

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

PHA Plans

5 Year Plan for Fiscal Years 2000 - 2004
Annual Plan for Fiscal Year 2000

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN ACCORDANCE WITH
INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

**PHA Plan
Agency Identification**

PHA Name: Sioux Center Low Rent Housing Agency

PHA Number: IA011

PHA Fiscal Year Beginning: (mm/yyyy) 04/2000

Public Access to Information

**Information regarding any activities outlined in this plan can be obtained by contacting:
(select all that apply)**

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plans (including attachments) are available for public inspection at: (select all that apply)

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices
- Main administrative office of the local government - City of Sioux Center
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
- PHA website
- Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- Main business office of the PHA
- PHA development management offices
- Other (list below)

5-YEAR PLAN
PHA FISCAL YEARS 2000 - 2004
[24 CFR Part 903.5]

A. Mission

State the PHA's mission for serving the needs of low-income, very low income, and extremely low-income. ~~The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.~~

X The PHA's mission is: (state mission here)

The mission of the Sioux Center Low Rent Housing Agency is committed to excellence in our assisting of low-income families with drug free, safe, decent, and affordable housing opportunities as they strive to achieve self-sufficiency and improve the quality of their lives. It is our intent to provide opportunities and promote economic independence for our residents. We will create and maintain partnerships with our clients and appropriate community agencies in order to accomplish this mission.

B. Goals

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, PHAs are strongly encouraged to identify quantifiable measures of success in reaching their objectives over the course of the 5 years. (Quantifiable measures would include objectives such as: numbers of families served or PHAS scores achieved.) PHAs should identify

- HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.**
- PHA Goal: Expand the supply of assisted housing.**
- REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS.**
- Objectives:
- Apply for additional rental vouchers:
 - X Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - X Acquire or build units or developments
 - Improve/develop additional housing opportunities
 - X Other (list below)
 - Attempt to assist qualifying families to move from renting to homeownership by March 31, 2005.

X PHA Goal: Improve the quality of assisted housing

Objectives:

- Improve public housing management: (PHAS score)
- Improve voucher management: (SEMAP score)
- X Increase customer satisfaction:
- Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)

- Renovate or modernize public housing units:
- Demolish or dispose of obsolete public housing:
- Provide replacement public housing:
- Provide replacement vouchers:
- Other: (list below)

PHA Goal: Increase assisted housing choices

Objectives:

- Provide voucher mobility counseling:
- Conduct outreach efforts to potential voucher landlords
- Increase voucher payment standards
- Implement voucher homeownership program:
- Implement public housing or other homeownership programs:
- Implement public housing site-based waiting lists:
- Convert public housing to vouchers:
- Other: (list below)

HUD Strategic Goal: Improve community quality of life and economic vitality

PHA Goal: Provide an improved living environment

Objectives:

- Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- Implement public housing security improvements:
- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
- Other: (list below)
 - The Sioux Center Low Rent Housing Agency will advise residents of programs that encourage and enhance services to our residents by March 31, 2005.
 - The Sioux Center Low Rent Housing Agency shall have an effective, fully functioning Resident Advisory Board in our public housing developments by March 31, 2003.
 - The Sioux Center Low Rent Housing Agency will continue to assist families to voluntarily move from assisted to unassisted housing through the home ownership 5(h) program..

The Sioux Center Low Rent Housing Agency, working with its partners, will encourage its TANF residents to work or engage in a job training program by March 31, 2003.

The Sioux Center Low Rent Housing Agency shall ensure that all of its school age children are regularly attending school.

HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals

PHA Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

_____ Increase the number and percentage of employed persons in assisted families:

- Encourage TANF residents to work or engage in a job training program.

Provide or attract supportive services to improve assistance recipients' employability:

- Advise residents of programs that encourage and enhance services to our residents by March 31, 2005.

_____ Provide or attract supportive services to increase independence for the elderly or families with disabilities.

_____ Other: (list below)

HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans

PHA Goal: Ensure equal opportunity and affirmatively further fair housing

Objectives:

_____ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:

_____ Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:

_____ Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:

Other: (list below)

- Ensure equal treatment of all applicants, residents, employees and vendors.

Other PHA Goals and Objectives: (list below)

X PHA Goal: Enhance marketability and image of the PHA to be affordable housing.
Objectives:

X The Sioux Center Low Rent Housing Agency shall achieve a level of customer satisfaction that gives the agency the highest score possible in this element of the Public Housing Assessment System.

X By March 31, 2002, the Sioux Center Low Rent Housing Agency will attempt to have a waiting list of sufficient size so we can fill our public housing units within 14 days of them becoming vacant.

X The Sioux Center Low Rent Housing Agency will continue to achieve proper curb appeal for its public housing developments by improving its landscaping, keeping its grass cut, and making the properties litter-free.

X The Sioux Center Low Rent Housing Agency will continue to promote the agency through various media and posting of promotional items in public places. The Agency shall ensure that there are at least two positive stories or ads a year in the local media about the Housing Agency or one of its residents.

X The Sioux Center Low Rent Housing Agency's leadership will inform the City Council and civic groups to explain how important public housing is to the community.

Annual PHA Plan
PHA Fiscal Year 2000

[24 CFR Part 903.7]

Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

Standard Plan

Streamlined Plan:

High Performing PHA

Small Agency (<250 Public Housing Units)

Administering Section 8 Only

Troubled Agency Plan

Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

Removed requirement FR - 56845 (903.7)

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

Table of Contents

	<u>Page #</u>
Annual Plan	
Executive Summary	N/A
i. Table of Contents	
1. Housing Needs	4
2. Financial Resources	8
3. Policies on Eligibility, Selection and Admissions	9
4. Rent Determination Policies	16
5. Operations and Management Policies	20
6. Grievance Procedures	21
7. Capital Improvement Needs	22
8. Demolition and Disposition	25
9. Designation of Housing	26
10. Conversions of Public Housing	27
11. Homeownership	28

12. Community Service Programs	29
13. Crime and Safety	32
14. Pets (Inactive for January 1 PHAs)	33
15. Civil Rights Certifications (included with PHA Plan Certifications)	33
6 1. Audit	
33	
17. Asset Management	34
18. Other Information	34

Attachments

Indicate which attachments are provided by selecting all that apply. Provide the attachment's name Required Attachments: to the left of the name of the attachment. Note: If the attachment is provided as a SEPARATE file submission from the PHA Plans file, provide the file name in parentheses in the space to the right of the title.

- Attachment A - Admissions Policy for Deconcentration (ACOP) (1A011a01)
- FY 2000 Capital Fund Program Annual Statement
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)
- Not Required

Optional Attachments:

- PHA Management Organizational Chart
- FY 2000 Capital Fund Program 5 Year Action Plan
- Public Housing Drug Elimination Program (PHDEP) Plan
- Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
- Other (List below, providing each attachment name)

Supporting Documents Available for Review

Indicate which documents are available for public review by placing a mark in the "Applicable & On Display" column of the List of Supporting Documents Available for Review display if applicable to the program activities conducted by the PHA.

Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans

Applicable & On Display	Supporting Document	Applicable Plan Component
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 18. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
N/A	Section 8 rent determination (payment standard) policies check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
N/A	Section 8 informal review and hearing procedures check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
N/A	The HUD-approved Capital Fund/Comprehensive Grant	Annual Plan: Capital Needs

Applicable & On Display	Supporting Document	Applicable Plan Component
	Program Annual Statement (HUD 52837) for the active grant year	
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
N/A	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
N/A	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
X	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
N/A	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
N/A	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
N/A	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

1. Statement of Housing Needs

[24 CFR Part 903.79 (a)]

A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data, the PHA is to estimate the number of housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that characteristic on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact". Use N/A to indicate that no information is available upon which the PHA can make an estimate.

Family Type	Overall	Affordability	Supply	Quality	Accessibility	Size	Location
Sioux County							
Income <= 30% of AMI	724	5	3	2	2	2	1
Income >30% but <=50% of AMI	1013	5	3	2	2	2	1
Income >50% but <80% of AMI	1990	5	3	2	2	2	1
Elderly	1694	5	2	2	2	2	1
Families with Disabilities	N/A	N/A	N/A	N/A	N/A	N/A	N/A
White/Non-Hispanic	3694	5	3	2	2	2	1
Asian/Hispanic	33	5	3	2	2	2	1
Race/Ethnicity							
Race/Ethnicity							

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- Consolidated Plan of the Jurisdiction/s
Indicate year: 1995, p.3
- U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset
Sioux County CHAS
- American Housing Survey data
Indicate year: _____
- Other housing market study
Indicate year: _____
- Other sources: (list and indicate year of information)

B. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists

State the housing needs of the families on the PHA's waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needs of Families on the Waiting List

Waiting list type: (select one)

Section 8 tenant-based assistance

Public Housing (Family)

Combined Section 8 and Public Housing

Public Housing Site-Based or sub-jurisdictional waiting list (optional)

If used, identify which development/subjurisdiction:

	# of families	% of total families	Annual Turnover
Waiting list total	1		6 = Avg/3 yrs.
Extremely low income <=30% AMI	1	100%	
Very low income (>30% but <=50% AMI)	0	0	
Low income (>50% but <80% AMI)	0	0	
Families with children	1	0	
Elderly families	0	0	
White/NonHispanic	1	0	
Asian/Hispanic	0	0	
Indian/Hispanic	0	0	
Race/ethnicity			
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)	0	0	
1BR	0	0	
2 BR	1	100%	
3 BR	0	0	
4 BR	0	0	
5 BR	0	0	
5+ BR	0	0	
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

If yes:

- B.** How long has it been closed (# of months)? N/A
Does the PHA expect to reopen the list in the PHA Plan year? No Yes - N/A
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? No Yes - N/A

Currently we do not have an elderly waiting list due to market conditions.
Our waiting lists are always open.

C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the (1) **Strategies** on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.
Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Other (list below)

Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing

- Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- Other: (list below)

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

- Select all that apply
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
 - Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
 - Employ admissions preferences aimed at families with economic hardships
 - Adopt rent policies to support and encourage work
 - Other: (list below)

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

- Select all that apply
- Employ admissions preferences aimed at families who are working
 - Adopt rent policies to support and encourage work
 - Other: (list below)

B. Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

- Select all that apply
- Seek designation of public housing for the elderly
 - Apply for special-purpose vouchers targeted to the elderly, should they become available
 - Other: (list below)

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

- Select all that apply
- Seek designation of public housing for families with disabilities
 - Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing

- Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)

Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

Select if applicable

- Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- Other: (list below)
- N/A

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Other: (list below)
- N/A

Other Housing Needs & Strategies: (list needs and strategies below)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government

- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)

2. Statement of Financial Resources

[24 CFR Part 903.79 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated.

Source	Planned \$	Planned Uses
1. Federal Grants (FY 2000 grants)		
a) Public Housing Operating Fund	\$750.00	
b) Public Housing Capital Fund	\$119,700.00	
c) HOPE VI Revitalization	N/A	
d) HOPE VI Demolition	N/A	
e) Annual Contributions for Section 8 Tenant-Based Assistance	N/A	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	N/A	
g) Resident Opportunity and Self-Sufficiency Grants	N/A	
h) Community Development Block Grant	N/A	
i) HOME		
Other Federal Grants (list below)	N/A	
2. Prior Year Federal Grants (unobligated funds only) (list below)	N/A	
3. Public Housing Dwelling Rental Income	\$230,280.00	PH Operations
4. Other income (list below)		

Sources	Planned \$	Planned Uses
Excess Utilities	\$3,800.00	PH Operations
Tenant damages	\$1,600.00	PH Operations
4. Non-federal sources (list below)		
PH Investment Income	\$13,750.00	PH Operations
Total resources	\$249,430.00	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete **(b) Eligibility** 3A.

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

When families are within a certain number of being offered a unit: (state number)

When families are within a certain time of being offered a unit: (state time)

Other: (describe)

When PHA staff estimate a unit will be available within the next several months.

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

Criminal or Drug-related activity

Rental history

Housekeeping

Other (describe)

c. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

d. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

e. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

(2)Waiting List Organization

a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)

- Community-wide list
- Sub-jurisdictional lists
- Site-based waiting lists
- Other (describe)

b. Where may interested persons apply for admission to public housing?

- PHA main administrative office
- PHA development site management office
- Other (list below)
City Offices

c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**
N/A

1. How many site-based waiting lists will the PHA operate in the coming year?

2. Yes No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists?

3. Yes No: May families be on more than one list simultaneously
If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- PHA main administrative office
- All PHA development management offices
- Management offices at developments with site-based waiting lists
- At the development to which they would like to apply
- Other (list below)

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom

of or are removed from the waiting list? (select one)

- One
 Two
 Three or More

b. Yes No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

Yes No

Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

- Emergencies
 Overhoused
 Underhoused
 Medical justification
 Administrative reasons determined by the PHA (e.g., to permit modernization work)
 Resident choice: (state circumstances below)
 Other: (list below)

- 1) Elderly residents can upgrade one time from a smaller unit to a larger unit.
- 2) Non-handicapped family residing in handicap accessible unit must transfer if handicap unit is needed and another unit is available.

c. Preferences

X 1. Yes No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection **(5) Occupancy**)

2. . Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

X Involuntary Displacement (Disaster, Government Action, Action of Housing)

- Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)
- Deconcentration efforts

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

- 1 Date and Time

Former Federal preferences:

- 3 Involuntary Displacement (Disaster, Government Action, Action of Housing
- Owner, Inaccessibility, Property Disposition)
- 3 Victims of domestic violence
- 4 Substandard housing
- 4 Homelessness
- 5 High rent burden

Other preferences (select all that apply)

- 6 Working families and those unable to work because of age or disability
- Veterans and veterans' families
- 6 Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- 2 Households that contribute to meeting income requirements (targeting)

- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)
Deconcentration Efforts

4. Relationship of preferences to income targeting requirements:

- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- The PHA-resident lease
- The PHA's Admissions and (Continued) Occupancy policy
- PHA briefing seminars or written materials
- Other source (list)

b. How often must residents notify the PHA of changes in family composition? (select all that apply)

- At an annual reexamination and lease renewal
- Any time family composition changes
- At family request for revision
- Other (list)

(6) Deconcentration and Income Mixing

Awaiting further clarification and instructions from HUD
Notice PIH 99-51 (PHA's should not respond to this section)

- a. Yes No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?
- b. Yes No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

Adoption of site-based waiting lists

If selected, list targeted developments below:

Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments

If selected, list targeted developments below:

Employing new admission preferences at targeted developments

If selected, list targeted developments below:

Other (list policies and developments targeted below)

d. Yes No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

Additional affirmative marketing

Actions to improve the marketability of certain developments

Adoption or adjustment of ceiling rents for certain developments

Adoption of rent incentives to encourage deconcentration of poverty and income-mixing

Other (list below)

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)

Not applicable: results of analysis did not indicate a need for such efforts

List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)

Not applicable: results of analysis did not indicate a need for such efforts

List (any applicable) developments below:

B. Section 8 Not applicable - Sioux Center Low Rent Housing does not administer Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B.

Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

- a. What is the extent of screening conducted by the PHA? (select all that apply)
- Criminal or drug-related activity only to the extent required by law or regulation
- Criminal and drug-related activity, more extensively than required by law or regulation
- More general screening than criminal and drug-related activity (list factors below)
- Other (list below)
- b. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- Criminal or drug-related activity
- Other (describe below)

(2) Waiting List Organization

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- None
- Federal public housing
- Federal moderate rehabilitation
- Federal project-based certificate program
- Other federal or local program (list below)
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- PHA main administrative office
- Other (list below)

(3) Search Time

- a. Yes No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below:

(4) Admissions Preferences

a. Income targeting

___ Yes ___ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

b. Preferences

1. ___ Yes ___ No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- ___ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- ___ Victims of domestic violence
- ___ Substandard housing
- ___ Homelessness
- ___ High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- ___ Working families and those unable to work because of age or disability
- ___ Veterans and veterans' families
- ___ Residents who live and/or work in your jurisdiction
- ___ Those enrolled currently in educational, training, or upward mobility programs
- ___ Households that contribute to meeting income goals (broad range of incomes)
- ___ Households that contribute to meeting income requirements (targeting)
- ___ Those previously enrolled in educational, training, or upward mobility programs
- ___ Victims of reprisals or hate crimes
- ___ Other preference(s) (list below)

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once,

etc.

