tenant-Based Rental Assistance Program~~

~~3.4.3.1. RHA will accept direct referrals for this assistance from designated community partners whose scope of services includes homeless services. Referrals will be accepted until the funding allocated for this activity has been depleted.~~

~~3.4.3.2. RHA will provide up to two (2) years of total eligible rent and fees. Eligible rent includes the rent documented in the lease verified by the landlord and/or property manager.~~

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## 4. RECEIPT OF APPLICATIONS AND DETERMINATION OF ELIGIBILITY

This section sets forth the basic steps which are to be taken in obtaining and verifying information from applicant households for the purpose of determining whether they meet the conditions of eligibility for assistance set forth in Section 2.

### 4.1. ESTABLISHING APPLICANTS

#### 4.1.1. Receipt of Applications

4.1.1.1. *Emergency Rental Assistance Program.* ~~Any household wishing to apply will be given the opportunity to complete an application. Applications will be accepted until the 10<sup>th</sup> of each month or until sufficient applications have been received to utilize 1/12<sup>th</sup> of the awarded funding for this activity for the year, whichever is sooner. A waiting list will not be maintained and those wishing to apply after the deadline will need to wait until the following month. RHA will accept direct referrals for this assistance from designated community partners whose scope of services includes homeless services for Transition Aged Youth. Referrals will be accepted until the funding allocated for this activity has been depleted.~~

4.1.1.2. *Motel Assistance.* RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

4.1.1.3. *Application Fee, Holding Fee, and Security Deposit Assistance.* RHA will accept direct referrals for this assistance from designated community partners whose scope of services includes homeless services. Referrals will be accepted until the funding allocated for this activity has been depleted.

4.1.1.3. *Short-Term Tenant-Based Rental Assistance.* RHA will accept direct referrals for this assistance from designated community partners whose scope of services includes homeless services. Referrals will be accepted until the funding for this activity has been depleted.

4.1.2. Applications will ~~be provided to all designated community partners and can be submitted via email, be mailed or emailed to interested households upon request. Applications are available on RHA's website and can be submitted via email. Applications are also available to be picked up from the office.~~

4.1.3. Applicants must submit the application and all supporting documentation to RHA either by email, fax or in the office drop box. RHA does not accept walk-in appointments.

4.1.4. The application process will involve two phases. The first phase results in the household's completion of the application and submitting all required documentation. The second phase is determining eligibility through review of supporting documents.

### 4.2. PROCEDURE GOVERNING RECEIPT OF APPLICATIONS

4.2.1. The application constitutes the basic record of each household applying for assistance, as well as the required supporting documentation to verify eligibility. Each applicant, therefore, will be required to supply information as called for on the Application and sign the application, attesting to the accuracy of the data provided. Each application will reflect the date and time received. The application and all other materials relating to the household's eligibility are to be maintained in an active file for each applicant not classified as denied or withdrawn.

4.2.2. ~~Applicants~~ Designated community partners will contact RHA to return the completed application on behalf of the applicant. Applicants must submit the following additional documentation along with their application in order to determine eligibility for assistance:

4.2.2.1. *Proof of Identity.* In order to prevent program abuse, RHA will require applicants to

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furnish verification of legal identity for all household members.

4.2.2.1.1. Applicants must provide a current picture ID for all adult members of the household. This may include a DMV-issued driver's license or identification card, or other state or federally issued picture identification card.

4.2.2.2. *Proof of Residency.* RHA will require applicants to furnish verification of Washoe County Residency.

4.2.2.2.1. If the picture ID provided for proof of Identity does not list a Washoe County address, the applicant must provide other proof of residency, such as a lease agreement, utility bill, or postal verification.

4.2.2.2.2. Applicant must verify they have lived in Nevada for the last 2 years.

4.2.2.2.2.1. Documentation may include (but is not limited to) leases, bank statements, paycheck stubs, IDs, official mail, vehicle registration, etc. which shows a date of at least 2 years prior to the application.

4.2.2.2.2.2. For applicants exiting homelessness who do not have any of the above documentation, a Self Certification co-signed by a Case Manager, shelter staff, or referring partner will be accepted.

4.2.2.3. *Income.* Proof of applicant's current income is needed. Current is defined as the most recent 6 weeks of paycheck stubs for employment or the current year's award letter for benefits such as Social Security, pension, welfare cash assistance, etc. RHA will determine income based on the guidelines in 24 CFR 5.609.

4.2.2.4. *Assets.* Verification of all household assets is needed. Households may self-certify assets up to \$50,000. For assets exceeding \$50,000, the household will be required to provide three (3) consecutive months of statements for all accounts.

4.2.2.5. *Proof of Program-Specific Eligibility.*

4.2.2.5.1. *Emergency Rental Assistance.*

4.2.2.5.1.1. Proof of an emergency situation that is preventing the applicant from being able to pay their unpaid rent and/or utility bills. Applicant must provide:

- Proof of medical event, job loss, death in the family, accident, or other emergency in the last 90 days, that includes a decrease of income, ~~or~~ medical bills, ~~or other expenses that have caused expenses over one month rent amount;~~ AND
- ~~Proof of costs associated with the emergency demonstrating the costs exceed one month of rent at the family's current unit.~~

4.2.2.5.1.2. Proof of ~~pending eviction or utility shut off~~ household's risk of homelessness. Applicant must provide:

- Their current lease; AND
- ~~Eviction-~~An eviction notice showing the cause is for non-payment of rent and the amount of rent due; OR
- ~~Notice-~~A notice from utility provider showing utilities will be or have been shut off due to non-payment and the amount due; OR
- A certification from the referring agency that without the

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assistance, the household would be homeless in the upcoming 30 days.

4.2.2.5.1.3. Proof of balance(s) due. Applicant must provide:

- Eviction notice showing the amount of rent due; OR
- Notice from utility provider showing the amount due; OR
- A current ledger or utility bill showing the amount due (if the Proof of Household's Risk of Homelessness was documented with a certification from the referring agency).

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4.2.2.5.2. Motel Assistance.

4.2.2.5.2.1. Proof of acceptance in a long-term housing unit within Washoe County and the date it will be available for occupancy, which must be within 30 days and verified by the landlord/property manager/household's plan for housing stability. Applicant must provide:

- Documentation that they are working with a community-based social service agency on a plan for long-term housing stability.

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4.2.2.5.2.2. Proof of household's risk of homelessness. Applicant must provide:

- Documentation that the household is homeless or at risk of homelessness. This may include documentation of Health Department or Code Enforcement actions to shut down their prior residence, or documentation from Domestic Violence advocacy groups that the household was fleeing or attempting to flee domestic violence.

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4.2.2.5.2.3. Proof of household's motel expenses. Applicant must provide:

- 4.2.2.5.2.1. Motel check-in/registration documentation showing the weekly and/or monthly rate.

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4.2.2.5.3. Application Fee, Holding Fee, and Security Deposit Assistance.

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4.2.2.5.3.1. Proof of household's risk of homelessness. Applicant must provide:

- Documentation that the household is homeless or at risk of homelessness. This may include a statement from a shelter or a certification from the referring agency that without the assistance, the household would be homeless in the upcoming 30 days.

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4.2.2.5.3.2. Proof of household's potential long-term housing unit and unit-search expenses. Applicant must provide:

- Documentation showing the potential long-term housing unit is located within Washoe County; AND
- Application Fees: A copy of the submitted application

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and documentation from the landlord showing the cost of the application fee.

- Holding Fees: Documentation from the landlord showing the cost of the holding fee and how it will be treated if a) the application is accepted or b) the application is denied and/or withdrawn.
- Security Deposit: A copy of the lease showing the household's name, the address for the long-term housing unit, the monthly rent, and the security deposit.

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~~4.2.2.5.3. Short-Term Tenant-Based Rental Assistance:~~

~~4.2.2.5.3.1. Proof of active status on a waiting list for long-term income-based housing within Washoe County.~~

~~4.2.2.5.3.2. Proof of household's only income source from Social Security OR proof of pending application for Social Security benefits.~~

4.2.3. Applicant Interview. The applicant will be required to furnish complete and accurate information verbally as requested by the interviewer. The interviewer will review the application with answers supplied by the applicant. All adult members must sign the General Release of Information Form, and any other documents required by RHA. Failure to do so will be cause for denial of the application.

4.2.4. If RHA determines at or after the review of the application that additional information or document(s) are needed, RHA will request the document(s) or information in writing. The household will be given up to ten (10) calendar days to supply the information. If the information is not supplied in this time, RHA will provide the household a notification of denial for assistance.

4.2.4.1. RHA may, at its discretion, grant up to an additional ten (10) calendar days for the applicant to supply the required information if RHA determines the reason the applicant has been unsuccessful is beyond their control.

4.2.5. If, during the application review, it appears that the applicant is not eligible, the applicant is to be so informed in writing as to the reasons for ineligibility. The application will then be classified as denied. A copy of the denial letter will be attached to the application.

4.2.6. After receipt of initial application, changes affecting applicant information will be recorded. Such changes are to be dated and the reason and authority for such changes noted in the record.

4.2.7. The applicant may make an appeal of a determination of denial, in writing, within 10 calendar days of the notification of denial. The appeal will be considered by the Director of Rental Assistance or designated staff. A decision will be made within 10 calendar days of receiving the written appeal. Once the appeal has been decided the applicant will either be approved or denied. Any decision is final. If denied, the applicant must wait 90 days to apply again.

### 4.3. VERIFICATION AND DOCUMENTATION OF APPLICANT DATA

To assure that the data upon which determinations of eligibility, priority status, and amount of assistance to be paid are full, true and complete, the information submitted by each applicant/participant is to be verified.

4.3.1. Methods of Verification. The applicant is responsible for providing all verification of residency, income, assets, proof of emergency situation, housing crisis, and citizenship. RHA will only make independent attempts to verify information if it is beyond the applicants control to obtain the information. Should the applicant fail to provide acceptable verification, as outlined below, the application will be denied. RHA will independently verify the owner/management agent to whom the assistance or security deposit will be paid.

4.3.1.1. *Written Third Party Verification* – An original or authentic document generated by a third party source dated within the 120-day period preceding RHA’s request date. All documents will be photocopied and retained in the applicant/participant file. In cases where documents are viewed which cannot be photocopied, staff viewing the documents will complete a certification statement for the file. RHA will accept faxed or emailed documents.

4.3.1.1.1. RHA may reject a document for the following reasons:

4.3.1.1.1.1. The document is not original.

4.3.1.1.1.2. The original document has been altered, mutilated, or is not legible.

4.3.1.1.1.3. The document does not appear to be authentic.

4.3.1.1.2. If a document is rejected, the staff member will do the following:

4.3.1.1.2.1. Get concurrence from the Director of Rental Assistance or designated staff.

4.3.1.1.2.2. Place a copy of the document in the file.

4.3.1.1.2.3. Note on the document the reason why the document is being rejected.

4.3.1.1.2.3.4.3.1.1.3. If a document is verified to be a forgery, RHA will deny the application and place the household on a list, preventing them from receiving HPP funds on a future application.

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4.3.1.2. *Third-Party Oral* – Oral third-party verifications may be used when written third-party is not possible. When third-party oral verification is used, staff will be required to originate the call and note with whom they spoke, the date of the conversation, and the facts provided. Third-party oral may be used to clarify information provided on the third-party written.

4.3.1.3. *Certification/Self-Declaration* – When verification cannot be made by the above verification methods, households will be required to submit a self-certification.

#### 4.4. SUPPLYING REQUIRED INFORMATION

4.4.1. The household must supply any information that RHA determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. “Information” includes any requested certification, release, or other documentation.

4.4.2. All information supplied by the household must be true and complete.

#### 4.5. SUMMARY OF VERIFICATION DATA

4.5.1. Verification data is to be reviewed and evaluated as received for completeness, accuracy and conclusiveness. Where the information received is not complete in all respects, follow-ups or new efforts to obtain such information are to be made and carried through to conclusion. If, during the verification process, it becomes evident that for one or more reasons an applicant is ineligible, the investigation is to be discontinued and the applicant notified in writing of his/her ineligibility, and the reasons therefore.

4.5.2. As verification of all necessary items for each application is completed, a summary of the verified information is to be prepared on a Certification Form attached to the application. The summary is to cover the following determinations and the basis for such:

4.5.2.1. Eligibility of the applicant as a family

#### 4.6. NOTIFICATION TO APPLICANTS

4.6.1. If determined to be ineligible for assistance, the applicant is to be informed in writing of the determination. The reasons for the determination will be included in the written notification.

4.6.2. Applicants are required to inform RHA of changes in address or phone number. Applicants are also required to respond to requests from RHA to update information on their application and to determine their continued interest in assistance.

**4.7. REFERRAL FOR FINANCIAL GUIDANCE**

4.7.1. All applicants, regardless of approval or denial, will be referred to Opportunity Alliance for financial guidance.

**4.8. CERTIFICATION**

As a part of the application record of each household determined to be eligible for assistance, a designated staff member is to complete and sign the eligibility certification.

## 5. ASSISTANCE AMOUNT DETERMINATION AND APPROVAL PROCESS

The accurate determination of the proper amount of assistance to be paid will ensure that RHA is efficiently utilizing its resources. This section defines how the amount of assistance will be determined. An applicant may only receive one of the benefits offered through this program. At no point may an applicant receive multiple types of assistance (Emergency Rental Assistance, Motel Assistance, and ~~Short-Term Tenant-Based Rental~~ Application Fee/Holding Fee/Security Deposit Assistance) during a two-year period.

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### 5.1. EMERGENCY RENTAL ASSISTANCE

5.1.1. For households eligible under criteria 2.1.5.1, RHA will provide a one-time payment to pay unpaid rent ~~and/or utility bills to prevent eviction or utility shut-off~~ the household from becoming homeless and utilizing a shelter bed. The payment will be made directly to the landlord ~~and/or utility provider~~. The amount paid is determined by the amount owed ~~on their ledger and/or utility notice (not including insufficient funds (NSF) fees)~~, up to the ~~month they receive the notice (two-two-month maximum)~~.

~~5.1.1.5.1.1.1.~~ If the household owes more than the maximum assistance amount and the landlord or utility provider has verified that they will NOT accept a partial payment, the application will be denied.

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~~5.1.2.~~ The applicant must be able to provide an eviction notice or utility notice demonstrating the amount of rent or utilities that is due and the due date. RHA may attempt to independently verify the information on the provided documentation, including the amount owed, if it has reason to question the authenticity of the document.

5.1.2.1. If unpaid rent, the applicant must also provide the contact information for the landlord.

5.1.2.2. If the amounts owed are unpaid utilities, the applicant must provide their account number and contact information for the billing department of the utility provider, if this is not contained on the utility notice.

5.1.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.

5.1.4. RHA will make every effort to issue the assistance payment to the payee on or before ~~the any~~ eviction date or utility shut-off date. If there are pending verification items, or if the payee's identity cannot be verified prior to ~~the an~~ eviction or shut-off date, but payment will still resolve the eviction or utility issue, RHA will issue payment within 3 business days of verifying the payee or final information.

5.1.5. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

### 5.2. MOTEL ASSISTANCE

5.2.1. For households eligible under criteria 2.1.5.2, RHA will provide up to ~~30~~ 60 days of rent payment for a motel unit to allow the ~~household's long-term housing unit to become available for occupancy~~ household to develop a plan for long-term housing stability. The payment will be made directly to the landlord. The amount paid is determined by the lease or summary of charges, verified by the landlord and/or property manager (up to the ~~30~~ 60-day maximum).

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~~5.2.2.~~ The applicant must be able to provide documentation of their acceptance at a long-term housing unit and the date the unit will be available for occupancy. RHA may attempt to independently verify the information on the provided documentation if it has reason to question the authenticity of the document.

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~~5.2.2.1.~~ If the long-term housing unit is not available for occupancy within 30 days, the household must have proof that they have additional assistance to cover the gap; otherwise, the application will be denied.



- 5.2.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.2.4. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

### **5.3. APPLICATION FEES, HOLDING FEES, AND SECURITY DEPOSIT ASSISTANCE**

- 5.3.1. For households eligible under criteria 2.1.5.3, RHA will provide up to two (2) application fees, two (2) holding fees, and one (1) security deposit to assist the household to secure a long-term housing unit in Washoe County. The payment(s) will be made directly to the landlord. The amount paid is determined by the documented application fee, holding fee, and security deposit, verified by the landlord and/or property manager.
- 5.3.2. RHA may attempt to independently verify the information on the provided documentation if it has reason to question the authenticity of the document.
- 5.3.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.3.4. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

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### **5.3. SHORT TERM TENANT BASED RENTAL ASSISTANCE**

- 5.3.1. For households eligible under criteria 2.1.5.3, RHA will provide up to two (2) years of rent payments to allow the household's pending application for long term income based housing assistance to be processed. The payment will be made monthly and paid directly to the landlord. The amount paid is determined by the lease, verified by the landlord and/or property manager.
  - 5.3.1.1. — Prior to approval, the unit that will receive the short term tenant based rental assistance will need to pass inspection following HUD's current protocols with exceptions approved by Nevada Housing Division.
- 5.3.2. The applicant must be able to provide documentation of their active status on a waiting list for long term income based housing assistance. RHA may attempt to independently verify the information on the provided documentation if it has reason to question the authenticity of the document.
  - 5.3.2.1. — If at any point during the two year assistance period the household is determined to be ineligible for the long term income based housing assistance they had applied for, their short term tenant based rental assistance will end effective on the last day of the month, 30 days after the denial for long term income based rental assistance.
- 5.3.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.3.4. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

## **6. USE OF PROGRAM RECEIPTS**

### **6.1. PROGRAM RECEIPTS**

RHA shall use program receipts to provide homeless prevention assistance for eligible households. Program receipts may only be used to pay program expenditures.

### **6.2. PROGRAM EXPENDITURES**

RHA shall reserve the right to utilize up to 6% of program receipts for administrative expenditures.

## APPENDIX 1 - DEFINITION OF TERMS

**ANNUAL INCOME.** All amounts, monetary or not, which:

- a. Go to, or on behalf of, the family head or to any other family member; or
- b. Are anticipated to be received from a source outside the family during the 12-month period following approval for assistance; and
- c. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

**APPLICANT.** For the purposes of this document, the term "applicant" includes the head of household, spouse, all dependents, and all other adult members of the household and their dependents.

**APPLICATION FEE.** The amount the owner/manager collects from the tenant at the date of application to cover the cost to process the application. This fee is usually non-refundable.

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**DISABLED FAMILY.** A household with a household member who is a person with disabilities. It may include two or more persons with disabilities living together.

**DISABLED PERSON.** "Disabled Person" means a person who is under a disability as defined in Section 223 of the Social Security Act or in Section 102 (5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970, or who is handicapped as defined in this Part. Section 223 of the Social Security Act defines "disability" as:

- a. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to last for a continuous period of not less than 12 months; or
- b. In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in Section 416(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time. Section 102 (5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970, defines "disability" as: a disability attributable to mental retardation, cerebral palsy, epilepsy or another neurological condition of an individual found by the Secretary (of Health, Education and Welfare) to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely and which constitutes a substantial handicap to such individual.

**ELDERLY FAMILY.** A household with a household member who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together.

**ELDERLY PERSON.** A person who is at least 62 years old.

**ELIGIBLE FAMILY.** A household which qualifies as a Low-Income Family and which meets the other requirements of this Administrative Plan. The term "Family" includes Elderly, Disabled Person, or a single person.

**ELIGIBLE IMMIGRATION STATUS.** 24 CFR 5, Subpart E.

- a. Restrictions on assistance. Financial assistance under this program is restricted to:

Citizens; or

Noncitizens who have eligible immigration status in one of the following categories:

A noncitizen lawfully admitted for permanent residents, as defined by Section 101(a)(30) of the Immigration and Nationality Act (INA)(8 U.S.C. 1101 (a)(20) and 1101 (a)(15), respectively) (immigrants). (This category includes a noncitizen admitted under Section 210 or 210A of the INA (8 U.S.C. 1160 or 1161) who has been granted lawful temporary resident status);

A noncitizen who entered the United States before January 1, 1972, or such later date as enacted by law, and has continuously maintained residence in the United States since then, and who is not ineligible for citizenship,

but who is deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under Section 249 of the INA (8 U.S.C. 1259);

A noncitizen who is lawfully present in the United States pursuant to an admission under Section 207 of the INA (8 U.S.C. 1157) (refugee status); pursuant to the grant of asylum (which has not been terminated) under Section 208 of the INA (8 U.S.C. 1153 (a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic national calamity;

A noncitizen who is lawfully present in the United States as a result of an exercise of discretion by the Attorney General for emergent reasons deemed strictly in the public interest under Section 212 (d)(5) (parole status);

A noncitizen who is lawfully present in the United States as a result of the Attorney General's withholding deportation under Section 243(h) of the INA (8 U.S.C. 1253(h)) (threat to life or freedom); or

A noncitizen lawfully admitted for temporary or permanent residence under Section 245 A of the INA (8 U.S.C. 1255(a) amnesty granted under INA 245 A).

b. Family eligibility for assistance.

A family shall be eligible for assistance so long as at least one member of the family residing in the unit is determined to have eligible status, as described in paragraph (a) of this section;

**EMERGENCY SITUATION.** An event including a medical event, job loss, death in the family, accident, or other emergency that has affected a household member within the last 90 days, ~~and whose associated costs or expenses exceed one month of rent at the household's current unit.~~

**FAMILY (HOUSEHOLD).** "Family" includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- a. A single person, who may be an elderly person, displaced, person, disabled person, near-elderly person or any other single person; or
- b. A group of persons residing together, and such group includes, but is not limited to:
  - i. Households with or without children;
  - ii. An elderly family;
  - iii. A disabled family and;
  - iv. A minor who has been awarded a decree of emancipation by a competent court having jurisdiction over said minor.

Also included in the Family for purposes of determining the amount of relocation assistance may be:

- a. Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively. (There will be a self-certification required of households who claim joint custody or temporary guardianship.)
- b. Other persons who will live regularly as part of the Family group, including foster children and members of the Family temporarily absent, and whose income and resources are available for use in meeting the living expenses of the group.
- c. Lodgers may not be included in the Family.

**HOLDING FEE (a.k.a. UNIT HOLDING FEE).** The amount the owner/manager collects from the tenant at the date of application to take the unit off the market. This fee may be refundable should the application be denied, depending on the landlord's policies. If the application is approved, this fee is usually applied toward the security deposit.

**INCOME.** The types of money which are to be used as income for purposes of calculating the family's income are defined by HUD in federal regulations. See 24 CFR 5.609.

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**INCOME LIMITS.** The maximum annual income a household may have to be eligible for assistance as determined by HUD (Appendix 2).

**LANDLORD.** This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

**LEASE.** A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a household.

**LOW-INCOME FAMILY.** A household whose income does not exceed 60 percent of the median household income for the area, as determined by HUD with adjustments for smaller and larger households (Appendix 2, Income Limits)

**NET FAMILY ASSETS.** Value of equity in savings, checking, ~~direct express, IRA and Keogh accounts,~~ real property, stocks, bonds and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

**NON-CITIZEN.** A person who is neither a citizen nor a national of the United States.

**OWNER.** Any person or entity, including a cooperative, having the legal right to lease or sub-lease a dwelling unit.

**SECURITY DEPOSIT.** The amount the owner/manager collects from the tenant at the date of lease up, as outlined in the lease agreement for protecting the landlord from damages, unpaid rent, or if the tenant breaks or violates the terms of the lease or rental agreement.

**TRANSITION AGED YOUTH.** A youth between the ages of 18 to 25 years old. This person may be the head of household/co-head of household/spouse, or they may be another adult in the household.

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**UNPAID RENT.** Rent owed to the landlord resulting from the failure of the tenant to pay their portion of the rent through the end of the month.

**UTILITIES.** Includes electricity, gas, water, sewer or trash collection.

**APPENDIX 2 - INCOME LIMITS**

# Persons	30% AMI (Extremely Low-Income)	50% AMI (Very Low-Income)	60% AMI (Low-Income)
1	\$21,250	\$35,450	\$42,540
2	\$24,300	\$40,500	\$48,600
3	\$27,350	\$45,550	\$54,660
4	\$30,350	\$50,600	\$60,720
5	\$32,800	\$54,650	\$65,580
6	\$35,250	\$58,700	\$70,440
7	\$37,650	\$62,720	\$75,300
8	\$40,100	\$66,800	\$80,160

<https://www.hudexchange.info/programs/home/home-income-limits/>

Exhibit 241203-B  
ADMINISTRATIVE PLAN  
FOR THE HOMELESS PREVENTION PROGRAM

Resolution 24-12-01 adopted December 17, 2024, to be effective January 1, 2025

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## 1. OVERVIEW, OBJECTIVES AND PROGRAM DESCRIPTIONS

### 1.1. OVERVIEW

The Homeless Prevention Program was created by Washoe Affordable Housing Corporation (WAHC) in June 2017 and transferred to the Reno Housing Authority (RHA) effective June 1, 2024. RHA applies annually for funds from the Nevada Housing Division's (NHD) Account for Affordable Housing Trust Funds. RHA may also seek other funding sources in the future to support this program.

Administration of this program will comply with all federal, state and local housing laws and fair housing regulations.

### 1.2. OBJECTIVE

The objective of RHA's Homeless Prevention Program is to prevent homelessness arising from emergencies that temporarily jeopardize a family or individual's ability to pay rent or utilities, assist individuals or families with short-term motel assistance while they develop a long-term housing plan, and to shorten the shelter stays of homeless individuals who have identified a long-term housing unit, thereby increasing their chance of long-term success and housing stability. The number of households served is limited by the funding available from the annual application for funds through the NHD. The jurisdiction for this program is Washoe County.

The Homeless Prevention Program allocates resources to preventing homelessness so that families do not have to experience shelters or live on the streets. It also helps minimize public resources dedicated to the homeless population within Washoe County.

### 1.3. PROGRAM DESCRIPTIONS

The Homeless Prevention Program has the following features:

#### 1.3.1. Emergency Rental Assistance

1.3.1.1. Eligible households facing an emergency situation, as defined in Appendix 1, may receive one-time assistance to pay the unpaid rent and/or utility bills in order to defer them from experiencing homelessness and utilizing a shelter bed in the upcoming 30 days.

1.3.1.1.1. The payment is made directly to the landlord or utility company.

#### 1.3.2. Motel Assistance

1.3.2.1. Eligible households facing homelessness who are actively working with a community-based social service agency to develop a long-term housing plan, may receive assistance to pay for a motel for up to 60 days while their situation stabilizes.

1.3.2.1.1. The payment is made directly to the landlord.

#### 1.3.3. Application Fee, Holding Fee, and Security Deposit Assistance

1.3.3.1. Eligible households exiting homelessness or at risk of homelessness who have identified a suitable long-term housing unit may receive assistance to pay the application fee, holding fee, and/or security deposit in order to shorten or prevent their shelter stay and assist them to secure the long-term housing unit.

1.3.3.1.1. The payment is made directly to the landlord.

### 1.4. NONDISCRIMINATION AND REASONABLE ACCOMMODATIONS

1.4.1. Federal regulations prohibit discrimination because of race, color, sex, religion, familial status, age, disability or national origin.

1.4.1.1. If an applicant or participant believes that any family member has been discriminated



against by RHA or an owner, the family should advise RHA.

- 1.4.2. A person with a disability may require special accommodations in order to have equal access to the program. If an applicant or participant indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, the family must explain what type of accommodation is needed to provide the person with the disability full access to the program. If the need for the accommodation is not readily apparent, the family must explain the relationship between the requested accommodation and the disability. There must be an identifiable relationship between the accommodation and the disability.
- 1.4.2.1. The definition of disability for the purpose of reasonable accommodation is different than the definition used for admission. The Fair Housing definition used for this purpose is: “A person who has a physical or mental impairment that substantially limits one or more major life activity, has a record of such impairment, or is regarded as having such impairment.”
- 1.4.2.1.1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic skin; and endocrine.
- 1.4.2.1.2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.
- 1.4.2.1.3. “Major life activities” means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning.
- 1.4.2.2. RHA will provide the applicant or participant with the necessary forms to be completed with RHA staff. RHA staff will send the Reasonable Accommodation forms directly to a professional third party, of the applicant or participants choosing, who is competent to make the assessment and provide written verification that the individual needs the specific accommodation due to their disability and the change is required for them to have equal access to the housing program. The professional third party provider must return the completed Reasonable Accommodation forms directly to RHA for final review by the Director of Rental Assistance or designated staff. In the case where the professional third party provider fails to respond, a second request for verification may be made of a different provider of the applicant or participants choosing.
- 1.4.2.3. When such accommodations are granted they do not confer special treatment or advantage for the person with a disability; rather, they make the program fully accessible to them in a way that would otherwise not be possible. The requested accommodation will not violate or release applicant/participant from any family obligation under the program.

## 2. CONDITIONS GOVERNING ELIGIBILITY

### 2.1. ELIGIBILITY FOR ASSISTANCE

To be eligible for financial assistance through the Homeless Prevention Program, applicants must meet the following criteria and provide acceptable documentation of each criterion, as outlined in Section 4.2:

- 2.1.1. Must reside in Washoe County at the time of application. Must verify they have lived in Nevada for the past two years.
- 2.1.2. Have annual income that does not exceed the HUD determined low-income limits (60% of Area Median Income) set forth in Appendix 2.
- 2.1.3. Must not have combined assets with a current cash value exceeding the equivalent of three months of rent at the household's current unit, or have ownership interest in a suitable dwelling unit which they have a legal right to reside in.
- 2.1.4. Citizenship Status: At least one household member must be a U.S. citizen or national or non-citizen with an eligible immigration status as defined in 24 CFR 5.508 (see Appendix 1, "Eligible Immigration Status").
- 2.1.5. Must meet one of the following program-specific criteria:
  - 2.1.5.1. Emergency Rental Assistance: A household containing Transition Aged Youth, as defined in Appendix 1, which is at risk of homelessness in the upcoming 30 days as a result of an emergency situation, as defined in Appendix 1, which occurred in the last 90 days.
  - 2.1.5.2. Motel Assistance: A household at risk of or experiencing homelessness who is working with a community-based social service agency on a long-term housing plan.
  - 2.1.5.3. Application Fee, Holding Fee, and Security Deposit Assistance: A household at risk of or experiencing homelessness with a potential suitable long-term housing unit identified.
    - 2.1.5.3.1. The potential new unit must be located within Washoe County.
- 2.1.6. Must not have received assistance from WAHC/RHA's Homeless Prevention Program within three years preceding the date of application or have been denied for assistance within 90 days preceding the date of application.

### **3. APPLICATION PROCEDURE**

#### **3.1. SELECTION**

3.1.1. Eligible households will be selected according to the date and time applications were received.

#### **3.2. PREFERENCE**

3.2.1. No preferences will be given beyond the date and time the application was received.

#### **3.3. APPLICANT WITHDRAWAL**

3.3.1. An applicant may, at any time, request their application to be withdrawn should they no longer require the assistance. Withdrawn applicants are not considered denied, and therefore can reapply with no time restriction for future assistance.

#### **3.4. FUNDING**

##### **3.4.1. Emergency Rental Assistance Program**

3.4.1.1. RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

3.4.1.2. RHA will provide up to 2 months of total eligible rent and/or utilities and fees. Eligible rent includes the rent documented in the lease verified by the landlord and/or property manager.

##### **3.4.2. Motel Assistance Program**

3.4.2.1. RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

3.4.2.2. RHA will provide up to 60 days of total eligible rent and fees. Eligible rent includes the rent documented in the lease or summary of charges verified by the landlord and/or property manager.

##### **3.4.3. Application Fee, Holding Fee, and Security Deposit Assistance Program**

3.4.3.1. RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

3.4.3.2. RHA will provide up to two (2) application and/or holding fees, as well as one (1) security deposit.

3.4.3.2.1. Any application and/or holding fees which are refunded due to the household not leasing the unit must be returned to the Homeless Prevention Program.

### **4. RECEIPT OF APPLICATIONS AND DETERMINATION OF ELIGIBILITY**

This section sets forth the basic steps which are to be taken in obtaining and verifying information from applicant households for the purpose of determining whether they meet the conditions of eligibility for assistance set forth in Section 2.

