

HOUSING AUTHORITY OF BERGEN COUNTY



Moving to Work Supplement Plan

**Fiscal Year 2024
April 1, 2023 – March 31, 2024**

**Lynn Bartlett
Executive Director**

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PHA INFORMATION

PHA Name: Housing Authority of Bergen County

PHA Code: NJ067

MTW Supplement for PHA Fiscal Year Beginning: 4/1/2023

PHA Program Type: HCV Only

MTW Cohort Number: 4

MTW Supplement Submission Type: Amended Annual Statement

NARRATIVE

Annually, the Housing Authority of Bergen County (HABC) creates and adopts a Public Housing Authority Annual Plan (PHA Annual Plan) that describes new and ongoing activities that HABC will implement with the federal resources we are awarded. HUD approval is required for the Annual Plan. This supplemental document is submitted together with the HABC Annual PHA Plan for the same fiscal year. The program design and local innovations intended to improve housing and self-sufficiency strategies for low-income families; the activities HABC will implement to improve and incentivize landlord participation; and how these activities and initiatives will be evaluated.

This Supplement outlines the MTW waivers the HABC will implement and the proposed benefits to the Authority or participants for the period from April 1, 2023 through March 31, 2024.

The Housing Authority of Bergen County (HABC) is an HCV only agency and plans on utilizing MTW waivers in the 2024 fiscal year that predominantly reduce program operation costs, achieve greater cost effectiveness in federal expenditures and increase housing choice for low-income program participants in our Housing Choice Voucher (HCV) program.

- To achieve greater cost effectiveness in federal funding expenditures and promote greater housing choice for program participants HABC will implement higher payment standards.
- To improve cost effectiveness HABC will perform rent reasonableness determination on PBV units that it owns, manages and/or controls.
- To reduce program operation costs, achieve greater cost effectiveness and incentivize families to become economically self-sufficient HABC will delay household annual recertifications.
- To achieve greater cost effectiveness in federal expenditures HABC will reduce or eliminate asset income reporting requirements allowing families to retain more of their income to help lift households out of poverty or transition off housing assistance.
- To improve program cost efficiencies, achieve greater cost effectiveness, and expand and increase housing choice for program participants HABC will implement vacancy loss payments, damage claims, front-end vacancy loss payments and landlord incentives to promote greater participation of current landlords and increase participation of new landlords.
- To increase program cost efficiencies and expand affordable housing units and choice for low-income households the HABC will expand program opportunities and flexibilities with project based vouchers, increasing the program and project caps and increasing contract length.

MTW Statutory Objectives

Each of the HABC's MTW activities support at least one of the MTW statutory objectives:

- **Cost Effectiveness:** Reduce costs and achieve greater cost effectiveness in federal expenditures.
- **Family Incentives:** Provide incentives to residents, especially families with children, to obtain employment and become economically self-sufficient; and
- **Increased Housing Choice:** Increase housing choices for low-income families.

HABC MTW Proposed Waivers and Associated MTW Statutory Objectives

The summary listing of MTW activities HABC plans to implement in the current year, by category, along with and MTW statutory objective are:

PAYMENT STANDARD AND RENT REASONABLENESS

2a. Payment Standards – SAFMR

Statutory Objective	Cost Implication	Different Versions	Safe Harbor	Hardship Policy	Impact Analysis
· Cost Effectiveness · Increased Housing Choice	· Increased expenditures · Decreased revenue	Activity applies to all assisted households	No	Yes	Yes

2d. Rent Reasonableness – HCV Third Party Requirement

Statutory Objective	Cost Implication	Different Versions	Safe Harbor	Hardship Policy	Impact Analysis
Cost Effectiveness	· Cost Neutral · Expenditure Neutral	Activity applies to PBV households	No	No	No

RENT SIMPLIFICATION

3b. Alternative Reexamination Schedule for HCV Households

3d. HCV Self-Certification of Assets

Statutory Objective	Cost Implication	Different Versions	Safe Harbor	Hardship Policy	Impact Analysis
· Cost Effectiveness · Family Incentives	Cost Neutral Decreased Expenditure	Activities apply to all households	No	Yes	Yes

LANDLORD LEASING INCENTIVES

4a. HCV Vacancy Loss – Tenant Based Assistance

4b. HCV Damage Claims – Tenant Based Assistance

4c. Other Landlord Incentives

4.2 Front-end Vacancy Loss Payment: HCV Tenant Based Assistance

Statutory Objective	Cost Implication	Different Versions	Safe Harbor	Hardship Policy	Impact Analysis
· Cost Effectiveness · Increased Housing Choice	· Cost Increase · Revenue Decrease	Activities apply to all tenant base assisted households	No	No	No