_____ Date and Time

Former Federal preferences

- _____ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- _____ Victims of domestic violence
- _____ Substandard housing
- _____ Homelessness
- _____ High rent burden

Other preferences (select all that apply)

- _____ Working families and those unable to work because of age or disability
- _____ Veterans and veterans' families
- _____ Residents who live and/or work in your jurisdiction
- _____ Those enrolled currently in educational, training, or upward mobility programs
- _____ Households that contribute to meeting income goals (broad range of incomes)
- _____ Households that contribute to meeting income requirements (targeting)
- _____ Those previously enrolled in educational, training, or upward mobility programs
- _____ Victims of reprisals or hate crimes
- _____ Other preference(s) (list below)

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

- _____ Date and time of application
- _____ Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for "residents who live and/or work in the jurisdiction" (select one)

- _____ This preference has previously been reviewed and approved by HUD
- _____ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- _____ The PHA applies preferences within income tiers
- _____ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

- The Section 8 Administrative Plan
- Briefing sessions and written materials
- Other (list below)

a. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

- Through published notices
- Other (list below)

4. PHA Rent Determination Policies

[24 CFR Part 903.79 (d)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete sub-
(1) Income Based Rent Policies

Describe the PHA's income based rent setting policy/ies for public housing using, including additional discretionary policies (select one) (regulation) income disregards and exclusions, in the appropriate spaces below.

The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- \$0
- \$1-\$25
- \$26-\$50

2. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below:

c. Rents set at less than 30% than adjusted income

1. Yes No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

Rents are 30% of adjusted income, flat rent, ceiling rent, or minimum rent except in hardship cases.

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

For the earned income of a previously unemployed household member of one or more years

For increases in earned income of same employer

Fixed amount (other than general rent-setting policy)
If yes, state amount/s and circumstances below:

Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:

For household heads

For other family members

For transportation expenses

For the non-reimbursed medical expenses of non-disabled or non-elderly families

Other (describe below)

For overtime earned income

For earned income in excess of 40 hours per household member

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

- Yes for all developments
- Yes but only for some developments
- No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

- For all developments
- For all general occupancy developments (not elderly or disabled or elderly only)
- For specified general occupancy developments
- For certain parts of developments; e.g., the high-rise portion
- For certain size units; e.g., larger bedroom sizes
- Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

- Market comparability study
- Fair market rents (FMR)
- 95th percentile rents
- 75 percent of operating costs
- 100 percent of operating costs for general occupancy (family) developments
- Operating costs plus debt service
- The "rental value" of the unit
- Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)

- Never
- At family option
 - for changes which result in decrease of family's rent due to new or additional employment or other source of income.
- Any time the family experiences an income increase
- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) _____
- Other (list below)

- g. ___ Yes X No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

- ___ The section 8 rent reasonableness study of comparable housing
 ___ Survey of rents listed in local newspaper
X Survey of similar unassisted units in the neighborhood
 ___ Other (list/describe below)

B. Section 8 Tenant-Based Assistance
Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the (F) Payment Standards.)

Describe the voucher payment standards and policies.

- a. What is the PHA's payment standard? (select the category that best describes your standard)

- ___ At or above 90% but below 100% of FMR
 ___ 100% of FMR
 ___ Above 100% but at or below 110% of FMR
 ___ Above 110% of FMR (if HUD approved; describe circumstances below)

- b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- ___ FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
 ___ The PHA has chosen to serve additional families by lowering the payment standard
 ___ Reflects market or submarket
 ___ Other (list below)

- c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- ___ FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
 ___ Reflects market or submarket
 ___ To increase housing options for families

____ Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

____ Annually

____ Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

____ Success rates of assisted families

____ Rent burdens of assisted families

____ Other (list below)

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)

____ \$0

____ \$1-\$25

____ \$26-\$50

b. ____ Yes ____ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

EXEMPT

A. PHA Management Structure

(select one)
Describe the PHA's management structure and organization.

____ An organization chart showing the PHA's management structure and organization is attached.

____ A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

List Federal programs administered by the PHA, number of families served at the beginning of the reporting fiscal year, and expected turnover in each. (Use "NA" to indicate that the PHA does not operate any of the programs listed below.)

Program Name	Units or Families Served at Year Beginning	Expected Turnover
---------------------	---	--------------------------

Public Housing		
Section 8 Vouchers		
Section 8 Certificates		
Section 8 Mod Rehab		
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		

C. Management and Maintenance Policies

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

Exemptions from component 6: High performing PHAs are not required to complete component 6. Section 8-Only PHAs are exempt from sub-component 6A.
EXEMPT - Designated high performing PHA

A. Public Housing

1. ___ Yes ___ No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below:

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

___ PHA main administrative office

- PHA development management offices
- Other (list below)

B. Section 8 Tenant-Based Assistance

1. Yes No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)

- PHA main administrative office
- Other (list below)

7. Capital Improvement Needs

[24 CFR Part 903.79 (g)]

Exemptions from Component 7: Section 8 only PHAs are not required to complete this component

A. Capital Fund Activities

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD-52837.

PHA Plan at Attachment (state name)

-or-

The Capital Fund Program Annual Statement is provided below: (if selected, copy the CFP Annual Statement from the Table Library and insert here)

**Component 7
Capital Fund Program Annual Statement
Parts I, II, and II**

Annual Statement

Capital Fund Program (CFP) Part I: Summary

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	
3	1408 Management Improvements	
4	1410 Administration	
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	\$10,000.00
8	1440 Site Acquisition	
9	1450 Site Improvement	\$25,000.00
10	1460 Dwelling Structures	\$75,000.00
11	1465.1 Dwelling Equipment-Nonexpendable	\$10,000.00
12	1470 Nondwelling Structures	
13	1475 Nondwelling Equipment	
14	1485 Demolition	
15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
17	1495.1 Relocation Costs	
18	1498 Mod Used for Development	
19	1502 Contingency	
20	Amount of Annual Grant (Sum of lines 2-19)	\$120,000.00
21	Amount of line 20 Related to LBP Activities	
22	Amount of line 20 Related to Section 504 Compliance	\$110,000.00
23	Amount of line 20 Related to Security	
24	Amount of line 20 Related to Energy Conservation Measures	\$10,000.00

Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

Development Number/Name	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
HA-Wide Activities			
11-1; 11-2	Hire Consultant for Bathroom Renovations	1430	\$7,500.00
11-1; 11-2	Bathroom/Shower Renovation	1460	\$62,000.00
11-1; 11-2	Hire consultant sidewalk replacement	1430	\$2,500.00
11-1; 11-2	Sidewalk replacement - Elderly	1450	\$25,000.00
11-1; 11-2	Elderly Bathroom sink Replacement	1460	\$15,000.00
11-1; 11-2	Elderly Site Boiler Replacement	1465	\$10,000.00

--	--	--	--

Annual Statement
Capital Fund Program (CFP) Part III: Implementation Schedule

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)
11-1-11-2	4th/2000	3rd/2001
11-1-11-2	2nd/2001	3rd/2001
11-1-11-2	2nd/2001	3rd/2001

(2) Optional 5-Year Action Plan

Agencies are encouraged to include a 5-Year Action Plan covering capital work items. This statement can be completed by using the PHA providing an optional 5-Year Action Plan for the Capital Fund. (if no, skip to sub-component 7B)

b. If yes to question a, select one:

The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state name)

-or-

The Capital Fund Program 5-Year Action Plan is provided below: (if selected, copy the CFP optional 5 Year Action Plan from the Table Library and insert here)

Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year

One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables			
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development
IA011	New Homestead Low Rent Housing Agency	3 to 4	
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Sidewalk Replacement/Elderly		20,000	2002
Landscaping - 19 units @ 750/Family		15,000	2002
60 Refrigerators @ \$500/Elderly		30,000	2002
Family Furnaces (3) @ 3,300		10,000	2002
Computer Equipment		3,000	2002
Automotive Equipment		20,000	2002
Laundry Equipment - 7 dryers, 5 washers		6,000	2002
Elderly Handicap Stool Replacements - 55 units @ \$300 each		16,500	2002
Resurface Elderly Parking Areas		45,000	2003
Painting - Foundations 19 Family Homes		10,000	2003
Family Tub Surround - 16 units @ 500		8,000	2003
Flooring - Family entry & Elderly Bathroom -\$250 x79 units		20,000	2003
Garage doors - 10 @ 500/Family		5,000	2003
Plumbing - HWH and softeners - 10 family homes (\$1000 ea)		10,000	2003
3 Boiler Rooms - Elderly @ 10,000		30,000	2003
Doors - Family locks / 19 @ \$1,600 -2 doors & 2 screens		30,400	2004
Locks & Hardware - elderly (20) Family (19) @ 250 x2 doors		19,500	2004
Elderly Screen Doors - 2 @ 60 units @ \$300		36,000	2004
Elderly Kitchen Vent Fans - 40 @ \$400		16,000	2004
Roofing - 10 family homes @ 3000		30,000	2005
Office Equipment - copier		2,000	2005
Maintenance Equipment - tractor		15,000	2005
Concrete driveways - 16 homes @ \$4,000 & engineering		70,000	2005
Total estimated cost over next 5 years		467,400	

B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)

Applicability of sub-component 7B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement. Yes X No.

a) Has the PHA received a HOPE VI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)

b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

1. Development name:
2. Development (project) number:
3. Status of grant: (select the statement that best describes the current status)
 - Revitalization Plan under development
 - Revitalization Plan submitted, pending approval
 - Revitalization Plan approved
 - Activities pursuant to an approved Revitalization Plan underway

Yes No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?
If yes, list development name/s below:

Yes No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?
If yes, list developments or activities below:
-Possible involvement in provision of additional affordable housing in the community.

X Yes No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
If yes, list developments or activities below:
-Possible involvement in provision of additional affordable housing in the community.

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

Applicability of component 8: Section 8 only PHAs are not required to complete this section.

1. Yes No: **Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)**

2. Activity Description

Yes No: **Has the PHA provided the activities description information in the optional Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)**

Demolition/Disposition Activity Description
1a. Development name: 1b. Development (project) number:
2. Activity type: <input type="checkbox"/> Demolition <input type="checkbox"/> Disposition
3. Application status (select one) <input type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission: (DD/MM/YY)
5. Number of units affected: Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:

9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities

[24 CFR Part 903.7 9 (i)]

Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. Yes No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.) Eligible for streamlined submission

2. Activity Description

Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.

Designation of Public Housing Activity Description
1a. Development name: 1b. Development (project) number:
2. Designation type: <input type="checkbox"/> Occupancy by only the elderly <input type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities
3. Application status (select one) <input type="checkbox"/> Approved; included in the PHA’s Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date this designation approved, submitted, or planned for submission: (DD/MM/YY)
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously-approved Designation Plan?
1. Number of units affected: 7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

A. Assessments of Reasonable Revitalization Pursuant to section 202 of the HUD FY 1996 HUD Appropriations Act

1. Yes No: Have any of the PHA’s developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If “No”, skip to component 11; if “yes”, complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 11. If “No”, complete the Activity Description table below.

Conversion of Public Housing Activity Description
1a. Development name: 1b. Development (project) number:
2. What is the status of the required assessment? <input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)
4. Status of Conversion Plan (select the statement that best describes the current status) <input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD-approved Conversion Plan underway
5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one) <input type="checkbox"/> Units addressed in a pending or approved demolition application (date submitted or approved: <input type="checkbox"/> Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved:) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved:) <input type="checkbox"/> Requirements no longer applicable: vacancy rates are less than 10 percent <input type="checkbox"/> Requirements no longer applicable: site now has less than 300 units <input type="checkbox"/> Other: (describe below)

B. Reserved for Conversions pursuant to Section 22 of the U.S. Housing Act of 1937

C. Reserved for Conversions pursuant to Section 33 of the U.S. Housing Act of 1937

11. Homeownership Programs Administered by the PHA

A. Public Housing

Exemptions from Component 11A: Section 8 only PHAs are not required to complete 11A.

1. Yes No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved HOPE I program (42 U.S.C. 1437aaa) or has the PHA applied or plan to apply to administer any homeownership programs under section 5(h), the HOPE I program, or section 32 of the U.S. Housing Act of 1937 (42 U.S.C. 1437z-4). (If “No”, skip to component 11B; if “yes”, complete one activity description for each applicable program/plan, unless eligible to complete a streamlined submission due to **small PHA** or **high performing PHA** status. PHAs completing streamlined submissions may skip to component 11B.)
- Streamlined submission due to small PHA and high performing PHA.

2. Activity Description

- Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 12. If “No”, complete the Activity Description table below.)

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: 1b. Development (project) number:
2. Federal Program authority: <input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one) <input type="checkbox"/> Approved; included in the PHA’s Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY)
5. Number of units affected: 6. Coverage of action: (select one)

Part of the development
 Total development

B. Section 8 Tenant Based Assistance Not Applicable - Do Not Administer Section 8

1. Yes No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If “No”, skip to component 12; if “yes”, describe each program using the table below (copy and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. **High performing PHAs** may skip to component 12.)

2. Program Description:

a. Size of Program

Yes No: Will the PHA limit the number of families participating in the section 8 homeownership option?

If the answer to the question above was yes, which statement best describes the number of participants? (select one)

- 25 or fewer participants
- 26 - 50 participants
- 51 to 100 participants
- more than 100 participants

b. PHA-established eligibility criteria

Yes No: Will the PHA’s program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?
If yes, list criteria below:

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (l)]

Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8-Only PHAs are not required to complete sub-component C.
EXEMPT - Designated high performing PHA

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

Yes No: Has the PHA entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

If yes, what was the date that agreement was signed? DD/MM/YY

2. Other coordination efforts between the PHA and TANF agency (select all that apply)

- Client referrals
- Information sharing regarding mutual clients (for rent determinations and otherwise)
- Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
- Jointly administer programs
- Partner to administer a HUD Welfare-to-Work voucher program
- Joint administration of other demonstration program
- Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas?

(select all that apply)

- Public housing rent determination policies
- Public housing admissions policies
- Section 8 admissions policies
- Preference in admission to section 8 for certain public housing families
- Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- Preference/eligibility for public housing homeownership option participation
- Preference/eligibility for section 8 homeownership option participation
- Other policies (list below)

b. Economic and Social self-sufficiency programs

Yes No: Does the PHA coordinate, promote or provide any programs to enhance the economic and social self-sufficiency of residents? (If “yes”, complete the following table; if “no” skip to sub-component 2, Family Self Sufficiency Programs. The position of

- _____ and train staff to carry out those policies
- _____ Informing residents of new policy on admission and reexamination
- _____ Actively notifying residents of new policy at times in addition to admission and reexamination.
- _____ Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
- _____ Establishing a protocol for exchange of information with all appropriate TANF agencies
- _____ Other: (list below)

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.79 (m)]

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are not participating in PHDEP with this PHA Plan may skip to sub-component D.

A. Need for measures to ensure the safety of public housing residents

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)

- _____ High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- _____ High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
- _____ Residents fearful for their safety and/or the safety of their children
- _____ Observed lower-level crime, vandalism and/or graffiti
- _____ People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- _____ Other (describe below)

2. What information or data did the PHA used to determine the need for PHA actions to improve safety of residents (select all that apply).

- _____ Safety and security survey of residents
- _____ Analysis of crime statistics over time for crimes committed "in and around" public housing authority
- _____ Analysis of cost trends over time for repair of vandalism and removal of graffiti
- _____ Resident reports
- _____ PHA employee reports
- _____ Police reports

- Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- Other (describe below)

3. Which developments are most affected? (list below)

B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year

1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply)

- Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- Crime Prevention Through Environmental Design
- Activities targeted to at-risk youth, adults, or seniors
- Volunteer Resident Patrol/Block Watchers Program
- Other (describe below)

2. Which developments are most affected? (list below)

C. Coordination between PHA and the police

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- Police provide crime data to housing authority staff for analysis and action
- Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- Police regularly testify in and otherwise support eviction cases
- Police regularly meet with the PHA management and residents
- Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- Other activities (list below)

2. Which developments are most affected? (list below)

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of funds. **Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?**

___ Yes ___ No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?

___ Yes ___ No: This PHDEP Plan is an Attachment. (Attachment Filename: ___)

[24 CFR Part 903.7 9 (n)]
14. RESERVED FOR PET POLICY
15. Civil Rights Certifications
[24 CFR Part 903.7 9 (o)]

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations.