#### **4.1. ESTABLISHING APPLICANTS**

##### **4.1.1. Receipt of Applications**

4.1.1.1. *Emergency Rental Assistance Program.* RHA will accept direct referrals for this

assistance from designated community partners whose scope of services includes homeless services for Transition Aged Youth. Referrals will be accepted until the funding allocated for this activity has been depleted.

4.1.1.2. *Motel Assistance*. RHA will accept direct referrals for this assistance from designated community partners. Referrals will be accepted until the funding allocated for this activity has been depleted.

4.1.1.3. *Application Fee, Holding Fee, and Security Deposit Assistance*. RHA will accept direct referrals for this assistance from designated community partners whose scope of services includes homeless services. Referrals will be accepted until the funding allocated for this activity has been depleted.

4.1.2. Applications will be provided to all designated community partners and can be submitted via email.

4.1.3. Applicants must submit the application and all supporting documentation to RHA either by email, fax or in the office drop box. RHA does not accept walk-in appointments.

4.1.4. The application process will involve two phases. The first phase results in the household's completion of the application and submitting all required documentation. The second phase is determining eligibility through review of supporting documents.

## 4.2. PROCEDURE GOVERNING RECEIPT OF APPLICATIONS

4.2.1. The application constitutes the basic record of each household applying for assistance, as well as the required supporting documentation to verify eligibility. Each applicant, therefore, will be required to supply information as called for on the Application and sign the application, attesting to the accuracy of the data provided. Each application will reflect the date and time received. The application and all other materials relating to the household's eligibility are to be maintained in an active file for each applicant not classified as denied or withdrawn.

4.2.2. Designated community partners will contact RHA to return the completed application on behalf of the applicant. Applicants must submit the following additional documentation along with their application in order to determine eligibility for assistance:

4.2.2.1. *Proof of Identity*. In order to prevent program abuse, RHA will require applicants to furnish verification of legal identity for all household members.

4.2.2.1.1. Applicants must provide a current picture ID for all adult members of the household. This may include a DMV-issued driver's license or identification card, or other state or federally issued picture identification card.

4.2.2.2. *Proof of Residency*. RHA will require applicants to furnish verification of Washoe County Residency.

4.2.2.2.1. If the picture ID provided for proof of Identity does not list a Washoe County address, the applicant must provide other proof of residency, such as a lease agreement, utility bill, or postal verification.

4.2.2.2.2. Applicant must verify they have lived in Nevada for the last 2 years.

4.2.2.2.2.1. Documentation may include (but is not limited to) leases, bank statements, paycheck stubs, IDs, official mail, vehicle registration, etc. which shows a date of at least 2 years prior to the application.

4.2.2.2.2.2. For applicants exiting homelessness who do not have any of the above documentation, a Self Certification co-signed by a Case Manager, shelter staff, or referring partner will be accepted.

4.2.2.3. *Income*. Proof of applicant's current income is needed. Current is defined as the most recent 6 weeks of paycheck stubs for employment or the current year's award letter for

benefits such as Social Security, pension, welfare cash assistance, etc. RHA will determine income based on the guidelines in 24 CFR 5.609.

4.2.2.4. *Assets*. Verification of all household assets is needed. Households may self-certify assets up to \$50,000. For assets exceeding \$50,000, the household will be required to provide three (3) consecutive months of statements for all accounts.

4.2.2.5. *Proof of Program-Specific Eligibility*.

4.2.2.5.1. *Emergency Rental Assistance*.

4.2.2.5.1.1. Proof of an emergency situation that is preventing the applicant from being able to pay their unpaid rent and/or utility bills. Applicant must provide:

- Proof of medical event, job loss, death in the family, accident, or other emergency in the last 90 days, that includes a decrease of income, medical bills, or other expenses; AND

4.2.2.5.1.2. Proof of household's risk of homelessness. Applicant must provide:

- Their current lease; AND
- An eviction notice showing the cause is for non-payment of rent and the amount of rent due; OR
- A notice from utility provider showing utilities will be or have been shut off due to non-payment and the amount due; OR
- A certification from the referring agency that without the assistance, the household would be homeless in the upcoming 30 days.

4.2.2.5.1.3. Proof of balance(s) due. Applicant must provide:

- Eviction notice showing the amount of rent due; OR
- Notice from utility provider showing the amount due; OR
- A current ledger or utility bill showing the amount due (if the Proof of Household's Risk of Homelessness was documented with a certification from the referring agency).

4.2.2.5.2. *Motel Assistance*.

4.2.2.5.2.1. Proof of household's plan for housing stability. Applicant must provide:

- Documentation that they are working with a community-based social service agency on a plan for long-term housing stability.

4.2.2.5.2.2. Proof of household's risk of homelessness. Applicant must provide:

- Documentation that the household is homeless or at risk of homelessness. This may include documentation of Health Department or Code Enforcement actions to shut

down their prior residence, or documentation from Domestic Violence advocacy groups that the household was fleeing or attempting to flee domestic violence.

4.2.2.5.2.3. Proof of household's motel expenses. Applicant must provide:

- Motel check-in/registration documentation showing the weekly and/or monthly rate.

4.2.2.5.3. *Application Fee, Holding Fee, and Security Deposit Assistance.*

4.2.2.5.3.1. Proof of household's risk of homelessness. Applicant must provide:

- Documentation that the household is homeless or at risk of homelessness. This may include a statement from a shelter or a certification from the referring agency that without the assistance, the household would be homeless in the upcoming 30 days.

4.2.2.5.3.2. Proof of household's potential long-term housing unit and unit-search expenses. Applicant must provide:

- Documentation showing the potential long-term housing unit is located within Washoe County; AND
- Application Fees: A copy of the submitted application and documentation from the landlord showing the cost of the application fee.
- Holding Fees: Documentation from the landlord showing the cost of the holding fee and how it will be treated if a) the application is accepted or b) the application is denied and/or withdrawn.
- Security Deposit: A copy of the lease showing the household's name, the address for the long-term housing unit, the monthly rent, and the security deposit.

4.2.3. Applicant Interview. The applicant will be required to furnish complete and accurate information verbally as requested by the interviewer. The interviewer will review the application with answers supplied by the applicant. All adult members must sign the General Release of Information Form, and any other documents required by RHA. Failure to do so will be cause for denial of the application.

4.2.4. If RHA determines at or after the review of the application that additional information or document(s) are needed, RHA will request the document(s) or information in writing. The household will be given up to ten (10) calendar days to supply the information. If the information is not supplied in this time, RHA will provide the household a notification of denial for assistance.

4.2.4.1. RHA may, at its discretion, grant up to an additional ten (10) calendar days for the applicant to supply the required information if RHA determines the reason the applicant has been unsuccessful is beyond their control.

4.2.5. If, during the application review, it appears that the applicant is not eligible, the applicant is to be so informed in writing as to the reasons for ineligibility. The application will then be classified as denied. A copy of the denial letter will be attached to the application.

- 4.2.6. After receipt of initial application, changes affecting applicant information will be recorded. Such changes are to be dated and the reason and authority for such changes noted in the record.
- 4.2.7. The applicant may make an appeal of a determination of denial, in writing, within 10 calendar days of the notification of denial. The appeal will be considered by the Director of Rental Assistance or designated staff. A decision will be made within 10 calendar days of receiving the written appeal. Once the appeal has been decided the applicant will either be approved or denied. Any decision is final. If denied, the applicant must wait 90 days to apply again.

### 4.3. VERIFICATION AND DOCUMENTATION OF APPLICANT DATA

To assure that the data upon which determinations of eligibility, priority status, and amount of assistance to be paid are full, true and complete, the information submitted by each applicant/participant is to be verified.

- 4.3.1. Methods of Verification. The applicant is responsible for providing all verification of residency, income, assets, proof of emergency situation, housing crisis, and citizenship. RHA will only make independent attempts to verify information if it is beyond the applicants control to obtain the information. Should the applicant fail to provide acceptable verification, as outlined below, the application will be denied. RHA will independently verify the owner/management agent to whom the assistance or security deposit will be paid.

- 4.3.1.1. *Written Third Party Verification* – An original or authentic document generated by a third party source dated within the 120-day period preceding RHA’s request date. All documents will be photocopied and retained in the applicant/participant file. In cases where documents are viewed which cannot be photocopied, staff viewing the documents will complete a certification statement for the file. RHA will accept faxed or emailed documents.

- 4.3.1.1.1. RHA may reject a document for the following reasons:

- 4.3.1.1.1.1. The document is not original.

- 4.3.1.1.1.2. The original document has been altered, mutilated, or is not legible.

- 4.3.1.1.1.3. The document does not appear to be authentic.

- 4.3.1.1.2. If a document is rejected, the staff member will do the following:

- 4.3.1.1.2.1. Get concurrence from the Director of Rental Assistance or designated staff.

- 4.3.1.1.2.2. Place a copy of the document in the file.

- 4.3.1.1.2.3. Note on the document the reason why the document is being rejected.

- 4.3.1.1.3. If a document is verified to be a forgery, RHA will deny the application and place the household on a list, preventing them from receiving HPP funds on a future application.

- 4.3.1.2. *Third-Party Oral* – Oral third-party verifications may be used when written third-party is not possible. When third-party oral verification is used, staff will be required to originate the call and note with whom they spoke, the date of the conversation, and the facts provided. Third-party oral may be used to clarify information provided on the third-party written.

- 4.3.1.3. *Certification/Self-Declaration* – When verification cannot be made by the above verification methods, households will be required to submit a self-certification.

### 4.4. SUPPLYING REQUIRED INFORMATION

4.4.1. The household must supply any information that RHA determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. "Information" includes any requested certification, release, or other documentation.

4.4.2. All information supplied by the household must be true and complete.

#### **4.5. SUMMARY OF VERIFICATION DATA**

4.5.1. Verification data is to be reviewed and evaluated as received for completeness, accuracy and conclusiveness. Where the information received is not complete in all respects, follow-ups or new efforts to obtain such information are to be made and carried through to conclusion. If, during the verification process, it becomes evident that for one or more reasons an applicant is ineligible, the investigation is to be discontinued and the applicant notified in writing of his/her ineligibility, and the reasons therefore.

4.5.2. As verification of all necessary items for each application is completed, a summary of the verified information is to be prepared on a Certification Form attached to the application. The summary is to cover the following determinations and the basis for such:

4.5.2.1. Eligibility of the applicant as a family

#### **4.6. NOTIFICATION TO APPLICANTS**

4.6.1. If determined to be ineligible for assistance, the applicant is to be informed in writing of the determination. The reasons for the determination will be included in the written notification.

4.6.2. Applicants are required to inform RHA of changes in address or phone number. Applicants are also required to respond to requests from RHA to update information on their application and to determine their continued interest in assistance.

#### **4.7. REFERRAL FOR FINANCIAL GUIDANCE**

4.7.1. All applicants, regardless of approval or denial, will be referred to Opportunity Alliance for financial guidance.

#### **4.8. CERTIFICATION**

As a part of the application record of each household determined to be eligible for assistance, a designated staff member is to complete and sign the eligibility certification.



## **5. ASSISTANCE AMOUNT DETERMINATION AND APPROVAL PROCESS**

The accurate determination of the proper amount of assistance to be paid will ensure that RHA is efficiently utilizing its resources. This section defines how the amount of assistance will be determined. An applicant may only receive one of the benefits offered through this program. At no point may an applicant receive multiple types of assistance (Emergency Rental Assistance, Motel Assistance, and Application Fee/Holding Fee/Security Deposit Assistance) during a two-year period.

### **5.1. EMERGENCY RENTAL ASSISTANCE**

- 5.1.1. For households eligible under criteria 2.1.5.1, RHA will provide a one-time payment to pay unpaid rent and/or utility bills to prevent the household from becoming homeless and utilizing a shelter bed. The payment will be made directly to the landlord and/or utility provider. The amount paid is determined by the amount owed on their ledger and/or utility notice (not including insufficient funds (NSF) fees), up to the two-month maximum.
  - 5.1.1.1. If the household owes more than the maximum assistance amount and the landlord or utility provider has verified that they will NOT accept a partial payment, the application will be denied.
- 5.1.2. RHA may attempt to independently verify the information on the provided documentation, including the amount owed, if it has reason to question the authenticity of the document.
  - 5.1.2.1. If unpaid rent, the applicant must also provide the contact information for the landlord.
  - 5.1.2.2. If the amounts owed are unpaid utilities, the applicant must provide their account number and contact information for the billing department of the utility provider, if this is not contained on the utility notice.
- 5.1.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.1.4. RHA will make every effort to issue the assistance payment to the payee on or before any eviction date or utility shut-off date. If there are pending verification items, or if the payee's identity cannot be verified prior to an eviction or shut-off date, but payment will still resolve the eviction or utility issue, RHA will issue payment within 3 business days of verifying the payee or final information.
- 5.1.5. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

### **5.2. MOTEL ASSISTANCE**

- 5.2.1. For households eligible under criteria 2.1.5.2, RHA will provide up to 60 days of rent payment for a motel unit to allow the household to develop a plan for long-term housing stability. The payment will be made directly to the landlord. The amount paid is determined by the lease or summary of charges, verified by the landlord and/or property manager (up to the 60-day maximum).
- 5.2.2. RHA may attempt to independently verify the information on the provided documentation if it has reason to question the authenticity of the document.
- 5.2.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.2.4. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

**5.3. APPLICATION FEES, HOLDING FEES, AND SECURITY DEPOSIT ASSISTANCE**

- 5.3.1. For households eligible under criteria 2.1.5.3, RHA will provide up to two (2) application fees, two (2) holding fees, and one (1) security deposit to assist the household to secure a long-term housing unit in Washoe County. The payment(s) will be made directly to the landlord. The amount paid is determined by the documented application fee, holding fee, and security deposit, verified by the landlord and/or property manager.
- 5.3.2. RHA may attempt to independently verify the information on the provided documentation if it has reason to question the authenticity of the document.
- 5.3.3. RHA will verify the payee is the management agent or owner of the unit by searching records through the Washoe County Assessor's Office, or by requesting documentation directly from the payee that may include a management agreement, title, or deed. The assistance will not be paid until RHA can verify the payee is the management agent or owner of the unit.
- 5.3.4. RHA will mail the check to the payee, or upon request, the check may be picked up with corresponding photo identification at the RHA main office.

## **6. USE OF PROGRAM RECEIPTS**

### **6.1. PROGRAM RECEIPTS**

RHA shall use program receipts to provide homeless prevention assistance for eligible households. Program receipts may only be used to pay program expenditures.

### **6.2. PROGRAM EXPENDITURES**

RHA shall reserve the right to utilize up to 6% of program receipts for administrative expenditures.

## APPENDIX 1 - DEFINITION OF TERMS

**ANNUAL INCOME.** All amounts, monetary or not, which:

- a. Go to, or on behalf of, the family head or to any other family member; or
- b. Are anticipated to be received from a source outside the family during the 12-month period following approval for assistance; and
- c. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

**APPLICANT.** For the purposes of this document, the term "applicant" includes the head of household, spouse, all dependents, and all other adult members of the household and their dependents.

**APPLICATION FEE.** The amount the owner/manager collects from the tenant at the date of application to cover the cost to process the application. This fee is usually non-refundable.

**DISABLED FAMILY.** A household with a household member who is a person with disabilities. It may include two or more persons with disabilities living together.

**DISABLED PERSON.** "Disabled Person" means a person who is under a disability as defined in Section 223 of the Social Security Act or in Section 102 (5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970, or who is handicapped as defined in this Part. Section 223 of the Social Security Act defines "disability" as:

- a. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to last for a continuous period of not less than 12 months; or
- b. In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in Section 416(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time. Section 102 (5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970, defines "disability" as: a disability attributable to mental retardation, cerebral palsy, epilepsy or another neurological condition of an individual found by the Secretary (of Health, Education and Welfare) to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely and which constitutes a substantial handicap to such individual.

**ELDERLY FAMILY.** A household with a household member who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together.

**ELDERLY PERSON.** A person who is at least 62 years old.

**ELIGIBLE FAMILY.** A household which qualifies as a Low-Income Family and which meets the other requirements of this Administrative Plan. The term "Family" includes Elderly, Disabled Person, or a single person.

**ELIGIBLE IMMIGRATION STATUS.** 24 CFR 5, Subpart E.

- a. Restrictions on assistance. Financial assistance under this program is restricted to:

Citizens; or

Noncitizens who have eligible immigration status in one of the following categories:

A noncitizen lawfully admitted for permanent residents, as defined by Section 101(a)(30) of the Immigration and Nationality Act (INA)(8 U.S.C. 1101 (a)(20) and 1101 (a)(15), respectively) (immigrants). (This category includes a noncitizen admitted under Section 210 or 210A of the INA (8 U.S.C. 1160 or 1161) who has been granted lawful temporary resident status);

A noncitizen who entered the United States before January 1, 1972, or such later date as enacted by law, and has continuously maintained residence in the United States since then, and who is not ineligible for citizenship,

but who is deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under Section 249 of the INA (8 U.S.C. 1259);

A noncitizen who is lawfully present in the United States pursuant to an admission under Section 207 of the INA (8 U.S.C. 1157) (refugee status); pursuant to the grant of asylum (which has not been terminated) under Section 208 of the INA (8 U.S.C. 1153 (a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic national calamity;

A noncitizen who is lawfully present in the United States as a result of an exercise of discretion by the Attorney General for emergent reasons deemed strictly in the public interest under Section 212 (d)(5) (parole status);

A noncitizen who is lawfully present in the United States as a result of the Attorney General's withholding deportation under Section 243(h) of the INA (8 U.S.C. 1253(h)) (threat to life or freedom); or

A noncitizen lawfully admitted for temporary or permanent residence under Section 245 A of the INA (8 U.S.C. 1255(a) amnesty granted under INA 245 A).

b. Family eligibility for assistance.

A family shall be eligible for assistance so long as at least one member of the family residing in the unit is determined to have eligible status, as described in paragraph (a) of this section;

**EMERGENCY SITUATION.** An event including a medical event, job loss, death in the family, accident, or other emergency that has affected a household member within the last 90 days.

**FAMILY (HOUSEHOLD).** "Family" includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- a. A single person, who may be an elderly person, displaced, person, disabled person, near-elderly person or any other single person; or
- b. A group of persons residing together, and such group includes, but is not limited to:
  - i. Households with or without children;
  - ii. An elderly family;
  - iii. A disabled family and;
  - iv. A minor who has been awarded a decree of emancipation by a competent court having jurisdiction over said minor.

Also included in the Family for purposes of determining the amount of relocation assistance may be:

- a. Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively. (There will be a self-certification required of households who claim joint custody or temporary guardianship.)
- b. Other persons who will live regularly as part of the Family group, including foster children and members of the Family temporarily absent, and whose income and resources are available for use in meeting the living expenses of the group.
- c. Lodgers may not be included in the Family.

**HOLDING FEE (a.k.a. UNIT HOLDING FEE).** The amount the owner/manager collects from the tenant at the date of application to take the unit off the market. This fee may be refundable should the application be denied, depending on the landlord's policies. If the application is approved, this fee is usually applied toward the security deposit.

**INCOME.** The types of money which are to be used as income for purposes of calculating the family's income are defined by HUD in federal regulations. See 24 CFR 5.609.

**INCOME LIMITS.** The maximum annual income a household may have to be eligible for assistance as determined by

HUD (Appendix 2).

**LANDLORD.** This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

**LEASE.** A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a household.

**LOW-INCOME FAMILY.** A household whose income does not exceed 60 percent of the median household income for the area, as determined by HUD with adjustments for smaller and larger households (Appendix 2, Income Limits)

**NET FAMILY ASSETS.** Value of equity in savings, checking, real property, stocks, bonds and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

**NON-CITIZEN.** A person who is neither a citizen nor a national of the United States.

**OWNER.** Any person or entity, including a cooperative, having the legal right to lease or sub-lease a dwelling unit.

**SECURITY DEPOSIT.** The amount the owner/manager collects from the tenant at the date of lease up, as outlined in the lease agreement for protecting the landlord from damages, unpaid rent, or if the tenant breaks or violates the terms of the lease or rental agreement.

**TRANSITION AGED YOUTH.** A youth between the ages of 18 to 25 years old. This person may be the head of household/co-head of household/spouse, or they may be another adult in the household.

**UNPAID RENT.** Rent owed to the landlord resulting from the failure of the tenant to pay their portion of the rent through the end of the month.

**UTILITIES.** Includes electricity, gas, water, sewer or trash collection.

**APPENDIX 2 - INCOME LIMITS**

# Persons	30% AMI (Extremely Low-Income)	50% AMI (Very Low-Income)	60% AMI (Low-Income)
1	\$21,250	\$35,450	\$42,540
2	\$24,300	\$40,500	\$48,600
3	\$27,350	\$45,550	\$54,660
4	\$30,350	\$50,600	\$60,720
5	\$32,800	\$54,650	\$65,580
6	\$35,250	\$58,700	\$70,440
7	\$37,650	\$62,720	\$75,300
8	\$40,100	\$66,800	\$80,160

<https://www.hudexchange.info/programs/home/home-income-limits/>

HOUSING AUTHORITY OF THE CITY OF RENO  
RESOLUTION **24-12-03 RH**

A RESOLUTION APPROVING REVISIONS TO THE ADMINISTRATIVE PLAN FOR THE HOMELESS PREVENTION PROGRAM TO REFINE THE ASSISTANCE PROVIDED BY RHA TO ELIGIBLE HOUSEHOLDS.

WHEREAS, the Authority wishes to keep the Administrative Plan for the Homeless Prevention Program up to date, clear, and in accordance with all required regulations, and

WHEREAS, staff has proposed the following revisions to the Administrative Plan as shown in attached Exhibit 241203-A, and

WHEREAS, staff has determined that these changes to the Administrative Plan are in accordance with HUD and NHD regulations;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of the Housing Authority of the City of Reno as follows:

1. That the Board of Commissioners hereby approves the revision to the Homeless Prevention Program Administrative Plan in substantially the form attached hereto marked Exhibit 241203-B

BE IT FURTHER RESOLVED, that this Resolution becomes effective immediately.

ADOPTED THIS 17<sup>th</sup> DAY OF December, 2024.

ATTEST:

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SECRETARY



**RENO HOUSING AUTHORITY**

**AGENDA ITEM NUMBER: 4**

**December 17, 2024**

**SUBJECT: Commissioner Reports (Discussion)**

**FROM: Executive Director**

**RECOMMENDATION: Discussion**

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**RENO HOUSING AUTHORITY**

**AGENDA ITEM NUMBER: 5**

**December 17, 2024**

SUBJECT: Executive Director/Secretary's Report. (Discussion)

FROM: Executive Director

RECOMMENDATION: Discussion

**A. Update on Agency Activities**

- RHA was awarded the Nevada Tobacco Control and Smokefree Coalition (NTCSC) Community Champion Award. RHA’s Director of Asset Management accepted the award during the NTCSC meeting on December 11, 2024.
- RHA held a ribbon cutting ceremony at Railyard Flats on November 22, 2024. The event was well attended, and the property is a great addition to downtown Sparks. The property is currently leasing and the first tenants are anticipated to move-in before year end.
- The Executive Director attended the California Housing and Community Development conference on December 2-4, 2024. The conference included helpful sessions on obtaining credit ratings for PHAs, providing veteran housing, and housing development finance.
- The Executive Team provided an overview of RHA and how it serves the community at a State of Nevada new legislator briefing held on December 11, 2024. RHA was joined at the briefing by Southern Nevada Regional Housing Authority (SNRHA), Nevada Rural Housing (NRH), Nevada Housing Division, and The Guinn Center.
- RHA participated in the KTVN Share Your Christmas Drive By Food Drive to support the Food Bank of Northern Nevada and their efforts to fight hunger and food insecurity. The event was held on December 13, 2024.
- Resident Services staff moved into their new office at 440 Reno Avenue. Most of the interior renovations needed are complete. Staff are working on signage at the property. Clients have been notified of the move via Nixle, social media, RHA’s website, and other means.
- RHA held its holiday party on December 7, 2024. There was good staff attendance, and it was a fun event. The events committee organized the party and is appreciative of the Board’s financial support for this event.

**B. Rental Assistance Voucher Programs/Asset Management**

**Rental Assistance**

<b>Voucher Type</b>	<b>Total Voucher Baseline</b>	<b>Vouchers Leased as of 12/1/24</b>	<b>Percent Leased</b>	<b>Vouchers Issued Not Yet Leased</b>
Housing Choice Voucher	2,638	2,362	90%	47
VASH	441	385	87%	41

VASH – pending PBV awards	100	0	0%	0
EHV	118	106	90%	6
FYI	15	11	73%	4

<b>Number HQS Inspections Conducted</b>	Nov 2024	227
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**City of Sparks Eviction Prevention Program**

Total Funding Awarded	Total Assistance Approved as of 12/3/24	Number of Households Approved as of 12/3/24	Percent Funding Spent
\$1,455,000	\$688,430	143	49%

**Homeless Prevention Program**

Total Funding Available	Total Assistance Approved as of 12/3/24	Number of Households Approved as of 12/3/24	Percent Funding Spent
\$316,051.87	\$78,281.61	31	29%

**Housing Choice Vouchers (HCV)**

Description: Vouchers used by clients to lease a unit in Washoe County of their choosing. Applicants are pulled from the RHA HCV Waitlist. These vouchers also include Project Based Vouchers. The RHA has chosen to project-base 113 of our HCV’s to assist special populations obtain housing. Of the total 113 PBV units, 60 are assigned to RHA-owned properties. Lease-Up Expectations: Although our total voucher allocation is 2703 (increased from 2554 due to the Silverada RAD conversion), HUD has set the agency’s leasing expectation at 2638 (a.k.a. RHA’s MTW Baseline), which is the maximum leasing expectation set by HUD when RHA signed its MTW Contract. Funds provided by HUD to support the HCV program are also used to support the agency’s MTW activities and therefore full lease up of all 2703 vouchers is not expected or suggested by HUD.

**Veteran’s Affairs Supporting Housing Vouchers (VASH)**

Description: Vouchers allocated by HUD with an ongoing partnership with the VA to serve homeless veterans. The VA provides case management services to participants. The VA makes direct referrals to RHA of eligible clients and the RHA provides a VASH voucher. Currently, RHA has project-based 143 of these vouchers.

**Emergency Housing Vouchers (EHV)**

Description: Vouchers allocated by HUD for the specific purpose of assisting homeless individuals or families or those at risk of homelessness in obtaining housing. RHA is partnering with five local agencies (Catholic Charities, Health Plan of Nevada, Washoe County Human Services-Our Place, Washoe County Housing and Homeless Services-Cares Campus, and Volunteers of America) that have experience providing services to this population. Direct referrals for the program must come from the regional Continuum of Care (CoC) coordinated entry system through the partner agency. Lease-Up Expectations: Although 137 vouchers

were originally allocated, 19 vouchers are unable to be re-issued after 9/30/23 and have been removed from the baseline, leaving 118 vouchers.

### **Foster Youth to Independence Vouchers (FYI)**

Description: Voucher allocated by HUD for the specific purpose of assisting foster youth aging out of the foster care system. RHA is partnering with Washoe County Human Services and Eddy House to provide direct referrals and case management to clients.

### **Asset Management**

- Maintenance continued working on moving staff from Silverada to their new temporary locations and assisted with the community room clean out at Stead. During the month of November, Maintenance staff attended an all-day HVAC training course to enhance their knowledge of interconnected mini split systems.
- Management continued working on setting up the Public Housing Rent Café portal. We anticipate all set ups and training should be completed in January. Management also started working with residents who are located in the 1<sup>st</sup> phase of construction at Stead to complete temporary transfers to new units while their units are rehabilitated. All 1<sup>st</sup> phase residents of Stead were successfully relocated during the month of November.
- During the month of November, interviews were conducted for the Maintenance I position. The selected candidate is currently going through the pre-employment process with an expected start date in December.
- Public Housing ended the month of November with 154 vacancies for an overall occupancy rate of 74.70% across all sites. 100 of those are from Hawk View which has completed permanent relocation of all residents in preparation for demolition. Out of the 154 vacancies, 24 of the vacancies are being used by residents of Stead, McGraw, and Silver Sage who have been temporarily relocated while rehabilitation is being completed in their units. Once we have closed on the Hawk View project, those units will be pulled from the public housing portfolio and will no longer be counted in the vacancy rate. Without Hawk View vacancies, public housing has an occupancy rate of 89.40%. While that is still a high vacancy rate for our agency, we have been holding vacancies at all our complexes for temporary relocation. RHA is working on completing substantial rehabilitation or demolition on 4 of the 8 public housing complexes which started in 2024.

## **C. Update on Resident Services**

### **Senior Services**

- Golden Groceries Food Pantry at Tom Sawyer: Held on November 7th and 21st, serving 40 and 50 clients, respectively.
- Dementia Class at Willie J. Wynn: Conducted on November 1st with 13 participants.
- Senior Dance Class at Willie J. Wynn: Weekly sessions continue, with 6–8 seniors participating weekly.

- How to Grow Your Own Garlic Workshop: Hosted by Reno Food Systems on November 13th with 16 participants.
- Community Health and Wellness Program by Sanford Center for Aging: Conducted at Willie J. Wynn on November 19th, with 10 participants.
- Thanksgiving Meals:
  - **Willie J. Wynn:** Served 34 residents on November 22nd.
  - **Silverada:** Served residents of Silverada, Tom Sawyer, and McGraw Court on November 28th, with 60 attendees.



### Resident Engagement:

- Resident Council Activities:
  - **Silverada Manor:** Elections held on November 14th; new Tenant Representative elected. The final "Meet Your Neighbor" event took place on November 27th, with 8 participants.
  - **Tom Sawyer Village:** Elections were conducted on November 4th with no changes, 8 participants attended.
  - **Mineral Manor:** Elections held on November 12th, maintaining the existing council, 4 participants attended.
  - **Essex Manor:** Prepared for a Christmas Tamale-making demonstration on November 7th, with 4 attendees.
  - **Stead Manor:** Hosted a community giveaway on November 9th, with 12 attendees.
  - **Myra Birch:** Coordinated a Thanksgiving event on November 13th with 6 participants and began plans for a Community Christmas.

### Workforce Development:

- Family Self-Sufficiency (FSS) Program:

- **Workshops:** Importance of Car and Life Insurance Workshop held on November 6th with 4 participants.
- **NET/PCC:** The relaunch of NET/PCC (Network of Employment and Training/Program Coordinating Committee) with a renewed focus on fostering collaboration and resource-sharing within our community. This platform is designed to facilitate meaningful discussions about the evolving needs of our clients and the broader community while allowing members to share information about programs that can drive positive change. Our goal is to ensure this committee remains dynamic and relevant as we move into 2025. This effort is supported by Sidney Sullivan, Program Director of the Career and Partnership Programs at Truckee Meadows Community College, whose expertise will help guide this initiative forward. The first session successfully attracted approximately 20 participants.

### **Youth Programs:**

- Start Smart Program:
  - **Workshops:** Financial Literacy Workshop on November 6th, with 15 attendees.

### **Upcoming Projects & Events:**

- Holiday Card Project: Holiday cards were distributed.
- Junior Ski Program: The Jr. Ski Program is underway as we begin setting up for the upcoming season. Recruitment materials have been distributed, including an updated flyer and registration sheet. Bobo's continues to support the program by providing equipment for 60 RHA youth, with fittings facilitated by RHA staff over several scheduled dates in December. The program is on track, and all preparatory steps are being coordinated to ensure a smooth start to the season.
- Reno Avenue: We are transitioning to our new location at 440 Reno Avenue, Reno, NV, 89509 and will be fully operational in the new space by the week of December 16, 2024.
- ASIST (Applied Suicide Intervention Skills Training): Staff are signed up to participate in ASIST through the State of Nevada. This two-day intensive and interactive workshop is designed to help caregivers recognize and review suicide risk and intervene to prevent immediate harm. ASIST is one of the most widely used, acclaimed, and researched suicide intervention programs in the world, equipping participants with critical skills to effectively support individuals in crisis.

### **D. Update on Government & Public Affairs Activities**

- Greater Nevada Credit Union presented RHA with a \$100,000 check for the Federal Home Loan Bank of San Francisco AHEAD Grant on November 18, 2024. The funds will support current Workforce Development programs including participant workshops, training sessions, incentives, and scholarships.