PROJECT BASED VOUCHER PROGRAM FLEXIBILITIES

9a. Increase HCV PBV Program Cap

9b. Increase HDV PBV Project Cap

9f. Increase HCV PBV Contract Length

Statutory Objective	Cost Implication	Different Versions	Safe Harbor	Hardship Policy	Impact Analysis
· Cost Effectiveness · Increased Housing Choice	· Cost Increase · Revenue Decrease	Activities apply to all project base assisted households	No	No	No

MTW WAIVERS

HABC is a HUD approved Cohort 4 MTW agency. Cohort 4 authorities seek to incentivize and attract landlords to participate in the Housing Choice Voucher (HCV) program. HABC is proposing eleven (11) new activities in the FY 2024 Plan. Four (4) of these activities are cohort specific, all others support the success of the cohort specific activities. Specifically, the HABC will implement MTW in the following manner:

Activity 2023-01 - Payment Standards and Rent Reasonableness

Activity Description

HABC is a HUD mandated Small Area Fair Market Rent authority since 2018. This activity enables HABC to use MTW authority to adopt and implement increased flexibility in payment standards.

- Under MTW HABC will apply the waiver to implement payment standards between 80% and 150% of the SAFMR. Implementation is expected to target assistance to households to improve leasing success in a very tight housing market with low vacancy rates and significant contract rent inflation post COVID. This waiver is expected to increase housing choices for participant families, expand the geographic dispersal of assisted units, deconcentrate locations of assisted units and achieve greater cost effectiveness of program management.

Activity Description

The HABC is authorized to perform rent reasonable determinations on PBV units that it owns, manages, and/or controls.

Metrics/Data Collection

The HABC intends to utilize internal reporting systems to collect and analyze data on the number of households impacted and other relevant information.

Units of Measure – days in housing search, HAP per unit cost (PUC), gross program expenditures, UML utilization rate

Baseline – Monthly PUC, Monthly Utilization Rate, Monthly Street Report, Quarterly Zip Code leasing data, Program Expenditure Success Rate, HUD-50058 Submission Data

Benchmark – increase in cost per household, increase in program cost, improved program expenditure success rate, decreased program reserves, increased leasing success, decreased housing search, increased leasing in areas of opportunity.

Activity 2023-02 – HCV Reexamination

Activity Description

This activity allows HABC to waive the requirement to conduct a reexamination of family income and composition at least annually. HABC will delay reexaminations for participating households.

- In an effort to maximize administrative efforts and cost effectiveness HABC will permit fixed income senior (62+ years old) or disabled households to recertify their income every three years and all other households to recertify their income every two years. HABC will permit all wage-earning households one interim adjustment annually, at the request of the household, for loss of income 10% or greater of the gross annual income calculated at the last annual recertification. Implementation of the waiver is expected to achieve greater cost effectiveness, increase household earned income and reduce administrative costs. HABC proposes to simplify the recertification process coupled with a reduction in the frequency of annual re-examinations determining a household's income and portion of rent to incentivize participating households to gain employment. Further, eliminating the need for interim income changes allows families to

keep more of their income and ensure rent stability; exceptions to the interim examination procedure are Zero Income Households.

Activity Description

This activity allows HABC to waive the requirement to verify all household members assets at least annually.

- The HABC will allow recertifying households to self-certify assets up to \$5,000 annually. Verification of assets, regardless of value, will be completed for all new admissions to established baseline information. These program improvements are expected to improve household income and provide incentive to families to seek gainful employment and increase the share of households moving toward self-sufficiency.

Metrics/Data Collection

The HABC intends to utilize internal reporting systems to collect and analyze data on the number of households impacted and other relevant information.

Units of Measure – staff hours to complete the task, total program costs, cost per household

Baseline – total tenant payment, household earned income,

Benchmark - reduced administrative burden measured by staff time to complete a task, reduced case load per staff member, increased program efficiencies, decreased program errors, increased program cost efficiencies (less overtime).

Activity 2023-03 – Cohort Specific Landlord Incentives: Loss and Incentive Payments

Activity Description

The HABC proposes to undertake activities to increase landlord participation in the HCV program through financial and programmatic waiver incentives.