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. ___ Yes X No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?
(If no, skip to component 17.)
-HA with less than \$300,000 in federal funds
2. ___ Yes ___ No: Was the most recent fiscal audit submitted to HUD?
3. ___ Yes ___ No: Were there any findings as the result of that audit?
4. ___ Yes ___ No: If there were any findings, do any remain unresolved?
If yes, how many unresolved findings remain? ___
5. ___ Yes ___ No: Have responses to any unresolved findings been submitted to HUD?
If not, when are they due (state below)?

17. PHA Asset Management

[24 CFR Part 903.7 9 (q)]

Exemptions from component 17: Section 8 Only PHAs are not required to complete this component. High performing and small PHAs are not required to complete this component.

1. ___ Yes ___ No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?
2. What types of asset management activities will the PHA undertake? (select all that apply)
___ Not applicable

- Private management
- Development-based accounting
- Comprehensive stock assessment
- Other: (list below)

3. Yes No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24 CFR Part 903.79 (r)]

A. Resident Advisory Board Recommendations

1. Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)

Attached at Attachment (File name)

Provided below:

For Capital Fund Improvements, the elderly would like handicap stools

For Capital Fund Improvements, the west 40 elderly units would like kitchen exhaust fans

3. In what manner did the PHA address those comments? (select all that apply)

Considered comments, but determined that no changes to the PHA Plan were necessary.

The PHA changed portions of the PHA Plan in response to comments

List changes below:

Added the above items to the Capital Fund 5-Year Action Plan

Other: (list below)

B. Description of Election process for Residents on the PHA Board

1. Yes No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)

2. Yes No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process

- a. Nomination of candidates for place on the ballot: (select all that apply)
- Candidates were nominated by resident and assisted family organizations
 - Candidates could be nominated by any adult recipient of PHA assistance
 - Self-nomination: Candidates registered with the PHA and requested a place on ballot
 - Other: (describe)
- b. Eligible candidates: (select one)
- Any recipient of PHA assistance
 - Any head of household receiving PHA assistance
 - Any adult recipient of PHA assistance
 - Any adult member of a resident or assisted family organization
 - Other (list)
- c. Eligible voters: (select all that apply)
- All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
 - Representatives of all PHA resident and assisted family organizations
 - Other (list)

C. Statement of Consistency with the Consolidated Plan

For each applicable Consolidated Plan, make the following statement (copy questions as many times as Consolidated Plan jurisdiction: (provide name here)

State of Iowa / Consolidated Plan for 1995 Executive Summary

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
- The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s and CHAS dataset.
 - The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
 - The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
 - Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
 - Other: (list below)
 - The PHA is committed to fair housing and providing affordable suitable housing in the very-low, low, and low/moderate income range as cited as a need in our State Consolidated Plan.
4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

In the State of Iowa Consolidated Plan, the State does not directly operate public housing units. Therefore, it is difficult to complete the Housing Needs chart in regard to the Iowa Consolidated Plan. The State Plan is not definitive enough for us to respond to this question. We used a chart from Sioux County CHAS to complete the required information for this Housing Needs chart.

D. Other Information Required by HUD

Use this section to provide any additional information requested by HUD.

Substantial deviations or significant amendments or modifications are defined as:

Discretionary changes in the plans or policies of the housing authority that fundamentally change the mission, goals, objectives, or plans of the agency and which require formal approval of the Board of Commissioners.

Attachments

Use this section to provide any additional attachments referenced in the Plans.

Attachment A - Admissions & Continued Occupancy Policy
(IA011a01)

SIoux CENTER
LOW RENT HOUSING AGENCY
(NEW HOMESTEAD)

510 NORTH MEADOW DRIVE
SIoux CENTER, IOWA 51250

PUBLIC HOUSING ADMISSIONS
AND CONTINUED OCCUPANCY POLICY

This plan (ACOP) also serves as our “Tenant Selection and Assignment Plan (TSAP)” because it meets the requirements for a TSAP and provides the details as to how this Agency processes the selection and assignment of applicants for Public Housing.

The ACOP also includes the regulatory “One-Strike” provisions for admission to Public Housing and applicable sections of Title V of P.L. 105-276, the Quality Housing and Work Responsibility Act of 1998.

ADOPTED
December 30, 2000
Resolution H.A. #99-14

TABLE OF CONTENTS

	Page
I. GENERAL STATEMENT OF MISSION, NONDISCRIMINATION AND PRIVACY.....	1
A. Mission Statement	1
B. Fair Housing	1
C. Privacy Rights.....	1
D. Purpose of Policy.....	2
E. Primary Responsibilities of the Housing Authority	2
F. Objectives.....	2
G. Outreach	3
II. ELIGIBILITY FOR ADMISSION	3
A. Eligibility Criteria	3
1. Qualify as Family.....	3
2. Age of Head of Household	4
3. Income Limits	4
4. Citizenship or Eligible Immigration Status	4
5. Social Security Number Disclosure.....	4
6. Consent Forms	4
7. Household Composition.....	5
8. Do Not Maintain Another Residence	5
9. Have Not Committed Fraud	5
10. Prior Housing History.....	5
11. Prior Housing History	5
12. Prior Housing History	5
13. Must Meet Tenant Selection Criteria.....	5
B. Eligibility Restrictions Regarding Noncitizens	5
1. Requirements	5
2. Proof of Citizenship	6
3. Establishing Eligibility of at Least One Family Member	6
4. PHA May Not Delay, Deny, Reduce Assistance	6
5. Continued Assistance After November 29, 1996.....	6
6. Suspend Assistance for 24 Months Upon Determination Ineligible Individual Residing in Household	6
7. Expired or Fraudulent Citizenship Documentation.....	6
8. Right to Informal Hearing	7
9. Mixed Families Permitted to Receive Continued Assistance.....	7
10. Temporary Deferral of Assistance for Ineligible Families	7
11. Prorated Assistance	7
12. Rental Housing Assistance Prohibited for Noncitizen Students and Their Families	7
C. Ineligibility Because of Prior Eviction for Drug-Related Activity	7
1. Definition of Drug-Related Criminal Activity	7

2.	Waiver of this Restriction	7
D.	Special Eligibility Provisions Relating to Applicants Requiring a Live-In Aide	8
E.	Verification and Documentation	8
1.	General Requirements	8
2.	Documentation.....	8
3.	Verification Procedures	10
4.	Sources of Information.....	11
5.	Alternative Sources of Information.....	11
6.	Receipt of Unfavorable Information.....	11
7.	PHA Shall Maintain Record.....	12
8.	Verification Information Within 90 Days	12
III.	GROUNDS FOR DENIAL OF ADMISSION.....	12
IV.	APPLICATION FOR ADMISSION.....	12
A.	Application Intake Procedure	12
B.	Criteria for Placement & Organization of Waiting List.....	12
C.	Maintaining an Active List	13
D.	Responsibility to Report Changes	13
E.	Removal from the Waiting List.....	13
F.	Missed Appointments.....	13
G.	Record Keeping	13
H.	Eligibility Determinations	14
V.	SELECTION FROM THE WAITING LIST	15
A.	Must Meet Tenant Selection Criteria	15
B.	Local Preferences.....	16
1.	Definitions	16
a.	Involuntarily Displaced.....	16
b.	Substandard Housing	18
c.	Rent Burden.....	19
d.	Resident of Community	19
C.	Other Criteria for Waiting List Selection.....	20
D.	Certification and Verification of Preference Qualification	20
E.	Offer of a Unit	20
VI.	MISREPRESENTATION BY THE APPLICANT OR TENANT	22
VII.	UNIT SIZE AND OCCUPANCY STANDARDS.....	22

TABLE OF CONTENTS (Cont'd)

Page

A.	Appropriate Unit Size	22
B.	Additional Factors in Dwelling Unit Size Determination	22
C.	Bedroom Size Determinations for Single Pregnant Individual	22
D.	Smaller Families Occupying Larger Size Units	22
E.	Reasonable Exceptions in Emergency Situations	22
F.	Requirements for Live-In Aide	23
G.	Handicap Accessible Units	23
VIII.	VI.....	LEASE 23
A.	Lease Execution	23
B.	Security Deposits	24
C.	Tenant Orientation	25
D.	Dwelling Unit Inspection Policy	25
E.	Pet Policy	26
F.	Rent, Other Charges, and Rent Adjustments	28
IX.	REEXAMINATION OF INCOME, ADJUSTMENTS AND FAMILY COMPOSITION	31
A.	Annual Reexamination Procedures	31
B.	Eligibility for Continuing Occupancy & Community Service	34
C.	Interim Reexaminations	36
D.	Changes in Household Composition	37
E.	Visitors	38
X.	UNIT TRANSFERS	38
A.	Introduction	38
B.	Types of Transfers	39
C.	Offer of Unit/Refusal of Offer	40
XI.	TERMINATIONS	40
A.	Termination Notices	40
B.	Reasons for Termination	41
C.	Written Records	42
D.	Abandonment of the Unit	42
XII.	POSTING REQUIREMENTS/REVISIONS	43
A.	Posting Requirements	43
B.	Revisions	43
XIII.	REVISION OF OCCUPANCY POLICY RESULTING FROM CHANGES IN LOCAL, STATE, OR FEDERAL LAW OR REGULATION	43
XIV.	MISREPRESENTATION	44

TABLE OF CONTENTS (Cont'd)

Page

XV. GRIEVANCE PROCEDURE..... 44
XVI. RELOCATION 44

APPENDICES

APPENDIX A: INCOME LIMITS..... 46
APPENDIX B: INFORMAL REVIEW PROCEDURES 47
APPENDIX C: GLOSSARY OF TERMS 49
APPENDIX D: GRIEVANCE PROCEDURE 63

POLICY ON ADMISSIONS AND CONTINUED OCCUPANCY

I. GENERAL STATEMENT OF MISSION, NONDISCRIMINATION AND PRIVACY

A. MISSION STATEMENT:

The mission of the Sioux Center Low Rent Housing Agency (hereinafter referred to as the PHA or the Housing Authority) is committed to excellence in our assisting of low-income families with drug free, safe, decent, and affordable housing opportunities as they strive to achieve self sufficiency and improve the quality of their lives. It is our intent to provide opportunities and promote economic independence for our residents. We will create and maintain partnerships with our clients and appropriate community agencies in order to accomplish this mission.

B. FAIR HOUSING:

It is the policy of the Sioux Center Housing Authority to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U.S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

The PHA will not discriminate because of race, color, gender, religion, age, disability, national origin or familial status in the leasing, rental, or other disposition of housing or related facilities (including property) included in any housing development(s) under its jurisdiction covered by a contract for annual contribution under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

It is the policy of the PHA to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968, amended by the Community Development Act of 1974, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and any other legislation protecting the individual rights of tenants, applicants, or staff, which may subsequently be enacted. (24 CFR 960.203)

The Housing Authority shall not automatically deny admission to any particular group or category of otherwise eligible families nor will any criteria be applied, or information be considered, pertaining to attributes or behavior that may be imputed by some to a particular group or category. All criteria applied and information considered in administering this policy shall relate solely to the attributes and behavior of the individual members of the household.

The PHA is committed to identifying and eliminating situations which create barriers to equal housing for all. In accordance with Section 504, the PHA will make such procedural, administrative, locational, or physical changes as will reasonably accommodate persons with disability.

C. PRIVACY RIGHTS:

All adult members of both applicant and tenant households are required to sign HUD Form 9886, Authorization for Release of Information and Privacy Act Notice. These state under what conditions HUD will release tenant information and include the Federal Privacy Act Statement.

It is also the policy of the PHA to guard the privacy of individuals in accordance with the Privacy Act of 1974, and to ensure the protection of individuals' records maintained by the PHA. Therefore, the

Housing Authority shall not disclose any personal information (including, but not limited to information on any disability) contained in its records to any person or agency unless the individual about whom the information is requested gives written consent to such disclosure, unless disclosure is authorized under Federal or State law or regulations. (Reference HUD Form 9886). This privacy policy in no way limits the PHA's ability to collect such information as it may need to determine eligibility, compute rent, or determine the applicant's suitability for tenancy.

D. PURPOSE OF POLICY:

The purpose of this Admissions and Continued Occupancy Policy is to establish guidelines for the PHA staff to follow in determining eligibility for admission to and continued occupancy of Public Housing. The basic guidelines for this policy is governed by requirements of The Department of Housing and Urban Development (HUD), with latitude for local policies and procedures. The Policies and Procedures governing Admissions and Continued Occupancy are outlined in this policy and these requirements are binding upon applicants, residents, and this Housing Authority alike. Notwithstanding the above, changes in applicable federal law or regulations shall supersede provisions in conflict with this policy.

Federal Regulations shall mean those found in 24 Code of Federal Regulations (CFR) Parts 900.

E. PRIMARY RESPONSIBILITIES OF THE HOUSING AUTHORITY:

1. Informing eligible families of the availability of public housing assistance;
2. Receiving applications from families and determining their eligibility for assistance;
3. Verify income and other eligibility factors to calculate applicant's rent;
4. Inspecting Public Housing units to determine that they meet or exceed Housing Quality Standards;
5. Approving leases;
6. Collecting rent on a monthly basis from tenants;
7. Annual re-examinations of income, family composition, and redetermination of rent;
8. Terminating leases and authorizing and processing evictions;
9. Ongoing maintenance and modernization of the public housing inventory; and;
10. Comply with HUD rules, ACO policy, and complete HUD forms.

F. OBJECTIVES: - The objectives of this policy are to:

1. Promote the overall goal of drug free, safe, decent, sanitary and affordable housing by :
 - a. Insuring a social and economic mix of residents within each public housing neighborhood in order to foster social stability and upward mobility. This includes bringing higher income tenants into lower income public housing areas and bringing lower income tenants into higher income public housing areas, if feasible.
 - b. Insuring the fiscal stability of the Housing Authority.
 - c. Lawfully denying admission or continued occupancy to applicants or tenants whose presence

in a public housing neighborhood are likely to adversely affect the health, safety, comfort or welfare of other residents or the physical environment of the neighborhood or create a danger to Housing Authority employees.

- d. Insuring that Elderly families can live in public housing as long as they are able to live independently and/or have someone to help them live independently as in the case of a live-in aid.
2. Facilitate the efficient management of the Housing Authority and compliance with Federal Regulations by establishing policies for the efficient and effective management of the Housing Authority inventory and staff.

G. OUTREACH: The Sioux Center Low Rent Housing Agency will publicize as much information as possible about availability and nature of the Public Housing Program for extremely low-income, very low and low-income families through local media (newspaper, radio, etc.) and by other suitable means. The Housing Authority will also try to utilize public service announcements. For those who call the PHA office, the staff may be available to convey essential information.

- The PHA may hold meetings with the Resident Advisory Board
- The PHA may sponsor “Open House” programs within the public housing community to attract potential tenants to view a public housing unit.
- The PHA will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines so they can make proper referrals for the Public Housing Program.