- RHA hosted the Railyard Flats ribbon cutting on November 22, 2024, and commemorated the project with remarks on behalf of Nevada’s federal and state delegations, and elected officials from the cities of Reno and Sparks.
- Completed Elderly Services outreach regarding staff’s relocation due to Silverada Manor’s reconstruction and worked with Resident Services to run social media and other posts on the departments move to Reno Avenue.
- Finalizing the 2025 client calendar.

#### **E. Update on Development Department Activities**

Please see RHA’s Development Quarterly Update on Item 10.

#### **F. Update on Information Technology Activities**

- A new director of IT was hired and is starting on January 6, 2025.
- IT staff continues to implement YARDI
- Staff is developing workflow procedures for Laserfiche with department directors.

#### **G. Update on MTW Activities**

##### **FY 2026 Annual MTW Plan:**

- New activities under consideration include Direct Rental Assistance, an alternative inspection policy for newly constructed or substantially rehabilitated properties, limiting LIHTC assisted units to RHA’s Basic Payment Standard, and a special needs direct referral program. Based on recent feedback received from RHA’s landlords, no changes are needed to the Landlord Incentive Program at this time.
- Summaries of each activity will be drafted and presented to RHA’s Resident Advisory Board beginning in January. During these meetings, residents can provide comments and/or concerns regarding each of the proposed MTW activities. In addition to the Resident Advisory Board, the proposed activities will be presented at each of the Resident Council meetings in February and March.

### **TDC Waiver Activity:**

- RHA has formally rescinded the Total Development Cost (TDC) activity waiver proposed in the FY 2024 Annual MTW Plan Amendment per HUD's request. On August 15, 2024, HUD provided guidance on the TDC Formula Review Process which states in part, "While HUD may issue TDC waivers or adjustments for unique projects, it generally does not support blanket TDC waivers." As HUD has made the process to request an agency wide waiver incredibly cumbersome, including reviews from the Office of Urban Revitalization, the Office of Capital Improvements, the Office of General Counsel, the Office of the Deputy Assistant Secretary, and the Office of the Principal Deputy Assistant Secretary, RHA will submit project-specific requests for TDC waivers to HUD on an as needed basis.

### **2025 MTW Conference:**

- RHA's MTW Initiatives & Housing Policy Manager was invited to be on the planning committee for the upcoming MTW Conference. The MTW Conference, which is held annually in Washington DC, brings 138 MTW agencies, researchers, and HUD officials together to network and learn from each other. This year's conference will be held April 30 – May 2, 2025.

### **H. Update on Legal Inquiries**

No legal updates.

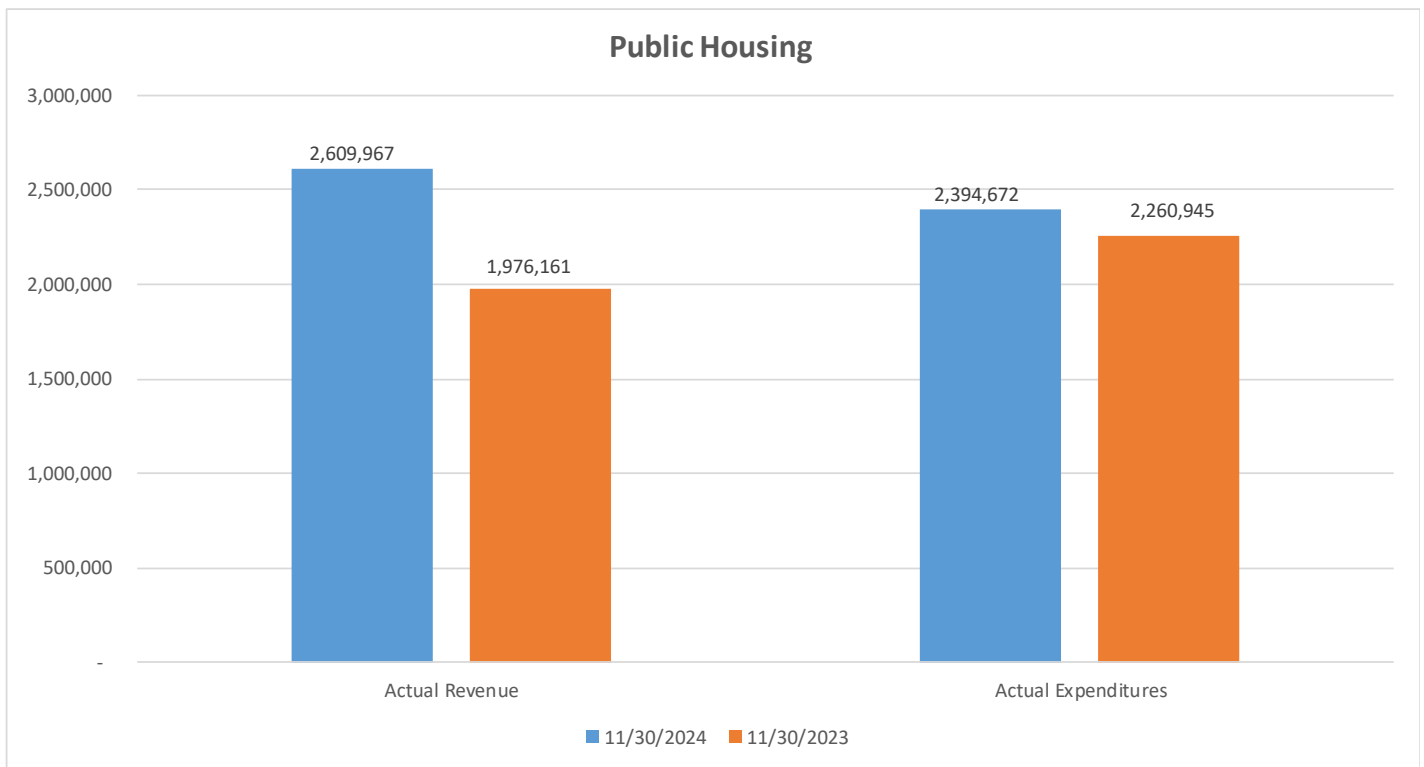
### **I. Financials**

See attached graphics on the following pages.

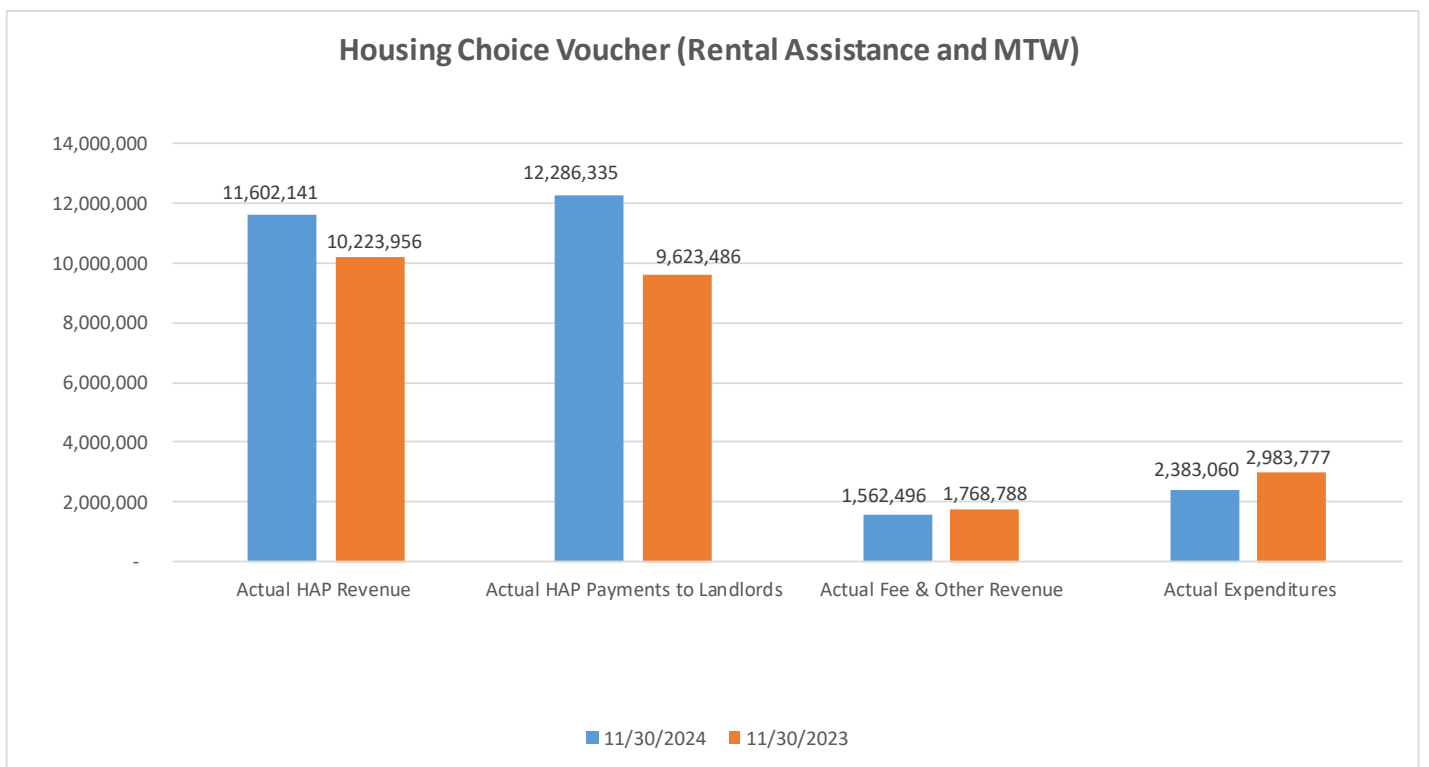


ENTITY-WIDE FINANCIAL REPORT  
FOR THE 5 MONTHS ENDED NOVEMBER 30, 2024

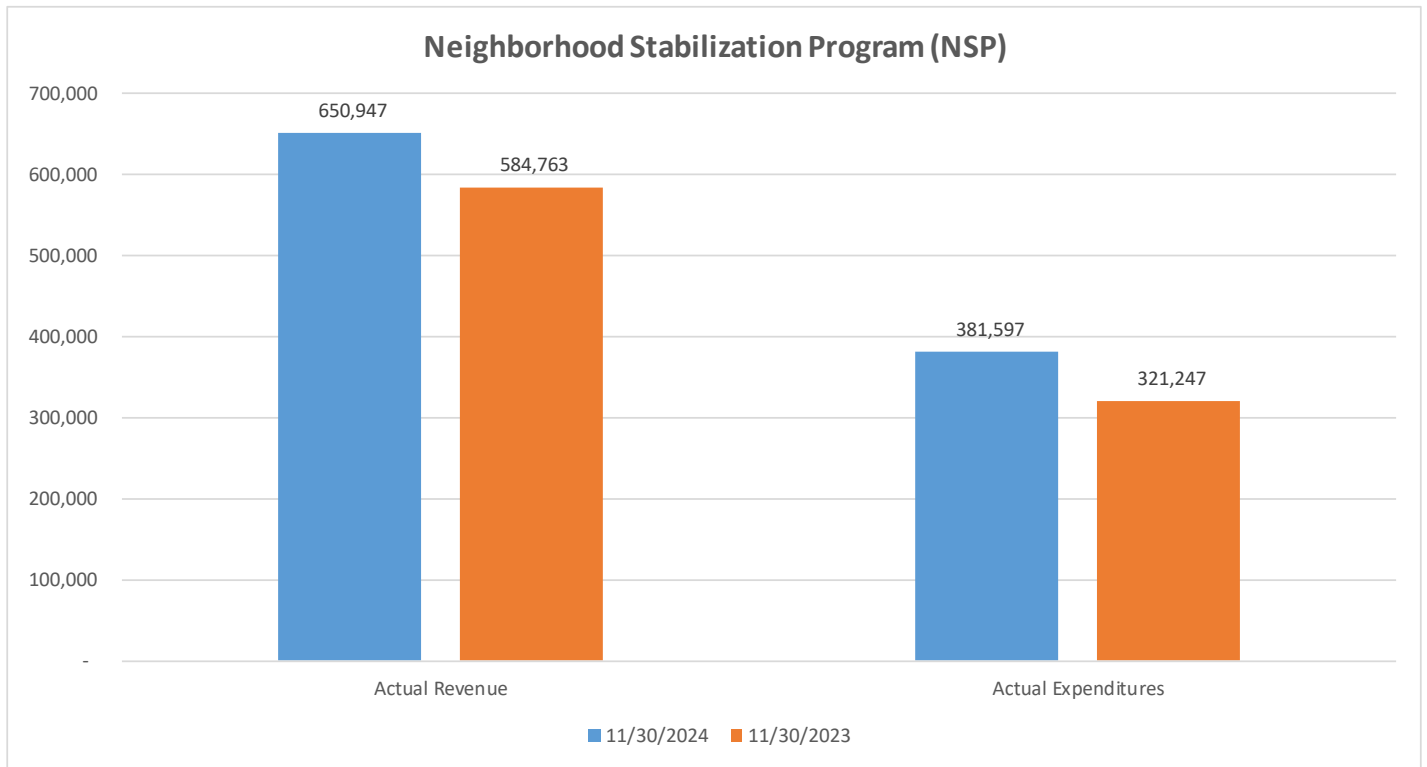
Public Housing	11/30/2024	11/30/2023	Variance	Variance Percentage
Actual Revenue	2,609,967	1,976,161	633,806	32.07%
Budgeted Revenue	1,984,633	2,201,825	(217,192)	-9.86%
Actual Expenditures	2,394,672	2,260,945	133,727	5.91%
Budgeted Expenditures	2,156,086	2,755,247	(599,161)	-21.75%
Actual Surplus (deficit)	215,296	(284,784)	500,080	-175.60%



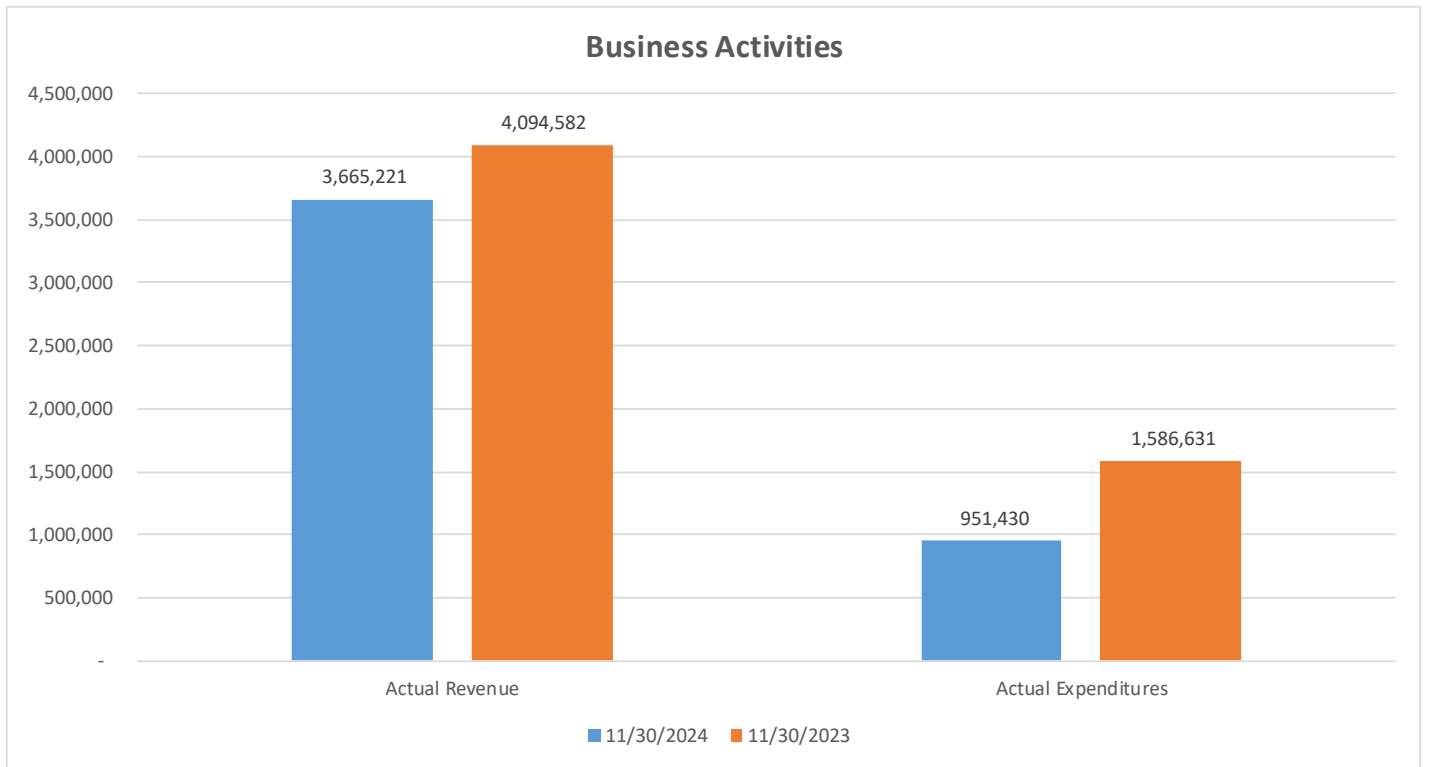
Housing Choice Voucher (Rental Assistance and MTW)	11/30/2024	11/30/2023	Variance	Variance Percentage
Actual HAP Revenue	11,602,141	10,223,956	1,378,185	13.48%
Budgeted HAP Revenue	11,847,150	11,645,903	201,247	1.73%
Actual HAP Payments to Landlords	12,286,335	9,623,486	2,662,849	27.67%
Budgeted HAP Payments to Landlords	10,634,430	10,289,979	344,451	3.35%
<i>HAP Surplus (Deficit)</i>	<i>(684,194)</i>	<i>600,470</i>	<i>(1,284,663)</i>	<i>0.00%</i>
Actual Fee & Other Revenue	1,562,496	1,768,788	(206,292)	-11.66%
Budgeted Fee & Other Revenue	1,608,320	1,250,743	357,577	28.59%
Actual Expenditures	2,383,060	2,983,777	(600,717)	-20.13%
Budgeted Expenditures	2,823,460	2,178,610	644,850	29.60%
<i>Unrestricted Profit (Loss)</i>	<i>(820,564)</i>	<i>(1,214,989)</i>	<i>394,425</i>	<i>-32.46%</i>
Actual Surplus (deficit)	(1,504,758)	(614,520)	(890,238)	144.87%



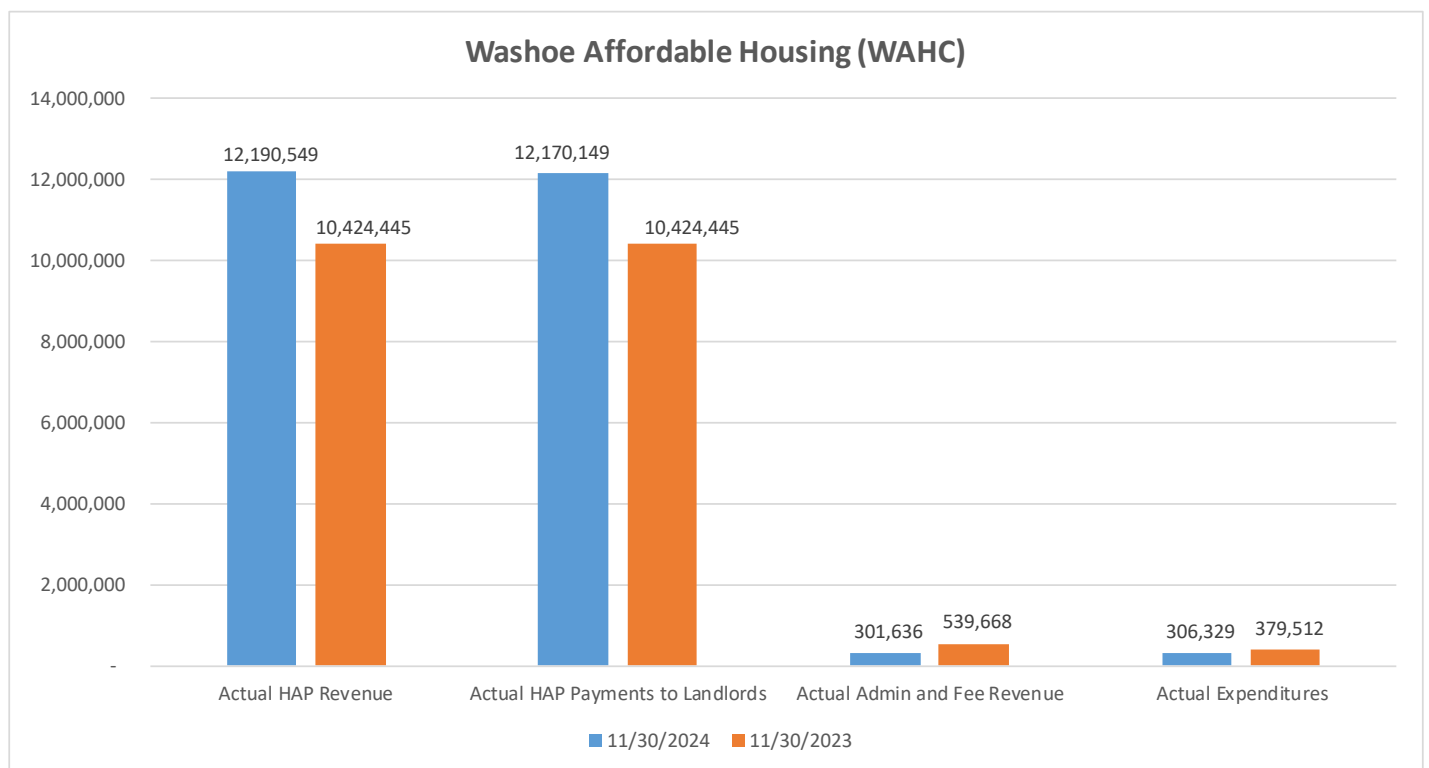
Neighborhood Stabilization Program (NSP)	11/30/2024	11/30/2023	Variance	Variance Percentage
Actual Revenue	650,947	584,763	66,184	11.32%
Budgeted Revenue	606,865	588,370	18,495	3.14%
Actual Expenditures	381,597	321,247	60,351	18.79%
Budgeted Expenditures	408,795	349,994	58,801	16.80%
Actual Restricted Surplus (deficit)	269,350	263,517	5,833	2.21%



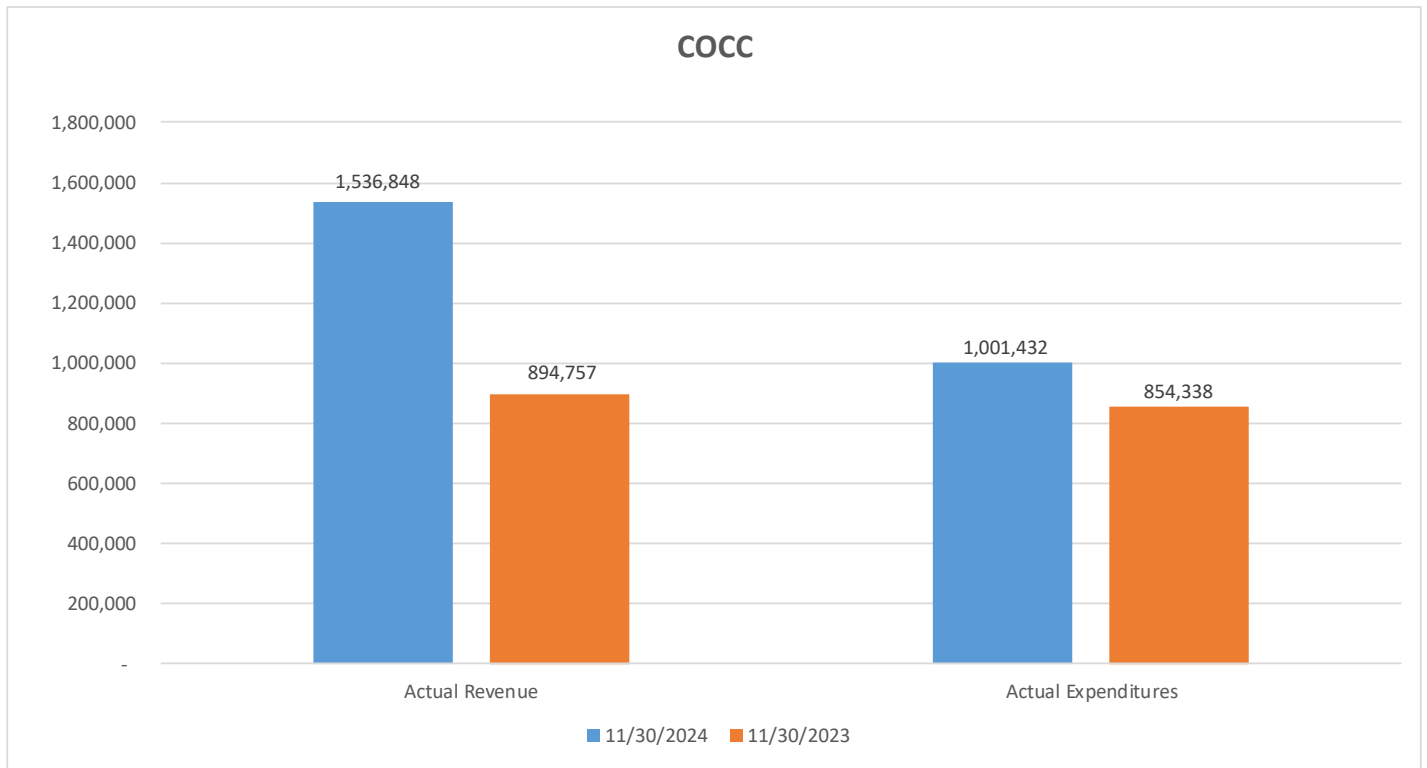
Business Activities	11/30/2024	11/30/2023	Variance	Variance Percentage
Actual Revenue	3,665,221	4,094,582	(429,361)	-10.49%
Budgeted Revenue	1,718,825	1,652,470	66,355	4.02%
Actual Expenditures	951,430	1,586,631	(635,200)	-40.03%
Budgeted Expenditures	923,140	705,450	217,690	30.86%
Actual Unrestricted Surplus (deficit)	2,713,790	2,507,951	205,839	8.21%



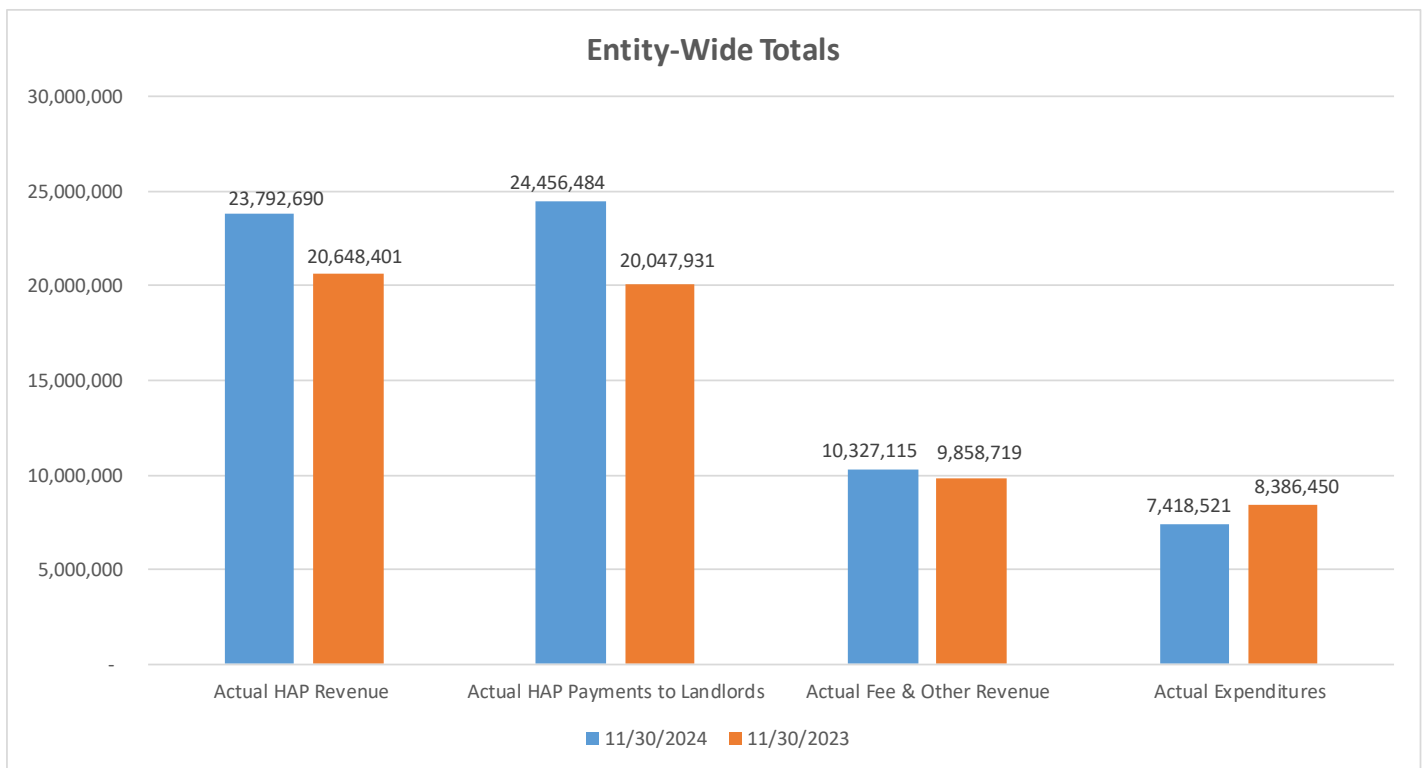
Washoe Affordable Housing (WAHC)	11/30/2024	11/30/2023	Variance	Variance Percentage
Actual HAP Revenue	12,190,549	10,424,445	1,766,104	16.94%
Budgeted HAP Revenue	10,974,420	11,173,287	(198,867)	-1.78%
Actual HAP Payments to Landlords	12,170,149	10,424,445	1,745,704	16.75%
Budgeted HAP Payments to Landlords	10,974,420	11,173,287	(198,867)	-1.78%
<i>HAP Surplus (Deficit)</i>	<i>20,400</i>	<i>-</i>	<i>20,400</i>	<i>0.00%</i>
Actual Admin and Fee Revenue	301,636	539,668	(238,033)	-44.11%
Budgeted Admin and Fee Revenue	506,445	429,671	76,774	17.87%
Actual Expenditures	306,329	379,512	(73,183)	-19.28%
Budgeted Expenditures	386,519	330,161	56,357	17.07%
<i>Unrestricted Profit (Loss)</i>	<i>(4,694)</i>	<i>160,156</i>	<i>(164,850)</i>	<i>-102.93%</i>
Actual Surplus (deficit)	15,706	160,156	(144,450)	-90.19%



COCC	11/30/2024	11/30/2023	Variance	Variance Percentage
Actual Revenue	1,536,848	894,757	642,091	71.76%
Budgeted Revenue	1,160,705	911,625	249,080	27.32%
Actual Expenditures	1,001,432	854,338	147,094	17.22%
Budgeted Expenditures	1,490,490	1,294,722	195,768	15.12%
Actual Unrestricted Surplus (deficit)	535,416	40,419	494,997	1224.66%



Entity-Wide Totals	11/30/2024	11/30/2023	Variance	Variance Percentage
Actual HAP Revenue	23,792,690	20,648,401	3,144,289	15.23%
Budgeted HAP Revenue	22,821,570	22,819,190	2,380	0.01%
Actual HAP Payments to Landlords	24,456,484	20,047,931	4,408,553	21.99%
Budgeted HAP Payments to Landlords	21,608,850	21,463,266	145,583	0.68%
<i>HAP Surplus (Deficit)</i>	<i>(663,794)</i>	<i>600,470</i>	<i>(1,264,263)</i>	<i>-210.55%</i>
Actual Fee & Other Revenue	10,327,115	9,858,719	468,395	4.75%
Budgeted Fee & Other Revenue	7,585,793	7,034,704	551,089	7.83%
Actual Expenditures	7,418,521	8,386,450	(967,929)	-11.54%
Budgeted Expenditures	8,188,489	7,614,185	574,305	7.54%
<i>Unrestricted Profit (Loss)</i>	<i>2,908,594</i>	<i>1,472,270</i>	<i>1,436,324</i>	<i>97.56%</i>
Actual Surplus (deficit)	2,244,800	2,072,739	172,061	8.30%



**RENO HOUSING AUTHORITY**

**AGENDA ITEM NUMBER: 6**

**December 17, 2024**

**SUBJECT:** Discussion and possible approval of Resolution 24-12-04 RH approving the demolition of Hawk View Apartments prior to financial closing and disposition of the property for redevelopment of the site and authorizing the Executive Director to contract for demolition. Total fiscal impact of up to \$900,000 in previously authorized funds. (For Possible Action)

**FROM:** Executive Director

**RECOMMENDATION:** For Possible Action

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**Background:**

RHA received Section 18 Disposition approval from HUD for Hawk View Apartments in March 2024. Per HUD's approval letter, RHA is able to dispose of the property to a different ownership entity, after which the new ownership entity can demolish the existing buildings as part of a redevelopment project. Because disposition to Hawk View, LLC, occurs at financial closing, the disposition and demolition have been delayed several months.