- Implementation of vacancy loss, damage claims, landlord incentives and front-end vacancy loss payments are anticipated to further HABC's efforts to expand and increase housing choices for low-income families. The HABC plans to provide these waiver activities under one HCV leasing initiative to encourage owner participation in the HCV program, attract new landlords, increase inventory of participating landlords and increase inventory of larger size rental units.

Metrics/Data Collection

The HABC intends to utilize internal financial reporting systems to collect and analyze data on the number of assisted units and landlords participating in the program.

Units of Measure – number of participating landlords, participating landlord inventory, staff hours to lease up or relocate participants, housing search time

Baseline – current number of participating landlords, current number of units

Benchmark – increase staff time for outreach, increase staff time for landlord support, increased leasing success, decreased housing search time, reduction in terminations due to eviction, decrease in voucher extension

Activity 2023-04 – Project Based Voucher Program Flexibilities

Activity Description

The HABC intends to enhance program project based policies to provide additional housing choices for low income households in high opportunity areas, incentivize developers to preserve or create additional affordable housing units, as well as streamline the administration of PBVs owned by the HABC.

- The HABC has a large portfolio of strongly performing project-based voucher (PBV) awards to a broad spectrum of affordable housing projects throughout the County. A significant proportion of the PBV assisted units have been developed by the Authority’s affordable housing development affiliate and partner, the Housing Development Corporation of Bergen County (HDC). HABC may increase the number of authorized units receiving project-based assistance to no more than 50% of either the total authorized units or annual budget authority; raise the PBV cap on a project up to 100% and may increase the term length of a PBV HAP contract up to 50 years including extensions. All of these PBV program enhancements are subject to appropriations and the end of HABC’s MTW authorization.

Metrics/Data Collection

The HABC intends to utilize internal financial reporting systems to collect and analyze data on the number of assisted units and landlords participating in the program.

Units of Measure – increase in PBV UML, increase in ELI and VLI units

Baseline – current number PBV, current number assisted projects, current number ELI/VLI units

Benchmark – lower PBV vacancy rate, decreased leasing/re-leasing time, increase in ELI and VLI units, longer affordability periods

SAFE HARBOR WAIVERS

All of the MTW waivers HABC will implement includes a set of Safe Harbor provisions, no additional safe harbor outside of those provided is necessary in the current year.

AGENCY SPECIFIC WAIVERS

MTW flexibilities beyond those provided are needed. HABC is not pursuing approval of any Agency-Specific waiver in the current year.

MTW STATUTORY REQUIREMENTS

This section of HABC’s MTW Supplement discusses assistance to Local, Non-Traditional (LNT) households. LNT activities, are defined by HUD, as activities which use MTW funding flexibility for activities outside of Sections 8 and 9 of the U.S Housing Act of 1937. An LNT rental subsidy program allows an MTW agency to provide funds to a third-party entity, not participating in the section 8 or public housing program. The third-party assumes the responsibility of managing and administrating the program.

- Local Non-Traditional Households currently being assisted by HABC with Section 8 or Section 9 funding

Income Level	Number of Local, Non-Traditional Households Admitted in the Fiscal Year*
80%-50% Area Median Income	0
49%-30% Area Median Income	0
Below 30% Area Median Income	0
Total Local, Non-Traditional Households	0

- Reasonable Rent Policy – The HABC has **not** established a rent reform policy to encourage employment and self sufficiency in the coming year.

➤ **Substantially the Same**

0 – the total number of unit months that families were housed in a local, non-traditional rental subsidy for the prior full calendar year

0 – the total number of unit months that families were housed in a local, non-traditional housing development program for the prior full calendar year.

0 – the total number of units, developed under the local, non-traditional housing development activity, were available for occupancy during the prior full calendar year.

0 – the total number of bedrooms, developed under the local, non-traditional housing development activity, were available for occupancy during the prior full calendar year.

➤ **Comparable Mix**

HUD directs that housing authorities must maintain a comparable mix of families, by family size, being served under local, non-traditional activities.

For the most recently completed Fiscal Year the HABC did not house any local, non-traditional households.

Family Size:	Occupied Number of Local, Non-Traditional units by Household Size
1 Person	0
2 Person	0
3 Person	0
4 Person	0
5 Person	0
6+ Person	0
Totals	0

PUBLIC COMMENT

Copy of the HABC’s MTW Supplement Plan was made available to the public on the Authority’s website www.habcnj.org, the HABC’s Facebook page www.facebook.com/habcnj, and the HABC’s Twitter account www.twitter.com/HABCNJ on Friday, December 2, 2022.