II. ELIGIBILITY FOR ADMISSION

A. Eligibility Criteria

It is the policy of the PHA to admit only eligible applicant families according to the following criteria:

1. Those who qualify as a family. A family consists of: (See Appendix D-Glossary of Terms.) (24 CFR 5.403)
 - a. Two or more persons who have a stable family-type relationship and are related by blood, marriage, adoption, operation of law ; or
 - b. Elderly Person ; or
 - c. A single person who is:
 - 1) eligible by age, to receive an old age benefit under Title II of the Social Security Act, or
 - 2) handicapped within the meaning of Section 202 of Housing act of 1959, or
 - 3) disabled within the meaning of either Section 223 of the Social Security Act of Section 102(5) of the Developmental Disabilities Services and of the Developmental Disabilities Services and Facilities Construction Amendments of 1970, or
 - 4) displaced by urban renewal or other governmental action, or
 - 5) the remaining adult member of a tenant family.
 - d. Near-elderly person (24 CFR 5.402).
(See Appendix D-Glossary of Terms.) (24 CFR 5.403)

2. Head of Household must be 19 years of age or older or 18 years old and married (not common law) or a person that has been relieved of the disability of non-age by court action (sometimes referred to as Majority papers).
3. Income Eligibility: Those whose annual income at the time of admission does not exceed the income limits as prescribed by HUD for Public Housing. (See Appendix A for Income Limits.) (24 CFR 5.609)
 - a. To be eligible for admission to developments or scattered-site units that were available for occupancy before 10/01/81, the family's annual income must be within the low-income limit set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.
 - b. To be eligible for admission to developments or scattered-site units that became available on or after 10/1/81, the family's annual income must be within the very low-income limit set by HUD, unless HUD grants an exception. This means that without a HUD exception, the family income cannot exceed 50 percent of the median income for the area.
 - c. Income limits apply only at admission and are not applicable for continued occupancy.
 - d. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the Sioux Center Low Rent Housing Agency.
 - e. Income limit restrictions do not apply to families transferring within our Public Housing Program.
 - f. If there are no eligible families on the waiting list and the Sioux Center Low Rent Housing Agency advertised the availability of these units in at least one newspaper of general circulation, families above the applicable income limit may be housed. They must vacate the unit if an eligible family applies.
4. Declaration of Citizenship: Those whose members are U.S. Citizens or noncitizens who have eligible immigration status. (24 CFR 5.500)
5. Social Security Number Documentation: Those whose members age 6 or older have been issued a Social Security Number (SSN) and have disclosed it to the satisfaction of the PHA. Where a SSN has not been assigned, certification to that effect must be executed. (24 CFR Subpart B)
6. Signing Consent Forms
 - a. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
 - b. The consent form must contain, at a minimum, the following:
 1. A provision authorizing HUD or the Sioux Center Low Rent Housing Agency to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility

for continued occupancy; and

2. A provision authorizing HUD or the Sioux Center Low Rent Housing Agency to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
 3. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
 4. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.
7. Those whose household composition is appropriate for the unit sizes available in the PHA developments in accordance with the occupancy standards outlined herein.
 8. Those who do not maintain another residence in addition to the PHA unit.
 9. Those whose members have not committed fraud in connection with any Federal Housing Assistance program.
 10. Those whose members have not been evicted from public housing, Indian Housing, Section 23, or any Section 8 program because of drug-related criminal activity involving the personal use or possession for personal use for a three-year period beginning the date of the eviction.
 11. Those whose members have not been evicted from public housing, Indian Housing, Section 23, or any Section 8 program because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802 for a five-year period beginning the date of eviction.
 12. Those whose members are not subject to a lifetime registration requirement under a State sex offender registration program.
 13. Those who meet or exceed the tenant selection criteria outlined in this Policy.

B. Eligibility Restrictions Regarding Noncitizens

1. As required by HUD (24 CFR 5 subpart E), eligibility for assistance or continued assistance under a Section 214 program, such as public housing, is contingent upon a family's submission of documentation either declaring U.S. citizenship or eligible immigration status. The PHA requires both current tenants and applicants to submit the required citizenship or eligible immigration documentation for every household member in order to receive or continue to receive housing assistance. Documentation is required of all new admissions at the time an application is processed by the Housing Authority. Any current tenant who has not already provided documentation will be required to document citizenship or immigration status at the next reexamination. It is necessary to provide this information only one time for each family member during continued occupancy at the PHA. Whenever a new family member is added,

documentation must be provided before the new member can be added to the lease.

2. Proof of citizenship will take the following form:

- b. For families claiming U.S. citizenship, each applicant or tenant family member will sign the citizenship declaration form and present appropriate documentation (such as U.S. passport, resident alien card, social security card, birth certificate, military ID, or military DD 214 form, or other appropriate documentation), which will become a permanent part of the tenant file. Adults will be required to sign on behalf of all children under the age of eighteen years.
- b. Noncitizens age 62 years or older who are current tenants or applicants will be required to sign a declaration of eligible immigration status and proof of age.
- c. Tenants and applicants who are noncitizens declaring eligible immigration status must:
 1. sign a declaration of eligible immigration status;
 2. provide the original required U.S. Immigration and Naturalization Service documents, such as Alien Registration Receipt Card, Arrival/Departure Record, Temporary Resident Card, Immigration and Naturalization Service (INS) receipt in the event of any lost or missing cards listed above; The PHA will make a copy of the individual's INS documentation and place the copy in the file and also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the PHA will mail information to the INS in order that a manual check can be made of INS records.; and
 3. sign a verification consent form.

The PHA has the right to deny, terminate or adjust housing assistance if members of any household are found to be noncitizens with ineligible immigration status; however, this determination will not take place until all appeal rights requested have been exercised by the household. The PHA may grant time extensions to provide appropriate information, provided that the household shows a diligent effort in obtaining immigration status documents.

3. The PHA may not make assistance available to a family applying for assistance until at least the eligibility of one family member has been established, and assistance must be prorated based on the number of individuals in the family for whom eligibility has been affirmatively established.
4. The PHA may not delay, deny, reduce or terminate eligibility of an individual for assistance on the basis of the immigration status of the individual. The family will not be penalized for delays on the part of those entities which must verify eligible immigration status, except to the extent that the delay is caused by the family.
5. All continued assistance provided to an eligible mixed family after November 29, 1996 will be prorated based on the percentage of family members that are eligible for assistance.
6. The PHA is required to evict and suspend assistance to a family for a period of at least 24 months upon determining that the family has knowingly permitted an ineligible individual to reside on a permanent basis in the family's unit. This provision does not apply if the ineligible

individual has already been considered in calculating any proration of assistance for the family.

7. If the PHA discovers that citizenship information provided is expired, fraudulent, or otherwise invalid, it will notify the family or individual of the results of these findings. The family or individual will then have 30 days from the date of the notification to file an appeal with the INS to correct the problem. The family or individual must provide the Housing Authority a copy of the appeal request to the INS, which will become a permanent item in the tenant file. The PHA can extend this 30 day appeal period at its sole discretion if good cause is found.
8. Any applicant or resident family affected by these provisions has the right to a formal appeal provided the family notifies the PHA within 30 days of the action or decision the family wishes to appeal. All appeals will be conducted in accordance with the provisions of the PHA's Grievance Procedure.
9. In accordance with Federal rules, mixed families who were living in the PHA's units on June 19, 1995, are permitted to receive continued assistance provided that either the head of household or spouse have eligible immigration status and any ineligible family members are either the head, spouse, parents, or children of the head or spouse.
10. Families who were living in units operated by the PHA on June 19, 1995 but became ineligible for housing assistance because there are no family members with eligible immigration status may be given a temporary deferral of assistance to transfer to other housing at the discretion of the Housing Authority. If the temporary assistance is provided, it will be offered in six month increments and never for longer than a total of 18 months. The maximum period for deferrals granted prior to November 29, 1996 will be three years.
11. Families that no longer qualify for housing assistance due to their citizenship status may apply for prorated assistance to decrease the level of housing assistance provided to the household based on the ratio of eligible and ineligible persons in the household. The family members must be listed on a statement of noneligible members and the list must be signed by the head of the household.
12. Rental housing assistance is prohibited to noncitizen students on student visas and their families, though in the country legally. None of the provisions of the rules related to prorated assistance, continued assistance, or temporary deferral of termination of assistance applies to noncitizen students. This prohibition does not include citizen spouses and their children.

C. Ineligibility Because of Prior Eviction for Drug-Related Activity

1. Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance. Pursuant to federal law, persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for admission to public housing at the PHA. (See Sec.II -A-10 & 11)

2. The PHA will waive this restriction if the applicant can demonstrate to the satisfaction of the PHA that:
 - a. the person successfully completed a rehabilitation program such as at Keystone Treatment Center at Canton, S.D., New Life Treatment Center at Woodstock, MN, or an equivalent comparable program approved by the PHA, or
 - b. the circumstance(s) leading to the eviction no longer exists. For example, the person involved in drugs and responsible for the eviction is no longer part of the household.

D. Special Eligibility Provisions Relating to Applicants Requiring a Live-In Aide (24 CFR 5.403(b))
Some applicants and tenants who would not otherwise be able to fully discharge the responsibilities of tenancy may be able to do so with the assistance of a live-in aide residing in the unit. When an applicant or tenant can provide documentation to the satisfaction of the Housing Authority that a live-in aide is required and available, the following provisions shall apply:

1. The live-in aide must submit information as requested and be reviewed by applications staff for eligibility under the Tenant Selection Criteria of this policy. If the PHA determines an individual proposed as a live-in aide to be ineligible, the tenant or applicant may propose an alternate live-in aide for screening or may appeal the PHA's determination as provided in the Informal Review Procedure (Appendix C).
2. Unit Size Consideration. The applicant or tenant and the live-in aide may each be allocated a separate bedroom.
3. The primary tenant is responsible for all acts of all household members with respect to the requirements of the dwelling lease. Any violation of lease provisions by the live-in aide may be cause for eviction of the household.
4. The live-in aide does not have rights to continue in occupancy as a remaining member of a household.

E. Verification and Documentation

1. General Requirements. The burden is on the applicant to demonstrate to the satisfaction of the PHA that the applicant family is:
 - a. Willing to reliably discharge the financial obligations of renting a unit; and
 - b. Willing to maintain the unit in a healthy, safe and secure condition; and
 - c. Willing to live peaceably with neighbors in a residential community; and
 - d. Willing to accept and abide by the terms of the lease agreement, attachments, addenda and all house rules; and
 - e. Willing to provide the Housing Authority with accurate and complete information on the application form or any other form or document required to determine initial eligibility, preference status, and continued occupancy for public housing. Failure or refusal to comply or provision of falsified information is grounds for a determination of ineligibility and for termination of tenancy and eviction.

2. Documentation. The following information related to an applicant's potential future habits or practices will be used to determine if the applicant meets the PHA's selection criteria:

a. The household's acceptable past performance history in meeting financial obligations, especially rent and utilities. Positive or neutral references from the current landlord and at least one prior landlord and neutral or better credit reports, together constitute adequate evidence that the applicant household meets this criteria.

In determining an applicant's ineligibility based on a previous history on non-payment of rent, the Housing Authority will consider whether:

- The applicant was residing in a substandard unit and was withholding rent payments pending repairs in a manner consistent with local ordinances; or
- The record of nonpayment or frequent late payment was due to the applicant being required to pay excessive rent relative to his/her income and the applicant demonstrated responsible efforts to resolve the nonpayment problem.

b. The applicant household does not have a record of disturbance of neighbors, incidents of disruptive conduct, or destruction of property. Acceptable landlord references and police and court record reports showing that no household member engages in these types of activities, together constitute adequate evidence that the household meets this criteria.

c. The household does not have a record of housekeeping practices which may adversely affect the health, safety or welfare of others, or cause damage to PHA property. Acceptable landlord references or satisfactory or better home visit rating constitute adequate evidence that the household meets this criteria.

d. The household does not have a record of criminal activity or drug-related criminal activity on the part of any household member which would adversely affect the health, safety or right to peaceful enjoyment of others. This includes crimes of physical violence to persons and violence to property. Court and police record reports showing that no household member has a record of such activity constitute adequate evidence that the household meets this criteria.

e. The household does not have any individual who is subject to a lifetime registration requirement under a state sex offender registration program. A check of the State's lifetime sex offender registration program showing that no adult household member, including live-in aides, engage in this type of activity will constitute adequate evidence that the household meets this criteria.

f. There is no reasonable cause to believe that any member of the applicant household has exhibited a pattern of illegal use of a controlled substance or a pattern of abuse of alcohol which interfered with the health, safety, or right to peaceful enjoyment of the premises by other tenants. Acceptable landlord references and court and police record reports showing that no household member has exhibited these patterns constitute adequate evidence that the household meets this criteria.

In evaluating applicant families under this criteria, the PHA will consider information which demonstrates to the satisfaction of the Housing Authority that the person is no longer engaging in illegal use of a controlled substance or abuse of alcohol and:

- has successfully completed a supervised drug or alcohol rehabilitation program;
 - has otherwise been rehabilitated successfully; or
 - is satisfactorily participating in a supervised drug or alcohol rehabilitation program, as verified by the case manager of such program.
- g. The applicant or any member of the applicant household is not a former tenant of the PHA who had a record of lease violations or whose tenancy was terminated by the Housing Authority. No previous tenant may be readmitted unless all previous amounts owed have been paid; but payment of such debt does not necessarily entitle an applicant to eligibility under this section unless the PHA has agreed in writing to grant eligibility upon payment of amounts due.
- h. The household is willing to accept and comply with the terms of the lease agreement and other related documents. Acceptable landlord references or satisfactory or better home visit rating constitute adequate evidence that the household meets this test. In the absence of acceptable landlord references or home visit rating, a credible reference from the current housing provider, stating that the household is capable of complying with the terms of the lease agreement is acceptable.
- i. The household has not misrepresented or falsified any information related to eligibility, preference status, selection criteria, or income and has provided all information requested and required by the PHA. If at any time during the tenant selection process it is determined that the household has provided information which is false or misleading, or has failed to supply the PHA with any information or documentation required, the applicant household will be considered to have failed this criteria. In the event the misrepresentation is discovered after admission, the lease will be terminated for such misrepresentation.

Note: The above list is not intended to be all inclusive. Applicants may be denied admission if the PHA has reason to believe that the conduct of the applicant has been such as would be likely to interfere with other tenants in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety, or welfare or to affect adversely the physical environment or the financial stability of the project if the applicant were admitted to the project.

3. Verification Procedures. The PHA will use the following procedures to verify if the applicant meets the tenant selection criteria:

- a. References from Landlords and Prior Landlords. The PHA will obtain references from current and prior landlords, if any, and places great importance on the information obtained from these references as prior landlords have relationships with prospective tenants that are similar to the relationship to be established with the PHA.

The PHA will attempt to check court records for evidence of evictions or judgements against members of the household. References from landlords who are related by blood or marriage are generally considered to be insufficient. In addition, the PHA may schedule and perform a home visit and/or attempt to interview the current housing provider and others who are familiar with the behavior and abilities of household members.

- b. *Home Visits.* If the applicant is currently residing within the PHA's jurisdiction, the PHA staff may perform a home visit for applicants for whom landlord references of acceptable credibility and quality are not available. The purpose of the Home Visit is to obtain information to be used in determining whether the applicant household meets certain of the PHA's tenant selection criteria and will consider the following:
 - (I). Condition of entrance ways, halls and yards.
 - (ii). Cleanliness in each room used by the household, including rooms shared with other households, if applicable.
 - (iii). General care of furniture, appliances, fixtures, windows, doors and cabinets.
 - (iv). Evidence of destruction of property.
 - (v). Evidence of unauthorized occupants.
 - (vi). Evidence of criminal activity.
 - (vii). Conditions inconsistent with the information supplied in any application or other document submitted by the household.

Applicants will be given at least two days' advance written notice of the home visit. If the results of the home visit indicate tenant-caused health or safety hazards, tenant-caused damages, or housekeeping practices leading to infestation by pests, the applicant household will be considered to have failed the PHA's tenant selection criteria.
 - c. *Credit Reports.* The PHA will obtain credit reports on all adult family members to determine the household's history of meeting financial obligations, especially rent and utilities. Lack of credit history will not, in itself, cause an applicant to fail this criteria.
 - d. *Police and Court Records Check.* The PHA will check police (state or local law enforcement) and court records for all adult members of the applicant family for evidence of behavior including a criminal background check which is relevant to the tenant selection criteria outlined herein. Where the individual has lived outside the local area, the PHA may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC).
4. *Sources of Information.* Sources of information that the PHA will use include but are not limited to:
- a. Members of the applicant household.
 - b. Present and prior landlords or housing providers.
 - c. Present and former neighbors.
 - d. Present and former employers.
 - e. Credit bureaus.
 - f. Landlord Record services, where applicable.
 - g. Social workers, child support officials, school officials, drug and alcohol treatment centers, clinics, health care providers and clergy.
 - h. Police departments, parole officers and court records.
 - i. Welfare Department, Internal Revenue Service.
5. The PHA staff will be the final judge of what constitutes adequate and credible information. If there are sufficient doubts with respect to the veracity, credibility, or reliability of any information received, the PHA retains the right to pursue alternative sources of information until

satisfied that the information received is the best available.

6. In the event that the PHA receives adverse and unfavorable information regarding an applicant household, consideration will be given to the time, nature and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct and that certain undesirable behavior will not be repeated.
7. The Housing Authority shall maintain a record of all applicants determined ineligible as a result of the failure to meet its Tenant Selection Criteria with an indication of the specific reason(s) for the determination of ineligibility.
8. Verification information must be dated within ninety (90) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

III. GROUNDS FOR DENIAL OF ADMISSION

The Housing Authority is not required or obligated to assist applicants who:

1. Do not meet any one or more of the eligibility criteria;
2. Do not supply information or documentation required by the application process set forth in this policy;
3. **Denied for life:** if any family member has been convicted of manufacturing or producing methamphetamine (speed) in a public housing development or in a section 8 assisted property;
4. **Denied for life:** has a lifetime registration under a state sex offender registration program.

