

**ADMINISTRATIVE PLAN for  
ORANGE COUNTY HOUSING AUTHORITY  
SUMMARY OF AMENDMENTS FOR 2026**

Amendments throughout document:

- Minor formatting and grammar edits.

**Chapter 3 -Part III Denial of Assistance -clarification**

- **3.III.C -Other Permitted Reasons for Denial of Assistance**

Proposed:

Any household member who is currently subject to a registration requirement under a state or federal sex offender registration program.

Current:

Any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

**Chapter 17 – Project-Based Vouchers – added new section:**

- **Part IV: Rehabilitated and Newly Constructed Units**
- **17-IV.C. Limited PHA Discretion to Execute AHAP After Commencement of Development Activity [24 CFR 983.154(F)]**

Proposed:

Consistent with HUD’s PBV regulations, OCHA may, in limited and exceptional circumstances, execute an Agreement to Enter into a HAP Contract (AHAP) after construction or rehabilitation has commenced, provided all requirements of 24 CFR part 983 are met. This is a discretionary flexibility intended to advance deconcentration of poverty and access to opportunities for families, and it does not create any entitlement for owners or developers.

OCHA will only use this flexibility when the owner can document compliance with all applicable development requirements in 24 CFR 983.153 from the date of proposal submission. Prior to executing any AHAP, OCHA must confirm such compliance and must meet the notice requirement at 24 CFR 983.153(c)(3) for projects subject to labor standards.

Regardless of timing of construction commencement, no assistance will be attached to a project and no AHAP will be executed until any required subsidy layering review (SLR) is completed in accordance with HUD requirements and environmental review requirements are satisfied.

### **OCHA Threshold Criteria**

OCHA will consider executing an AHAP after commencement of development only if all of the following are met:

1. **Master Planned Community Context:** The project is within a master planned community, and the developer does not have full control over the entire property.
2. **Scarcity of Nearby Development:** There is no other project with OCHA PBV assistance attached within a three-mile radius of the project.
3. **Deconcentration and Opportunity:** The project advances deconcentration of poverty and access to opportunity consistent with PBV site selection standards. The project site is amenity-rich, with access to public transportation, employment centers, shopping, healthcare, education, parks, and municipal services.
4. **Lower-Poverty Area:** The project is located in a census tract with a poverty rate lower than OCHA's principal operating area benchmark.
5. **Population Need:** The project demonstrably serves a population of need in that specific community.

### **Mandatory Compliance Items**

Labor Standards (Davis-Bacon), Equal Opportunity and Accessibility, Broadband Infrastructure, and Owner Disclosures must be met as per HUD regulations.

### **Documentation and Timing**

The owner's request for AHAP-after-commencement consideration must document compliance with Section 983.153 from the relevant date and provide a sitting and amenities narrative and data demonstrating the thresholds mentioned above. OCHA will confirm compliance prior to executing any AHAP and will not execute if required SLR and environmental review are incomplete.

### **Sole Discretion; No Right or Expectation**

OCHA retains the sole right to approve or deny any request to use this flexibility for any reason, including developer track record, financial viability, budget availability, market feasibility, zoning uncertainty, environmental or civil rights risks, compliance history, lack of supportive services, risk of undue concentration, misalignment with Affirmatively Furthering Fair Housing goals, and any other reason deemed in the best interest of program integrity and families served.

### **Consistency with OCHA Plan and HUD Regulations**

This subsection operates within the scope of OCHA's Administrative Plan and HUD's PBV regulations. Nothing herein waives any statutory or regulatory requirement, and where there is any conflict, HUD regulations control.

#### Current:

Added new section