Beginning in September 2024, RHA secured the vacant site with fencing and contracted with Allied Security to perform three (3) nightly patrols of the property. Unfortunately, despite these security measures, there have been ongoing issues with trespassing and damage to the property. Most recently, a small fire broke out in one of the vacant units on the property. Luckily, the fire was quickly contained and did not result in injury or damage to any of the neighboring properties. However, in an effort to further limit these types of issues, staff would like to pursue demolition of the buildings as soon as possible.

Resolution 24-12-04 RH authorizes the agency to demolish the existing buildings at Hawk View prior to disposing of the property to the new ownership entity. Following the adoption of the board resolution, the agency will request HUD's timely approval of demolition prior to disposition at Hawk View. Once HUD approval has been received, RHA will enter a contract to demolish the buildings. The contract amount is estimated to be up to \$900,000. The funding for this scope of work will come from the HUD-held reserves that the board previously obligated for the project via Resolution 23-03-07 RH in March 2023.

The demolition contract and budget will be separate from the overall Hawk View redevelopment budget and the construction contract between Brinshore and Pinecrest. To expedite the demolition as much as possible, staff are requesting that the board authorize the Executive Director to enter into a contract for the demolition, in an amount not to exceed \$900,000, as soon as that contract is in executable form.

**Staff Recommendation and Motion:**

Staff recommends that the Board of Commissioners motion to adopt Resolution 24-12-04 RH authorizing the demolition of Hawk View Apartments prior to disposition and to authorize the



Executive Director to enter into a contract for the demolition, in an amount not to exceed \$900,000, as soon as that contract is in executable form.

HOUSING AUTHORITY OF THE CITY OF RENO

RESOLUTION 24-12-04 RH

A RESOLUTION AUTHORIZING THE DEMOLITION OF HAWK VIEW PRIOR TO FINANCIAL CLOSING AND DISPOSITION

The following resolutions were duly adopted by the Board of Commissioners (the “**Board**”) of the HOUSING AUTHORITY OF THE CITY OF RENO, a Nevada public body corporate and politic (the “**Authority**”), at a meeting held on December 17<sup>th</sup>, 2024, which meeting was duly called and at which a quorum was present:

**WHEREAS**, the Authority is the fee simple owner of certain real property and improvements located at 2531 Tripp Dr. and 1500 Steelwood Lane, Reno, Nevada (the “**Property**”), which consists of three (3) non-dwelling buildings and twenty-five (25) dwelling buildings containing one hundred (100) units. The Board has determined that it is in the best interests of the Authority and the individuals and families residing at the public housing community to dispose of the Property in connection with the Project (as defined below);

**WHEREAS**, the Property will be the site of a multifamily residential community with one hundred ninety-nine (199) affordable housing units (the “**Units**”) to be known as *Hawk View* and leased to families with incomes at or below 80% of Area Median Income (the “**Project**”);

**WHEREAS**, the disposition of the Property has been approved by the U.S. Department of Housing and Urban Development (“**HUD**”), pursuant to that certain Disposition Approval Letter dated March 6, 2024 (“**Approval Letter**”). A condition to HUD’s approval of the disposition of the Property is the recording of a use restriction to ensure the long-term affordability of the Project for households earning no more than eighty percent (80%) of the Area Median Income. To that end, at the closing of the Project’s construction financing, as detailed below, the Authority, HUD, and the Owner will enter into that certain Declaration of Restrictive Covenants and Use Agreement (the “**HUD Use Agreement**”). The HUD Use Agreement will be recorded against the Property;

**WHEREAS**, the Board adopted Resolution 24-11-1 RH on November 19, 2024, authorizing the construction and financing of Hawk View.

**WHEREAS**, projected financial closing has been delayed into the first quarter of 2025;

**WHEREAS**, the Authority desires to proceed with the demolition of Hawk View as soon as possible to ensure timely construction and to protect against blight at the currently vacant property.

**WHEREAS**, the cost of demolition and associated sitework is estimated to be up to \$900,000.

**WHEREAS**, the Authority has adequate funds in HUD-Held Reserves to pay for the estimated cost of demolition and these funds were previously allocated for the project.

**NOW THEREFORE, BE IT RESOLVED** The Executive Director, or her designee, is individually authorized, on behalf of the Authority, to submit a request to HUD’s Special Application Center (“**SAC**”) to proceed with the demolition of Hawk View prior to the financial closing of the project and disposition of the property from the Public Housing program; and

**BE IT FURTHER RESOLVED** that upon approval of demolition prior to disposition from HUD's SAC office, Dr. Hilary Lopez, or her designee, is individually authorized, on behalf of the Authority, to draw down the funds necessary to pay the costs of demolition from the Authority's HUD-held reserves; and enter into a contract for this purpose; and

**BE IT FURTHER RESOLVED**, that this Resolution becomes effective immediately.

ADOPTED THIS 17th DAY OF December, 2024.

ATTEST:

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
SECRETARY

## RENO HOUSING AUTHORITY

**AGENDA ITEM NUMBER: 7**

**December 17, 2024**

**SUBJECT:** Discussion and possible direction to staff regarding upcoming State of Nevada legislation session. (For Possible Action)

**FROM:** Executive Director

**RECOMMENDATION:** For Possible Action

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### **Background:**

The 83rd (2025) Session of the Nevada Legislature will begin on February 3, 2025. As such staff has started tracking proposed bill drafts that impact affordable housing and/or RHA's lines of business. Additionally, the Executive Team has met with executive leadership from the Southern Nevada Regional Housing Authority (SNRHA) and Nevada Rural Housing (NRH) to discuss partnering to hire a firm to assist with tracking proposed housing legislation and helping to educate legislators on public and affordable housing issues and the positive impacts of our agencies' programs. All three agencies used Flynn Guidici during the last legislative session and NRH is already under contract with them for the upcoming session. During the last session, since staff could not always attend legislative meetings, staff found it was helpful to have Flynn Guidici on board given the number of proposed housing bills and numerous committee discussions around affordable housing, housing funding, tenant and landlord issues, zoning items, and other related matters.

Further, NRH has informed RHA that it requested a bill draft, through a legislative sponsor, to revise sections of Nevada Revised Statutes (NRS) Chapter 315 which governs public housing authorities. This presents an opportunity for RHA to submit potential amendments to modify and clean up sections of the chapter that impact the agency and/or are no longer applicable for various reasons. Over time, the legislative requirements that RHA must follow have been spread throughout the Chapter. However, both SNRHA and NRH have specific sections created for their respective housing authorities; while there are also more limited general definitions or statutes outside of these sections that apply to all three agencies. RHA staff is proposing to add a similar section for Washoe County to condense and better outline regulations specific to this Authority.

Towards the end of the last legislative session, there was also preliminary discussion by Assemblywoman Anderson from Sparks to expand RHA's board both in terms of size and composition. This discussion included potentially expanding to seven (7) commissioners, with proportionate representation from each jurisdiction and one resident commissioner. SNRHA's board has a similar structure. This item may be brought back in the upcoming session.

Given all of the above, staff wanted to start discussions with the board regarding its desire to modify the chapter and what changes, if any, it would like to recommend. As such, attached is a preliminary redline of staff proposed changes to Chapter 315 for input and feedback.

### **Staff Recommendation and Motion:**

The Board may make a motion to approve all or some of the proposed changes, incorporate additional changes, or bring this item back for future action.

## CHAPTER 315 - HOUSING AUTHORITIES

### GENERAL PROVISIONS

#### TERMINATION OF HOUSING ASSISTANCE

#### [NRS 315.007](#) GENERAL PROVISIONS

##### Termination of Housing Assistance

##### **NRS 315.007 Availability of judicial review; requirements for retention of premises pending judicial review.**

1. The decision of a housing authority to terminate a person's housing assistance is a final decision for the purposes of judicial review. A person aggrieved by such a final decision of the housing authority is entitled to judicial review of the decision in the manner provided in [NRS 233B.130](#) to [233B.150](#), inclusive, for the review of decisions of administrative agencies in contested cases.

2. If a person who seeks judicial review of a final decision of a housing authority pursuant to subsection 1 retains possession of the premises during the pendency of the action, the person shall pay the rent and comply with all other provisions set forth in the underlying contract for possession of the premises. If the person fails to pay such rent or comply with the other provisions of the contract, the landlord may initiate proceedings for eviction. If the person is evicted, the housing authority is not required to issue a new voucher for housing assistance to the person unless and until the person prevails in the action for judicial review.

3. As used in this section:

(a) "Housing assistance" means any financial assistance that a person receives under the Housing Choice Voucher Program pursuant to section 8 of the United States Housing Act of 1937, 42 U.S.C. § 1437f, and any regulations adopted pursuant thereto, or pursuant to any successor program.

(b) "Housing authority" means a housing authority created pursuant to this chapter and includes, without limitation, the Nevada Rural Housing Authority.

(c) "Landlord" has the meaning ascribed to it in [NRS 315.021](#).

(d) "Premises" has the meaning ascribed to it in [NRS 315.021](#).

(Added to NRS by [2005, 944](#))

##### **Eviction of Tenants of Public Housing for Convictions of Laws Regulating Controlled Substances**

**NRS 315.011** **Legislative findings and declarations.** The Legislature hereby finds and declares that:

1. The policy of this State, to provide decent, safe and sanitary housing for persons of low income, is being thwarted by the frequent occurrence in public housing of activities concerning the unlawful possession, distribution and use of controlled substances.

2. The provision of public housing has never been intended to help subsidize criminal behavior.

3. These unlawful activities, conducted by an intimidating minority of the residents of public housing, are causing our public housing to become increasingly infested with violence, degeneracy and squalor, which imperils the physical and mental health of the peaceful residents therein.

**Commented [HM1]:** All three PHA's review.  
Consider rewording using more currently acceptable language and current HUD regulations.

4. Persons residing with the active participants in these unlawful activities commonly share in the proceeds thereof or have the ability to prevent or interfere significantly in the conduct of the activities.

5. It will promote the public health, safety and welfare of the residents of this State to require housing authorities to evict from public housing both the persons who actively participate in unlawful activities relating to the possession, distribution or use of controlled substances, and the persons who reside with them.

(Added to NRS by [1989, 1223](#))

**NRS 315.021 Definitions.** As used in [NRS 315.021](#) to [315.071](#), inclusive, unless the context otherwise requires:

1. "Housing authority" means a housing authority created pursuant to this chapter. The term includes a regional authority formed pursuant to [NRS 315.7805](#).

2. "Landlord" means a person who owns or manages any premises that he or she rents or leases to a tenant pursuant to a contract with a housing authority.

3. "Premises" means a particular apartment or other residential unit of public housing occupied by a tenant, or a residential unit that is occupied by a tenant pursuant to a federally assisted housing program administered by a housing authority.

4. "Public housing" means the residential accommodations operated by a housing authority or a landlord.

(Added to NRS by [1989, 1224](#); A [2009, 2224](#))

**NRS 315.031 Conditions upon which tenant required to vacate public housing.** A tenant in public housing, and every person who resides with the tenant, is required to vacate public housing upon:

1. The conviction of the tenant, or any person residing with the tenant, of a violation, while a resident of public housing, of any state or federal law regulating the possession, distribution or use of a controlled substance; or

2. The determination by a juvenile court that any minor residing with the tenant has committed, while a resident of public housing:

(a) A second violation of any state or federal law regulating the possession, distribution or use of a controlled substance; or

(b) A single violation of any state or federal law regulating the possession, distribution or use of a controlled substance, if:

(1) There is a program of rehabilitation in the community which is available to the minor; and

(2) The minor fails to enroll immediately in the program, or enrolls in the program and fails or refuses to comply with any term, condition or requirement thereof.

(Added to NRS by [1989, 1224](#))

**NRS 315.041 Notice of termination of tenancy; contents of notice; affidavit filed by tenant; affidavit filed by housing authority or landlord; determination by justice of the peace.**

1. Except as otherwise required by federal law or regulation, or as a condition to the receipt of federal money, a housing authority or a landlord shall, immediately upon learning of facts indicating that a tenant is required pursuant to [NRS 315.031](#) to vacate public housing, serve upon the tenant a written notice which:

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Commented [HM2]: All PHA's review 315.031 through 315.071. As currently written, NRS does not align with current CFR.

(a) States that the tenancy is terminated at noon of the fifth full day following the day of service, and that the tenant must surrender the premises at or before that time;

(b) Sets forth the facts upon which the tenant is required to vacate the premises pursuant to [NRS 315.031](#);

(c) Advises the tenant of the tenant's right to contest the matter by filing, within 5 days, an affidavit with the justice of the peace denying the occurrence of the conditions set forth in [NRS 315.031](#); and

(d) Contains any other matter required by federal law or regulation regarding the eviction of the tenant from those premises, or as a condition to the receipt of federal money.

↪ If the tenant timely files the affidavit and provides the housing authority or the landlord with a copy of the affidavit, stamped as filed with the justice of the peace, the housing authority or the landlord shall not refuse the tenant, or any person who resides with the tenant, access to the premises.

2. Upon noncompliance with the notice:

(a) The housing authority or the landlord shall apply by affidavit to the justice of the peace of the township where the premises are located. If it appears to the justice of the peace that the conditions set forth in [NRS 315.031](#) have occurred and that the tenant is required by that section to vacate the premises, the justice of the peace shall issue an order directing the sheriff or constable of the county to remove the tenant and any other person on the premises within 24 hours after receipt of the order. The affidavit required by this paragraph must contain:

(1) The date when, and the facts upon which, the tenant became required to vacate the premises.

(2) The date when the written notice was given, a copy of the notice and a statement that the notice was served as provided in [NRS 315.051](#).

(b) Except when the tenant has timely filed the affidavit described in subsection 1 and provides the housing authority or the landlord with a copy of the affidavit, stamped as filed with the justice of the peace, the housing authority or the landlord may, in a peaceable manner, refuse the tenant, and any person who resides with the tenant, access to the premises.

3. Upon the filing by the tenant of the affidavit authorized by subsection 1 and the filing by the housing authority or the landlord of the affidavit required by subsection 2, the justice of the peace shall hold a hearing, after service of notice of the hearing upon the parties, to determine the truthfulness and sufficiency of any affidavit or notice provided for in this section. If the justice of the peace determines that the conditions set forth in [NRS 315.031](#) have occurred and that the tenant is required by that section to vacate the premises, the justice of the peace shall issue a summary order for removal of the tenant and any other person on the premises, or an order refusing the tenant, and any person who resides with the tenant, admittance to the premises. If the justice of the peace determines that the conditions set forth in [NRS 315.031](#) have not occurred and that the tenant is not required by that section to vacate the premises, the justice of the peace shall refuse to grant any relief.

4. The provisions of [NRS 40.215](#) to [40.425](#), inclusive, do not apply to any proceeding brought pursuant to the provisions of [NRS 315.011](#) to [315.071](#), inclusive.

(Added to NRS by [1989, 1224](#); A [2015, 3137](#))

**NRS 315.051 Service of notices: Manner and proof.**

1. The notices required by [NRS 315.041](#) must be served in any manner required by federal law or regulation concerning the eviction of the tenant from those premises, or as a condition to the receipt of federal money, or, in the absence of such a requirement, the notice may be served:

(a) By delivering a copy to the tenant personally, in the presence of a witness; or

(b) If the tenant cannot be found with reasonable diligence, by leaving a copy with a person of suitable age and discretion at the premises or the tenant's usual place of business, mailing a copy to the tenant at the premises or the tenant's usual place of business, and posting a copy in a conspicuous place on the premises.

2. Before an order to remove a tenant is issued pursuant to [NRS 315.041](#), a housing authority or a landlord must file with the court a proof of service of any notice required by that section. This proof must consist of a statement, signed by the tenant and a witness, acknowledging that the tenant received the notice on a specified date, or:

(a) The endorsement of a sheriff, constable or other process server stating the time and manner of service; and

(b) If service is accomplished in a manner which requires that a copy of the notice be mailed to the tenant, a certificate of mailing issued by the United States Postal Service.

(Added to NRS by [1989, 1226](#))

**NRS 315.061 Action for damages not precluded; appeal of decision of justice of the peace.**

1. The issuance of a summary order for removal of a tenant of public housing does not preclude an action by the tenant, or any person who resides with the tenant, for any damages or other relief to which he or she is entitled.

2. Either party may, within 10 days, appeal the decision of the justice of the peace to the district court for that county. An appeal by the tenant does not stay the order issued by the justice of the peace.

(Added to NRS by [1989, 1226](#))

**NRS 315.071 Return of evicted tenant to public housing.** If a person required to vacate public housing pursuant to [NRS 315.031](#):

1. Committed the actual violation or violations for which the person is required to vacate public housing, a housing authority or a landlord, except as otherwise required by federal law or regulation, or as a condition to the receipt of federal money, shall not allow the person to again reside in public housing.

2. Did not commit the actual violation or violations for which the person is required to vacate public housing, a housing authority or a landlord may again allow that person to reside in public housing after he or she has vacated public housing for a reasonable period.

(Added to NRS by [1989, 1224](#))

## HOUSING AUTHORITIES LAW OF 1947

### General Provisions

**NRS 315.140 Short title.** [NRS 315.140](#) to [315.7813](#), inclusive, may be referred to as the Housing Authorities Law of 1947.

[1:253:1947; 1943 NCL § 5470.01]—(NRS A [1975, 16](#); [1977, 1184](#); [2005, 219](#); [2009, 2224](#); [2021, 1567](#))

**NRS 315.150 Definitions.** Unless the context otherwise requires, the definitions contained in [NRS 315.160](#) to [315.300](#), inclusive, govern the construction of [NRS 315.140](#) to [315.7813](#), inclusive.

[Part 2:253:1947; A [1951, 8](#)]—(NRS A [1975, 16](#); [1977, 1184](#); [2005, 219](#); [2009, 2224](#); [2011, 581](#); [2021, 1568](#))

**NRS 315.160 "Area of operation" defined.**



1. In the case of an authority of a city or town, “area of operation” shall include such city or town and the area within 5 miles of the territorial boundaries thereof; but the area of operation of an authority of any city or town shall not include any area which lies within the territorial boundaries of some other city or town as herein defined, unless a resolution shall have been adopted by the governing body of such other city or town (and by any authority which shall have been theretofore established and authorized to exercise its powers in such city or town) declaring that there is a need for such authority to exercise its powers within that city or town.

2. In the case of an authority of a county, “area of operation” shall include all of the county for which it is created; but a county authority shall not undertake any housing project or projects within the boundaries of any city or town, as herein defined, unless a resolution shall have been adopted by the governing body of such city or town (and by any authority which shall have been theretofore established and authorized to exercise its powers in such city or town) declaring that there is a need for the county authority to exercise its powers within such city or town.

3. In the case of a regional authority, “area of operation” shall include:

(a) All of the territory within the geographic scope of the regional authority, as referred to in paragraph (c) of subsection 2 of [NRS 315.7805](#); and

(b) Any other territory regarding which the regional authority and another authority agree to exercise joint power or control.

[Part 2:253:1947; A [1951, 8](#)](NRS A [2005, 220](#); [2009, 2224](#))

**NRS 315.170 “Authority” defined.** “Authority” means any of the public corporations created or authorized to be created by [NRS 315.140](#) to [315.7813](#), inclusive, and any housing authority established and operating prior to July 1, 1975, under the provisions of the Housing Authorities Law of 1943 or the Housing Law of 1951. The term includes a regional authority.

[Part 2:253:1947; A [1951, 8](#)](NRS A [1975, 16](#); [1977, 1184](#); [2009, 2225](#))

**NRS 315.180 “Bonds” defined.** “Bonds” means any bonds, notes, interim certificates, debentures or other obligations issued by an authority pursuant to [NRS 315.140](#) to [315.7813](#), inclusive.

[Part 2:253:1947; A [1951, 8](#)](NRS A [1975, 16](#); [1977, 1184](#))

**NRS 315.190 “City” defined.** “City” means any incorporated city.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.200 “Clerk” defined.** “Clerk” means the clerk of the city or town or the clerk of the county, as the case may be, or the officer charged with the duties customarily imposed on such clerk.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.210 “Federal Government” defined.** “Federal Government” includes the United States of America or any agency or instrumentality of the United States of America.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.220 “Governing body” defined.** “Governing body” means city council, board of trustees, board of county commissioners, or other legislative body of the city, town or county.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.225 “Housing Authorities Law of 1943” defined.** “Housing Authorities Law of 1943” means former [NRS 315.010](#) to [315.130](#), inclusive (chapter 20, Statutes of Nevada 1943, as amended).

(Added to NRS by [1975, 15](#))

**NRS 315.226 “Housing Law of 1951” defined.** “Housing Law of 1951” means former [NRS 315.800](#) to [315.950](#), inclusive (chapter 286, Statutes of Nevada 1951).

(Added to NRS by [1975, 16](#))

**NRS 315.230 “Housing project” defined.**

1. “Housing project” means any work or undertaking:

(a) To demolish, clear or remove buildings from any area acquired by the authority; or

(b) To provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for persons of low income. Such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, utilities, parks, site preparation, landscaping, administrative, health, recreational, welfare or other purposes; or

(c) To accomplish a combination of the foregoing.

2. “Housing project” also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith.

3. The term includes the acquisition or development of mobile home parks and facilities, the leasing or rental of mobile home lots in the park or the purchase, leasing or rental of mobile homes.

[Part 2:253:1947; A [1951, 8](#)](NRS A [1979, 990](#))

**NRS 315.240 “Mayor” defined.** “Mayor” means the mayor of the city or the officer thereof charged with the duties customarily imposed on the mayor or executive head of the city.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.250 “Obligee of the authority” and “obligee” defined.** “Obligee of the authority” or “obligee” shall include any bondholder, agents or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor’s interest or any part thereof, and the Federal Government when it is a party to any contract with the authority.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.260 “Persons of low income” defined.** “Persons of low income” means persons or families who lack the amount of income which is necessary (as determined by the housing authority) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.270 “Real property” defined.** “Real property” includes all lands, improvements and fixtures thereon, and every estate, interest and right therein.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.275 “Regional authority” defined.** “Regional authority” means an authority formed pursuant to [NRS 315.7805](#).

(Added to NRS by [2009, 2222](#))

**NRS 315.280 “State public body” defined.** “State public body” means any city, town, county, municipal corporation, commission, district, authority, other subdivision or public body of the State.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.290 “Town” defined.** “Town” means any town for which the board of county commissioners acts as a town board.

[Part 2:253:1947; A [1951, 8](#)]

**NRS 315.300 “Veteran” and “serviceman or servicewoman” defined.** “Veteran” or “serviceman or servicewoman” means a person who has served in the Armed Forces of the United States ~~at any time:~~

1. ~~On or after April 6, 1917, and prior to November 11, 1918;~~
- 2. ~~On or after September 16, 1940, and prior to July 26, 1947;~~
- 3. ~~On or after June 27, 1950, and prior to January 31, 1955; and~~
- 4. ~~On or after August 5, 1964, and prior to such date thereafter as shall be determined by Presidential proclamation or concurrent resolution of the Congress as the end of the Vietnam era,~~

~~and~~ and, in the case of a veteran, has been discharged or released therefrom under conditions other than dishonorable, or in the case of a serviceman or servicewoman, is presently in the Armed Forces of the United States.

[Part 2:253:1947; A [1951, 8](#)](NRS A [1975, 16](#))

**NRS 315.310 Exemption of real property from execution, process and judgment lien: Enforcement of certain encumbrances, pledges and liens.**

1. All real property of an authority shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same, nor shall any judgment against an authority be a charge or lien upon its real property.

2. The provisions of this section shall not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage or other security of an authority or the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by an authority on its rents, fees or revenues.

[18:253:1947; 1943 NCL § 5470.18]

**NRS 315.320 Housing authority: Nature; resolution of necessity to function.**

1. In each city, town or county of the State there is hereby created a public body corporate and politic to be known as the housing authority of the city, town or county; but such authority shall not transact any business or exercise its powers hereunder until or unless the governing body of the city, town or county, as the case may be, by proper resolution shall declare at any time thereafter that there is need for an authority to function in such city, town or county.

2. Such housing authority is hereby created a public body corporate for municipal purposes and shall be a municipal corporation.

**Commented [HM3]:** All three PHA's review. Consider rewording to remove specific dates and to better align with CFR and PHA regulations and policies.

[Part 3:253:1947; 1943 NCL § 5470.03]

**NRS 315.330 Factual findings required.** The governing body shall adopt a resolution declaring that there is need for an authority in the city, town or county, as the case may be, if it shall find:

1. That dwelling accommodations are occupied in such city, town or county, which are unsafe or insanitary; or
2. That there is a shortage of safe or sanitary dwelling accommodations in such city, town or county available to veterans and other persons of low income at rentals they can afford.

[Part 3:253:1947; 1943 NCL § 5470.03]

**NRS 315.340 Determination of unsafe or insanitary conditions: Considerations.** In determining, as provided in [NRS 315.330](#), whether dwelling accommodations are unsafe or insanitary, a governing body may take into consideration:

1. The physical condition of the dwelling accommodations.
2. The degree of overcrowding.
3. The percentage of land coverage.
4. The light, air, space and access available to the occupants of such dwelling accommodations.
5. The size and arrangement of the rooms.
6. The adequacy of sanitary facilities and water supply.
7. The extent to which conditions exist in such buildings which endanger life or property by fire or other causes.

[Part 4:253:1947; 1943 NCL § 5470.04]

**NRS 315.350 Actions involving authority's contracts; establishment of authority conclusively presumed; sufficiency of resolution.**

1. In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of the authority, an authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers hereunder upon proof of the adoption of the resolution or resolutions herein prescribed declaring the need for the authority.

2. Each such resolution or resolutions shall be deemed sufficient if it declares that there is such need for an authority and finds in substantially the terms provided in [NRS 315.330](#) (no further detail being necessary) that the conditions therein enumerated exist.

3. A copy of such resolution duly certified by the clerk shall be admissible in evidence in any suit, action or proceeding.

[Part 4:253:1947; 1943 NCL § 5470.04]

**NRS 315.360 Continuation of housing authorities organized under prior laws.** Any housing authority created and existing prior to July 1, 1975, pursuant to the Housing Authorities Law of 1943 or the Housing Law of 1951 continues in existence for the purposes of and has all of the powers granted by [NRS 315.140](#) to [315.7813](#), inclusive.

[Part 3:253:1947; 1943 NCL § 5470.03]—(NRS A [1975, 16](#); [1977, 1185](#); 2011 581)

**NRS 315.365 Effect of chapter 16, Statutes of Nevada 1975.**

1. Chapter 16, Statutes of Nevada 1975, shall not impair or affect any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to July 1, 1975, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if it had not been passed.

2. Chapter 16, Statutes of Nevada 1975, shall not affect the corporate existence of any authority established or operating under the Housing Authorities Law of 1943 or the Housing Law of 1951 prior to July 1, 1975.

3. The passage of chapter 16, Statutes of Nevada 1975, shall not repeal or in any way affect or modify:

(a) Any law authorizing the issuance of any outstanding bonds and other securities by any authority established or operating prior to July 1, 1975, under the Housing Authorities Law of 1943 or the Housing Law of 1951.

(b) Any other contract of any such authority.

(c) Any law pursuant to which there have been levied by or on behalf of any such authority and there have not been paid in full, including without limitation the principal and any interest and penalties, any rents, fees and charges pertaining to the facilities or services, or both facilities and services, provided by any such authority.

(d) The running of the statutes of limitations in force on July 1, 1975.

4. All incomplete proceedings had and taken by any such authority, under any law repealed by chapter 16, Statutes of Nevada 1975, preliminary to and in the acquisition or improvement of any housing project or the issuance of any interim or temporary bond, or any definitive bond, which proceedings are in substantial compliance with the provisions of [NRS 315.140](#) to [315.7813](#), inclusive, may, at the option of the commissioners of the authority, be completed under the provisions of [NRS 315.140](#) to [315.7813](#), inclusive, the same as if such incomplete proceedings had been had and taken pursuant to such provisions.

5. The passage of chapter 16, Statutes of Nevada 1975, shall not repeal or in any way affect or modify the power of the commissioners of any authority established or operating under the Housing Authorities Law of 1943 or the Housing Law of 1951 prior to July 1, 1975, concerning the borrowing of money or the acceptance of any grant of public or private money, which power was exercised prior to July 1, 1975.

6. All bonds, notes, contracts, agreements and obligations of authorities relating to financing or undertaking (including cooperating with or acting as agent of the Federal Government in) the development or administration of any project to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities, which bonds, notes, contracts, agreements and obligations were issued or entered into prior to July 1, 1951, are validated and declared legal in all respects, notwithstanding any defect or irregularity therein or any want of statutory authority.

(Added to NRS by [1975, 21](#); A [1977, 1185](#))

~~NRS 315.370 Appointment of commissioners: Number, term, qualifications, vacancies.~~

~~1. Upon the adoption of a resolution declaring the need for an authority, the chief executive of the city or the governing body of the town or county, as the case may be, shall thereupon appoint five persons to serve as commissioners of the authority. Three of the commissioners who are first appointed pursuant to this section must be designated to serve for terms of 1, 2 and 3 years, respectively, from the date of their appointment, and two must be designated to serve for terms of 4 years from the date of their appointment, but thereafter commissioners must be appointed for a term of office of 4 years.~~

~~2. The first commissioner appointed after the authority has provided assistance to at least five persons must be a current recipient of assistance from the authority who was selected from a list of at least five eligible nominees submitted for this purpose by an organization which represents tenants of housing projects. If no such organization exists, the commissioner must be selected from a list of nominees submitted for this purpose from persons who currently receive assistance from the authority. Thereafter, at least one commissioner must be such a recipient who was nominated and appointed in the same manner. If during his or her term the commissioner ceases to be a recipient of assistance, he or she must be replaced in the manner set forth in this subsection by a person who is a recipient of assistance.~~

**Commented [HM4]:** If a separate section is added for "PHA's serving a single county of less than 700,000 population but more than 200,000", this section is not needed in the General Provisions section because it would be in each PHA's separate section.

~~3. Nothing in this section affects the terms of office of commissioners appointed to an authority created before October 1, 1995. The appointing authority shall appoint to the term next expiring a commissioner who was nominated and appointed in the same manner as is set forth in subsection 2. Thereafter, at least one commissioner must be such a recipient who was nominated and appointed in the same manner. If during his or her term the commissioner ceases to be a recipient of assistance, he or she must be replaced in the manner set forth in subsection 2 by a person who is a recipient of assistance.~~

~~4. All vacancies must be filled for the unexpired term.~~

~~[Part 3:253:1947; 1943 NCL § 5470.03]—(NRS A 1995, 2693)~~

#### **NRS 315.380 Officers of authority.**

1. An authority shall select a chair and a vice chair from its commissioners.
2. For the purpose of managing a regional authority, the commissioners of the regional authority shall initially select an executive director by way of a competitive, open and public process. Thereafter, the selection of an executive director must be made as determined by the commissioners of the regional authority to be in the best interests of the authority.

[Part 3:253:1947; 1943 NCL § 5470.03]—(NRS A [2009, 2225](#))

#### **NRS 315.390 Compensation and expenses of commissioner.**

1. A commissioner is entitled to necessary expenses, including travel expenses, incurred in the discharge of the commissioner's duties.
2. An authority may provide by resolution that each commissioner is entitled to receive compensation of \$80 for each meeting attended.
3. No commissioner may receive as compensation more than \$240 in a calendar month.