IV. APPLICATION FOR ADMISSION

A. New Homestead Application Intake Procedure

Families wishing to apply for the Public Housing program will be required to complete an application for housing assistance. Applications will be received at the office of New Homestead at 510 North Meadow Drive, between 8:15 AM - 12:15 PM, Monday through Friday. A written completed application signed by the head of the family or a responsible member of the family will be accepted from each family seeking admission to low-rent housing owned or leased by this Authority. The information will be verified by the Housing Authority.

If bilingual language services are required, we will try to assist where we can. However, it is the responsibility of the applicant to provide their own translator.

B. Criteria for Placement & Organization of Waiting List

Applications are taken to compile a waiting list, which is always open. An applicant will be assigned to the appropriate waiting list according to the date and time that the application information was initially provided, the type and size of unit required, and local preferences claimed. When the waiting list is depleted, and units are available, the waiting list will be announced through the media stating that applications for public housing will be accepted. The announcement will state where, when, and how to apply. The applicant will be provided information on the housing program and its requirements.

The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-application requires the family to provide limited basic information establishing any preferences to which they may be entitled. This first phase results in the family's placement on the waiting list.

The second phase is the final determination of eligibility, referred to as the full application. The full application takes place when the family nears the top of the waiting list. The PHA will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's final eligibility for admission into the Public Housing Program.

C. Maintaining an Active List

The pool of active applicants will be kept current by requiring each applicant to inform the Housing Authority at least once annually of continued interest. The PHA will send an update letter to the applicant, requiring the applicant to submit a form indicating continued interest and any updated information, such as change of address or household information. Any applicant who fails to respond to a written request for information or a request to declare their continued interest in the program will be removed from the waiting list.

D. Responsibility to Report Changes

Applicants on the waiting list must also report to the Housing Authority any changes in income, preference status, family composition or address as they occur. Any such changes could affect the applicant's waiting list status or eligibility for housing. Any applicant knowingly providing false information or fraudulent statements affecting the applicant's status or eligibility for housing will be removed from the waiting list.

E. Removal from the Waiting List

An applicant may withdraw an application at any time. A withdrawn application cannot be reactivated and the applicant who has withdrawn an application shall be required to reapply. Any applicant removed from the waiting list by the PHA will be notified in writing of the reason(s) for which the application is being removed. Such notification shall inform the applicant of his/her right to an informal review of the determination and will be made part of the application record. The Housing Authority will provide the applicant, upon written request, within ten (10) days from the date of the notification, an opportunity for an informal review of the determination of removal from the waiting list.

F. Missed Appointments

The PHA will allow the family to reschedule for good cause. Only one opportunity will be given to

reschedule with good cause. When good cause exists for missing an appointment, the PHA will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

G. Record Keeping

The Housing Authority will keep a copy of each application received and maintained in a permanent file. For each applicant, the Housing Authority will document its determination that the applicant is eligible and meets admission standards, or is ineligible and does not meet admission standards, or is removed from the waiting list for any other reason. Any contacts between the PHA and the applicant will be documented in the applicant's file. The Housing Authority will also maintain a record of the dwelling unit offered to an eligible applicant, including the location, date, and circumstances of the offer and its acceptance or rejection. A copy of each application will become a part of a tenant's file during participation in the program. Inactive files will be maintained for a minimum of three years from the date of final action. Waiting list information will contain race or ethnic designation of head of household.

H. Eligibility Determinations

1. Applicants will be placed on the waiting list based on information provided on the application form. When Housing Authority staff estimate that a unit will be available within the next several months, applicants are invited to attend an interview, upon which the formal verification process of information provided and the tenant selection process will commence. If more than 90 days elapse between the date of the determination of the family's eligibility and the date the family is scheduled for admission, all eligibility factors are to be re-checked for changes prior to admission.
2. Verification of Eligibility and Preference Status. Each applicant household shall be required to provide all information and authorizations necessary to enable staff to verify the applicant's qualification for preference status, income eligibility, household composition and conformance to the Housing Authority's Tenant Selection Criteria.
 - a. Information may be required for any or all household members. Verification shall be from third party sources whenever possible. However, the applicant shall not be penalized either by denial of admission or by unreasonable delay of placement solely because third party sources have failed to respond to requests for information. When the applicant and the PHA have made all reasonable efforts to obtain information and the third party source has failed to respond, the PHA shall proceed with the processing of the application using the best available information.
 - b. Each applicant household shall have an interview with a member of the management staff. Every adult member of the applicant household should be present at the office visit except when there are extenuating circumstances.
3. The PHA shall require the applicant to:
 - Sign all forms necessary to determine eligibility and suitability;
 - Provide verification of income, assets, exclusions and deductions from income;
 - Provide verification of family size, age and relationship;

- Disclose the Social Security Numbers of all family members six (6) years of age and older;
 - Provide citizenship information;
 - Provide the names and addresses of the applicant's current and at least one prior landlord, if applicable;
 - Provide the most recent six (6) month rent receipts where appropriate.
 - Provide any other information the PHA determines is necessary to determine eligibility for housing at the PHA.
4. All verifications and documentation received by the PHA for use in the determination of eligibility for housing at the PHA will be analyzed by staff and a determination made with respect to:
- Eligibility of the applicant family based on the requirements outlined in Section II of this Policy.
 - Unit size requirements.
 - Qualification of the applicant family with respect to the Tenant Selection Criteria outlined in Section V.
5. Applicants determined to be ineligible for housing at the PHA will be promptly notified and will receive a Notice of Ineligibility from the Housing Authority stating the basis for this determination. (24 CFR 960.207) The PHA will provide such applicants with the opportunity for informal review of the decision in accordance with the HUD regulations and the procedure for informal hearing contained in Appendix B of this Policy.
6. Applicants determined to be qualified for housing at the PHA will be notified by the Housing Authority of the approximate date of occupancy insofar as that date can be reasonably determined. Every effort will be made by the PHA to make as accurate an estimate as possible; however, this does not mean that the applicant should be expected to be housed by that date as the availability of a suitable unit is contingent on factors not controlled by the PHA.
7. Disabled applicants who have been determined to be eligible but who fail the Tenant Selection Criteria will have their cases examined by the PHA to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the selection criteria outlined herein.
8. *Changes in Unit Size Determination.* If, during the final eligibility determination, or at any other time prior to placement, it is determined that the family composition has changed making the family eligible for a different size unit, the family's application shall be placed on the waiting list for the new unit size based on the original date of the family's pre-application.

V. SELECTION FROM THE WAITING LIST

A. Tenant Selection Criteria (24 CFR 960.205)

1. The applicant household must meet the Tenant Selection Criteria established by the PHA to protect the rights and needs of the public housing community for a decent, safe and livable environment. Tenants shall be selected from among eligible applicant families whose family composition is appropriate to available dwelling units. The PHA will take into consideration the needs of individual families for low rent housing and the statutory purpose in developing and

operating a socially and financially sound low-income housing project which fosters economic and social diversity in the tenant body as a whole. Solvency shall be our first consideration in application of the tenant selection and assignment plan. The Housing Authority shall select tenants in such a manner as:

- a. For every fiscal year, the PHA shall support and strive to meet the goal of admitting forty percent of its new admissions for families whose incomes do not exceed thirty percent of the area median income. If no eligible families are available at the targeted income due to local economic conditions, we will admit others on the waiting list at or below eighty percent of the area median to fill vacant units. In reaching the new admissions goals, the PHA will avoid concentrations of the most economically and socially deprived families in any one or all of the PHA's public housing projects.
 - b. It is the PHA's policy to provide for deconcentration of poverty in our family developments and to encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Toward this end, we may skip families on the waiting list to reach other families with a lower or higher income. We will strive to accomplish this in as uniform and non-discriminating manner as possible. The PHA will affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.
2. Applicants will be given local preference status who are otherwise eligible for assistance and who, at the time they are seeking housing assistance, are involuntarily displaced, living in substandard housing, paying more than 50 percent of family income for rent, or a resident of the community. Tenants will be selected from among applicants eligible for dwelling of given size and within such ranges of rent as may be established from time to time to ensure the financial solvency and stability of the program.
 3. All otherwise eligible applicants will be assigned to the waiting list according to date and time of application, type and size of unit required, and local preference status determined as follows:

B. Local Preferences

1. A local preference will be granted to applicants who have met the eligibility requirements outlined in previous sections of this Policy and who, at the time of application for housing, certify that they meet the guidelines of the local preferences and qualify for one of the following:
 - a. Involuntarily Displaced
 1. An applicant household qualifies as involuntarily displaced if:
 - The applicant has been involuntarily displaced and is not yet living in standard replacement housing. Housing is not standard replacement housing if it is overcrowded or the family is not occupying pursuant to a lease or occupancy agreement; or
 - The applicant will be involuntarily displaced within six months from the date of preference status certification or verification.

2. Involuntary displacement includes:

- Displacement because of fires, disasters and government actions;
- Action by a private owner that the tenant could not control or prevent (does not include a rent increase);
- Victims of actual or threatened domestic physical violence (applicant need not have moved out to qualify). The actual or threatened physical violence must have occurred recently or be of a continuous nature, and the family must certify that the person who engaged in violence will not reside in applicant household. Violation of this is grounds for eviction;
- Displacement to avoid reprisals when an applicant family has provided information on criminal activities to the police. The Authority may only grant this if a law enforcement agency carried out a threat assessment and recommends rehousing the family.
- Displacement due to hate crimes when applicants have been victims of a hate crime. Hate crimes are defined as actual or threatened physical violence that is based on a victim's race, color, religion, sex, national origin, handicap or familial status. The Authority must determine that this occurred recently or is of a recurring nature.
- Displacement by inaccessibility of unit which occurs when a member of the applicant family has an impairment which makes the person unable to use critical elements of the unit and the owner of the unit is not obligated to make the unit accessible.
- Displacement due to HUD disposition of a multifamily project.

3. Involuntary displacement does not include for-cause evictions or moving as the result of divorce or separation.

4. Verification Procedures for Involuntary Displacement

Involuntarily Displaced requires certification from a local government agency or the landlord that the family was displaced.

- For domestic violence, certification from the police, social service agency, court, clergy, physician or shelter may be used.
- Applicants who receive this preference due to actual or threatened domestic physical violence are required to sign a statement certifying that the applicant agrees that the person who engaged in violence will not be allowed to reside in the household.
- Displacement to avoid reprisals or because of a hate crime may be verified by a law enforcement agency.

- To verify the inaccessibility of a unit, certification from a health care professional that a family member has a mobility or other impairment that makes critical elements of the current unit inaccessible may be required as well as a statement from the owner that he/she is not able or willing to make the unit accessible.
5. If a family was involuntarily displaced at the time it applied but has found standard replacement housing in the meantime, the family no longer qualifies for the preference.

If a family that was involuntarily displaced has temporarily moved in with others in an overcrowded unit, the family is still considered to be displaced.

b. Substandard Housing

1. A housing unit is substandard for this purpose if it:
- Is dilapidated;
 - Does not have operable indoor plumbing;
 - Does not have a useable flush toilet, bathtub or shower inside the unit for the exclusive use of the family. The lack of any one of these qualifies the unit as substandard. However, substandard housing does not include boarding houses, SROs, or group homes (for example) intentionally designed with shared facilities;
 - Does not have electricity, or has inadequate or unsafe electrical service;
 - Does not have a safe or adequate source of heat;
 - Should, but does not, have a kitchen; or
 - Has been declared unfit for habitation by an agency of the government.

(NOTE: This definition of substandard housing does not include overcrowding.)

2. A housing unit is dilapidated if it:
- Does not provide safe and adequate shelter, and endangers the health, safety, or well-being of a family, or
 - Has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. (The defects may involve original construction, or they may result from continued neglect or lack of repair or from serious damage to the structure.)
3. A homeless family is considered to be living in substandard housing. A homeless family is one that lacks a fixed, regular and adequate nighttime residence, and has a primary nighttime residence that is:
- A supervised publicly or privately operated shelter designed to provide temporary

living accommodations and includes welfare hotels, congregate shelters and transitional housing;

- An institution that provides a temporary residence for individuals intended to be deinstitutionalized; or
- A public or private place not designed for, or ordinarily used for sleeping.

(NOTE: A homeless family does not include an individual imprisoned or otherwise detained by law.)

4. Verification Procedures for Substandard Housing

Substandard Housing may be verified with a certification from an agency of the local government or the applicant's landlord that the unit has one or more of the deficiencies listed. For the homeless, certification may be obtained from a public or private agency that provides shelter for homeless individuals or from the local police department.

c. Rent Burden (Paying in excess of 50 percent of their monthly income for rent for at least 90 days)

1. Paying More than 50% of Income for Rent and Utilities

- Applicants qualify for this preference if they are paying more than 50 percent of gross monthly income for rent and utilities and this situation has existed for at least 90 days. The definition of income is the one used to compute Total Tenant Payment (TTP). Rent is the amount due on a monthly basis to the family's current landlord under a lease or rental agreement. Payments made to the family from an energy assistance program must be subtracted from rent if this amount is excluded from income.
- For applicants who own a manufactured home, but rent the space for the home, rent includes rent for the space and debt service for the unit. For members of a cooperative it is the amount agreed upon between the members and the cooperative.
- A family does not qualify for this preference if the reason it is paying more than 50% of its income for housing is because HUD assistance was terminated for failure to comply with program requirements.

2. Procedures for Verification of Applicant's Income, Rent and Utilities Payments

- Third party verification for income must be obtained using the same rules used to determine eligibility.
- The amount being paid for rent may be verified from copies of the family's most recent rental receipts, cancelled checks, a copy of the family's current lease agreement, or by verification directly from the landlord.
- To verify utilities, the Authority may require the family to provide copies of

appropriate bills or receipts, or use the Section 8 Existing Housing Utility Allowance Schedule, whichever method the family chooses.

(d) Resident of Community

Applicant is currently a resident of the community or needs to be for local job requirements.

C. Other Criteria for Waiting List Selection

1. Consideration will be given according to the rent paying ability of the applicant as it relates to the solvency of the authority.
2. The applicant's age, disability, or handicap are considered. The 60 elderly units have been approved by HUD as being designated for elderly, handicapped, or disabled only. In filling vacancies in this development, first priority will be given to elderly, handicapped, or disabled families in projects specifically built for Elderly families. If there are no eligible elderly families on the list, next priority will be given to the near-elderly. If there are no near-elderly, units will be offered to families who qualify for the appropriate bedroom size. Using these priorities, families will be selected from the waiting list using the preferences as outlined above.
3. The family size of the applicant is considered, as it relates to the units available (does not exceed occupancy standards), or they are presently residing in substandard housing.
4. Preclude admission to public housing to those applicants whose habits and practices may be expected to have a detrimental effect on the tenants, the physical environment of the development, or the financial stability of the projects.

D. Certification and Verification of Preference Qualification

1. At the time of application, information about the preference categories and a certification form will be made available to each applicant. Each applicant will be asked to sign the certification form attesting to the preference categories for which the applicant believes the household to be eligible. The application will be placed on the waiting list based on the preferences claimed in the applicant's preference certification.
2. When the applicant is called in for eligibility determination (see Section IV,H, Eligibility Determinations) the applicant's preference qualifications will be verified. If qualification for preference cannot be verified, the application will be returned to the waiting list according to the original date and time of the application but without preference status.
3. If it is determined that an applicant does not meet the criteria to qualify for preference status, the PHA shall provide written notice of that determination stating the reason of the determination and informing the applicant of his/her right to request a meeting to review the determination with a representative of the PHA. Requests to review a denial of preference status must be made within 30 days of the date the written notice informing the applicant of the denial was mailed.