Notice of the public hearing scheduled for Wednesday, January 18, 2023 at 5pm to receive comment on the 2024 HABC PHA Annual Plan and MTW Supplemental Plan is was posted on the Authority’s website, Facebook and Twitter accounts on Friday, December 2, 2022. Notice of the public hearing was provided to The Record for posting in the newspaper and was circulated to all residents of HABC buildings on Friday, July 22, 2022.

Additionally, notice of the public hearing was sent via mass email blast to all HCV participants, HCV landlords, county agencies and advocates on Wednesday, December 7, 2022.

PUBLIC HEARING SCHEDULE

Consultation with Resident Advisory Boards and tenant associations to discuss and receive comment on the proposed 2024 PHA Plan and MTW Supplement Plan are scheduled for December 21, 2022 at the following time and locations:

10am – Boiling Springs Gardens, 147 Hackensack Street, East Rutherford

1pm – David F. Roche Apartments, 2 Aladdin Avenue, Dumont

A virtual public hearing to engage and receive comments from the general public on the proposed 2024 PHA Plan and MTW Supplement Plan will be hosted at 5pm on Wednesday, January 18, 2023 at:

Virtual Zoom Meeting <https://us02web.zoom.us/j/86236758039>

1 (929) 436-2866 US (New York)

Meeting ID: 862 3675 8039

EVALUATIONS

This Section will provide evaluation of the MTW policies at the end of the first year of implementation.

Table I.1 - Evaluations of MTW Policies

Title and short description	Evaluator name and contact information	Time period	Reports available

MTW CERTIFICATIONS OF COMPLIANCE

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OFFICE OF PUBLIC AND INDIAN HOUSING

Certifications of Compliance with Regulations: Board Resolution to Accompany the MTW Supplement to the Annual PHA Plan

Acting on behalf of the Board of Commissioners of the Moving to Work Public Housing Agency (MTW PHA) listed below, as its Chairperson or other authorized MTW PHA official if there is no Board of Commissioners, I approve the submission of the MTW Supplement to the Annual PHA Plan for the MTW PHA Fiscal Year beginning (04/01/2023), hereinafter referred to as "the MTW Supplement", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the MTW Supplement and implementation thereof:

- (1) The PHA made the proposed MTW Supplement and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the MTW Supplement and invited public comment.
- (2) The MTW PHA took into consideration public and resident comments (including those of its Resident Advisory Board(s) or tenant associations, as applicable) before approval of the MTW Supplement by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the annual MTW Supplement.
- (3) The MTW PHA certifies that the Board of Directors has reviewed and approved the budget for the Capital Fund Program grants contained in the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1 (or successor form as required by HUD).
- (4) The MTW PHA will carry out the MTW Supplement in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) all regulations implementing these authorities; and other applicable Federal, State, and local civil rights laws.
- (5) The MTW Supplement is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
- (6) The MTW Supplement contains a certification by the appropriate state or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the MTW PHA's jurisdiction and a description of the manner in which the MTW Supplement is consistent with the applicable Consolidated Plan.
- (7) The MTW PHA will affirmatively further fair housing, which means that it will: (i) take meaningful actions to further the goals identified by the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR 5.150-5.180 and 903.15; (ii) take no action that is materially inconsistent with its obligation to affirmatively further fair housing; and (iii) address fair housing issues and contributing factors in its programs, in accordance with 24 CFR 903.7(o)(3) and 903.15(d). Note: Until the PHA is required to submit an AFH, and that AFH has been accepted by HUD, the PHA must follow the certification requirements of 24 CFR 903.7(o) in effect prior to August 17, 2015. Under these requirements, the PHA will be considered in compliance with the certification requirements of 24 CFR 903.7(o)(1)-(3) and 903.15(d) if it: (i) examines its programs or proposed programs; (ii) identifies any impediments to fair housing choice within those programs; (iii) addresses those impediments in a reasonable fashion in view of the resources available; (iv) works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and (v) maintains records reflecting these analyses and actions.
- (8) The MTW PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975 and HUD's implementing regulations at 24 C.F.R. Part 146.
- (9) In accordance with 24 CFR 5.105(a)(2), HUD's Equal Access Rule, the MTW PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
- (10) The MTW PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
- (11) The MTW PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
- (12) The MTW PHA will comply with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
- (13) The MTW PHA will comply with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment.
- (14) The MTW PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