[Part 3:253:1947; 1943 NCL § 5470.03]—(NRS A [1975, 17](#); [1977, 392](#); [1981, 1979](#); [1985, 930](#))

#### **NRS 315.400 Conflicts of interest.**

1. A commissioner or employee of the authority shall not voluntarily acquire any interest, direct or indirect, except as a residential tenant, in any housing project or in any property included or planned to be included in any housing project, or in any contract or proposed contract in connection with any housing project. Where the acquisition is not voluntary, the commissioner or employee shall immediately disclose the interest in writing to the authority and the disclosure must be entered upon the minutes of the authority. Upon disclosure the commissioner or employee shall not participate in any action by the authority involving the housing project, property or contract. If any commissioner or employee of the authority previously owned or controlled an interest, direct or indirect, in any housing project or in any property included or planned to be included in any housing project, or in any contract or proposed contract in connection with any housing project, he or she shall immediately disclose the interest in writing to the authority and the disclosure must be entered upon the minutes of the authority. Upon disclosure the commissioner or employee shall not participate in any action by the authority involving the housing project, property or contract.

2. Any violation of this section constitutes misconduct in office.
3. This section is not applicable to the acquisition of any interest in notes or bonds of the authority issued in connection with any housing project or the execution of agreements by financial institutions for the deposit or handling of money in connection with a housing project or to act as trustee under any trust indenture.

[5:253:1947; A [1951, 10](#)]—(NRS A [1975, 933](#); [1977, 1112](#); [1995, 2694](#); [1999, 1468](#))

#### **NRS 315.410 Removal of commissioners.**

**Commented [HM5]:** With the addition of a separate section for RHA, this section would only apply to SNRHA.

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1. For inefficiency or neglect of duty or misconduct in office, a commissioner of an authority may be removed by the mayor, or in the case of an authority for a town or county, by its governing body.

2. A commissioner shall be removed only after a hearing and after he or she shall have been given a copy of the charges at least 10 days prior to such hearing and had an opportunity to be heard in person or by counsel.

3. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk.

[6:253:1947; 1943 NCL § 5470.06]

**NRS 315.420 Nature and functions; power to effectuate purposes.** An authority shall constitute a public body corporate and politic, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out and effectuate the purposes and provisions of [NRS 315.140](#) to [315.7813](#), inclusive, (but not the power to levy and collect taxes or special assessments).

[Part 7:253:1947; A [1951, 11](#)](NRS A [1975, 17](#); [1977, 1186](#); [2021, 1568](#))

**NRS 315.430 General powers.** An authority may:

1. Sue and be sued.
2. Have a seal and alter the same at pleasure.
3. Have perpetual succession.
4. Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.
5. Make, and from time to time amend and repeal bylaws, rules and regulations to carry into effect the powers and purposes of the authority.

[Part 7:253:1947; A [1951, 11](#)]

**NRS 315.435 Area of another authority.** Except as otherwise provided in [NRS 315.9835](#), a housing authority shall not operate in any area in which an authority already established is operating without the consent by resolution of the authority already operating therein. For the purposes of this section, the formation of a regional authority pursuant to [NRS 315.7805](#) shall be deemed to constitute consent by resolution of the authority of any participating local governmental entity.

(Added to NRS by [2005, 212](#); A [2009, 2225](#))

**NRS 315.440 Powers concerning housing projects.** Within its area of operation, an authority may:

1. Prepare, carry out and operate housing projects and provide for the construction, reconstruction, improvement, extension, alteration, or repair of any such project or any part thereof.
2. Determine where there is unsafe, insanitary or overcrowded housing.
3. Make studies and recommendations relating to the problem of eliminating unsafe, insanitary or overcrowded housing.
4. Cooperate with the city, the county, the State, or any political subdivision thereof in action taken in connection with such problems.

5. If it is a regional authority, work cooperatively with the relevant local jurisdictions concerning new developments or housing projects, or both. The relevant local jurisdictions with which a regional authority works cooperatively concerning new developments or housing projects, or both, shall provide to the regional authority such support and assistance as the regional authority may require.

**Commented [HM6]:** Consider revising language to suggest cooperation between all PHA's and the jurisdictions they serve.

[Part 7:253:1947; A [1951, 11](#)](NRS A [2009, 2225](#))

**NRS 315.450 Contracts for services or works: Compliance with wage and hour laws; conditions of federal aid.**  
An authority may:

1. Arrange or contract for the furnishing by any person or agency, public or private, of services, privileges, works or facilities for, or in connection with, its housing projects.
2. Notwithstanding anything to the contrary contained in [NRS 315.140](#) to [315.7813](#), inclusive, or any other provisions of law, agree to any conditions attached to federal financial assistance relating to the determination of prevailing salaries or wages or payment of not less than prevailing salaries or wages or compliance with labor standards, in the development or administration of projects.
3. Include in any contract let in connection with a housing project, stipulations requiring that the contractor and any subcontractors comply with requirements as to minimum salaries or wages and maximum hours of labor, and comply with any conditions attached to the financial aid of such project.

[Part 7:253:1947; A [1951, 11](#)](NRS A [1975, 17](#); [1977, 1186](#))

**NRS 315.460 Powers relating to real and personal property.** An authority may:

1. Lease or rent any [land](#), dwellings, accommodations, buildings, structures or facilities embraced in any housing project, and establish and revise the rents or charges therefor.
2. Own, hold and improve real or personal property.
3. Purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise or otherwise any real or personal property or any interest therein.
4. Acquire by the exercise of the power of eminent domain any real property pursuant to the provisions of the laws of Nevada and rules of court relative to the right of eminent domain, civil actions, new trials and appeals, which laws and rules shall be applicable to and constitute the rules of practice in condemnation proceedings by housing authorities.
5. Sell, lease, exchange, transfer, assign, pledge or dispose of any real or personal property or any interest therein.
6. Insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards.

[Part 7:253:1947; A [1951, 11](#)]

**NRS 315.470 Authorized investments; redemption or repurchase of bonds.** An authority may:

1. Invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in:
  - (a) Obligations issued by the United States Postal Service or the Federal National Mortgage Association, whether or not the payment of principal and interest thereon is guaranteed by the Federal Government.
  - (b) Bonds or other obligations issued by a redevelopment agency created pursuant to [chapter 279](#) of NRS or a legislative body that has elected to exercise the powers granted an agency pursuant to that chapter.



(c) Bonds or other securities issued pursuant to the provisions of [NRS 349.150](#) to [349.364](#), inclusive, [350.500](#) to [350.720](#), inclusive, or [396.809](#) to [396.885](#), inclusive.

(d) Money market mutual funds that:

- (1) Are registered with the Securities and Exchange Commission;
- (2) Are rated by a nationally recognized rating service as “AAA” or its equivalent; and

(3) Invest only in securities issued or guaranteed as to payment of principal and interest by the Federal Government, or its agencies or instrumentalities, or in repurchase agreements that are fully collateralized by such securities.

2. Redeem its bonds at the redemption price established therein or purchase its bonds at less than such redemption price. All bonds so redeemed or purchased must be cancelled.

[Part 7:253:1947; A [1951, 11](#)](NRS A [1997, 2878](#); [1999, 621](#))

**NRS 315.480 Exercise of powers granted in [NRS 315.420](#) to [315.470](#), inclusive.** An authority may exercise all or any part or combination of powers granted in [NRS 315.420](#) to [315.470](#), inclusive.

[Part 7:253:1947; A [1951, 11](#)]

**NRS 315.490 Acquisition, operation or disposition of property by public bodies: Law applicable.** No provision of law with respect to the acquisition, operation or disposition of property by other public bodies shall be applicable to an authority unless the Legislature shall specifically so state.

[Part 7:253:1947; A [1951, 11](#)]

**NRS 315.500 Rentals.** It is declared to be the policy of this state that each authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals or payments for dwelling accommodations at low rates consistent with its providing decent, safe and sanitary dwelling accommodations for persons of low income, and that no authority shall construct or operate any housing project for profit, or as a source of revenue to the city, town or the county. To this end an authority shall fix the rentals or payments for dwellings in its housing projects at no higher rates than it shall find to be necessary in order to produce revenues which, together with all other available moneys, revenues, income and receipts of the authority from whatever sources derived, will be sufficient:

1. To pay, as the same become due, the principal and interest on the bonds of the authority.
2. To create and maintain such reserves as may be required to assure the payment of principal and interest as it becomes due on its bonds.
3. To meet the cost of, and to provide for, maintaining and operating the housing projects (including necessary reserves therefor and the cost of any insurance) and the administrative expenses of the authority.
4. To make such payments in lieu of taxes as it determines are consistent with the maintenance of the low-rent character of the housing projects.

[8:253:1947; 1943 NCL § 5470.08]

**NRS 315.510 Tenant selection: Preferences.** In the operation or management of housing projects, an authority shall at all times observe the following duties with respect to rentals and tenant admissions:

**Commented [HM7]:** All three PHA's review for possible removal or revision. Each PHA is allowed to set preferences for their specific jurisdiction. Should this section be revised, the addition of #4 would ensure that properties owned/managed under a separate business entity would be excluded from the section.

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1. It may rent or lease the dwelling accommodations therein only to persons of low income and, as among low-income persons who are eligible applicants for occupancy in dwellings of given sizes and at specified rents, shall extend the following preferences in the selection of tenants:

(a) First: To families who are to be displaced by any low-rent housing project or by any public slum clearance or redevelopment project initiated after January 1, 1947, or who were so displaced within 3 years before making application on authority for admission to any low-rent housing. Among such families, first preference must be given to families of veterans with a disability whose disability has been determined by the Department of Veterans Affairs to be service connected, second preference must be given to families of deceased veterans and servicemen or servicewomen whose death has been determined by the Department of Veterans Affairs to be service connected, and third preference must be given to families of other veterans and servicemen or servicewomen.

(b) Second: To families of other veterans and servicemen or servicewomen. Among such families, first preference must be given to families of veterans with a disability whose disability has been determined by the Department of Veterans Affairs to be service connected, and second preference must be given to families of deceased veterans and servicemen or servicewomen whose death has been determined by the Department of Veterans Affairs to be service connected.

2. It may rent or lease to a tenant dwelling accommodations consisting of a number of rooms, but no greater number, which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

3. An authority shall not accept any person or persons as tenants in any housing project if the person or persons who occupy the dwelling accommodations have, at the time of admission, an aggregate annual net income, less an exemption of \$200 for each minor member of the family other than the head of the family and his or her spouse, in excess of seven times the annual rental of the quarters to be furnished such person or persons, but an authority may agree to conditions as to tenant eligibility or preference required by the Federal Government pursuant to federal law in any contract for financial assistance with the authority. In computing the rental for this purpose of admitting tenants, there must be included in the rental the average annual cost, as determined by the authority, to occupants of heat, water, electricity, gas, cooking fuel and other necessary services or facilities, whether or not the charge for such services and facilities is included in the rental.

4. The requirements of this section do not apply to a housing project developed, operated or managed by a business entity.

[Part 9:253:1947; A [1951, 12](#)](NRS A [1967, 1268](#); [1995, 1086](#))

**NRS 315.513 Tenant eligibility: Money deposited in individual development account not considered income.** The authority shall not consider money deposited in an individual development account pursuant to [NRS 422A.493](#) by a tenant of a housing project operated by the authority to be income for the purpose of determining whether the person is eligible to reside in the housing project under the provisions of [NRS 315.510](#) or any regulations adopted by the authority.

(Added to NRS by [2021, 1567](#))

**NRS 315.515 Duty to ensure provision of instruction in financial literacy to tenant who deposits income in individual development account.**

1. In addition to the training provided by the State Treasurer pursuant to paragraph (m) of subsection 1 of [NRS 226.110](#), the authority shall, to the extent that money is provided by the State Treasurer pursuant to [NRS 422A.492](#) for that purpose, ensure that instruction in financial literacy is provided to a tenant who deposits a portion of his or her income in an individual development account established pursuant to [NRS 422A.493](#).

2. The authority may contract for the services of an independent contractor to provide the instruction required by subsection 1.

(Added to NRS by [2021, 1567](#))

**NRS 315.520 Remedies of authority's obligee: Effect of [NRS 315.500](#) and [315.510](#).** Nothing contained in [NRS 315.500](#) and [315.510](#) shall be construed as limiting the power of an authority to vest in an obligee the right, in the event of a default by the authority, to take possession thereof or cause the appointment of a receiver thereof, free from all the restrictions imposed by such sections.

[Part 9:253:1947; A [1951, 12](#)]

**NRS 315.525 Duty to inspect dwelling units.**

1. Each housing authority in this State shall conduct an inspection of each dwelling unit owned or managed by the housing authority and any dwelling unit leased pursuant to 42 U.S.C. § 1437f, on a regular basis as required by the United States Department of Housing and Urban Development. After performing such an inspection, the housing authority shall obtain the handwritten or electronic signature of the tenant to confirm that the inspection was conducted.

2. If an inspection conducted pursuant to subsection 1 identifies necessary repairs, the housing authority or the housing authority in coordination with the private owner, as applicable, shall ensure that all necessary repairs are made as soon as practicable after the inspection so that the dwelling unit is in a decent, safe and sanitary condition.

3. As used in this section, "housing authority" has the meaning ascribed to it in [NRS 315.021](#). The term includes, without limitation, a regional authority and the Nevada Rural Housing Authority.

(Added to NRS by [2023, 477](#))

**NRS 315.530 Cooperation between authorities.** Any authority or authorities may join or cooperate with another in the exercise, either jointly or otherwise, of any of their powers for the purpose of financing, including the issuance of bonds, notes or other obligations and the giving of security therefor, planning, undertaking, owning, constructing, operating or contracting with respect to a housing project or projects located within the area within which one or more of such authorities are authorized to exercise their powers. For such purpose any cooperating authority may, by resolution, prescribe and authorize any authority so joining and cooperating with it to act in its behalf in the exercise of any of such powers, or the cooperating authorities may, by resolution, appoint from among the commissioners of such authorities an executive committee with full powers to act on behalf of such authorities with respect to any of their powers as prescribed by resolution of such authority.

[10:253:1947; 1943 NCL § 5470.10]

**NRS 315.540 Payments in lieu of taxes.** An authority shall agree to make such payments in lieu of taxes to the city, town, county, and the State, or any political subdivision, as it finds consistent with the maintenance of the low-rent character of housing projects or the achievement of the purposes of [NRS 315.140](#) to [315.7813](#), inclusive.

[11:253:1947; 1943 NCL § 5470.11]—(NRS A [1975, 17](#); [1977, 1186](#))

**NRS 315.550 Powers of state public bodies respecting housing projects.**

1. For the purpose of aiding and cooperating in the planning, undertaking, construction or operation of housing projects of housing authorities located within the area in which it is authorized to act, any state public body may, upon such terms, with or without consideration, as it may determine:

(a) Dedicate, sell, convey or lease any of its interest in any property, or grant easements, licenses, or any other rights or privileges therein to a housing authority.

(b) Cause parks, playgrounds, recreational, community, educational, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with such projects.

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(c) Furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks, or other places which it is otherwise empowered to undertake.

(d) Cause services to be furnished to the housing authority of the character which such state public body is otherwise empowered to furnish.

(e) Enter into agreements with respect to the exercise by such state public body of its powers relating to the repair, improvement, condemnation, closing or demolition of unsafe, insanitary or unfit buildings.

(f) Employ (notwithstanding the provisions of any other law) any funds belonging to or within the control of such state public body, including funds derived from the sale or furnishing of property or facilities to a housing authority, in the purchase of the bonds or other obligations of a housing authority; and, as the holder of such bonds or other obligation, exercise the rights connected therewith.

(g) Do any and all things, necessary or convenient, to aid and cooperate in the planning, undertaking, construction or operation of such housing projects.

(h) Incur the entire expense of any public improvements made by such state public body in exercising the powers granted in [NRS 315.140](#) to [315.7813](#), inclusive.

(i) Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with a housing authority respecting action to be taken by such state public body pursuant to any of the powers granted by [NRS 315.140](#) to [315.7813](#), inclusive. If at any time title to, or possession of, any project is held by any public body or governmental agency authorized by law to engage in the development or administration of low-rent housing or slum clearance projects, including any agency or instrumentality of the United States of America, the provisions of such agreements shall inure to the benefit of and may be enforced by such public body or governmental agency.

2. Any sale, conveyance, lease or agreement provided for in this section may be made by a state public body without appraisal, public notice, advertisement or public bidding, notwithstanding any other laws to the contrary.

[19:253:1947; A [1951, 13](#)](NRS A [1975, 17](#); [1977, 1186](#))

**NRS 315.560 Federal aid.**

1. In addition to the powers conferred upon an authority by other provisions of [NRS 315.140](#) to [315.7813](#), inclusive, an authority may:

(a) Borrow money or accept contributions, grants or other financial assistance from the Federal Government for or in aid of any housing project within its area of operation.

(b) Take over or lease or manage any housing project or undertaking constructed or owned by the Federal Government, and to these ends, to comply with such conditions and enter into such mortgages, trust indentures, leases or agreements as may be necessary, convenient or desirable.

2. In any contract with the Federal Government for annual contributions to an authority, the authority may obligate itself (which obligation shall be specifically enforceable and shall not constitute a mortgage, notwithstanding any other laws) to convey to the Federal Government possession of or title to the project to which such contract relates, upon the occurrence of a substantial default (as defined in such contract) with respect to the covenants or conditions to which the authority is subject. Such contract may further provide that in case of such conveyance, the Federal Government may complete, operate, manage, lease, convey or otherwise deal with the project in accordance with the terms of such contract; provided, that the contract requires that, as soon as practicable after the Federal Government is satisfied that all defaults with respect to the project have been cured and that the project will thereafter be operated in accordance with the terms of the contract, the Federal Government shall reconvey to the authority the project as then constituted.

3. It is the purpose and intent of [NRS 315.140](#) to [315.7813](#), inclusive, to authorize every authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Federal Government in the undertaking, construction, maintenance or operation of any housing project by such authority.

[20:253:1947; A [1951.14](#)](NRS A [1975.18](#); [1977.1187](#))

**NRS 315.570 Housing in rural areas.** Any city, town, county or regional housing authority which has rural areas under its jurisdiction may undertake the provision of housing for families of low income in such rural areas, and may comply with any conditions not inconsistent with the purposes of this housing authorities law required by the Federal Government pursuant to federal law in any contract for financial assistance with the authority concerning such undertakings.

[20a:253:1947; added [1951.15](#)]

**NRS 315.580 Housing for veterans and servicemen or servicewomen.**

1. In addition to other powers conferred upon an authority by [NRS 315.140](#) to [315.7813](#), inclusive, an authority may acquire property and construct housing projects thereon for the purpose of leasing dwellings to servicemen or servicewomen, veterans and their families, and the families of deceased persons who served in the Armed Forces, at rentals, excluding utilities, of not to exceed \$50 per month, during the existence of the acute shortage of housing available to such persons as determined by applicable law or as may be provided for in any contract for financial assistance with the Federal Government.

2. In exercising the powers provided in this section an authority shall not be subject to the limitations provided in [NRS 315.500](#) or [315.510](#) during the period of acute housing shortage for veterans and servicemen or servicewomen, and their families and the families of deceased persons who served in the Armed Forces, of moderate income.

[21:253:1947; 1943 NCL § 5470.21](NRS A [1967.1269](#); [1975.19](#); [1977.1188](#))

**NRS 315.590 Lease of government war housing projects by authority.** An authority, in addition to its other powers, is authorized to cooperate with and lease from the Federal Government war housing projects constructed by the Federal Government, for the purpose of providing housing for veterans and servicemen or servicewomen and their families, and families of deceased persons who served in the Armed Forces, and persons engaged in war activities; provided, that such war housing projects shall not be subject to the limitations provided in [NRS 315.500](#) or [315.510](#).

[22:253:1947; 1943 NCL § 5470.22]

**NRS 315.600 Bonds for corporate and refunding purposes.** An authority shall have power:

1. To issue bonds from time to time, in its discretion, for any of its corporate purposes.
2. To issue refunding bonds for the purpose of paying or retiring bonds previously issued by it.

[Part 12:253:1947; 1943 NCL § 5470.12]

**NRS 315.610 Types of bonds; additional security.**

1. An authority may issue such types of bonds as it may determine, including (without limiting the generality of the foregoing) bonds on which the principal and interest are payable:

- (a) Exclusively from the income and revenues of the housing project financed with the proceeds of such bonds.
- (b) Exclusively from the income and revenues of certain designated housing projects whether or not they are financed in whole or in part with the proceeds of such bonds.
- (c) From its revenues generally.

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2. Any of the bonds may be additionally secured by a pledge of any grant or contributions from the Federal Government or other source, or a pledge of any income or revenues of the authority, or a mortgage of any housing project, projects or other property of the authority.

[Part 12:253:1947; 1943 NCL § 5470.12]

**NRS 315.620 Liability on bonds; debt limitations.** Neither the commissioners of an authority nor any person executing the bonds is liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of an authority are not, and must state on their face that they are not, a debt of the city, the county, the State or any other political subdivision thereof, and neither the city, the county, the State nor any other political subdivision thereof is liable thereon, nor in any event are the bonds or obligations payable out of any funds or properties other than those of the authority. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

[Part 12:253:1947; 1943 NCL § 5470.12]—(NRS A [1995, 811](#))

**NRS 315.630 Resolution authorizing bonds: Contents.** By resolution, an authority may authorize bonds. The resolution, its trust indenture or mortgage may provide for:

1. The issuance of bonds in one or more series.
2. The date the bonds must bear.
3. The date of maturity.
4. The interest rate or rates, which must not exceed by more than 3 percent the Index of Revenue Bonds which was most recently published before the bids are received or a negotiated offer is accepted.
5. The denomination of the bonds.
6. The form of the bonds, either coupon or registered.
7. The conversion or registration privileges which the bonds must carry.
8. The rank or priority of the bonds.
9. The manner of execution of the bonds.
10. The medium of payment in which the bonds are payable.
11. The place of payment.
12. The terms of redemption, with or without premium.

[Part 13:253:1947; 1943 NCL § 5470.13]—(NRS A [1971, 2108](#); [1975, 853](#); [1981, 1414](#); [1983, 583](#))

**NRS 315.640 Sale.** The bonds may be sold at public or private sale.

[Part 13:253:1947; 1943 NCL § 5470.13]—(NRS A [1967, 228](#))

**NRS 315.650 Discontinuance in office: Negotiability.** If any of the commissioners or officers of the authority whose signatures appear on any bonds or coupons cease to be such commissioners or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such commissioners or

officers had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to [NRS 315.140](#) to [315.7813](#), inclusive, are fully negotiable.

[Part 13:253:1947; 1943 NCL § 5470.13]—(NRS A [1975.19](#); [1977.1188](#))

**NRS 315.660 Validity; conclusive presumptions.** In any suit, action or proceeding involving the validity or enforceability of any bond of an authority or the security therefor, any such bond reciting in substance that it has been issued by the authority to aid in financing a housing project, as defined in [NRS 315.230](#), is conclusively deemed to have been issued for such purpose and such project is conclusively deemed to have been planned, located, and carried out in accordance with the purposes and provisions of [NRS 315.140](#) to [315.7813](#), inclusive.

[Part 13:253:1947; 1943 NCL § 5470.13]—(NRS A [1975.19](#); [1977.1188](#))

**NRS 315.670 Authorized provisions: Bonds; trust indentures; mortgages.** In connection with the issuance of bonds or the incurring of obligations under leases and in order to secure the payment of such bonds or obligations, an authority, in addition to its other powers, has the powers conferred by [NRS 315.680](#) to [315.740](#), inclusive.

[Part 14:253:1947; 1943 NCL § 5470.14]

**NRS 315.680 Pledges and mortgages.** An authority may:

1. Pledge all or any part of its gross or net rents, fees or revenues to which its right then exists or may thereafter come into existence.

2. Mortgage all or any part of its real or personal property, then owned or thereafter acquired.

[Part 14:253:1947; 1943 NCL § 5470.14]

**NRS 315.690 Limitation of further indebtedness; bond proceeds; lost and destroyed bonds; extension of bond and interest payment; redemption.** An authority may:

1. Covenant against pledging all or any part of its rents, fees and revenues, or against mortgaging all or any part of its real or personal property, to which its right or title then exists or may thereafter come into existence, or against permitting or suffering any lien on such revenues or property.

2. Covenant with respect to its right to sell, lease or otherwise dispose of any housing project or any part thereof.

3. Covenant as to what other, or additional debts or obligations may be incurred by it.

4. Covenant as to the bonds to be issued and as to the issuance of such bonds in escrow and otherwise, and as to the use and disposition of the proceeds thereof.

5. Provide for the replacement of lost, destroyed or mutilated bonds.

6. Covenant against extending the time for the payment of its bonds or interest thereon.

7. Covenant for the redemption of the bonds, and to provide the terms and conditions thereof.

[Part 14:253:1947; 1943 NCL § 5470.14]

**NRS 315.700 Rental income; special funds.** An authority may:

1. Covenant (subject to the limitations contained in [NRS 315.140](#) to [315.7813](#), inclusive) as to the rents and fees to be charged in the operation of a housing project or projects, the amount to be raised each year or other period of time by rents, fees and other revenues, and as to the use and disposition to be made thereof.

2. Create or authorize the creation of special funds for moneys to be held for construction or operating costs, debt service, reserves or other purposes, and covenant as to the use and disposition of the moneys held in such funds.

[Part 14:253:1947; 1943 NCL § 5470.14]—(NRS A [1975.20](#); [1977.1188](#))

**NRS 315.710 Procedure relating to bondholders' contracts.** An authority may prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given.

[Part 14:253:1947; 1943 NCL § 5470.14]

**NRS 315.720 Use, maintenance and insurance of property.** An authority may:

1. Covenant as to the use, maintenance and replacement of any or all of its real or personal property, the insurance to be carried thereon, and the use and disposition of insurance moneys.

2. Covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition or obligation.

3. Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.

[Part 14:253:1947; 1943 NCL § 5470.14]

**NRS 315.725 Program to jointly self-insure and purchase insurance or reinsurance.**

1. Except as otherwise provided in subsection 3, any two or more affordable housing entities may establish and participate in a program to jointly self-insure and jointly purchase insurance or reinsurance for coverage under a plan of:

(a) Casualty insurance, as that term is defined in [NRS 681A.020](#), except for workers' compensation and employer's liability coverage;

(b) Marine and transportation insurance, as that term is defined in [NRS 681A.050](#);

(c) Property insurance, as that term is defined in [NRS 681A.060](#);

(d) Surety insurance, as that term is defined in [NRS 681A.070](#); or

(e) Insurance for any combination of the kinds of insurance listed in paragraphs (a) to (d), inclusive.

2. A program established pursuant to subsection 1 must be administered by an entity which is organized as a nonprofit corporation, limited-liability company, partnership or trust, whether organized under the laws of this State or another state or operating in another state. A majority of the board of directors or other governing body of the entity administering the program must be affiliated with one or more of the affordable housing entities participating in the program.

3. This section does not apply to an affordable housing entity that individually self-insures or participates in a risk pooling arrangement, including a risk retention group or a risk purchasing group, with respect to the kinds of insurance set forth in subsection 1.



4. Except as otherwise provided in this section or by specific statute:

(a) A program established pursuant to subsection 1 and the entity administering the program:

- (1) Shall be deemed not to be providing coverage which constitutes insurance; and
- (2) Are not subject to the provisions of title 57 of NRS; and

(b) The entity administering a program established pursuant to subsection 1 shall be deemed not to be engaging in the transaction of insurance.

5. The entity administering a program established pursuant to subsection 1 shall provide any affordable housing entity that seeks to participate in the program with a written notice, in 10-point type or larger, before the affordable housing entity begins participating in the program, that the program is not regulated by the Commissioner and that, if the program or the entity administering the program is found insolvent, a claim under the program is not covered by the Nevada Insurance Guaranty Association Act.

6. The entity administering a program established pursuant to subsection 1 shall submit to the Commissioner:

(a) Within 105 days after the end of the program's fiscal year:

- (1) An annual financial statement for the program audited by a certified public accountant; and
- (2) An annual actuarial analysis for the program prepared by an actuary who meets the qualification standards for issuing statements of actuarial opinion in the United States established by the American Academy of Actuaries or its successor organization; and

(b) Within 30 days after:

(1) Filing with any other regulatory body, a claims audit report relating to the entity or the program, a copy of the claims audit report filed with the other regulatory body;

(2) Issuance by any other regulatory body of a report of examination relating to the entity or the program, a copy of the report of examination issued by the other regulatory body;

(3) The effective date of a plan of financing, management and operation for the entity or the program or any material change in such a plan, a copy of the plan or material change; and

(4) The effective date of any material change in the scope of regulation of the entity or the program by any other state in which the entity operates, a statement of the material change.

7. The Commissioner may order an examination of a program established pursuant to subsection 1 or the entity administering the program based upon any credible evidence that the program or entity is in violation of this section or is operating or being operated while in an unsafe financial condition. Such an examination must be administered in accordance with [NRS 679B.230](#) to [679B.300](#), inclusive, and any regulations adopted pursuant thereto.

8. If the Commissioner determines that a program established pursuant to subsection 1 or the entity administering the program is in violation of this section or is operating or being operated while in an unsafe financial condition, the Commissioner may issue and serve upon the entity administering the program an order to cease and desist from the violation or from administering or in any way operating the program.

9. The Commissioner may hold a hearing, without a request by any party, to determine whether a program established pursuant to subsection 1 or the entity administering the program is in violation of this section or is operating or being operated while in an unsafe financial condition. A person aggrieved by any act or failure of the Commissioner to act, or by any report, rule, regulation or order of the Commissioner relating to this section, may request a hearing. Any hearing held

pursuant to this subsection must be held in accordance with [NRS 679B.310](#) to [679B.370](#), inclusive, and any regulations adopted pursuant thereto.

10. The provisions of this section must be liberally construed to grant affordable housing entities maximum flexibility to jointly self-insure and jointly purchase insurance or reinsurance to the extent that a program established pursuant to subsection 1 is being administered and otherwise operated in a safe financial condition and in a sound manner.

11. Each entity administering a program established pursuant to subsection 1 shall, on or before January 15 of each odd-numbered year, submit a report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature. The report must include, without limitation, a list of the affordable housing entities participating in the program and any other information the Director deems relevant.

12. As used in this section:

(a) “Affordable housing” means housing projects in which some of the dwelling units may be purchased or rented, with or without government assistance, on a basis that is affordable to persons of low income.

(b) “Affordable housing entity” means:

(1) A housing authority created under the laws of this State or another jurisdiction and any agency or instrumentality of a housing authority, including, but not limited to, a legal entity created to enter into an agreement which complies with [NRS 277.055](#);

(2) A nonprofit corporation organized under the laws of this State or another state that is engaged in providing affordable housing; or

(3) A general or limited partnership or limited-liability company which is engaged in providing affordable housing and which is affiliated with a housing authority described in subparagraph (1) or a nonprofit corporation described in subparagraph (2) if the housing authority or nonprofit corporation:

(I) Has, or has the right to acquire, a financial or ownership interest in the partnership or limited-liability company;

(II) Has the power to direct the management or policies of the partnership or limited-liability company; or

(III) Has entered into a contract to lease, manage or operate the affordable housing owned by the partnership or limited-liability company.

(c) “Commissioner” means the Commissioner of Insurance.

(Added to NRS by [2011, 578](#); A [2023, 2654](#))

**NRS 315.730 Obligees’ powers and duties.** An authority may:

1. Vest in any obligees of the authority the right to enforce the payment of the bonds or any covenants securing or relating to the bonds.

2. Vest in an obligee or obligees holding a specified amount in bonds the right, in the event of a default by the authority, to take possession of and use, operate and manage any housing project or any part thereof or any funds connected therewith, and to collect the rents and revenues arising therefrom, and to dispose of such moneys in accordance with the agreement of the authority with such obligees.

3. Provide for the powers and duties of such obligees and limit the liabilities thereof.

4. Provide the terms and conditions upon which such obligees may enforce any covenant or rights securing or relating to the bonds.