E. Offer of a Unit

When the Housing Authority discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development and whose income category would help to meet the deconcentration goal and/or the income targeting goal. The verified eligible applicant shall be offered a dwelling unit in accordance with the following plan:

1. If at the time the eligible applicant comes to the top of the waiting list, the PHA will offer the first suitable vacant unit available for occupancy either orally or by telephone and give the applicant an opportunity to view the unit. If the offer is rejected, the applicant's name goes to the last place on the eligible applicant waiting list. An applicant must respond to, and accept or reject the offer within five (5) business days from the date the offer is made. If an applicant does not respond within five (5) business days, the application shall be deemed withdrawn and the applicant shall be required to reapply.
2. If in making the offer to the family the Housing Authority skipped over other families on the waiting list in order to meet their deconcentration goal or offered the family any other deconcentration incentive and the family rejects the unit, the family will not lose their place on the waiting list and will not otherwise be penalized.
3. For purposes of this policy, the applicant will not be considered to have been offered a unit if he/she provides clear evidence to the satisfaction of the PHA that one of the following circumstances apply:
 - a. The unit is not of the proper size and type, and the applicant would be able to reside there only temporarily.
 - b. The unit contains lead-based paint, and accepting the offer could result in subjecting the applicant's child(ren) under seven years of age to lead-based paint poisoning.
 - c. The applicant is unable to move at the time of the offer because of serious and unusual circumstances which are beyond the applicant's control, and the applicant presents clear evidence which substantiates this to the PHA's satisfaction. Examples:
 - A doctor verifies that the applicant has just undergone major surgery and needs a period to recuperate;
 - A court verifies that the applicant is serving on a jury which has been sequestered.
 - d. Accepting the offer would result in undue hardship to the applicant not related to consideration of race, creed, color, national origin or language, such as making employment or day care facilities inaccessible, and the applicant presents clear evidence which substantiates this undue hardship to the PHA's satisfaction.
3. If an applicant fails to keep a scheduled appointment to view a unit offered for occupancy or fails to respond to written correspondence from the Housing Authority, for other than a justifiable reason, such failure shall result in removal from the waiting list. The person may reapply at a time that applications are being accepted.
4. An applicant pending a fraud investigation by any government agency will be by-passed on the waiting list until the applicant is either convicted or acquitted of fraud.

5. If an applicant has come to the top of the waiting list and rejects the unit without good cause, the family will forfeit their application's date and time. The family will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected. If the applicant has come to the top of the waiting list three times and refused the unit offered each time, that person's name shall be removed from the waiting list. The applicant shall be notified in writing of this action. This policy may be waived if at least two of the refusals have been "allowable refusals". (See Section V, E (3) , Offer of a Unit).

VI. MISREPRESENTATION BY THE APPLICANT OR TENANT

If an applicant or tenant is found to have made willful misrepresentations at any time which resulted in the applicant or tenant being classified as eligible, when, in fact, they were ineligible, applicant will be declared ineligible and the lease and/or application will be terminated because of the misrepresentation by the applicant/tenant. If such misrepresentation resulted in tenant paying a lower rent than was appropriate, tenant shall be required to pay the difference between the actual payments and the amount which should have been paid. In justifiable instances, the PHA may take such other actions as it deems appropriate, including referring the tenant to the proper authorities for possible criminal prosecution.

VII. UNIT SIZE AND OCCUPANCY STANDARDS

- A. It is the policy of the PHA to ensure that the dwelling units are occupied by families of the appropriate size. The following chart outlines the allowable number of occupants per bedroom based on HUD guidelines:

<u>No. of Bedrooms</u>	<u>No. of Persons</u>	
	<u>Min.</u>	<u>Max.</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	6	8
5	8	10

- B. Dwelling units will be assigned so that it will not be necessary for persons of different generations or opposite sex (other than married husband and wife) to share a bedroom. Two children of the same sex may be required to share a bedroom regardless of age and children of the opposite sex may be required to share a bedroom if both are of very young age (under 5 years of age). Children shall generally not be required to share a bedroom with a parent; however, one very young child may share a bedroom with one parent if there are no larger units available for the family. Assignment will take into consideration households who share joint custody of any individual under the age of 18 at least 50% of the time. Foster children or children who are in the process of being adopted shall be considered in determining dwelling unit size. No unit assignments will be made which require use of the living room for sleeping.
- C. When making bedroom size determinations, a single individual with no other children who is pregnant

at the time of application (proof may be required by a licensed physician) or who is in the process of securing legal custody of any individual under the age of 18, will be housed in a two bedroom unit. If the pregnancy is terminated or legal custody not granted, the applicant would no longer qualify for a two bedroom unit but would be considered for a one bedroom unit.

- D. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.
- E. The criteria and standards prescribed above apply to all families applying for housing at the PHA; however, reasonable exceptions to the standards listed above may be made in emergency situations, and in some cases, relationship, age, gender, health, or disability of family members may warrant assignment of a larger or smaller unit by the PHA staff or at the request of the applicant family. Written approval of such cases will be made by the Executive Director.
- F. Any applicant or tenant who requires a live-in aide (24 CFR 5.403(b)), who will be responsible for the essential care and well-being of a family member on a daily basis will be assigned a bedroom to accommodate this aide, provided that the applicant or tenant can show documentation to support the fact that the live-in aide would not be living in the unit except to provide necessary supportive services. A live-in aide will not be listed on the lease and does not have rights to the unit for continued occupancy as a remaining family member.
- G. Handicap Accessible Units

When an accessible unit becomes available, the PHA shall offer the unit in the following order:

1. To current PHA tenants who have a disability or handicap who would benefit from the unit's accessible feature(s), but whose current unit does not have such features. If there is more than one current tenant requiring the accessibility features of the available unit, the family with the earliest written request for a transfer shall be selected for the unit.
2. To eligible and qualified households on the waiting list who have a disability or handicap who would benefit from the unit's accessibility features: (a) An accessible unit shall be offered first to households who qualify for a preference and who need the specific features of the available unit. (b) Thereafter, an accessible unit shall be offered to households on the waiting list who need the specific accessibility features, in order of application date, but who do not have a preference despite the presence on the waiting list of households with preferences and/or earlier application dates who do not require the specific accessibility features of the available unit.
3. To other eligible and qualified households on the waiting list without disabilities. In this case, the household must agree, in writing, to transfer to a non-accessible unit at the request of the Housing Authority.

VIII. LEASE

A. Lease Execution

At admission, a lease, Addendum for Drug Free Housing, and Pet Agreement, if applicable, is to be

entered into between the Housing Authority and each tenant family. The dwelling lease is to be kept current at all times and is to reflect rent being charged, and the conditions governing occupancy.

The applicant will be provided a copy of the lease, Addendum for Drug Free Housing, the Grievance Procedure, Pet Agreement (if applicable), Unit Inspection Report, utility charges, and the current schedule of routine maintenance charges. These documents will be explained in detail. One executed copy of the lease will be furnished to the head of household and the PHA will retain the original executed lease in the tenant's file.

1. If, for any reason, any signer of the lease ceases to be a member of the tenant family, the lease will be cancelled, and a new lease and Addendum for Drug-Free Housing and Pet Agreement, if applicable, executed and signed by a remaining member of the family who qualifies and is determined to be eligible for continued occupancy by the PHA.
2. If a tenant family transfers to a different unit operated by the Housing Authority, the existing lease is to be cancelled and a new lease and Addendum for Drug Free Housing and Pet Agreement, if applicable, executed by the head of household and co-head, if one, for the dwelling unit into which the family is to move.
3. If at any time during the life of the lease, a change in the tenant's status results in the need for changing or amending any provision of the lease, or if the Housing Authority desires to waive any provisions with respect to the tenant, either:
 - The existing lease is to be cancelled and a new lease agreement executed; or
 - An appropriate amendment is to be prepared and made a part of the existing lease. The new lease amendment is to be made a part of the permanent tenant file. A lease amendment is to be attached to the existing lease, and must be signed by both the tenant and a Housing Authority representative.
4. Notices of Rent Adjustments which are issued to amend the dwelling lease rental amount are to be made a part of the existing lease, a part of the permanent tenant file, and must be signed only by the Housing Authority.

B. Security Deposits

1. A security deposit will be required for all tenants.
2. The security deposit is to be paid in full immediately upon execution of the lease, unless other arrangements have been made to pay the security deposit in up to three (3) payments. One third shall be paid in advance, one third with their second rent payment, and one third with their third rent payment. This shall be at the sole discretion of the PHA. Security deposits will be held on account by the Housing Authority, and will be returned to the tenant after move-out if the following conditions are met:
 - The tenant gave notice of intent to vacate as required by the lease;
 - There is no unpaid rent or other charges for which the tenant is liable under the lease;

- The apartment and all equipment are left clean, and all trash and debris have been removed by the family;
 - There is no breakage or damage beyond that expected from normal wear and tear;
 - There was proper notice given under the lease and all keys issued have been returned to the Housing Authority when the family vacates the unit; and
 - The vacating tenant provides a forwarding address or delivery instructions upon move-out.
3. If tenant charges are assessed, they will be deducted from the security deposit and the balance, if any, shall be returned to the tenant. The family will receive a written statement of why all or part of the security deposit is being kept.
 4. The security deposit may not be used to pay charges during occupancy.
 5. Pet security deposits shall be paid in accordance with the Housing Authority's Pet Policy.

C. Tenant Orientation

Eligible applicants selected for admission will be required to participate in an orientation program conducted by the PHA to acquaint new tenant families with the following policies and procedures: the Dwelling Lease, Drug-Free Housing Addendum; maintenance procedures; services provided by the PHA; resident initiative activities; grievance procedures; tenant rights, responsibilities and obligations, rent collection policy, and the operation of heating, cooling, and plumbing equipment in the units.

D. Dwelling Unit Inspection Policy

1. Preoccupancy or Move-In. Prior to occupancy, a PHA representative and an adult member of the tenant family will inspect the premises. Both parties will sign a written statement of the condition of the unit. The PHA will furnish the tenant a written statement of the condition of the premises and the appliances provided in the dwelling unit. The original will be kept in the tenant's file and a copy given to the tenant family.
2. Annual. An inspection of each dwelling unit will be conducted on an annual basis to ensure that each unit meets or exceeds the Housing Quality Standards (HQS) or PHA's housing standards. A written statement of the verified conditions is mailed by letter to the tenant. Work orders will be submitted and completed to correct any deficiencies.
3. Preventative Maintenance Inspections. This is generally conducted along with the annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters and provide other minor servicing that extends the life of the unit and its equipment.
4. Special Inspections. Representative from the U.S. Department of Housing & Urban Development and/or other Government Officials visit the PHA to monitor operations and as part of the monitoring they will inspect a sampling of the public housing inventory.

5. Emergency Inspections. If any employee and/or agent of the PHA has reason to believe that an emergency exists within the housing unit, the unit can be entered **without** notice. The person(s) that enters the unit will leave a written notice to the resident that indicates the date and time the unit was entered and the reason why it was necessary to enter the unit.
6. Move-Out. Immediately after a tenant moves out, a PHA representative will inspect the dwelling unit. The tenant is encouraged to participate in the move-out inspection, but must contact the management office prior to move-out to schedule a joint inspection. A written statement of the unit condition, and the provided appliances will be signed.
 - A statement of repair/replacement charges for tenant caused damages and charges for cleaning of the unit and appliances, if necessary will be furnished to the tenant and deducted from his/her security deposit if remittance is not made to the PHA.
7. The PHA, in its sole discretion, may randomly and periodically inspect units when it believes there are reasonable grounds for an inspection or to conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.
8. A copy of the move-in and/or move-out and housekeeping inspection reports will be kept in the tenant files.
9. Annual Housing Quality Standards (HQS) and Preventive Maintenance (PM) work order forms will be kept in the unit maintenance file.
10. For inspections defined as annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections the PHA will give the tenant at least two (2) days notice.

E. Pet Policy

The following rules are established to govern the keeping of pets in and on properties owned and operated by the Sioux Center Low Rent Housing Agency.

This policy does not apply to animals that are used to assist persons with disabilities. Assistive animals are allowed in all public housing facilities with no restrictions other than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

Residents must have the prior approval of the Housing Agency by fully completing the Authorization for Pet Ownership Form before moving a pet into their unit. All pets must be registered with the Housing Agency. Residents must receive a written permit to keep any animal on or about the premises. This privilege may be revoked at any time subject to the Housing Agency grievances procedure of the animal becomes destructive or a nuisance to others, or if the resident/owner fails to comply with the following:

The Sioux Center Low Rent Housing Agency will allow for pet ownership in projects or buildings designated for use as follows:

1. FAMILY UNIT PETS

- (a) Permitted pets within a dwelling unit are very small pets, under 3 pounds that are confined to a cage or an aquarium. Examples are small birds, gerbils, hamsters and fish. A maximum numbers of two kinds of pets are allowed.
- (b) Permitted pets allowed outside of a dwelling unit will be pet rabbits confined to a cage. A maximum of one rabbit will be allowed per dwelling unit.
- (c) Dogs and/or cats will not be allowed in or outside family units.
- (d) Dangerous or venomous pets of any kind will not be allowed in or outside of family units.

2. ELDERLY UNIT PETS

- (a) A maximum number of one pet is allowed.
- (b) Permitted pets are domesticated dogs, cats, birds, and fish aquariums. Dogs' and cats' weight must be under 15 pounds.
- (c) In order to be registered, pets must be appropriately inoculated against rabies and other conditions prescribed by local ordinances. Dogs are to be licensed yearly with the proper authorities, and residents must show proof of yearly distemper and rabies boosters. Cats are to be vaccinated yearly for distemper also.
- (d) No vicious or intimidating dogs are to be kept. Any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, will not be allowed.
- (e) All female cats and dogs are to be spayed. If animals are not spayed and have offspring, resident is in violation of this rule.
- (f) Dogs and cats are to remain inside resident's unit unless they are on a leash. Birds must be confined to a cage at all times. Pet owners must clean up after their pets and are responsible for disposing of pet waste.
- (g) Cats are to use litter boxes kept in resident's premises. Resident is not allowed to let waste accumulate.

3. GENERAL REGULATIONS

- (a) No pet may be kept in violation of humane or health laws.
- (b) Residents are responsible for promptly cleaning up pet droppings, if any, outside of unit, and properly disposing of said droppings.
- (c) Resident shall take adequate precautions to eliminate and prevent any pet odors within or around the owner's unit and surrounding areas. Resident must maintain the pet and its living

quarters in a sanitary condition at all times.

- (d) Resident shall not permit any disturbance by their pet which would interfere with the quiet enjoyment of other residents; whether by loud barking, howling, biting, scratching, chirping, or other such activities.
- (e) If pets are left unattended for twenty-four (24) hours or more, the Housing Agency may enter to remove the pet and transfer it to the proper authorities. The Housing Agency accepts no responsibility for the pet under such circumstances.
- (f) Residents shall not alter their unit, patio or unit area to create an enclosure for an animal. No outdoor cages may be constructed except for family rabbits.
- (g) Any resident who owns a pet in their dwelling unit will be required to pay for any and all damages caused by the pet. Also, any pet-related insect infestation in the pet owner's unit will be the financial responsibility of the pet owner and the Sioux Center Housing Agency reserves the right to exterminate and charge the resident.
- (h) Residents are prohibited from feeding stray animals or have visiting pets. The feeding of stray animals shall constitute having a pet without permission of the Housing Authority.
- (i) Residents shall pay a damage deposit for each pet as follows: a dog - \$200; a cat - \$200; fish, small birds, rabbits, gerbils, etc. - no deposit. This deposit shall be paid by the resident in advance or on the acceptance of said pets. This deposit is refundable if no damage is done, as verified by the Housing Agency, after resident disposes of the pet/pets, or moves. This provision shall not apply for tenants with service or companion animals necessary as a reasonable accommodation with accordance with Section 7 of the dwelling lease.
- (j) The Housing Agency shall require the removal of any pet from a project if the pet's conduct or condition is determined to be a nuisance or threat to the health or safety of other occupants of the project or of other persons in the community where the project is located.
- (k) Residents who violate these rules and repeated substantiated complaints by neighbors or the Housing Agency personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance are subject to: (a) being required to get rid of the pet within 15 days of notice by the Housing Agency; and/or (b) eviction.

F. Rent, Other Charges, and Rent Adjustments

- 1. Rent. Rent will be calculated using the method and income as determined by HUD regulations. At admission and each year in preparation for their annual reexamination, each family is given the choice of having their rent determined under the formula method or having their rent set at the flat rent amount. To determine annual income, the Sioux Center Low Rent Housing Agency counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the PHA subtracts all allowable deductions (allowances) to determine the Total Tenant Payment
 - a. Families who opt for the flat rent will be required to go through the income reexamination

process every three years, rather than the annual review they would otherwise undergo.

