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For the Information of the:
CITY COUNCIL
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Council Memorandum

April 21, 2020

To: Honorable Mayor Hall and Members of the City Council
From: Gary Barberio, Deputy City Manager, Community Services
David De Cordova, Housing Services Manager
Via: Geoff Patnoe, Assistant City Manager *GP*
Re: **Additional Materials Related to Staff Report Item No. 9 – Presentation Regarding Affirmed Housing’s Windsor Pointe Affordable Housing Project and the San Diego County No Place Like Home Program**

This memorandum answers a question from a City Council member related to staff report Item No. 9.

Question 1: Regarding tenant screening criteria on the city’s Windsor Pointe web page, a statement is made that residents will be screened for “convictions of violent criminal history...within the previous three years.” What is considered “violent” criminal activity and why only within previous three years for screening purposes?

Answer: The referenced screening criterion derives from the Carlsbad Public Housing Authority (PHA) Administrative Plan, which sets forth guidelines for administration of the Section 8 rental assistance program. Under these guidelines, violent criminal activity is defined as “any criminal activity that has as one of its elements, the use, attempted use, or threatened use of physical force substantial enough to cause, or be likely to cause, serious bodily injury or property damage.”

Federal regulations provide that a PHA may prohibit admission of a household to the Section 8 program if the PHA determines that any household member is currently engaged in, or has engaged in certain activities, including violent criminal behavior, during “a reasonable time” before admission into the program. The PHA Administrative Plan defines “a reasonable time” to be three years, within which the PHA may deny admission into the program, unless there are compelling reasons why admission shouldn’t be denied. While Windsor Pointe is not a Section 8 project, Affirmed Housing Group (the project developer), uses screening criteria consistent with the PHA Administrative Plan.

cc: Celia Brewer, City Attorney
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