[Part 14:253:1947; 1943 NCL § 5470.14]

**NRS 315.740 Exercise of enumerated powers.** An authority may exercise all or any part or combination of the powers granted in [NRS 315.680](#) to [315.730](#), inclusive, and make covenants other than and in addition to the covenants expressly authorized in such sections. An authority may do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds, or, in the absolute discretion of the authority, as will tend to make the bonds more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein.

[Part 14:253:1947; 1943 NCL § 5470.14]

**NRS 315.750 Submission to and certification of bonds by Attorney General.** An authority may submit to the Attorney General of the State any bonds to be issued pursuant to [NRS 315.140](#) to [315.7813](#), inclusive, after all proceedings for the issuance of such bonds have been taken. Upon the submission of such proceedings to the Attorney General, the Attorney General shall examine into and pass upon the validity of such bonds and the regularity of all proceedings in connection therewith. If the proceedings conform to the provisions of [NRS 315.140](#) to [315.7813](#), inclusive, and are otherwise regular in form, and if such bonds when delivered and paid for will constitute binding and legal obligations of the authority enforceable according to the terms thereof, the Attorney General shall certify in substance upon the back of each of the bonds that it is issued in accordance with the Constitution and laws of the State of Nevada.

[24:253:1947; 1943 NCL § 5470.24]—(NRS A [1975, 20](#); [1977, 1189](#))

**NRS 315.760 Housing authority bonds: Authorized investments.**

1. The State and all public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations and other persons carrying on a banking or insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds or other obligations issued by a housing authority created by or pursuant to [NRS 315.140](#) to [315.7813](#), inclusive, or issued by a public housing authority or agency in the United States, when such bonds or other obligations are secured by a pledge of annual contributions to be paid by the United States Government or any agency thereof, and such bonds and other obligations are authorized security for all public deposits, and are fully negotiable in this state; it being the purpose of the Housing Authorities Law of 1947 to authorize any of the foregoing to use any funds owned or controlled by them, including (but not limited to) sinking, insurance, investment, retirement, compensation, pension, and trust funds, and funds held on deposit, for the purchase of any such bonds or other obligations; but nothing contained in [NRS 315.140](#) to [315.7813](#), inclusive, is construed as relieving any person, firm or corporation from any duty of exercising reasonable care in selecting securities.

2. The provisions of the Housing Authorities Law of 1947 apply notwithstanding any restrictions on investments contained in other laws.

[17:253:1947; 1943 NCL § 5470.17]—(NRS A [1975, 20](#); [1977, 1189](#))

**NRS 315.770 Remedies of authority's obligee.** An obligee of an authority has the right in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee:

1. By mandamus, suit, action, or proceeding at law or in equity to compel the authority or its officers, agents or employees to perform each and every term, provision and covenant contained in any contract of the authority with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of the authority and the fulfillment of all duties imposed upon the authority by the Housing Authorities Law of 1947.

2. By suit, action or proceeding in equity, to enjoin any acts or things which may be unlawful, or the violation of any of the rights of such obligee of the authority.

[15:253:1947; 1943 NCL § 5470.15]—(NRS A [1977, 1189](#))

**NRS 315.780 Additional remedies conferrable by authority on obligee.** By its resolution, trust indenture, mortgage, lease or other contract, an authority may confer upon any obligee holding or representing a specified amount in bonds, the right (in addition to all rights that may otherwise be conferred), upon the happening of an event of default as defined in such resolution or instrument, by suit, action or proceeding in any court of competent jurisdiction:

1. To cause possession of any housing project or any part thereof to be surrendered to any such obligee.
2. To obtain the appointment of a receiver of any housing project of the authority or any part thereof and of the rents and profits therefrom. If the receiver be appointed, he or she may enter and take possession of such project or any part thereof and operate and maintain it, collect and receive all fees, rents, revenues or other charges thereafter arising therefrom, and shall keep such moneys in a separate account or accounts and apply the same in accordance with the obligations of the authority as the court shall direct.
3. To require the authority to account as if it were the trustees of an express trust.

[16:253:1947; 1943 NCL § 5470.16]—(NRS A [1977, 1190](#))

#### **Regional Authorities in Counties Whose Population is 700,000 or More**

##### **NRS 315.7805 Formation.**

1. In a county whose population is 700,000 or more, any two or more authorities may form a regional authority.
2. To form a regional authority as described in subsection 1, the governing body of the county and the governing body of each city and town located within the county that desires to participate in the regional authority shall adopt a resolution setting forth:
  - (a) The intent to regionalize some or all of their powers;
  - (b) A reference to the development of a plan for transitioning to a regional authority;
  - (c) The geographic scope of the regional authority; and
  - (d) Such other matters as the governing bodies determine to be necessary or advisable.
3. If the formation of a regional authority pursuant to this section involves fiscal matters, the ownership of real property or the consolidation of functions, the governing bodies who form the regional authority shall, in consultation with the United States Department of Housing and Urban Development, resolve such matters by written contract, agreement or other arrangement entered into by those governing bodies.

(Added to NRS by [2009, 2222](#); A [2011, 1212](#))

**NRS 315.7807 Dissolution of individual authorities.** Upon the adoption of a resolution pursuant to [NRS 315.7805](#) forming a regional authority, the dissolution of any individual authorities of the local governments who form the regional authority must be begun.

(Added to NRS by [2009, 2223](#))

##### **NRS 315.7809 Appointment of commissioners; number; term; qualifications; vacancies.**

1. Upon the adoption of a resolution pursuant to [NRS 315.7805](#) forming a regional authority, nine persons must be appointed to serve as commissioners of the authority as follows:

(a) The governing body of the county shall appoint two persons to serve as commissioners of the authority, one of whom must be a member of the governing body of the county;

(b) The governing body of the largest city in the county that participates in the regional authority shall appoint one of its members to serve as a commissioner of the authority;

(c) The governing body of the second largest city in the county that participates in the regional authority shall appoint one of its members to serve as a commissioner of the authority;

(d) The governing body of the third largest city in the county that participates in the regional authority shall appoint one of its members to serve as a commissioner of the authority; and

(e) Four commissioners who serve on behalf of tenants must be selected as described in subsection 3, including:

(1) One commissioner who serves on behalf of tenants of the county, appointed by the governing body of the county;

(2) One commissioner who serves on behalf of tenants of the largest city in the county that participates in the regional authority, appointed by the governing body of that city;

(3) One commissioner who serves on behalf of tenants of the second largest city in the county that participates in the regional authority, appointed by the governing body of that city; and

(4) One commissioner who serves on behalf of tenants of the third largest city in the county that participates in the regional authority, appointed by the governing body of that city.

2. Each commissioner must be appointed for a term of office of 4 years.

3. Each commissioner who serves on behalf of tenants must be a current recipient of assistance from the authority who resides in the county or in the city from which he or she is appointed, as applicable, and who is selected from a list of at least five eligible nominees submitted for this purpose by an organization which represents tenants of housing projects in the county or city, as applicable. If no such organization exists, each such commissioner must be selected from a list of nominees submitted for this purpose from persons who currently receive assistance from the authority and who reside in the county or in the city for which the list of nominees is prepared, as applicable. Thereafter, at least four commissioners must be such recipients who were nominated and appointed in the same manner. If, during his or her term, any such commissioner ceases to be a recipient of assistance, the commissioner must be replaced in the manner set forth in this subsection by a person who is a recipient of assistance.

4. In making the appointment of a person who is not a member of the governing body of the county described in paragraph (a) of subsection 1, the governing body shall seek recommendations for appointment from a diverse background of interests with a view toward:

(a) Balancing gender and ethnicity; and

(b) Soliciting appointees who have education and experience in fields such as, without limitation:

(1) Real estate;

(2) Financial planning;

(3) Legal aid;

(4) Education;

- (5) Public safety;
  - (6) The provision of public services; and
  - (7) The assistance of persons of low income.
5. All vacancies must be filled for the unexpired term.

(Added to NRS by [2009, 2223](#); A [2013, 261](#); [2017, 1961](#))

**NRS 315.7811 Additional powers.** A regional authority may, in addition to exercising the powers set forth in [NRS 315.440](#) and [315.460](#) and any other relevant provisions of this chapter:

- 1. Jointly, or with another authority, exercise any powers, privileges and rights that are exercised or capable of being exercised by a local housing agency of this State; and
- 2. Exercise such other powers as the governing bodies of the local governments that formed the regional authority may agree upon.

(Added to NRS by [2009, 2224](#))

**NRS 315.7813 Reservation or nomination of land from Bureau of Land Management prohibited; exception.** A regional authority may not request a reservation or nomination of land from the Bureau of Land Management unless the governing body of the jurisdiction within which the applicable land of the Bureau is located adopts a resolution of approval.

(Added to NRS by [2009, 2224](#))

***Insert Section:***

***“Housing Authority serving a single county with population of less than 700,000 and more than 200,000.”***

**NRS 315.962 Definitions.** As used in NRS 315.961 to 315.99874, inclusive, unless the context otherwise requires, the words and terms defined in NRS 315.9625 to 315.976, inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1973, 615](#); A [1987, 523](#); [2005, 220](#); [2021, 1089, 1568](#))

**NRS 315.9625 “Affordable housing” defined.** “Affordable housing” has the meaning ascribed to it in NRS 278.0105.

(Added to NRS by [2021, 1089](#))

**NRS 315.963 “Area of operation” defined.** “Area of operation” means a single county whose population is less than 700,000, but greater than 200,000.

(Added to NRS by [1973, 615](#); A [2005, 221](#); [2011, 1213](#))

**NRS 315.964 “Authority” defined.** “Authority” means an authority as defined in NRS 315.170.

**NRS 315.965 “Bonds” defined.** “Bonds” means any bonds, notes, interim certificates, debentures or other obligations issued by the Authority pursuant to the provisions of NRS 315.961 to 315.99874, inclusive.

(Added to NRS by [1973, 615](#); A [1987, 523](#); [2005, 221](#))

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**NRS 315.9655 “Business entity” defined.** “Business entity” means a corporation, whether or not for profit, nonprofit organization, association, partnership, limited-liability company, limited-liability partnership or other entity formed pursuant to NRS 315.983.

(Added to NRS by 2021, 1089)

**NRS 315.966 “City” defined.** “City” means any incorporated city.

(Added to NRS by 1973, 615)

**NRS 315.967 “Executive Director” defined.** “Executive Director” means the Executive Director of the Authority.

(Added to NRS by 1973, 615)

**NRS 315.968 “Federal Government” defined.** “Federal Government” includes the United States of America or any agency or instrumentality of the United States of America.

(Added to NRS by 1973, 616)

**NRS 315.969 “Housing project” defined.**

1. “Housing project” means any work or undertaking:

(a) To demolish, clear or remove buildings from any area acquired by the Authority or a business entity;

(b) To provide decent, safe and sanitary dwellings, apartments or other living accommodations primarily for persons of low and moderate income, including, without limitation, affordable housing. Such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, utilities, parks, site preparation, landscaping, administrative, health, recreational, welfare or other purposes; or

(c) To accomplish a combination of the foregoing.

2. “Housing project” also may be applied to the planning of the buildings and improvements, the acquisition of property or the management of property, including, without limitation, the leasing of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith.

3. The term includes the acquisition or development of mobile home parks and facilities, the leasing or rental of mobile home lots in the park, or the purchase, leasing or rental of mobile homes.

(Added to NRS by 1973, 616; A 1983, 971; 2005, 221; 2021, 1089)

**NRS 315.971 “Local authority” defined.** “Local authority” means an authority as defined in NRS 315.170.

(Added to NRS by 1973, 616; A 1975, 22; 2021, 1090)

**NRS 315.972 “Obligee” defined.** “Obligee” includes any bondholder, agent or trustee for any bondholder, or lessor demising to the Authority property used in connection with a housing project, or any assignee or assignees of such lessor’s interest or any part thereof, and the Federal Government when it is a party to any contract with the Authority.

(Added to NRS by 1973, 616)

**NRS 315.973 “Persons of low and moderate income” defined.** “Persons of low and moderate income” means individuals or families who meet the criteria for affordable housing.

(Added to NRS by 1973, 616; A 2005, 221; 2021, 1090)

**NRS 315.976 “Town” defined.** “Town” means any unincorporated town formed pursuant to the provisions of chapter 269 of NRS.

(Added to NRS by 1973, 616)

### **Administration**

#### **NRS 315.977. Appointment of commissioners; Number; vacancies; quorum.**

1. The Reno Housing Authority, consisting of five commissioners appointed by the chief executive of the city or the governing body of the town or county, as the case may be, shall thereupon appoint five persons to serve as commissioners of the authority.

2. Vacancies are filled for the unexpired term.

(a) At least one commissioner shall be appointed by the Board of Commissioners of the Housing Authority. This commissioner must be a current recipient of assistance from the Authority and must be selected from a list submitted for this purpose by the Executive Director from persons who currently receive assistance from the Authority and have applied for a Commissioner position. If during his or her term the commissioner ceases to be a recipient of assistance, the commissioner may continue to serve as a commissioner for the remainder of the unexpired term for which he or she was appointed if he or she resides within the area of operation of the Authority and the majority of the Board of Commissioners and the commissioner mutually agree that the commissioner will continue to serve.

4. A majority of the commissioners constitutes a quorum, and a vote of the majority is necessary to carry any question.

(Added to NRS by 1973, 616; A 1977, 1190; 1987, 523; 1993, 1553; 1995, 812, 2695, 2696; 1997, 450; 2011, 1378)

**NRS 315.978 Certificate of appointment or reappointment of commissioner: Filing.** A certificate of the appointment or reappointment of any commissioner shall be filed in the Office of the Secretary of State and in the Office of the Authority, and such certificate is conclusive evidence of the appointment of such commissioner.

(Added to NRS by 1973, 617; A 1977, 1191)

**NRS 315.980 Compensation of commissioners.** Each commissioner is entitled to receive compensation of up to \$240 per day for attendance at meetings of the Authority.

(Added to NRS by 1973, 617; A 1975, 298; 1981, 1979; 1985, 414; 1987, 524)

#### **NRS 315.981 Conflicts of interest.**

1. A commissioner or employee of the Authority shall not voluntarily acquire any interest, direct or indirect, except as a residential tenant, in any housing project, in any property included or planned to be included in any housing project, in any contract or proposed contract in connection with any housing project or in any mortgage loan for residential housing made pursuant to the provisions of NRS 315.9983. Where the acquisition is not voluntary, the commissioner or employee shall immediately disclose the interest in writing to the Authority and the disclosure must be entered upon the minutes of the Authority. Upon disclosure, the commissioner or employee shall not participate in any action by the Authority involving the housing project, property, contract or mortgage loan for residential housing. If any commissioner or employee of the Authority previously owned or controlled an interest, direct or indirect, in any housing project or in any property included or planned to be included in any housing project, in any contract or proposed contract in connection with any housing project or in any mortgage loan for residential housing, he or she shall immediately disclose the interest in writing to the Authority

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This section in particular was called out in the last legislative session by Representative Anderson as needing revision. The proposed changes in the '23 amendment included the following changes specific to RHA:

- 1.Up to seven commissioners consisting of representatives of each jurisdiction served by the Housing Authority and appoints being made by each jurisdiction's chief executive officer.
- 2.Representation on the RHA Board of Commissioners would be proportionate to each jurisdiction's size.
- 3.Provision (a) would remain "as is" and represent a resident board member, which is a regulation under CFR and is required of all PHA's. The proposed wording noted in this section provides further detail on how this member would be appointed.

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and the disclosure must be entered upon the minutes of the Authority. Upon disclosure, the commissioner or employee shall not participate in any action by the Authority involving the housing project, property, contract or mortgage loan for residential housing.

2. A violation of any provision of this section constitutes malfeasance in office.

3. This section is not applicable to the acquisition of any interest in notes or bonds of the Authority or the execution of agreements by financial institutions for the deposit or handling of money in connection with a housing project or to act as trustee under any trust indenture.

(Added to NRS by 1973, 617; A 1975, 933; 1977, 1112; 1995, 2695; 1999, 1469; 2005, 222)

**NRS 315.982 Removal of commissioners; filling of vacancy in office.** A commissioner of the Authority may be removed from office, after a public hearing, by a majority vote of the other commissioners for neglect of duty or malfeasance in office. A vacancy in office must be filled for the remainder of the unexpired term by the entity or entities which appointed the commissioner.

(Added to NRS by 1973, 618; A 1995, 812)

**NRS 315.983 Nature and functions; general powers; creation of business entity for development, operation or management of housing projects.**

1. Except as otherwise provided in NRS 354.474 and 377.057, the Authority:

(a) Shall be deemed to be a public body corporate and politic, and an instrumentality, local government and political subdivision of the State, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out the purposes and provisions of NRS 315.961 to 315.99874, inclusive, but not the power to levy and collect taxes or special assessments.

(b) Is not an agency, board, bureau, commission, council, department, division, employee or institution of the State.

2. The Authority may:

(a) Sue and be sued.

(b) Have a seal.

(c) Have perpetual succession.

(d) Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(e) Deposit money it receives in any insured state or national bank, insured credit union, insured savings and loan association or insured savings bank, or in the Local Government Pooled Long-Term Investment Account created by NRS 355.165 or the Local Government Pooled Investment Fund created by NRS 355.167.

(f) Adopt bylaws, rules and regulations to carry into effect the powers and purposes of the Authority.

(g) Create a business entity which has as its principal purpose the development, operation or management of housing projects. The Authority or any business entity created by the Authority pursuant to this paragraph may hold an ownership interest in a business entity created pursuant to this paragraph and participate in matters of corporate governance for that business entity.

(h) Enter into agreements or other transactions with, and accept grants from and cooperate with, any governmental agency or other source in furtherance of the purposes of NRS 315.961 to 315.99874, inclusive.

(i) Enter into an agreement with a local government within the area of operation of the Authority to receive a loan of money from the local government in accordance with NRS 354.6118.

(j) Acquire real or personal property or any interest therein, by gift, purchase, foreclosure, deed in lieu of foreclosure, lease, option or otherwise.

(Added to NRS by 1973, 618; A 1987, 524; 1995, 813; 1997, 450; 2005, 222; 2011, 1378; 2021, 1090, 1568)

**NRS 315.9835 Area of operation.**

**1. The Authority may:**

(a) Operate in a single county whose population is less than 700,000 and greater than 200,000.

(b) Provide services in the area of operation. As used in this paragraph, "services" does not include:

(1) The making of a mortgage loan pursuant to NRS 315.9981 to 315.99874, inclusive;

(2) The issuance of a mortgage credit certificate;

(3) The issuance of bonds to finance a multifamily housing project;

(4) The allocation of a low-income housing tax credit; or

**NRS 315.984 Powers of Authority concerning housing projects and low-rent housing.**

1. The Authority may, within its area of operation, prepare, carry out, operate and otherwise manage housing projects and provide for the construction, reconstruction, improvement, extension, alteration or repair of any such project or any part thereof.

2. The Authority may, within its area of operation, administer programs to subsidize that portion of a tenant's rental payments which represents the difference between the payment required in the lease and the amount paid under any program of the Federal Government.

3. The Authority may, within its area of operation, determine where there is a need for additional low-rent housing for persons of low and moderate income and where there is unsafe, insanitary or overcrowded housing.

4. The Authority may, within its area of operation, make studies and recommendations relating to the problems of relieving the shortage of low-rent housing and of eliminating unsafe, insanitary or overcrowded housing.

5. The Authority may, within its area of operation, cooperate with the Federal Government, state agencies, local authorities, counties, cities, towns and other political subdivisions of the State in action taken in connection with such problems.

(Added to NRS by 1973, 618; A 1987, 524; 1995, 813; 1997, 451; 2005, 223; 2021, 1091)

**NRS 315.98425 Powers of business entity concerning housing projects; inapplicability of Open Meeting Law to meetings of business entity.**

**1. A business entity may:**

(a) Within the area of operation of the Authority:

(1) Prepare, carry out, operate and otherwise manage housing projects; and

(2) Provide for the construction, reconstruction, improvement, extension, alteration or repair of any such project or any part thereof.

(b) Enter into a public-private partnership to finance a housing project.

(c) Construct or operate a housing project for profit.

2. The meetings of a business entity are not subject to the provisions of chapter 241 of NRS.

(Added to NRS by 2021, 1089)

**NRS 315.460 Powers relating to real and personal property.** An authority may:

1. Lease or rent any land, dwellings, accommodations, buildings, structures or facilities embraced in any housing project, and establish and revise the rents or charges therefor.

2. Own, hold and improve real or personal property.

3. Purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise or otherwise any real or personal property or any interest therein.

4. Acquire by the exercise of the power of eminent domain any real property pursuant to the provisions of the laws of Nevada and rules of court relative to the right of eminent domain, civil actions, new trials and appeals, which laws and rules shall be applicable to and constitute the rules of practice in condemnation proceedings by housing authorities.

5. Sell, lease, exchange, transfer, assign, pledge or dispose of any real or personal property or any interest therein.

6. Insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards.

[Part 7:253:1947; A 1951, 11]

**NRS 315.988 Powers of Authority under Housing Authorities Law of 1947.**

1. The Authority may exercise all or any part or combination of the powers granted to local authorities in NRS 315.450, 315.460 and 315.470 in connection with contracts, property, investments and related matters.

2. The provisions of NRS 315.560 and 315.570 concerning powers of local authorities with respect to federal aid, housing in rural areas and related matters apply to the Authority in the same manner and to the same extent as they apply to local authorities.

(Added to NRS by 1973, 619; A 1985, 271; 1987, 525; 2005, 223)

**NRS 315.989 State projects subject to local ordinances.** All housing projects of the Authority shall be subject to the planning, zoning, sanitary and building laws, ordinances and regulations applicable to the locality in which the housing project is situated.

(Added to NRS by 1973, 619)

**NRS 315.990 Payments in lieu of taxes.** The Authority or a business entity, as applicable, shall agree with the governing body of each affected city, town, county or other political subdivision to make such payments in lieu of taxes as

it finds consistent with the achievement of the purposes of NRS 315.961 to 315.99874, inclusive, including, without limitation, the development, operation and management of affordable housing.

(Added to NRS by 1973, 619; A 1987, 525; 2005, 223; 2021, 1091)

**NRS 315.991 Acquisition, operation or disposition of property by public agencies: Law applicable.** No provision of law with respect to the acquisition, operation or disposition of property by other public agencies shall be applicable to the Authority.

(Added to NRS by 1973, 619)

**NRS 315.992 Exemption of property from execution, process and judgment lien; enforcement of certain encumbrances, pledges and liens.**

1. Except as otherwise provided in subsection 2, all real and personal property of the Authority, including money, owned or held by it for the purposes of NRS 315.961 to 315.99874, inclusive, are exempt from levy and sale by virtue of an execution or other judicial process. Execution or other judicial process may not issue against such property, nor may any judgment against the Authority be a charge or lien upon such property.

2. This section does not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage, deed of trust or other encumbrance of the Authority or the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by the Authority on its rents, fees or revenues.

(Added to NRS by 1973, 619; A 1987, 525; 2005, 224)

**NRS 315.993 Projects not to be constructed or operated for profit by Authority; fixing of rentals or payments.**

1. The Authority shall not construct or operate any housing project for profit.

2. The Authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals or payments for dwelling accommodations at low rates consistent with its providing decent, safe and sanitary dwelling accommodations for persons of low and moderate income.

3. The Authority shall fix the rentals or payments for dwellings in its housing projects at no higher rates than are necessary to produce revenue which, together with all other available money, revenue, income and receipts of the Authority from whatever sources derived, will be sufficient:

(a) To pay, as it becomes due, the principal and interest on the bonds of the Authority.

(b) To create and maintain such reserves as may be required to assure the payment of principal and interest as it becomes due on its bonds.

(c) To meet the cost of, and to provide for, maintaining and operating the housing projects, including necessary reserves therefor and the cost of any insurance, and the administrative expenses of the Authority.

(d) To make such payments in lieu of taxes as it determines are consistent with the maintenance of the low-rent character of the housing projects.

4. For the purposes of this section, a housing project constructed or operated by the Authority that is eligible for credit for low-income housing pursuant to 26 U.S.C. § 42 is not constructed or operated for profit.

5. Nothing in this section shall be construed to:

(a) Prohibit a business entity from taking any action authorized by NRS 315.98425; or

(b) Impose restrictions on a business entity taking any action authorized by NRS 315.98425.

(Added to NRS by 1973, 620; A 1995, 813; 1997, 451; 2005, 224; 2021, 1091)

## RURAL HOUSING AUTHORITY

### General Provisions

#### **NRS 315.961 Policy of State; findings and declarations.**

1. It is the policy of this State to promote the health, welfare and safety of its residents and to develop more desirable neighborhoods and alleviate poverty in the counties, cities and towns of the State by making provision for decent, safe and sanitary housing facilities for persons of low and moderate income.

2. It is hereby found and declared:

(a) That there is a shortage of safe and sanitary dwelling accommodations in the rural areas of the State which are available to persons of low and moderate income, particularly senior citizens of low and moderate income, at rentals or prices they can afford;

(b) That the establishment and operation of a sufficient number of new local authorities to undertake housing projects on an individual basis in such counties and the cities and towns therein is not feasible at the present time due to geographic and economic circumstances;

(c) That the shortage of low-rent housing facilities in such counties can be partially remedied through state action by the establishment of a state housing authority having the power to undertake housing projects and make mortgage loans for residential housing; and

(d) That it is appropriate for such a state housing authority to issue obligations for the purpose of undertaking housing projects and providing mortgage loans for residential housing and to perform any other function authorized by [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [1973, 615](#); A [2005, 220](#); [2021, 1568](#))

**NRS 315.962 Definitions.** As used in [NRS 315.961](#) to [315.99874](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 315.9625](#) to [315.976](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1973, 615](#); A [1987, 523](#); [2005, 220](#); [2021, 1089](#), [1568](#))

**NRS 315.9625 “Affordable housing” defined.** “Affordable housing” has the meaning ascribed to it in [NRS 278.0105](#).

(Added to NRS by [2021, 1089](#))

**NRS 315.963 “Area of operation” defined.** “Area of operation” means any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more.

(Added to NRS by [1973, 615](#); A [2005, 221](#); [2011, 1213](#))

**NRS 315.964 “Authority” defined.** “Authority” means the Nevada Rural Housing Authority created by [NRS 315.977](#).

(Added to NRS by [1973, 615](#); A [1987, 523](#); [2021, 1089](#))

**NRS 315.965 “Bonds” defined.** “Bonds” means any bonds, notes, interim certificates, debentures or other obligations issued by the Authority pursuant to the provisions of [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [1973, 615](#); A [1987, 523](#); [2005, 221](#))

**NRS 315.9655 “Business entity” defined.** “Business entity” means a corporation, whether or not for profit, nonprofit organization, association, partnership, limited-liability company, limited-liability partnership or other entity formed pursuant to [NRS 315.983](#).

(Added to NRS by [2021, 1089](#))

**NRS 315.966 “City” defined.** “City” means any incorporated city.

(Added to NRS by [1973, 615](#))

**NRS 315.967 “Executive Director” defined.** “Executive Director” means the Executive Director of the Authority.

(Added to NRS by [1973, 615](#))

**NRS 315.968 “Federal Government” defined.** “Federal Government” includes the United States of America or any agency or instrumentality of the United States of America.

(Added to NRS by [1973, 616](#))

**NRS 315.969 “Housing project” defined.**

1. “Housing project” means any work or undertaking:

(a) To demolish, clear or remove buildings from any area acquired by the Authority or a business entity;

(b) To provide decent, safe and sanitary rural dwellings, apartments or other living accommodations primarily for persons of low and moderate income, including, without limitation, affordable housing. Such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, utilities, parks, site preparation, landscaping, administrative, health, recreational, welfare or other purposes; or

(c) To accomplish a combination of the foregoing.

2. “Housing project” also may be applied to the planning of the buildings and improvements, the acquisition of property or the management of property, including, without limitation, the leasing of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith.

3. The term includes the acquisition or development of mobile home parks and facilities, the leasing or rental of mobile home lots in the park, or the purchase, leasing or rental of mobile homes.

(Added to NRS by [1973, 616](#); A [1983, 971](#); [2005, 221](#); [2021, 1089](#))

**NRS 315.971 “Local authority” defined.** “Local authority” means an authority as defined in [NRS 315.170](#).

(Added to NRS by [1973, 616](#); A [1975, 22](#); [2021, 1090](#))

**NRS 315.972 “Obligee” defined.** “Obligee” includes any bondholder, agent or trustee for any bondholder, or lessor demising to the Authority property used in connection with a housing project, or any assignee or assignees of such lessor’s interest or any part thereof, and the Federal Government when it is a party to any contract with the Authority.

(Added to NRS by [1973, 616](#))

**NRS 315.973 “Persons of low and moderate income” defined.** “Persons of low and moderate income” means individuals or families who meet the criteria for affordable housing.

(Added to NRS by [1973, 616](#); A [2005, 221](#); [2021, 1090](#))

**NRS 315.976 “Town” defined.** “Town” means any unincorporated town formed pursuant to the provisions of [chapter 269](#) of NRS.

(Added to NRS by [1973, 616](#))

### **Administration**

**NRS 315.977 Creation of Authority; appointment of commissioners; quorum; majority vote required to carry question.**

1. The Nevada Rural Housing Authority, consisting of five commissioners, is hereby created.

2. The commissioners must be appointed as follows:

(a) Two commissioners must be appointed by the Nevada League of Cities.

(b) Two commissioners must be appointed by the Nevada Association of Counties.

(c) One commissioner must be appointed jointly by the Nevada League of Cities and the Nevada Association of Counties. This commissioner must be a current recipient of assistance from the Authority and must be selected from a list of at least five eligible nominees submitted for this purpose by an organization which represents tenants of housing projects operated by the Authority. If no such organization exists, the commissioner must be selected from a list of nominees submitted for this purpose from persons who currently receive assistance from the Authority. If during his or her term the commissioner ceases to be a recipient of assistance, the commissioner may continue to serve as a commissioner for the remainder of the unexpired term for which he or she was appointed if he or she resides within the area of operation of the Authority.

3. After the initial terms, the term of office of a commissioner is 4 years or until his or her successor takes office.

4. A majority of the commissioners constitutes a quorum, and a vote of the majority is necessary to carry any question.

5. If either of the appointing entities listed in subsection 2 ceases to exist, the pertinent appointments required by subsection 2 must be made by the successor in interest of that entity or, if there is no successor in interest, by the other appointing entity.

(Added to NRS by [1973, 616](#); A [1977, 1190](#); [1987, 523](#); [1993, 1553](#); [1995, 812](#), [2695, 2696](#); [1997, 450](#); [2011, 1378](#))

**NRS 315.978 Certificate of appointment or reappointment of commissioner: Filing.** A certificate of the appointment or reappointment of any commissioner shall be filed in the Office of the Secretary of State and in the Office of the Authority, and such certificate is conclusive evidence of the appointment of such commissioner.

(Added to NRS by [1973, 617](#); A [1977, 1191](#))

**NRS 315.979 Organization of Authority: Officers; bylaws and rules; employees; report and recommendations.**

1. As soon as possible after their appointment, the commissioners shall organize for the transaction of business by choosing a Chair and Vice Chair and by adopting bylaws and rules and regulations suitable to the purpose of organizing the Authority and conducting the business thereof.

2. The commissioners shall appoint an Executive Director and such other officers and employees as the Authority may require for the performance of its duties. The commissioners shall prescribe the duties of each officer and employee, fix their salaries, and establish the terms and conditions of their employment.

3. At least once a year, the Authority shall submit to the Nevada League of Cities, the Nevada Association of Counties, and the governing body of each city and county in its area of operation a report of its activities for the preceding year and shall make recommendations with reference to such additional legislation or other actions as it deems necessary to carry out the purposes of [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [1973, 617](#); A [1985, 414](#); [1987, 523](#); [1995, 812](#); [2005, 221](#))

**NRS 315.980 Compensation of commissioners.** Each commissioner is entitled to receive compensation of \$80 per day for attendance at meetings of the Authority.