- (15) The MTW PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
- (16) The MTW PHA will provide HUD or the responsible entity any documentation needed to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58. Regardless of who acts as the responsible entity, the MTW PHA will maintain documentation that verifies compliance with environmental requirements pursuant to 24 Part 58 and 24 CFR Part 50 and will make this documentation available to HUD upon its request.
- (17) With respect to public housing and applicable local, non-traditional development the MTW PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
- (18) The MTW PHA will keep records in accordance with 2 CFR 200.333-200.337 and facilitate an effective audit to determine compliance with program requirements.
- (19) The MTW PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
- (20) The MTW PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200.
- (21) The MTW PHA must fulfill its responsibilities to comply with and ensure enforcement of housing quality standards as required in PIH Notice 2011-45, or successor notice, for any local, non-traditional program units. The MTW PHA must fulfill its responsibilities to comply with and ensure enforcement of Housing Quality Standards, as defined in 24 CFR Part 982, for any Housing Choice Voucher units under administration.
- (22) The MTW PHA will undertake only activities and programs covered by the Moving to Work Operations Notice in a manner consistent with its MTW Supplement and will utilize covered grant funds only for activities that are approvable under the Moving to Work Operations Notice and included in its MTW Supplement. MTW Waivers activities being implemented by the agency must fall within the safe harbors outlined in Appendix I of the Moving to Work Operations Notice and/or HUD approved Agency-Specific or Safe Harbor Waivers.
- (23) All attachments to the MTW Supplement have been and will continue to be available at all times and all locations that the MTW Supplement is available for public inspection. All required supporting documents have been made available for public inspection along with the MTW Supplement and additional requirements at the primary business office of the PHA and at all other times and locations identified by the MTW PHA in its MTW Supplement and will continue to be made available at least at the primary business office of the MTW PHA.

Housing Authority of Bergen County

NJ067

MTW PHA NAME

MTW PHA NUMBER/HA CODE

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Lynn Bartlett

Executive Director

NAME OF AUTHORIZED OFFICIAL

TITLE



December 20, 2022

SIGNATURE

DATE

**** Must be signed by either the Chairperson or Secretary of the Board of the MTW PHA's legislative body. This certification cannot be signed by an employee unless authorized by the MTW PHA Board to do so. If this document is not signed by the Chairperson or Secretary, documentation such as the by-laws or authorizing board resolution must accompany this certification.***

**HOUSING AUTHORITY OF BERGEN COUNTY
ONE BERGEN COUNTY PLAZA, FL 2
HACKENSACK, NEW JERSEY**

RESOLUTION 2022-73

RESOLUTION BY THE COMMISSIONERS OF THE HOUSING AUTHORITY OF BERGEN COUNTY ADOPTING THE 2024 ANNUAL PLAN AND 2024 MTW SUPPLEMENTAL PLAN FOR SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR APPROVAL

WHEREAS, pursuant to requirements as set out in the Quality Housing and Work Responsibility Act of 1998, HUD requires that the Housing Authority submit an Annual Plan and MTW Supplemental Plan for its programs; and

WHEREAS, a public comment period opened on December 2, 2022, and a virtual public hearing via Zoom will be held on January 18, 2023; and

WHEREAS, the Commissioners of the Housing Authority of Bergen County have reviewed said documents; and

WHEREAS, said plan will be updated/modified each year for submission to HUD for approval after review and approval by the Board of Commissioners.

WHEREAS, the Commissioners will be notified of any public comments that are received.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the Housing Authority of Bergen County do hereby adopt the Annual Agency Plan and MTW Supplemental Plan beginning with the year 2024, for submission to HUD for approval subject to public comments.

Resolution adopted as read on motion by Commissioner Hernandez, seconded by Commissioner Caminiti, Sr.

Upon roll call the Ayes and Nays were as follows:

COMMISSIONERS	AYES	NAYS	ABSTAIN	ABSENT
Peter Caminiti, Sr.	✓			
Joanne English-Rolleson				✓
Junior Hernandez	✓			
Daniel Ortega	✓			
Danielle Peterson	✓			
Harvey Sohmer				✓

December 20, 2022
DATE


DANIEL ORTEGA, CHAIRMAN


LYNN BARTLETT, EXECUTIVE DIRECTOR/SECRETARY



**HABC BOARD OF
COMMISSIONERS**

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