- b. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
 - 1) The family's income has decreased.
 - 2) The family's circumstances have changed increasing their expenses for child care, medical care, etc.
 - 3) Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

2. Formula Method. The total tenant payment is equal to the highest of:

- a. 10% of monthly income;
- b. 30% of adjusted monthly income; or
- c. The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of \$50, but never more than the ceiling rent.

In the case of a family who has qualified for the income exclusion at Appendix C - Annual Income 2 (n), upon the expiration of the 12-month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12-month period following the 12-month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase the family would have otherwise received.

3. Minimum Rent. The Sioux Center Low Rent Housing Agency has set the minimum rent at \$50. However if the family requests a hardship exemption, the Sioux Center Low Rent Housing Agency will immediately suspend the minimum rent for the family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

- a. A hardship exists in the following circumstances:
 - 1) When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program;
 - 2) When the family would be evicted as a result of the imposition of the minimum rent requirement;
 - 3) When the income of the family has decreased because of changed circumstances, including loss of employment;
 - 4) When the family has an increase in expenses because of changed

circumstances, for medical costs, childcare, transportation, education, or similar items;

- 5) When a death has occurred in the family.
 - b. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.
 - c. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.
 - d. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
 - e. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.
4. Flat Rent. The Sioux Center Low Rent Housing Agency has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its condition. The Sioux Center Low Rent Housing Agency determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually and adjustments applied, if necessary. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family (for more information on flat rents, see Section IX,A2 (a).

The Sioux Center Low Rent Housing Agency will post the flat rents at the PHA office and are incorporated in this policy as approved by the Board of Commissioners as follows:

- a. Flat Rent of \$350 for elderly one-bedroom apartments and \$450 for elderly two-bedroom apartments has been adopted. Flat rents for family are: \$475 for two-bedroom; \$550 for three-bedroom, and \$625 for four-bedroom.

5. Ceiling Rent. The Sioux Center Low Rent Housing Agency has set a ceiling rent for each public housing unit. The amount of the ceiling rent will be reevaluated annually and the adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family.

The Sioux Center Low Rent Housing Agency will post the ceiling rents at the PHA office and are incorporated in this policy as approved by the Board of Commissioners.

- a. Ceiling Rents - Ceiling Rent of \$350 for 58 elderly one-bedroom apartments and \$450 for 2 elderly two-bedroom apartments has been adopted. Family ceiling rents are \$475 for two-bedroom, \$550 for three-bedroom, and \$625 for four-bedroom dwellings. The ceiling rents reflect reasonable market value of the housing units.
6. Excess Utility Consumption. The Sioux Center Housing Authority shall establish an average utility consumption for all PHA-paid utilities. The average will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the average, the PHA will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc.). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances.

For Sioux Center Housing Authority paid utilities, the PHA will monitor the utility consumption of each household. Any consumption in excess of the average household utility consumption established by the PHA may be billed to the tenant monthly.

Families with high utility costs are encouraged to contact the Sioux Center Housing Authority for an energy analysis. The analysis may identify problems with the dwelling unit that once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs.

Requests for relief from surcharges for excess consumption of PHA purchased utilities in excess of the average household utility consumption may be granted by the PHA on reasonable grounds.

7. Maintenance Charges. Schedules of charges for maintenance repairs and other services shall be publicly posted in a conspicuous place in the management office and shall be furnished to applicants and tenants upon request. The Housing Authority will notify in writing tenants when such charges are assessed. These charges shall become due and payable fourteen (14) days after such notice has been given to the tenant. A copy of all work orders for tenant abuse are filed in the tenant file and unit maintenance file.
8. Excess Utility Charges. A schedule of charges for excess utilities shall be publicly posted in a conspicuous place in the complex office and shall be furnished to applicants and tenants upon request. The Housing Authority will notify tenants of these charges and they shall become due and payable fourteen (14) days after such notice has been given to the tenant.
9. Late Charges. A late charge of \$ 5.00 may be charged to any tenant account in which rent is paid after 5 P.M. of the 5th calendar day of the month. The PHA may waive this late charge if the tenant can demonstrate past rental history is in good standing and made previous late rental arrangement to the satisfaction of the PHA.
10. Retro Repayment Agreements. When unreported income is discovered, PHA staff goes back to three years for correct income information. Any retro rent over \$100 is collectable and set up as a repayment agreement. Repayment agreements must be approved by the Executive Director. A resident may not be given more than two repayment agreements in any 12 month period. Repayment agreements are generally set up for one to four years per tenant financial situation.

IX. REEXAMINATION OF INCOME, ADJUSTMENTS AND FAMILY COMPOSITION

A. Annual Reexamination Procedures (24 CFR 960.209)

1. At least annually, the PHA will conduct a reexamination of family income, allowances and family circumstances. The results of the reexamination determine (1) the rent the family will pay, (2) eligibility for continued occupancy, and (3) whether the family is housed in the correct unit size. Re-examination dates will be February 1 for elderly and March 1 for family units with re-calculated rents effective April 1 and May 1, respectively.

2. Each year in advance of the scheduled annual reexamination effective date, the Sioux Center Low Rent Housing Agency will send a notification letter to the family head of household and spouse letting them know that it is time for their annual reexamination, giving them the option of selecting either the flat rent or formula method, and scheduling an appointment if they are currently paying a formula rent. **The opportunity to select the flat rent is available only at this time.** If the family thinks they may want to switch from a flat rent to a formula rent, they should request an appointment. At the appointment, the family must provide all specified information, sign the required forms, and can make their final decision regarding which rent method they will choose. The Sioux Center Low Rent Housing Agency may assist the family in identifying the rent method that would be most advantageous for the family. The letter also includes, for those families paying the formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

During the appointment, the Sioux Center Low Rent Housing Agency will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will be placed on the transfer list.

In the event that a tenant fails to keep the scheduled reexamination appointment or promptly submit all necessary information, he/she shall be given ten (10) days from the date of written notification to provide the PHA with the required information.

In the event the tenant refuses to participate in the interview or to provide information required by the PHA, the Housing Authority may terminate the tenant from the program.

- a. Flat Rents. The annual letter to flat rent payers regarding the reexamination process will state the following:
 - 1) Each year at the time of the annual reexamination, the family has the option of electing a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.
 - 2) The amount of the flat rent
 - 3) A fact sheet about formula rents that explains the types of income counted, the most

common types of income excluded, and the categories allowances that can be deducted from income.

- 4) Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.
 - 5) Families who opt for the flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons:
 - a) The family's income has decreased.
 - b) The family's circumstances have changed increasing their expenses for child care, medical care, etc.
 - c) Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.
 - 6) The dates upon which the Sioux Center Low Rent Housing Agency expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.
 - 7) The name and phone number of an individual to call to get additional information or counseling concerning flat rents.
 - 8) A certification for the family to sign accepting or declining the flat rent.
- b. Formula Method. During the interview, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other verification forms. Upon receipt of verification, the Sioux Center Low Rent Housing Agency will determine the family's annual income and will calculate their rent as follows.

The total tenant payment is equal to the highest of:

- 1) 10% of monthly income;
- 2) 30% of adjusted monthly income; or
- 3) The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of \$50, but never more than the ceiling rent.

3. Employment and income data, assets, full-time student status, medical expenses (elderly and disabled families only), child care expense, and handicapped assistance expenses will be verified, documented and placed in the tenant's folder.

Third party written verifications are preferred. Oral third party verifications are acceptable, if

properly documented. Obtaining documents from the tenant and photocopying is an acceptable form of verification when not prohibited by law. When such documents cannot be photocopied, Housing Authority staff will sign a statement confirming that the verification documents were viewed by recording the document source, date, time, amount, etc. All verifications will be maintained in the tenant's folder.

Verified information will be analyzed and a determination of rent and of the appropriate unit size made.

4. Temporary Rent Determinations and Special Reexaminations. When it is not possible to determine the anticipated annual income with any reasonable degree of accuracy at the time of admission or reexamination, a temporary determination of income and rent will be established, giving due consideration to the tenant's past income and other available information. An interim reexamination will be scheduled to take place within 30 days for most households, and within 90 days for households where annual income is zero or difficult to predict. Such interim re-examination will be conducted at any time there is an increase or decrease in income which will affect the amount of rent, or if the tenant is considered at fault for not supplying the correct information. The tenant is to be notified in writing of the effective date of the special reexamination.

Special reexaminations will continue to be scheduled until a reasonable estimate of the Adjusted Income can be made. Rents increases determined at special reexaminations shall be made effective the first day of the second month following the final rent determinations. Until the final rent determination can be made, the family will pay rent based upon the existing Adjusted Income.

If the Total Family Income can be reasonably estimated at the time scheduled, the reexamination is to be completed and actions taken as appropriate to adjust the Tenant Rent amount.

5. Changes in Rent.
 - a. Increases in rent shall be effective in full the first day of the second month following that in which the change occurred, provided the tenant has complied with all reporting requirements. When the tenant has failed to attend interviews or to provide required information, the Housing Authority may increase the rent retroactive to the reexamination effective date. Retroactive charges shall not be made when delays are solely the fault of the PHA.
 - b. Decreases in rent shall take effect on the first of the month after the month in which the change was reported and verified.

B. Eligibility for Continuing Occupancy and Community Service

Only those tenants meeting all of the following requirements will be considered eligible for continued occupancy:

1. Qualify as a family as defined in Section II (A) or the remaining member of a tenant family;
2. Have exhibited appropriate conduct since residing in public housing including:
 - Have not interfered with other tenants in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety or welfare;

- Have not adversely affected the physical environment of the community;
 - Have not adversely affected the financial stability of the development;
 - Have not illegally used a controlled substance or engaged in drug-related criminal activities on or off the premises; and
 - Have not interfered with the health, safety, or right to peaceful enjoyment of the premises by other tenants because of the abuse of alcohol.
3. Have abided by the terms and conditions of the lease and the Drug-Free Housing Addendum.
4. In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement
- a. Exemptions: The following adult family members of tenant families are exempt from this requirement.
 - 1) Family members who are 62 or older
 - 2) Family members who are blind or disabled
 - 3) Family members who are the primary care giver for someone who is blind or disabled
 - 4) Family members engaged in work activity
 - 5) Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program
 - 6) Family members receiving assistance under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program
 - b. Notification of the Requirement. The Sioux Center Low Rent Housing Agency shall identify all adult family members who are apparently not exempt from the community service requirement.

The Sioux Center Low Rent Housing Agency shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The Sioux Center Low Rent Housing Agency shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 10/1/99. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of

any subsequent annual reexamination.

- c. **Volunteer Opportunities.** Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

An economic self sufficiency program is one that is designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The Sioux Center Low Rent Housing Agency will coordinate with social service agencies, local schools, Community Education, and the Human Resources Office in identifying a list of volunteer community service positions.

Together with the resident advisory board, the Sioux Center Low Rent Housing Agency may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

- d. After final HUD notice and at the first annual reexamination on or after October 1, 1999, and each annual reexamination thereafter, the Sioux Center Low Rent Housing Agency will do the following:

- 1) Provide a list of volunteer opportunities to the family members.
- 2) Provide information about obtaining suitable volunteer positions.
- 3) Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.

- e. **Notification of Non-Compliance with Community Service Requirement.** The Sioux Center Low Rent Housing Agency will notify any family found to be in noncompliance of the following:

- 1) The family member(s) has been determined to be in noncompliance;
- 2) That the determination is subject to the grievance procedure; and
- 3) That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated.

- f. **Opportunity for Cure.** The Sioux Center Low Rent Housing Agency will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at the same time stay current with that year's community service requirement. The first hours a resident earns goes

toward the current commitment until the current year's commitment is made.

The PHA will assist the family member in identifying volunteer opportunities and will track compliance on a monthly basis.

If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the Sioux Center Low Rent Housing Agency shall take action to terminate the lease.

C. Interim Reexaminations

1. Reasons for Interims. If the family's rent is being determined under the formula method, any of the changes listed below must be reported to Management within ten (10) days of their occurrence. Failure to report changes as required may result in a retroactive rent charge and/or eviction action against the tenant. Only the information affected by the changes being reported will be reviewed and verified. Tenants must report the following:
 - Any change in household composition.
 - Any increase in household income, excluding overtime employment income.
 - Any incremental increases in earnings from same employment must be reported and will be excluded until the next annual reexamination date. If tenant seeks new or additional employment, it is the tenant's responsibility to report the change and the income will be included on an interim reexamination up to 40 hours per week with one or more employers.
2. Tenants must report the following changes which would result in a decrease in the family's rent:
 - a. Decrease in income expected to last at least 30 days; and
 - b. Increase in allowances or deductions.
3. Effective Dates. For interim reexams, increases in rent shall become effective on the first day of the second month following the month the change was reported, provided the change was reported within ten days of its occurrence and the family complies with the verification requirements and completes reexam. Decreases in rent shall take place on the first day of the month following the month in which the change is reported. The effective dates of changes that are not reported in a timely manner are covered in #4 below.
4. Errors/Omissions, Misrepresentations/Failure or Delay in Reporting Changes. (In the interest of brevity, the word "error" is used in this section to represent errors, omissions, misrepresentations, and failure to report changes.) If an error in rent is revealed at any time, proper adjustment will be made to correct the error as follows:
 - a. Errors which are the fault of the tenant:
 - Increased rent shall be retroactive to the first day of the month following the date the change occurred.
 - Decreased rent shall be effective on the first day of the month following the month the

change was reported.

b. Errors not the fault of the tenant:

- Increased rent shall be made effective the first day of the second month following the date the error was discovered.
- Decreased rent shall be made retroactive to the date of the rent adjustment in which the error occurred.

D. Changes in Household Composition

1. The tenant is required to report in writing any change in household composition within ten (10) days of the change.
2. A new born child, an adopted child under 10 years old, or a child under 10 years old for whom custody has been awarded by a court to the Head of the Household or the spouse may be added to a tenant's lease. No other new household member may be added to the tenant's lease unless and until that person has provided the required information to the Housing Authority and been determined eligible for admission according to the guidelines specified in Section II of this policy. The Housing Authority has the right to deny admission to any person found to be ineligible.
3. A tenant must provide documentation as required by the PHA when reporting that a family member has vacated the household. In the case of an income producing household member, the PHA will require at least two documents verifying the new address of the departing family member or other evidence deemed acceptable by the PHA. Utility bills, a driver's license, an automobile registration, an employer's verification, or a lease or a rent receipt bearing the family member's name, new address and a date are examples of acceptable evidence. Court papers indicating that a family member has left the household such as a Petition for Dissolution of Marriage, a Petition for an Order of Protection from Abuse, or a Petition for Legal Separation may also be acceptable.
4. A tenant eligible for a transfer to a larger or smaller unit as the result of approved changes in household composition may request a transfer and be placed on the master transfer list effective the date the transfer request is approved (see Section X). A tenant reporting a decrease in household size which changes the unit size for which the family is eligible will not be required to be placed on the transfer list until the effective date of the family's next annual reexamination.

E. Visitors

Tenants will be allowed to have visitors for a period of up fourteen (14) days in any given twelve month period, except in the case of a household member requiring care during illness or recuperation from illness or injury; as certified by a physician. Written permission must be obtained from the Housing Authority for any deviation from the occupancy standards listed in this policy.

X. **UNIT TRANSFERS**

A. Introduction

Transfers of tenants from one unit to another will be approved solely to ensure consistency with the

PHA's occupancy standards. Exceptions shall be that elderly tenants in family developments may be transferred to elderly developments and families requiring accessible units may request transfers as outlined in Section VII.

A policy has been adopted for giving elderly applicants who are on the waiting list an option to upgrade to a larger unit if they move into an available smaller unit first. They will receive an option of the first right to move into a larger unit when a unit becomes available before others on the waiting list. These residents will be given two (2) days to determine whether they want to move to a larger available unit. Once a larger unit choice is refused, the right to move to another larger unit in the future will no longer be an option.

Transfers to other dwelling units shall be made without regard to race, creed, color, gender, familial status, disability or national origin. (24 CFR 100.5) Tenants shall not be transferred to a dwelling unit of equal size except for transferring a non-handicapped family residing in a handicap-accessible unit or for alleviating hardships, medical reasons, or other undesirable conditions as determined by the Executive Director or designee.