(Added to NRS by [1973, 617](#); A [1975, 298](#); [1981, 1979](#); [1985, 414](#); [1987, 524](#))

**NRS 315.981 Conflicts of interest.**

1. A commissioner or employee of the Authority shall not voluntarily acquire any interest, direct or indirect, except as a residential tenant, in any housing project, in any property included or planned to be included in any housing project, in any contract or proposed contract in connection with any housing project or in any mortgage loan for residential housing made pursuant to the provisions of [NRS 315.9983](#). Where the acquisition is not voluntary, the commissioner or employee shall immediately disclose the interest in writing to the Authority and the disclosure must be entered upon the minutes of the Authority. Upon disclosure, the commissioner or employee shall not participate in any action by the Authority involving the housing project, property, contract or mortgage loan for residential housing. If any commissioner or employee of the Authority previously owned or controlled an interest, direct or indirect, in any housing project or in any property included or planned to be included in any housing project, in any contract or proposed contract in connection with any housing project or in any mortgage loan for residential housing, he or she shall immediately disclose the interest in writing to the Authority and the disclosure must be entered upon the minutes of the Authority. Upon disclosure, the commissioner or employee shall not participate in any action by the Authority involving the housing project, property, contract or mortgage loan for residential housing.

2. A violation of any provision of this section constitutes malfeasance in office.

3. This section is not applicable to the acquisition of any interest in notes or bonds of the Authority or the execution of agreements by financial institutions for the deposit or handling of money in connection with a housing project or to act as trustee under any trust indenture.

(Added to NRS by [1973, 617](#); A [1975, 933](#); [1977, 1112](#); [1995, 2695](#); [1999, 1469](#); [2005, 222](#))

**NRS 315.982 Removal of commissioners; filling of vacancy in office.** A commissioner of the Authority may be removed from office, after a public hearing, by a majority vote of the other commissioners for neglect of duty or malfeasance in office. A vacancy in office must be filled for the remainder of the unexpired term by the entity or entities which appointed the commissioner.

(Added to NRS by [1973, 618](#); A [1995, 812](#))

**NRS 315.983 Nature and functions; general powers; creation of business entity for development, operation or management of housing projects.**



1. Except as otherwise provided in [NRS 354.474](#) and [377.057](#), the Authority:

(a) Shall be deemed to be a public body corporate and politic, and an instrumentality, local government and political subdivision of the State, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out the purposes and provisions of [NRS 315.961](#) to [315.99874](#), inclusive, but not the power to levy and collect taxes or special assessments.

(b) Is not an agency, board, bureau, commission, council, department, division, employee or institution of the State.

2. The Authority may:

(a) Sue and be sued.

(b) Have a seal.

(c) Have perpetual succession.

(d) Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(e) Deposit money it receives in any insured state or national bank, insured credit union, insured savings and loan association or insured savings bank, or in the Local Government Pooled Long-Term Investment Account created by [NRS 355.165](#) or the Local Government Pooled Investment Fund created by [NRS 355.167](#).

(f) Adopt bylaws, rules and regulations to carry into effect the powers and purposes of the Authority.

(g) Create a business entity which has as its principal purpose the development, operation or management of housing projects. The Authority or any business entity created by the Authority pursuant to this paragraph may hold an ownership interest in a business entity created pursuant to this paragraph and participate in matters of corporate governance for that business entity.

(h) Enter into agreements or other transactions with, and accept grants from and cooperate with, any governmental agency or other source in furtherance of the purposes of [NRS 315.961](#) to [315.99874](#), inclusive.

(i) Enter into an agreement with a local government within the area of operation of the Authority to receive a loan of money from the local government in accordance with [NRS 354.6118](#).

(j) Acquire real or personal property or any interest therein, by gift, purchase, foreclosure, deed in lieu of foreclosure, lease, option or otherwise.

(Added to NRS by [1973, 618](#); A [1987, 524](#); [1995, 813](#); [1997, 450](#); [2005, 222](#); [2011, 1378](#); [2021, 1090, 1568](#))

**NRS 315.9835 Area of operation.**

1. The Authority may:

(a) Except as otherwise provided in paragraph (b), operate in any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more.

(b) Provide services in any area of the State if the Authority has contracted with the State or a local government to provide those services in that area. As used in this paragraph, "services" does not include:

(1) The making of a mortgage loan pursuant to [NRS 315.9981](#) to [315.99874](#), inclusive;

(2) The issuance of a mortgage credit certificate;

- (3) The issuance of bonds to finance a multifamily housing project;
- (4) The allocation of a low-income housing tax credit; or
- (5) Weatherization other than an assessment or inspection of property for weatherization.

2. As used in this section, “weatherization” means materials or measures, and their installation, that are used to improve the thermal efficiency of a building, facility, residence or structure.

(Added to NRS by [2005, 212](#); A [2011, 1213, 1379](#))

**NRS 315.984 Powers of Authority concerning housing projects and low-rent housing.**

1. The Authority may, within its area of operation, prepare, carry out, operate and otherwise manage housing projects and provide for the construction, reconstruction, improvement, extension, alteration or repair of any such project or any part thereof.

2. The Authority may, within its area of operation, administer programs to subsidize that portion of a tenant’s rental payments which represents the difference between the payment required in the lease and the amount paid under any program of the Federal Government.

3. The Authority may, within its area of operation, determine where there is a need for additional low-rent housing for persons of low and moderate income and where there is unsafe, insanitary or overcrowded housing.

4. The Authority may, within its area of operation, make studies and recommendations relating to the problems of relieving the shortage of low-rent housing and of eliminating unsafe, insanitary or overcrowded housing.

5. The Authority may, within its area of operation, cooperate with the Federal Government, state agencies, local authorities, counties, cities, towns and other political subdivisions of the State in action taken in connection with such problems.

(Added to NRS by [1973, 618](#); A [1987, 524](#); [1995, 813](#); [1997, 451](#); [2005, 223](#); [2021, 1091](#))

**NRS 315.98425 Powers of business entity concerning housing projects; inapplicability of Open Meeting Law to meetings of business entity.**

1. A business entity may:

(a) Within the area of operation of the Authority:

(1) Prepare, carry out, operate and otherwise manage housing projects; and

(2) Provide for the construction, reconstruction, improvement, extension, alteration or repair of any such project or any part thereof.

(b) Enter into a public-private partnership to finance a housing project.

(c) Construct or operate a housing project for profit.

2. The meetings of a business entity are not subject to the provisions of [chapter 241](#) of NRS.

(Added to NRS by [2021, 1089](#))

**NRS 315.988 Powers of Authority under Housing Authorities Law of 1947.**

1. The Authority may exercise all or any part or combination of the powers granted to local authorities in [NRS 315.450](#), [315.460](#) and [315.470](#) in connection with contracts, property, investments and related matters.

2. The provisions of [NRS 315.560](#) and [315.570](#) concerning powers of local authorities with respect to federal aid, housing in rural areas and related matters apply to the Authority in the same manner and to the same extent as they apply to local authorities.

(Added to NRS by [1973, 619](#); A [1985, 271](#); [1987, 525](#); [2005, 223](#))

**NRS 315.989 State projects subject to local ordinances.** All housing projects of the Authority shall be subject to the planning, zoning, sanitary and building laws, ordinances and regulations applicable to the locality in which the housing project is situated.

(Added to NRS by [1973, 619](#))

**NRS 315.990 Payments in lieu of taxes.** The Authority or a business entity, as applicable, shall agree with the governing body of each affected city, town, county or other political subdivision to make such payments in lieu of taxes as it finds consistent with the achievement of the purposes of [NRS 315.961](#) to [315.99874](#), inclusive, including, without limitation, the development, operation and management of affordable housing.

(Added to NRS by [1973, 619](#); A [1987, 525](#); [2005, 223](#); [2021, 1091](#))

**NRS 315.991 Acquisition, operation or disposition of property by public agencies: Law applicable.** No provision of law with respect to the acquisition, operation or disposition of property by other public agencies shall be applicable to the Authority.

(Added to NRS by [1973, 619](#))

**NRS 315.992 Exemption of property from execution, process and judgment lien; enforcement of certain encumbrances, pledges and liens.**

1. Except as otherwise provided in subsection 2, all real and personal property of the Authority, including money, owned or held by it for the purposes of [NRS 315.961](#) to [315.99874](#), inclusive, are exempt from levy and sale by virtue of an execution or other judicial process. Execution or other judicial process may not issue against such property, nor may any judgment against the Authority be a charge or lien upon such property.

2. This section does not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage, deed of trust or other encumbrance of the Authority or the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by the Authority on its rents, fees or revenues.

(Added to NRS by [1973, 619](#); A [1987, 525](#); [2005, 224](#))

**NRS 315.993 Projects not to be constructed or operated for profit by Authority; fixing of rentals or payments.**

1. The Authority shall not construct or operate any housing project for profit.

2. The Authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals or payments for dwelling accommodations at low rates consistent with its providing decent, safe and sanitary dwelling accommodations for persons of low and moderate income.

3. The Authority shall fix the rentals or payments for dwellings in its housing projects at no higher rates than are necessary to produce revenue which, together with all other available money, revenue, income and receipts of the Authority from whatever sources derived, will be sufficient:

(a) To pay, as it becomes due, the principal and interest on the bonds of the Authority.

(b) To create and maintain such reserves as may be required to assure the payment of principal and interest as it becomes due on its bonds.

(c) To meet the cost of, and to provide for, maintaining and operating the housing projects, including necessary reserves therefor and the cost of any insurance, and the administrative expenses of the Authority.

(d) To make such payments in lieu of taxes as it determines are consistent with the maintenance of the low-rent character of the housing projects.

4. For the purposes of this section, a housing project constructed or operated by the Authority that is eligible for credit for low-income housing pursuant to 26 U.S.C. § 42 is not constructed or operated for profit.

5. Nothing in this section shall be construed to:

(a) Prohibit a business entity from taking any action authorized by [NRS 315.98425](#); or

(b) Impose restrictions on a business entity taking any action authorized by [NRS 315.98425](#).

(Added to NRS by [1973, 620](#); A [1995, 813](#); [1997, 451](#); [2005, 224](#); [2021, 1091](#))

**NRS 315.994 Tenant selection.**

1. In the operation or management of its housing projects, the Authority shall at all times observe the following duties with respect to rentals and tenant admissions:

(a) It may rent or lease the dwelling accommodations therein only to persons of low and moderate income.

(b) It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms, but no greater number, which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

(c) It shall not accept any person or persons as tenants in any housing project if the person or persons who occupy the dwelling accommodations have, at the time of admission, an aggregate annual net income, less an exemption of \$200 for each minor member of the family other than the head of the family and his or her spouse, in excess of 7 times the annual rental of the quarters to be furnished such person or persons; but the Authority may agree to conditions as to tenant eligibility or preference required by the Federal Government pursuant to federal law in any contract for financial assistance with the Authority. In computing the rental for this purpose of admitting tenants, there shall be included in the rental the average annual cost, as determined by the Authority, to occupants of heat, water, electricity, gas, cooking fuel, and other necessary services or facilities, whether or not the charge for such services and facilities is included in the rental.

2. The requirements of this section do not apply to a housing project developed, operated or managed by a business entity.

(Added to NRS by [1973, 620](#); A [2005, 224](#); [2021, 1092](#))

**NRS 315.993 Tenant eligibility: Money deposited in individual development account not considered income.**

The Authority shall not consider money deposited in an individual development account pursuant to [NRS 422A.493](#) by a tenant of a housing project operated by the Authority to be income for the purpose of determining whether the person is eligible to reside in the housing project under the provisions of [NRS 315.994](#) or any regulations adopted by the Authority.

(Added to NRS by [2021, 1567](#))

**NRS 315.9945 Duty of Authority to ensure provision of instruction in financial literacy to tenant who deposits income in individual development account.**

1. In addition to the training provided by the State Treasurer pursuant to paragraph (m) of subsection 1 of [NRS 226.110](#), the Authority shall, to the extent that money is provided by the State Treasurer pursuant to [NRS 422A.492](#) for that purpose, ensure that instruction in financial literacy is provided to a tenant who deposits a portion of his or her income in an individual development account pursuant to [NRS 422A.493](#).

2. The Authority may contract for the services of an independent contractor to provide the instruction required by subsection 1.

(Added to NRS by [2021, 1567](#))

**NRS 315.995 Remedies of Authority's obligee: Effect of [NRS 315.993](#) and [315.994](#).** Nothing contained in [NRS 315.993](#) and [315.994](#) shall be construed as limiting the power of the Authority to vest in an obligee the right, in the event of a default by the Authority, to take possession thereof or cause the appointment of a receiver thereof, free from all the restrictions imposed by such sections.

(Added to NRS by [1973, 620](#))

**NRS 315.996 Powers of state public bodies respecting housing projects.** The provisions of [NRS 315.550](#) apply to housing projects of the Authority undertaken pursuant to the provisions of [NRS 315.961](#) to [315.99874](#), inclusive, in the same manner and to the same extent as they apply to projects of local authorities.

(Added to NRS by [1973, 620](#); A [1985, 271](#); [1987, 525](#))

#### Financing

**NRS 315.9981 Definitions.** As used in [NRS 315.9981](#) to [315.99874](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 315.99815](#) to [315.99828](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2005, 211](#))

**NRS 315.99815 "Lending institution" defined.** "Lending institution" means any bank or trust company, Federal National Mortgage Association approved mortgage company, national banking association, savings and loan association, savings bank or other financial institution or governmental agency of the United States which customarily provides service or otherwise aids in the financing of mortgages located in this State.

(Added to NRS by [2005, 211](#); A [2017, 3097](#))

**NRS 315.99818 "Mortgage" defined.** "Mortgage" means a mortgage deed, deed of trust or other instrument which constitutes a lien on real property in fee simple or on a leasehold under a lease whose remaining term, at the time such mortgage is acquired, does not expire for at least that number of years beyond the maturity date of the obligation secured by such mortgage as is established by the Authority as necessary to protect its interest as mortgagee.

(Added to NRS by [2005, 211](#))

**NRS 315.9982 "Mortgage loan" defined.** "Mortgage loan" means an interest-bearing obligation secured by a mortgage on land and improvements in this State.

(Added to NRS by [2005, 211](#))

**NRS 315.99825 "Real property" defined.** "Real property" means all lands, including rights to space above the lands, improvements and fixtures on the lands and property of any nature appurtenant to or used in connection with the lands, and every estate, interest and right, legal or equitable, in the lands, including terms of years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(Added to NRS by [2005, 211](#))

**NRS 315.99828 “Residential housing” defined.** “Residential housing” means one or more new or existing residential dwelling units financed pursuant to the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, for the primary purpose of providing decent, safe and sanitary dwelling accommodations for persons of low and moderate income in need of housing, including any buildings, manufactured homes, mobile homes, mobile home parks, land, improvements, equipment, facilities, other real or personal property, or other related nonhousing facilities which are necessary, convenient or desirable in connection therewith, and including, without limitation, streets, sewers, utilities, parks, site preparation, landscaping and other nonhousing facilities such as administrative, community, transportation, health, recreational, educational, commercial, retail, welfare and public facilities which the Authority determines improve the quality of the residential living for persons of low and moderate income.

(Added to NRS by [2005, 212](#))

**NRS 315.9983 Mortgages and loans: Generally.** The Authority may make, undertake commitments to make and participate with lending institutions in the making of mortgage loans to finance the acquisition, construction, development, renewal, redevelopment, rehabilitation or refinancing of residential housing, including, without limitation, single family and multifamily housing, within this State.

(Added to NRS by [2005, 212](#))

**NRS 315.99832 Mortgages and loans: Security; repayment; interest.** Any mortgage loan made by the Authority must be secured in such manner, be repaid in such period and bear interest at such rate or rates as are determined by the Authority.

(Added to NRS by [2005, 212](#))

**NRS 315.99834 Mortgages and loans: Related powers.** The Authority may:

1. Renegotiate, refinance or foreclose, or contract for the foreclosure of, any mortgage in default;
2. Waive any default or consent to the modification of the terms of any mortgage;
3. Commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract or other agreement;
4. Bid for and purchase property upon which it holds a mortgage at any foreclosure or at any other sale, or acquire and take possession of any such property;
5. Operate, manage, lease, dispose of and otherwise deal with such property in such manner as may be necessary to protect the interest of the Authority and the holders of its bonds, notes and other obligations; and
6. Consent to any modification with respect to rate of interest, time and payment of any installment of principal or interest, security or any other term of any contract, mortgage, mortgage loan, mortgage loan commitment, contract or agreement of any kind to which the Authority is a party, subject to any agreement with bondholders or noteholders.

(Added to NRS by [2005, 212](#))

**NRS 315.99836 Mortgages and loans: Fees and charges.** The Authority may charge and collect such fees and charges as the Authority may establish from time to time for its making of mortgage loans for residential housing.

(Added to NRS by [2005, 213](#))

**NRS 315.99838 Mortgages and loans: Insurance.** The Authority may procure insurance against any loss in connection with its property and other assets, including mortgages and mortgage loans, in such amounts and from such insurers as it deems desirable.

(Added to NRS by [2005, 213](#))

**NRS 315.9984 Findings necessary for financing.** The Authority shall not finance any residential housing unless, before such financing, the Authority finds that:

1. There exists a shortage of decent, safe and sanitary housing at rentals or prices which eligible families can afford within the general housing market area as determined by the Authority.

2. Private enterprise and investment have been unable, without assistance, to provide an adequate supply of decent, safe and sanitary housing in such housing market area at rentals or prices which persons or families of low and moderate income can afford or to provide sufficient mortgage financing for residential housing for occupancy by such persons or families.

3. The proposed residential housing will increase the supply or improve the quality of decent, safe and sanitary housing for eligible families.

4. The residential housing to be developed or assisted by the Authority pursuant to the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, will be of public use and will provide a public benefit.

5. The estimates of the Authority of its revenues from the financing of the residential housing, together with all subsidies, grants or other financial assistance from governmental agencies or other entities to be received in connection with the residential housing, will be sufficient to pay the amount estimated by the Authority as necessary for debt service on its notes and bonds to be issued for the financing of the residential housing.

(Added to NRS by [2005, 213](#))

**NRS 315.99842 Notes, bonds and other obligations: Issuance; amounts; payment.**

1. The Authority may issue its negotiable notes and bonds in such principal amount as the Authority determines to be necessary to provide sufficient money for achieving any of its statutory purposes, including the payment of interest on notes and bonds of the Authority, establishment of bond reserve funds and other reserves to secure the notes and bonds, and all other expenditures of the Authority necessary or convenient to carry out its statutory purposes and powers.

2. Subject to any agreements with holders of notes or bonds, all notes and bonds issued by the Authority are special obligations of the Authority payable out of any revenues, money or other assets of the Authority pledged thereto.

(Added to NRS by [2005, 213](#))

**NRS 315.99844 Notes, bonds and other obligations: Type; interest; sale.** The bonds issued pursuant to [NRS 315.99842](#) may be issued as serial bonds payable in annual installments or as term bonds, or as a combination thereof. The notes and bonds must bear interest at such a rate or rates, be in such denominations, have such registration privileges, be executed in such a manner, be payable in such a medium of payment, at such a place or places within or outside of the State, and be subject to such terms of redemption as the Authority determines. The notes and bonds of the Authority may be sold by the Authority at public or private sale at such a price or prices as the Authority determines except that no note, bond or other obligation issued by the Authority may be initially distributed to the public unless it has received a rating in one of the three highest rating categories from a national rating service.

(Added to NRS by [2005, 213](#))

**NRS 315.99846 Notes, bonds and other obligations: Pledges.** The Authority in issuing any notes or bonds may contract with the holders thereof as to:

1. Pledging all or any part of the revenues of the Authority to secure the payment of the notes or bonds subject to such agreements with noteholders or bondholders as may then exist.
2. Pledging all or any part of the assets of the Authority, including mortgages and obligations securing such assets, to secure the payment of the notes or bonds subject to such agreements with noteholders or bondholders as may then exist.
3. The use and disposition of the gross income from mortgages owned by the Authority and the payment of principal of mortgages owned by the Authority.
4. The setting aside of reserves or sinking funds and the regulation and disposition thereof.
5. Limitations on the purpose to which the proceeds of sale of notes or bonds may be applied and pledging such proceeds to secure the payment of the notes or bonds or of any issue thereof.
6. Limitations on the issuance of additional notes or bonds, the terms upon which additional notes or bonds may be issued and secured, and the refunding of outstanding or other notes or bonds.
7. The procedure, if any, by which the terms of any contract with noteholders or bondholders may be amended or abrogated, the amount of notes or bonds the holders of which must consent thereto and the manner in which such consent may be given.
8. Limitations on the amount of money to be expended by the Authority for operating expenses of the Authority.
9. Vesting in a trustee or trustees such property, rights, powers and duties in trust as the Authority may determine, which may include any or all of the rights, powers and duties of the trustee appointed by the bondholders pursuant to [NRS 315.9981](#) to [315.99874](#), inclusive, and limiting or abrogating the right of the bondholders to appoint a trustee under this act or limiting the rights, powers and duties of such trustee.
10. Defining the acts or omissions which constitute a default in the obligations and duties of the Authority to the holders of the notes or bonds and providing for the rights and remedies of the holders of the notes or bonds in case of such default, including, as a matter of right, the appointment of a receiver, but such rights and remedies must not be inconsistent with the general laws of this State and the other provisions of [NRS 315.9981](#) to [315.99874](#), inclusive.
11. Any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

È Any pledge made by the Authority is valid and binding from the time the pledge is made. The revenues, money or property so pledged and thereafter received by the Authority are immediately subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge is valid and binding as against all persons having claims of any kind in tort, contract or otherwise against the Authority, whether or not such persons have notice thereof. Neither the proceedings of the Authority relating to the bonds or notes nor any other instrument by which a pledge is created need be recorded.

(Added to NRS by [2005, 214](#))

**NRS 315.99848 Notes, bonds and other obligations: Trust indentures.** In the discretion of the Authority, bonds issued by the Authority may be secured by a trust indenture or trust indentures by and between the Authority and a corporate trustee, which may be any trust company or bank having the power of a trust company within or outside this State. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the Authority in relation to the exercise of its statutory powers and the custody, safeguarding and application of all money. The Authority may provide by such trust indenture for the payment of the proceeds of the bonds and the revenues to the trustee under such trust indenture or other depository, and for the method of disbursement thereof, with such safeguards and restrictions as the Authority may determine. All expenses incurred in carrying out such trust indenture may be treated as part of the operating expenses of the Authority. Such trust indenture may limit or abrogate the right of the holders of any bonds, notes or other



obligations of the Authority to appoint a trustee under [NRS 315.9981](#) to [315.99874](#), inclusive, or limit the rights, powers and duties of such trustee.

(Added to NRS by [2005, 215](#))

**NRS 315.9985 Notes, bonds and other obligations: Guarantees of payment.** The Authority may procure or agree to the procurement of insurance or guarantees from any governmental agency or from any private insurance company, of the payment of any bonds or notes or any other evidences of indebtedness thereof issued by the Authority or by any lending institution, and may pay premiums on such insurance.

(Added to NRS by [2005, 215](#))

**NRS 315.99852 Notes, bonds and other obligations: Redemption; remarketing or refunding.**

1. The Authority, subject to such agreements with noteholders or bondholders as may then exist, may, out of any money available therefor, purchase its notes or bonds to retire and cancel them. The price must not exceed:

(a) The redemption price then applicable plus accrued interest to the next interest payment thereon if the notes or bonds are then redeemable; or

(b) The redemption price applicable on the first date after the purchase upon which the notes or bonds become subject to redemption plus accrued interest to that date if the notes or bonds are not redeemable.

2. The Authority may, in connection with any remarketing or refunding of its notes or bonds or for any of its purposes, acquire, or cause to be acquired, its notes or bonds without retiring and cancelling them.

(Added to NRS by [2005, 215](#))

**NRS 315.99854 Notes, bonds and other obligations: Provision for or requirement of means of assuring repayment; payment of associated fees and costs.** The Authority may:

1. Provide that any bonds or notes issued by the Authority be insured or be secured by surety bonds, letters of credit not issued by the Authority, guaranties or other means of assuring repayment of such bonds or notes.

2. Require that any loans, including a mortgage loan, made or purchased by the Authority be insured or be secured by surety bonds, letters of credit not issued by the Authority, guaranties or other means of assuring repayment of such loans.

3. Pay the fees, charges, premiums and any other costs associated with obtaining and maintaining insurance, or other means of assuring repayment, from any available money of the Authority, including premiums, fees and charges assessed against sponsors, lending institutions or other participants or beneficiaries of the programs of the Authority.

(Added to NRS by [2005, 215](#))

**NRS 315.99856 Notes, bonds and other obligations: Waiver of exemption of interest from federal income taxation; issuance of obligations not exempt from taxation.** The Authority may:

1. Waive, by such means as the Authority deems appropriate, any exemption from federal income taxation of interest on the bonds, notes or other obligations of the Authority provided by 26 U.S.C. §§ 141 to 149, inclusive, and related portions of the Internal Revenue Code or any succeeding code or other federal statute providing a similar exemption; or

2. Issue notes, bonds or other obligations, the interest on which is not exempt from federal income taxation or excluded from gross revenue for the purpose of federal income taxation, if necessary to carry out the purposes of [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [2005, 216](#))

**NRS 315.99858 Notes, bonds and other obligations: Refunding obligations.**

1. The Authority may issue refunding obligations to refund any obligations then outstanding which have been issued under the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of the obligations and for any statutory purpose of the Authority. The issuance of the obligations, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the Authority in respect to them are governed by the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, which relate to the issuance of original obligations insofar as appropriate.

2. Refunding obligations issued as provided in this section may be sold or exchanged for outstanding obligations issued under [NRS 315.9981](#) to [315.99874](#), inclusive, and, if they are sold, the proceeds thereof may be applied, in addition to any other authorized purposes, to the purchase, redemption or payment of the outstanding obligations. Pending the application of the proceeds of the refunding obligations, with any other available funds, to the purpose for which they are issued, the proceeds may be invested in direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed by the United States of America, or obligations of any agency or instrumentality of the United States of America, which mature or which are subject to redemption by the holders thereof, at the option of such holders, not later than the respective dates when the proceeds, together with the interest accruing thereon, will be required for the purposes intended.

(Added to NRS by [2005, 216](#))

**NRS 315.9986 Notes, bonds and other obligations: Establishment, use and requirements for bond reserve funds.**

1. The Authority may establish one or more bond reserve funds, and shall pay into each such bond reserve fund:

(a) Any money appropriated by the Legislature for the purpose of the fund;

(b) Any proceeds of sale of notes or bonds to the extent provided in connection with the issuance thereof; and

(c) Any other money which may be available to the Authority for the purpose of the fund from any other source or sources.

È All money held in any bond reserve fund, except as otherwise expressly provided in [NRS 315.9981](#) to [315.99874](#), inclusive, must be used, as required, solely for the payment of the principal of bonds secured in whole or in part by the fund or of the sinking fund payments with respect to such bonds, the purchase or redemption of such bonds, the payment of interest on such bonds or the payment of any redemption premium required to be paid when the bonds are redeemed before maturity.

2. Money in such a fund must not be withdrawn from the fund at any time in an amount that would reduce the amount of the fund below the requirement established for that fund, except to pay when due, with respect to bonds secured in whole or in part by that fund, principal, interest, redemption premiums and sinking fund payments for the payment of which other money of the Authority is not available.

(Added to NRS by [2005, 216](#))

**NRS 315.99862 Notes, bonds and other obligations: Limitations on bond reserve funds.** The Authority shall not at any time pursuant to [NRS 315.9981](#) to [315.99874](#), inclusive, issue bonds, secured in whole or in part by a bond reserve fund, if upon the issuance of those bonds, the amount in that bond reserve fund will be less than the bond reserve fund requirement for that fund, unless the Authority at the time of issuance of those bonds deposits in that fund from the proceeds of the bonds issued, or from other sources, an amount which, together with the amount then in that fund, will not be less than the bond reserve fund requirement for that fund. The bond reserve fund requirement, as of any particular date

of computation, is an amount of money, specified in the proceedings of the Authority authorizing the bonds with respect to which the fund is established, necessary to provide adequate reserves for debt service on the bonds.

(Added to NRS by [2005, 217](#))

**NRS 315.99864 Notes, bonds and other obligations: Purpose of bond reserve fund requirements.** The provision of bond reserve fund requirements is designed to assure the continued operation and solvency of the Authority for the carrying out of its statutory purposes.

(Added to NRS by [2005, 217](#))

**NRS 315.99866 Notes, bonds and other obligations: Remedies of bondholders and noteholders.**

1. If the Authority defaults in the payment of principal of or interest on any bonds or notes issued under [NRS 315.9981 to 315.99874](#), inclusive, after it is due, whether at maturity or upon call for redemption, and such default continues for a period of 30 days, or if the Authority fails or refuses to comply with the provisions of [NRS 315.9981 to 315.99874](#), inclusive, or defaults in any agreement made with the holders of an issue of its bonds or notes, the holders of 25 percent in aggregate principal amount of the bonds or notes of such issue then outstanding, by instrument or instruments filed in the Office of the Secretary of State and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of such bonds or notes for the purposes provided in this section.

2. The trustee may, and upon written request of the holders of 25 percent in principal amount of such bonds or notes then outstanding shall, in his, her or its own name:

(a) Enforce the right of the bondholders or noteholders to require the Authority to collect interest and amortization payments on the mortgages held by it adequate to carry out any agreement as to, or pledge of, such interest and amortization payments, and to require the Authority to carry out any other agreements with the holders of such bonds or notes and to perform its duties under [NRS 315.9981 to 315.99874](#), inclusive.

(b) Enforce the right of the bondholders or noteholders to collect and enforce the payment of principal of and interest due or becoming due on loans to lending institutions and collect and enforce any rights in respect to collateral securing such loans or sell such collateral, so as to carry out any contract as to, or pledge of revenues, and to require the Authority to carry out any contract as to, or pledge of revenues, and to require the Authority to perform its duties under [NRS 315.9981 to 315.99874](#), inclusive.

(c) Bring suit upon all or any part of such bonds or notes.

(d) By civil action, require the Authority to account as if it were the trustee of an express trust for the holders of such bonds or notes.

(e) By civil action, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds or notes.

(f) Declare all such bonds or notes due, and if all defaults are made good then with the consent of the holders of 25 percent of the principal amount of such bonds or notes then outstanding, to annul such declaration and its consequences.

(g) Enforce any other right of the bondholders or noteholders conferred by law or by the proceedings of the Authority authorizing the issuance of the bonds or notes.

3. The trustee shall, in addition to the powers listed in subsection 2, have all the powers necessary or appropriate for the exercise of any functions specifically set forth in this section or incident to the general representation of bondholders or noteholders in the enforcement and protection of their rights.

4. Before declaring the principal of bonds or notes due, the trustee shall give 30 days' notice in writing to the Governor, to the Authority and to the Attorney General of this State.

5. The District Court of the First Judicial District has jurisdiction of any suit, action or proceeding by the trustee on behalf of bondholders or noteholders.

(Added to NRS by [2005, 217](#))

**NRS 315.9986 Notes, bonds and other obligations: Pledge against impairment of holders' rights and remedies; credit of State or political subdivision not pledged.**

1. The State of Nevada hereby pledges to and agrees with the holders of any notes or bonds issued under [NRS 315.9981 to 315.99874](#), inclusive, that the State will not limit or alter the rights vested in the Authority by [NRS 315.9981 to 315.99874](#), inclusive, to fulfill the terms of any agreements made with such holders or in any way impair the rights and remedies of such holders until such notes and bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. The Authority may include this pledge and agreement of the State in any agreement with the holders of such notes or bonds.

2. Obligations issued under the provisions of [NRS 315.9981 to 315.99874](#), inclusive, including letters of credit issued by the Authority, do not constitute a debt, liability or obligation of this State or of any political subdivision thereof, or a pledge of the faith and credit of this State or of any political subdivision thereof, but are payable solely from the revenues or assets of the Authority. Neither the commissioners of the Authority nor any person executing the bonds is liable personally on the bonds by reason of the issuance thereof. Each obligation, including a letter of credit, issued under [NRS 315.9981 to 315.99874](#), inclusive, must contain on the face thereof a statement to the effect that the Authority is not obligated to pay the obligation or the interest thereon except from the revenues or assets pledged therefor and that neither the faith and credit nor the taxing power of this State or of any political subdivision thereof is pledged to the payment of the principal of or the interest on the obligation. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

(Added to NRS by [2005, 218](#))

**NRS 315.9987 Notes, bonds and other obligations: Submission to and certification by Attorney General.** The Authority may submit to the Attorney General of the State any bonds to be issued under [NRS 315.9981 to 315.99874](#), inclusive, after all proceedings for the issuance of such bonds have been taken. Upon the submission of such proceedings to the Attorney General, the Attorney General shall examine into and pass upon the validity of such bonds and the regularity of all proceedings in connection therewith. If the proceedings conform to the provisions of [NRS 315.9981 to 315.99874](#), inclusive, and are otherwise regular in form, and if such bonds when delivered and paid for will constitute binding and legal obligations of the Authority enforceable according to the terms thereof, the Attorney General shall certify in substance upon the back of each of the bonds that it is issued in accordance with the Constitution and laws of the State of Nevada.

(Added to NRS by [2005, 219](#))

**NRS 315.99872 Notes, bonds and other obligations: Legal investments; securities.**

1. The notes and bonds of the Authority are legal investments in which all public officers and public bodies of the State, its political subdivisions, all municipalities and municipal subdivisions, all insurance companies and associations and other persons carrying on an insurance business, all banks, savings and loan associations, savings banks and trust companies, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons who are authorized to invest in bonds or in other obligations of this State, may properly and legally invest funds, including capital, in their control or belonging to them. The notes and bonds are securities which may properly and legally be deposited with and received by all public officers and public bodies of the State or any agency or political subdivision of the State and all municipalities and public corporations for any purpose for which the deposit of bonds or other obligations of this State is authorized by law and may be used as collateral to secure any deposit of public money.

2. The notes and bonds of the Authority are securities within the meaning of the Uniform Commercial Code—Investment Securities.

(Added to NRS by [2005, 219](#))

**NRS 315.99874 Notes, bonds and other obligations: Signatures of commissioners and officers.** If any of the commissioners or officers of the Authority whose signatures appear on any bonds or coupons cease to be such commissioners or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such commissioners or officers had remained in office until such delivery.

(Added to NRS by [2005, 219](#))

Provisions for consideration by all three PHA's:

1. State transferable transfer tax credit available to PHA's using ground lease structure.
2. Each of the three PHA's receive a Bill Draft Request each legislative session.

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## RENO HOUSING AUTHORITY

**AGENDA ITEM NUMBER: 8**

**December 17, 2024**

**SUBJECT:** Discussion and possible direction to staff regarding future use of 870 Sage Street, Reno, which may include holding the property for use by UNR Early Head Start Childcare, renting the property to Washoe Affordable Housing Corporation, relocating RHA staff to the site, or other uses. (Discussion Only)

**FROM:** Executive Director

**RECOMMENDATION:** Discussion

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### **Background:**

As previously reported to the board, UNR Early Head Start Childcare did not receive the anticipated head start expansion grant funding that they had applied for. Given this, UNR Early Head Start (UNR) terminated its childcare program at 870 Sage Street and submitted notice to RHA in November of its intent to vacate the property. RHA staff has since spoken with UNR staff to determine if there is any ability to reactivate the site and has also met internally to identify other possible uses for property.

#### *Option 1: Hold the Property for UNR While it Seeks New Funding*

UNR staff indicated that there is potential state funding available to expand their services, which would enable them to restart childcare at 870 Sage Street. However, the State has not yet indicated when the application round will open and, therefore, it is unknown when the funds, if awarded, will be available. Additionally, if funds are awarded, UNR would need RHA to void the lease terms previously approved and continue to extend the \$600 per month lease rate. UNR estimates that it will cost approximately \$700,000 annually to operate the site and serve 24 children and their families. RHA is continuing discussions with UNR on this matter.

#### *Option 2: Relocate Washoe Affordable Housing Corporation (WAHC) to Sage Street*

Alternatively, WAHC could be relocated from their current office on Forest Street to Sage Street. This would move RHA's affiliate entity into closer proximity of the main office providing administrative efficiencies. It would also open the possibility of selling WAHC's current office and using the proceeds to further RHA's mission. An appraisal would be needed to determine the value of the Forest Street site. Zillow estimates property values in that neighborhood to be between \$500,000 to \$700,000.

#### *Option 3: Relocate Asset Management or other staff to Sage Street*

A third option is to relocate maintenance and other asset management staff to Sage Street. Several maintenance staff were relocated and are currently sharing space due to the Silverada Manor project. Moving these staff to Sage Street will better meet office space needs and provide additional room as asset management continues to expand with RHAs new properties coming online. While this option does not generate as much income, staff can be relocated somewhat quickly which also prevents the property from sitting vacant.

Regardless of which option is ultimately pursued, given that the property is currently vacant, asset management staff will aim to complete needed property improvements. Funds for these types of improvements are available from the Sage Street replacement reserve (damage fund).

Staff are seeking direction from the board as to which proposed option, or other use, the board would like to pursue.

**RENO HOUSING AUTHORITY**

**AGENDA ITEM NUMBER: 9**

**December 17, 2024**

SUBJECT: Discussion and quarterly update on the RHA development projects including, but not limited to:

1. Railyard Flats
2. Silverada Manor
3. Hawk View Apartments
4. John McGraw & Silver Sage Apartments
5. Stead Manor
6. Carville Court
7. Reno Avenue  
(Discussion only)

FROM: Executive Director

RECOMMENDATION: For Possible Action

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**2024 Quarter 4 Development Project Updates**

**Staff Report**

**Background:**

Please see 2024 Quarter 4 updates for all active Development Department projects on the following pages:



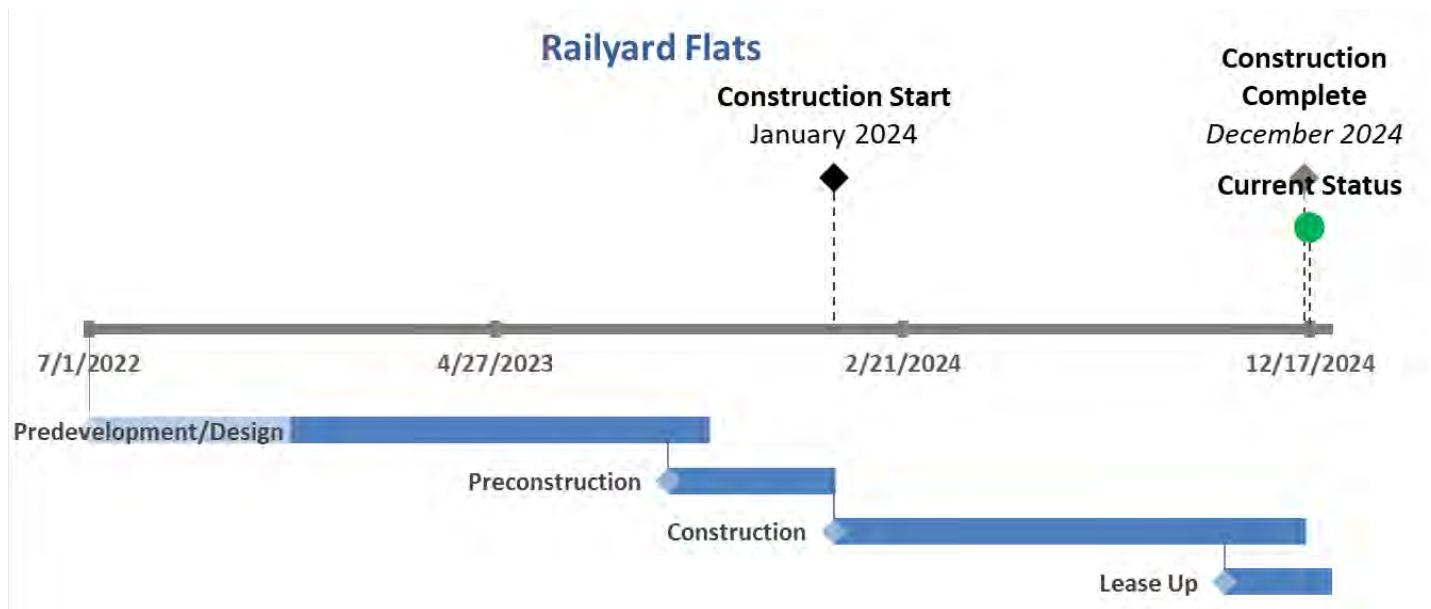
# Railyard Flats

Q4 2024 Update

## Project Info

- \$6.8M Budget
  - o Funding sources: HMNI, HOME-ARP, RHA Funds, Deferred Developer Fee
- 15 units
- New Construction

## Project Status



## Project Updates

- Construction is complete and RHA projects receiving Certificate of Occupancy from the City of Sparks on December 20, 2024.
- Tenants will begin to move-in in late December 2024. Initial lease up efforts will continue through February 2025
- Development Team is in process of closing out project and will have a final financial report prepared for the Board for the January 2025 meeting.

## Upcoming Milestones

- Full lease of property is expected by February 2025

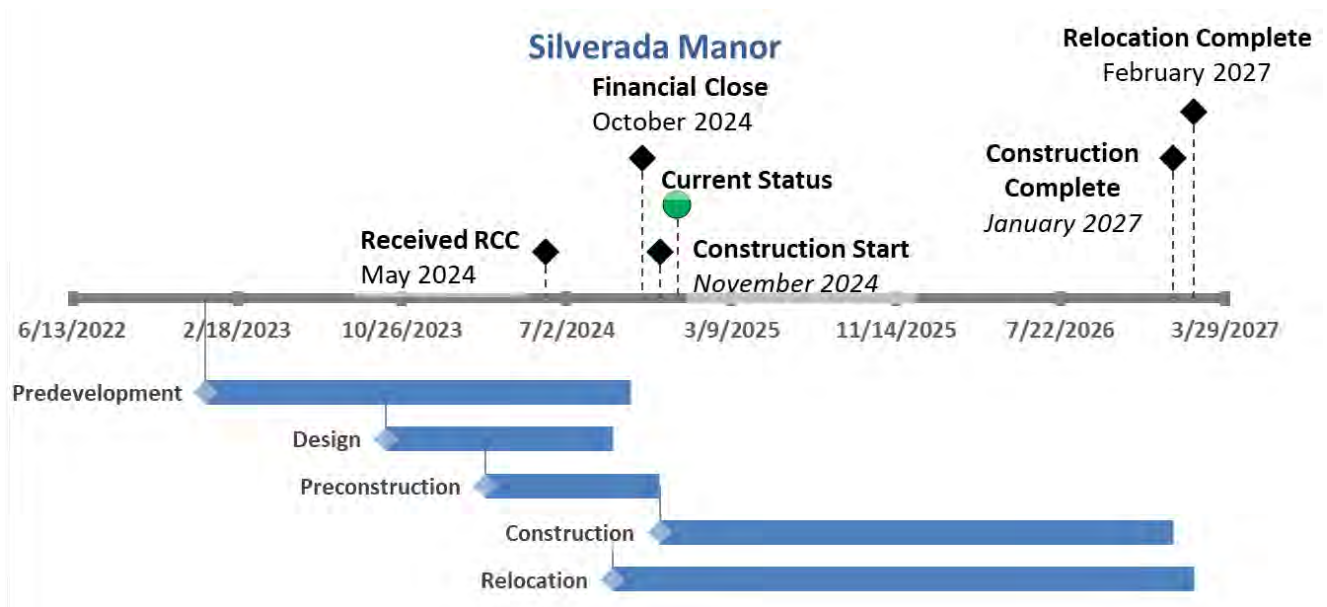
# Silverada Manor

## Q4 2024 Update

### Project Info

- \$73M Budget
  - o Funding sources: Tax-Exempt Bonds, 4% LIHTC, HMNI, RHA Seller's Note, Capital Funds  
Deferred Developer Fee
- 150 units
- RAD/Section 18 conversion and substantial rehab of Public Housing property

### Project Status



### Project Updates

- Project financially closed on October 24.
- Phase 1 residential relocation was completed and residential construction began by mid-November.
- Resident Services relocated to 440 Reno Ave and the community building was delivered to the general contractor in the first week of December.

### Upcoming Milestones

- Interior demolition of units to be completed.
- Trenching for new utilities.
- Demolition of training center.

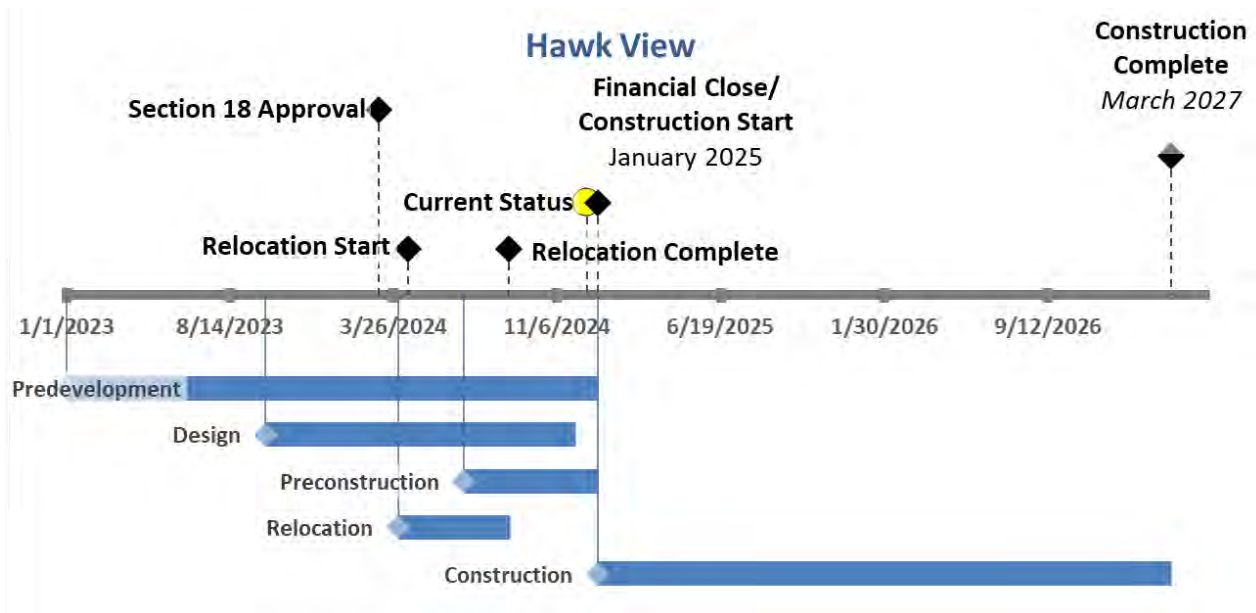
# Hawk View Apartments

## Q4 2024 Update

### Project Info

- \$85M Budget
  - o Funding sources: Tax-Exempt Bonds, 4% LIHTC, HMNI, RHA Funds, HOME, Deferred Developer Fee
- 199 units
- Section 18 demo/disposition of Public Housing property followed by redevelopment.

### Project Status



### Project Updates

- Pinecrest's GMP came in well above budget and project development team has been going through value engineering exercises since early November.
- Development team is close to getting budget back in line, but this will require a redesign of structural steel.
- The value engineering and redesign has caused a delay in closing until 2025. Depending on permitting and lender/investor criteria, closing could occur as early as January or may be pushed to March.
- The Nevada Housing Division has agreed to execute the HMNI loan prior to closing, so the project is not at risk of losing those funds.
- The delay in closing has also led to the property being vacant much longer than originally planned. The property has been fenced off and there are nightly security patrols, but unfortunately, there have been significant issues with trespassing and damage to property. One of the buildings caught on fire in early December. Luckily, the fire was quickly contained and no one was hurt, nor were adjacent properties damaged.
- To ensure that the project can move forward as quickly as possible and to address community concerns regarding safety and blight at the currently vacant property, the development team would like to separate demolition from the overall construction contract. Instead, RHA would

directly contract with a selected general contractor for demolition before closing. This would allow for demolition to potentially occur as early as January.

- To demolish prior to disposition, RHA must get Board approval via a resolution, which has been brought to the December meeting. Following Board approval, RHA will also need to secure approval from HUD's SAC office.

#### Upcoming Milestones

- Financial closing in Q1 of 2024.
- Demolition of building in January.
- Construction to start in late Q1 of 2024.

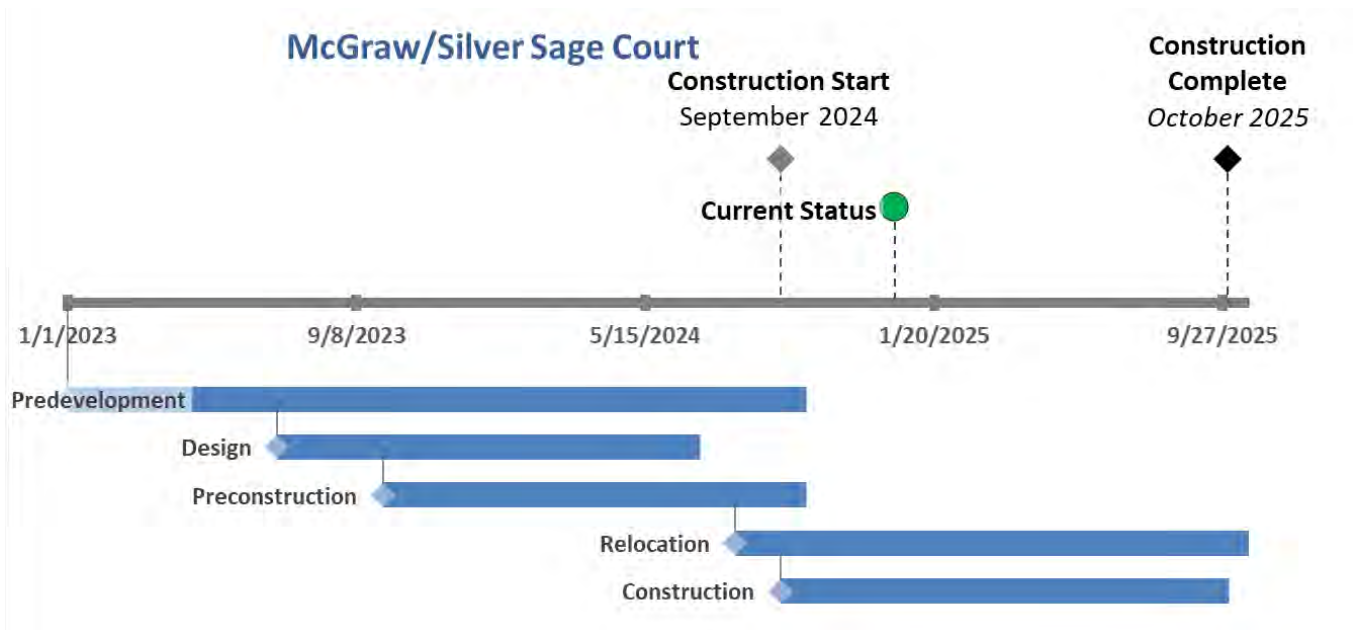
# McGraw/Silver Sage Court

## Q4 2024 Update

### Project Info

- \$7.4M Budget
  - o Funding sources: HMNI, HOME, Capital Funds, NV Energy Rebate, Deferred Developer Fee
- 50 units (34 PH units @ McGraw | 16 units @ Silver Sage)
- Moderate rehab of Public Housing property and adjacent affordable housing property

### Project Status



### Project Updates

- Phase 1 resident relocation completed.
- Phase 1 construction is 50% complete.
- Project has been delayed about a month and incurred some change orders. However, change orders are within the projects contingency and later phases are projected to be completed more quickly than Phase 1. This means that the overall project is still on schedule.

### Upcoming Milestones

- Phase 1 residential construction will complete in late February/early March 2025.
- Phase 1 residents will move into their rehabbed units and Phase 2 residents will be temporarily relocated starting in March 2025.

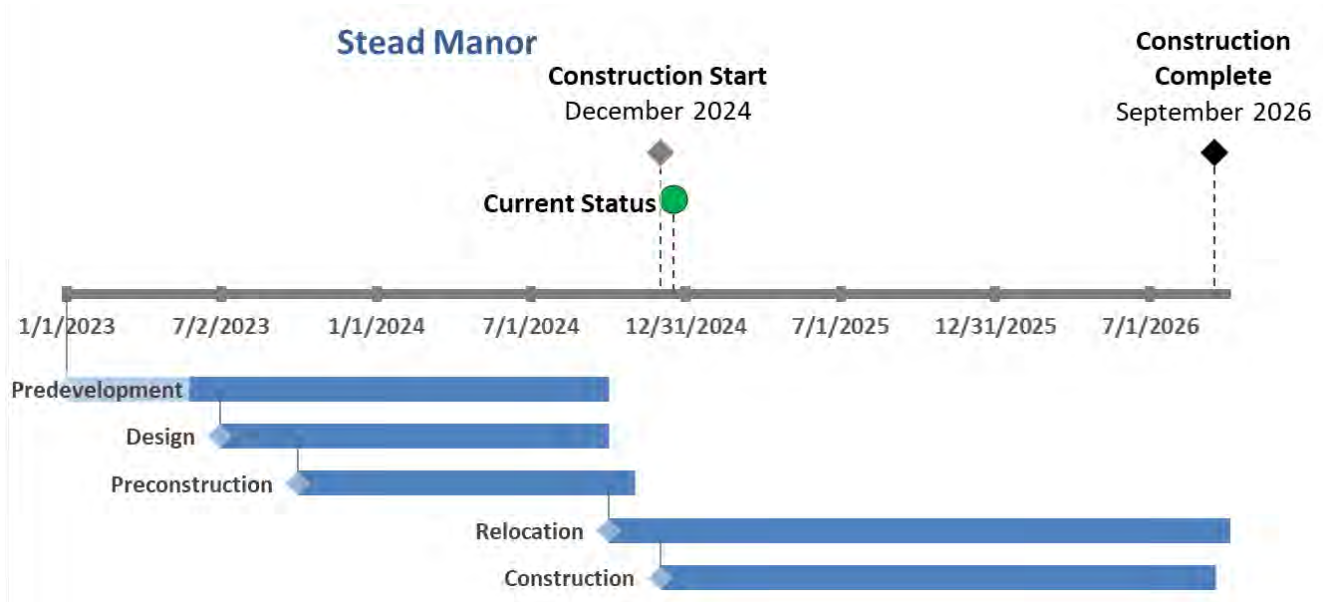
# Stead Manor

## Q4 2024 Update

### Project Info

- \$20.9M Budget
  - o Funding sources: HMNI, Capital Funds, NV Energy Rebate
- 68 units
- Substantial rehab of Public Housing property

### Project Status



### Project Updates

- Phase 1 resident relocation began on November 11 and was completed in early December. All residents were relocated into vacant units on site.
- Phase 1 construction began on December 2<sup>nd</sup>.

### Upcoming Milestones

- Majority of Phase 1 construction is set to be completed by end of Q1 2025

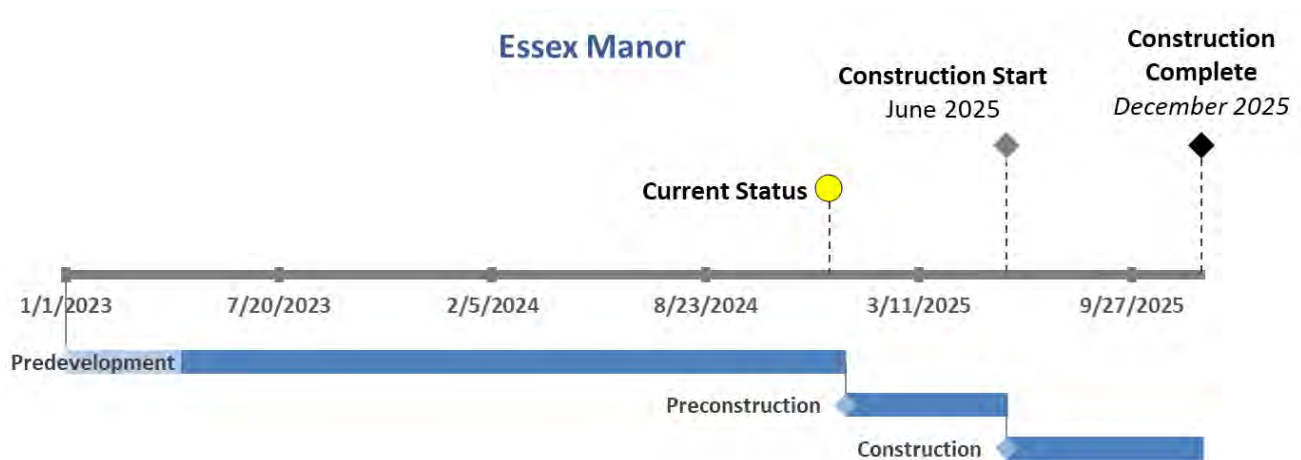
# Essex Manor

## Q4 2024 Update

### Project Info

- Current: \$1.5M Budget
  - o Funding source: HMNI
- 106 units
- Accessibility improvements at various locations around the site, including Section 504 units and community building

### Project Status



### Project Updates

- After exploring several different funding scenarios and scopes of work, the development department has decided to focus accessibility improvements at various locations around the site, including the Section 504 units and community building.
- This scope of work will increase the quality of life for residents and would also reduce the cost and scope of work required in a larger scale rehab if/when Essex Manor is repositioned from the public housing portfolio in the future.

### Upcoming Milestones

- Procurement of design consultants and preparation of design documents
- Development of full scope of work

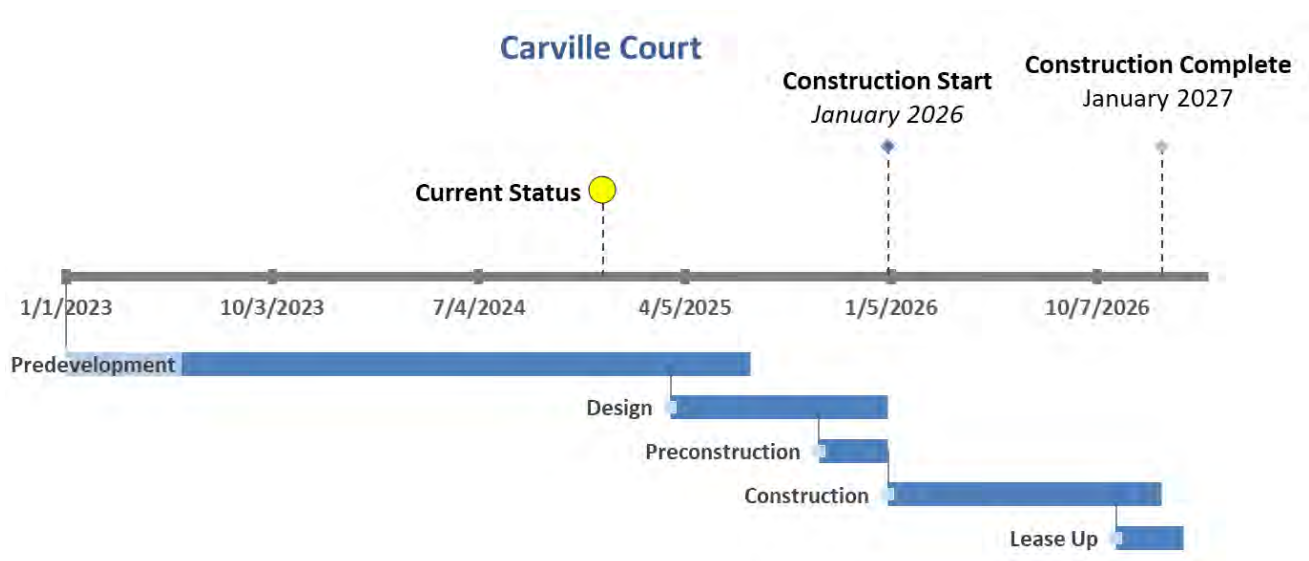
# Carville Court

## Q4 2024 Update

### Project Info

- \$5.6M Budget
  - o Funding sources: HMNI, State HOME-ARP
- 11-20 units
- Demolition and redevelopment; supportive housing project

### Project Status



### Project Updates

- RHA will be partnering with Volunteers of America to provide the supportive services on site at the project.
- RHA and VOA submitted applications for two separate grants to fund the capital costs and operating/services costs of the project.
  - o The first application was for \$5M from HUD's CoC BUILDS grant. The majority of these funds would go to capital costs and allow for an increase from 11 units to 20 units. We anticipate receiving award notifications by mid-2025.
  - o The second application was for approximately \$2M from the Nevada Supportive Housing Development Fund. These funds would primarily cover VOA's operating and supportive service costs at the project for at least the first 5 years of operations. We anticipate
- The development department has been working with Wood Rodgers to upzone the existing Carville Court parcels.
  - o Submitted Master Plan amendment request in early October.
  - o Presented project at Ward 1 NAB on November 5<sup>th</sup>.
  - o Held community meeting on November 13<sup>th</sup>.
  - o Presented project at December 5<sup>th</sup> Reno Planning Commission



- The Master Plan amendment and upzoning request were approved by the planning commission and sent on to Reno City Council.

#### Upcoming Milestones

- Master Plan amendment and upzoning request will go before Reno City Council in January.
- If approved by Reno City Council, the request will move on to the Regional Planning Commission for ratification.
- Selection of architect for project and start design phase.

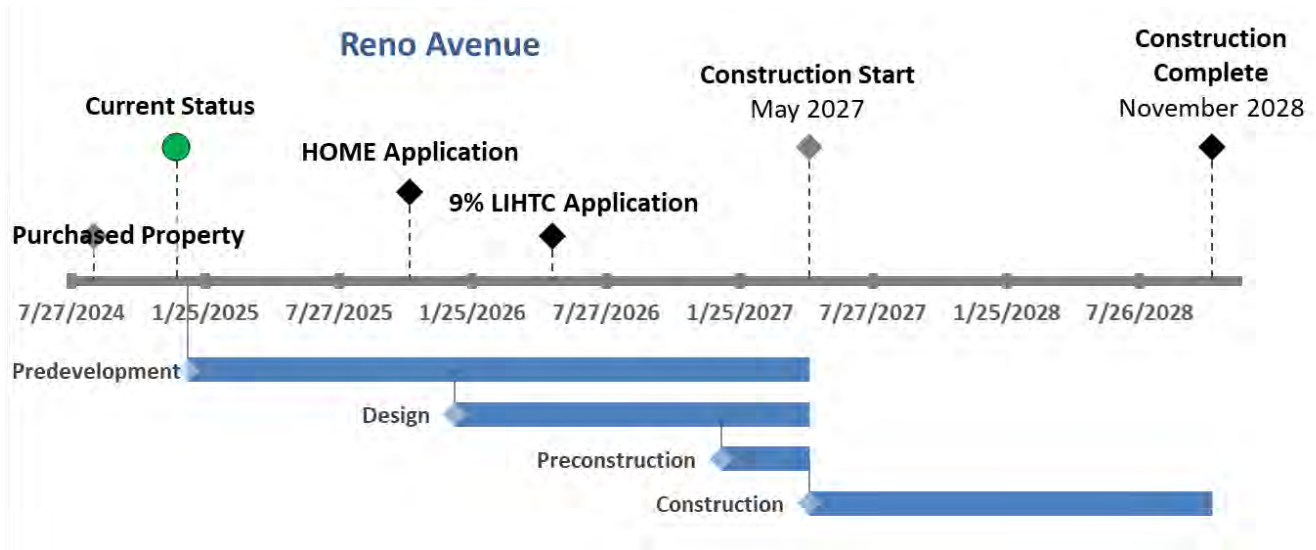
# Reno Avenue

Q4 2024 Update

## Project Info

- Budget: TBD
  - o Funding sources: TBD
- 40-44 unit Affordable Housing project

## Project Status



## Project Updates

- Resident services temporarily relocated from Silverada Manor to 440 Reno Avenue.
- Development department completed tenant improvement projects to get the property ready for RHA staff.

## Upcoming Milestones

- Development Department will begin working with Wood Rodgers on entitlement needs for the development project in Q1 2025.



**RENO HOUSING AUTHORITY**

**AGENDA ITEM NUMBER: 10**

**December 17, 2024**

**SUBJECT:** Additional Items (For Possible Action)

**FROM:** Executive Director

**RECOMMENDATION:** For Possible Action

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**Additional Items:**

- a) General matters of concern to Board Members regarding matters not appearing on the agenda. (Discussion)
- b) Reports on conferences and trainings. (Discussion)
- c) Old and New Business. (Discussion)
- d) Request for Future Agenda Topics (Discussion)
- e) Schedule of next meeting. The following dates have been scheduled in advance but are subject to change at any time: Tuesday, January 28, 2025, and Tuesday, February 25, 2025. (For Possible Action)