Transfers between developments shall only be made for families requiring units in a size which does not exist within the tenant's current development. Transfers will only be made where tenants are in compliance with their lease, are not delinquent in rent, have good housekeeping habits, have not caused damage to the current unit being occupied, or do not have long standing charges remaining outstanding on their accounts.

In the case of a move within public housing, the security deposit for the first unit will be transferred to the second unit. Additionally, if the security deposit for the second unit is greater than that for the first, the difference will be collected from the family. Conversely, if the security deposit is less, the difference will be refunded to the family.

In the event there are costs attributable to the family for bringing the first unit into condition for re-renting, the family shall be billed for these charges

Transfer requests shall be placed on a Transfer List in the order of the date the request is approved. All transfer requests shall be reviewed by the Manager and Executive Director or his/her designee. Separate transfer lists shall be maintained for each development; however, a master listing of transfer requests shall be maintained at the main office of the Housing Authority.

In all instances, a tenant family transferring from one apartment to another is responsible for any costs associated with moving to the new apartment.

- B. The HA has three types of transfers: Emergency, Administrative - Category 1 and Administrative - Category 2.
1. Emergency Transfers are permitted when the unit or building conditions pose an immediate threat to resident life, health or safety, as determined by the PHA. Emergency transfers within sites or between sites may be made to repair unit defects hazardous to life, health, or safety, alleviate verified medical problems of a life threatening nature, or, based on documentation provided by a law enforcement agency, protect members of the household from attack by the criminal element in a particular property or neighborhood. **These transfers shall take priority over new admissions.**

2. Administrative Transfers - Category 1: Include transfers to remove residents who are witnesses to crimes and may face reprisals (as documented by a law enforcement agency), provide housing options to residents who are victims of hate crimes or extreme harassment, alleviate verified medical problems of a serious nature, permit modernization of units, or permit a family that requires a unit with accessible features to occupy such a unit. **These transfers shall take priority over new admissions.**

(i) Requests for medical transfers under Category 1 will be made to the Manager. The resident will provide the Manager with the necessary verification and/or documentation to substantiate the need for a medical transfer. Whenever feasible, transfers will be made within a resident's area. Medical transfers may also be initiated by the PHA (such as moving a person with mobility problems to a unit with accessible features).

3. Administrative Transfers - Category 2: Within sites or between sites may be made to correct occupancy standards (over/under housed conditions), to correct and avoid concentration of the most economically and socially deprived families, and to address situations such as neighbor disputes that are not criminal but interfere with the peaceful enjoyment of the unit or common areas. **These transfers will not take priority over new admissions.**

(i) Category 2 transfers to correct occupancy standards may be recommended at time of re-examination or interim redetermination. This is the only method used to determine over/under housed status. Residents in an over/under housed status will be advised within 30 days of the annual or interim reexamination that a transfer is recommended and that the family has been placed on the transfer list.

(ii) When a head of a household, originally housed in a bedroom by him/herself, has a child, that child shall remain in the parent's bedroom until it is two (2) years of age. After age 2, a Category 2 administrative transfer may be recommended.

Exceptions: Spouse or partner returns to the unit, marriage takes place, or family decides to remain in the unit and in the PHA's opinion the unit is large enough to accommodate the number of persons now in the household. (Other than for births, adoption of a child under 10 years old or securing legal custody of a child under 10 years old by the head of household or spouse, that occur during tenancy, the PHA's prior approval of additions to the household is required.)

(iii) Split-family transfers will be processed under this category of administrative transfers. Families that split into two "new" households may be transferred to two different units or a portion of the "old" household may be transferred to a single unit depending on family circumstances and unit availability. Options for split-family transfers will be considered in order to minimize the impact on vacant units. Such transfers will be made in a manner that best benefits the PHA.

C. A tenant that has received a formal transfer offer is given three (3) days to accept the offer and sign a Dwelling Lease for the new unit. Thereafter, the tenant is given an additional seven (7) days to move personal belongings. If the transfer has not been completed and keys to the former unit returned after seven (7) days, per diem rent for the former unit will be charged in addition to rent for the new unit until the keys are returned to the appropriate PHA office. Any additional security deposit

owed must be paid at the time of the new transfer lease execution.

If the tenant refuses a unit offer, the tenant's lease may be terminated in accordance with the lease, or at the PHA's discretion, the tenant can be placed at the bottom of the transfer list as of the date of refusal and the tenant will so be notified in writing. During the entire proceedings, the tenant will be advised of his/her rights under the Grievance Procedure.

XI. TERMINATIONS

A. Termination Notices

1. The tenant must give a written notice to the Housing Authority of at least 30 days of intent to terminate the lease. If the tenant vacates prior to the end of the thirty (30) days, they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.
2. If the Housing Authority terminates the lease, written notice must be given to an adult member of the household as follows:
 - If the tenant has created or maintained a threat constituting a clear and present danger to the health or safety of other tenants, the employees of the HA, or other persons on or within one thousand feet of the HA's property, the HA, after a single three (3) days written notice of termination and notice to quit, may file suit against the tenant for recovery of possession of the premises. The petition shall state the incident(s) giving rise to the notice of termination and notice to quit. The tenant shall be given the opportunity to contest the termination in the court proceedings by notice thereof at least three (3) days prior to the hearing. Drug-related criminal activity constitutes a threat to the health and safety of other tenants and to the health and safety of employees of the Housing Authority. (See Appendix D, Glossary of Terms for definition of "clear and present danger".)
 - In the case of failure to pay rent, or other material noncompliance with the rental agreement, notice of the PHA's intention to terminate the lease in fourteen (14) days unless all amounts due under the lease have been paid and/or breach is remedied within the fourteen (14) days.
 - Written notice of at least thirty (30) days prior to termination in all other cases.
 - The Sioux Center Housing Authority after HUD gives final approval of the community service regulation will not renew the lease of any family that is not in compliance with the community service requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.
3. Notice of termination to the tenant shall state reasons for the termination and shall inform the tenant of the right to make such reply as tenant may wish. The notice shall also inform the tenant of the right to examine, prior to hearing or trial, and copy at tenant's expense, Housing Authority documents directly relevant to the termination. The notice shall inform the tenant of the right to request a hearing in accordance with Housing Authority's Grievance Procedure (if the Grievance Procedure is applicable to the dispute involved).

B. Reasons for Termination (24 CFR 906.4)

The Housing Authority may not terminate or refuse to renew the lease except for serious or repeated violations of the terms of the lease including:

1. Non-payment of rent.
2. A pattern of late-payment of rent (2 times in a six month period).
3. Failure to pay other service or maintenance charges.
4. Failure to fulfill tenant obligations set forth in the lease, Drug-Free Housing Addendum, or other rules and regulations, including providing timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent.
5. Failure to allow inspection of the unit.
6. Assignment or subletting of the premises.
7. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
8. Non-compliance with Non-Citizen Rule requirements.
9. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the PHA, and
10. Other good cause including, but not limited to:
 - a. Refusal of an offer of a new lease.
 - b. A family history of disturbance to neighbors, destruction of property, or habits which result in damage to the unit or complex.
 - c. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts.
 - d. Failure to maintain the unit in a decent, safe and sanitary condition.
 - e. Drug-related criminal activity on or off the premises. This includes but is not limited to the manufacture of methamphetamine on the premises of the PHA.
 - f. Criminal activity by family members involving crimes of physical violence.
 - g. Abuse of alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other tenants.
 - h. Abandonment of the unit.
 - i. Failure to accept a transfer when currently residing in a unit that is too large or too small for

the family based on the PHA's Occupancy Standards.

The Sioux Center Housing Authority will take immediate action to evict any household that includes any individual who is subject to a lifetime registration requirement under a State sex offender registration program.

C. Written Records

Written records documenting eviction actions shall be maintained by the Housing Authority in strict confidence and shall contain all of the following information:

1. Name of tenant and identification of unit occupied.
2. Copies of the Termination Notice and any subsequent correspondence or notices.
3. Specific reason(s) for eviction. For example, if a tenant is being evicted for drug-related criminal activity, the record shall detail the actions for which the eviction has been instituted.
4. Responses or answers, if any, received from the tenant.
5. Date and method of notifying tenant of reasons and showing a summary of any conference(s) with the tenant, including the names of conference participants.
6. Dated and signed records of the minutes of any hearing held.
7. Date and description of the final action taken.

D. Abandonment of the Unit

The Housing Authority will comply with Iowa state law Chapter 562A.29 and 556B.1, in terms of posting notice of intent to declare a unit abandoned, taking possession of the unit, and the timing and method of disposal of items left in the abandoned unit.

The Sioux Center Low Rent Housing Agency will consider a unit to be abandoned when a resident has both fallen behind in rent **AND** has clearly indicated by words or actions an intention not to continue living in the unit.

When a unit has been abandoned, an Sioux Center Low Rent Housing Agency representative may enter the unit and remove any abandoned property. It will be stored in a reasonably secure place. A notice will be mailed to the resident stating where the property is being stored, the cost of storage, and when it will be sold. If the Sioux Center Low Rent Housing Agency does not have a new address for the resident, the notice will be mailed to the unit address so it can be forwarded by the post office.

If the total value of the property is estimated at less than \$50, the Sioux Center Low Rent Housing Agency will mail a notice of the sale or disposition to the resident and then wait thirty (30) days. Family pictures, keepsakes, and personal papers cannot be sold or disposed of until ninety (90) days after the Sioux Center Low Rent Housing Agency mails the notice of abandonment.

If the estimated value of the property is more than \$50, the Sioux Center Low Rent Housing Agency will mail a notice of the sale or disposition to the resident and then wait ninety (90) days before sale or disposition. Personal papers, family pictures, and keepsakes can be sold or disposed of at the same time as other property.

Any money raised by the sale of the property goes to cover money owed by the family to the Sioux Center Low Rent Housing Agency such as back rent and the cost of storing and selling the goods. If there is any money left over and the family's forwarding address is known the Sioux Center Low Rent Housing Agency will mail it to the family. If the family's address is not known, the Sioux Center Low Rent Housing Agency will keep it for the resident for one year. If it is not claimed within that time, it belongs to the Sioux Center Low Rent Housing Agency.

Within ninety (90) days of learning of an abandonment, the Sioux Center Low Rent Housing Agency will either return the deposit or provide a statement of why the deposit is being kept.

XII. POSTING REQUIREMENTS/REVISIONS

A. Posting Requirements

This document must be publicly posted in a conspicuous location in the PHA offices and must be furnished to applicants and tenants upon request.

B. Revisions

This document may be modified by the Housing Authority provided that the Housing Authority shall give at least a 30-day written notice to each affected tenant setting forth the proposed modification, the reasons therefore, and providing the tenant an opportunity to present written comments which shall be taken into consideration by the Housing Authority prior to the proposed modification becoming effective. A copy of such notice shall be:

- a) Delivered directly or mailed to each tenant; or
- b) Posted in a conspicuous place at the site offices or in a similar central business location within the site.

XIII. REVISION OF OCCUPANCY POLICY RESULTING FROM CHANGES IN LOCAL, STATE, OR FEDERAL LAW OR REGULATION

The provisions of this plan are based upon local, state and Federal law and regulation. Should any applicable law or regulation change, this plan will be deemed to be automatically revised. To the extent that the change is mandatory (allowing no Housing Authority discretion), the text of the plan will be revised without requirement for administrative processing. By approving this provision, the Board of Commissioners understands that they are approving future automatic revisions responding to mandatory regulatory changes.

XIV. MISREPRESENTATION

The tenant shall be notified in writing if the Housing Authority finds evidence that the tenant or any adult member of the tenant family has misrepresented facts affecting the family's eligibility or rent. Willful misrepresentation of facts may result in retroactive rent charges, eviction action, and/or criminal prosecution.

Section 1001 of Title 18 of the United States Code makes it a criminal offense to knowingly make a false statement to any department or agency of the United States as to any matter within its jurisdiction and establishes penalties or fines up to \$10,000 and/or imprisonment not to exceed five years.

XV. GRIEVANCE PROCEDURE

The Grievance Procedure sets forth the requirements, standards, and criteria established to assure the tenants of the PHA an opportunity for a Hearing if he or she disputes any Housing Authority action or failure to act involving the tenant's lease or Housing Authority regulations which adversely affect the individual tenant's rights, duties, welfare or status.

Each tenant and tenant organization shall be given a copy of the Grievance Procedure and it is incorporated into this Policy on Admissions and Continued Occupancy and the lease by reference, and appears as Appendix E in this document.

XVI. RELOCATION

When the PHA intends to rehabilitate a development or developments and rehabilitation activities will require tenants to move temporarily or permanently, a Relocation Plan will be developed in cooperation with the affected tenants. The plan will dictate preferences to which relocatees will be entitled and their rights to housing choices, moving expenses, etc. Such preferences may affect the order of selection for applicants and transferees, and Relocation Plan, therefore, will serve as an amendment to this policy.

APPENDICES

APPENDIX A
PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY
INCOME LIMITS

<u># IN FAMILY</u>	<u>LOWER INCOME</u> <i>(80% of median)</i>	<u>VERY LOW INCOME</u> <i>(50% of median)</i>	<u>30% OF MEDIAN INCOME</u>
1	23600	14750	8850
2	26950	16850	10100
3	30300	18950	11350
4	33700	21050	12650
5	36350	22750	13650
6	39050	24400	14650
7	41750	26100	15650
8	44450	27850	16650

APPENDIX B
PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY
INFORMAL REVIEW PROCEDURES

(Applicants Only)

I. Applicability

- A. The Housing Authority will provide an opportunity for an informal review regarding a decision denying assistance to an applicant, including a decision:
 - 1. Denying placement on the waiting list.
 - 2. Denying participation in the Public Housing Program
 - 3. Denying a preference in determining eligibility for the Public Housing Program.
- B. The Housing Authority is not required to provide an opportunity for informal review:
 - 1. To review discretionary administrative determinations by the Housing Authority, or to consider general policy issues or class grievances.
 - 2. To review the Housing Authority's determination of the number of bedrooms determined under the standards established by the Housing Authority in accordance with HUD regulations.

II. Procedures

- A. The Housing Authority shall give an applicant prompt written notice of a decision denying assistance to the applicant, including a decision of ineligibility for housing, ineligibility for any of the selection preferences adopted by the PHA, or removal from or denying placement on the waiting list. The notice shall also state that the applicant may request in writing an informal review of the decision, and shall describe how to obtain the informal review.
- B. The applicant must submit a written request for an informal review within ten (10) days of notification of the decision denying assistance.
- C. If the applicant's request is not submitted within ten (10) days or in another way fails to comply with requirements, the request will be denied and the applicant will be promptly notified in writing.
- D. If the request meets the criteria, an informal review will be scheduled within 10 days of the request.
- E. The informal review shall be conducted by any person or persons designated by the Executive Director, other than a person who made or approved the decision under review or a subordinate of such person.

- F. The applicant shall be given an opportunity to present written or oral objections to the Housing Authority's decision.
- G. The Housing Authority shall promptly notify the applicant in writing of the final decision after the informal review, including a brief statement of the reasons for the final decision.

APPENDIX C
PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY
GLOSSARY OF TERMS

ADJUSTED INCOME

Adjusted Income is Annual Income (as defined in this Appendix) minus the deductions for the specified allowances as follows, on which tenant rent is based: (24CFR 5.611)

1. \$480 for each dependent household member who is under 18 years of age, disabled or a full time student.

Note: The head, co-head, spouse, foster child or live-in aide are never counted as dependents.

2. \$400 for each family whose head or spouse is at least 62 years of age, or disabled.
3. Reasonable child care expenses to enable a family member to work, seek employment, or further his/her education. Child care expenses to enable a family member to work may not exceed the income earned.
4. For a family that is not an Elderly Family but does have a disabled member other than head or spouse, Disability Assistance Expenses in excess of three percent of annual income to enable a family member to be employed.
5. For an Elderly Family:
 - a. That has no Disability Assistance Expenses, an allowance for Medical Expenses equal to the amount by which the Medical Expenses exceed three percent of Annual Income.
 - b. That has Disability Assistance Expenses greater than or equal to three percent of Annual Income, an Allowance for Disability Assistance Expenses computed in accordance with paragraph 4 above, plus an Allowance for Medical Expenses that is equal to the Family's Medical Expenses.
 - c. That has Disability Assistance Expenses that are less than three percent of Annual Income, an Allowance for combined Disability Assistance Expenses and Medical Expenses that is equal to the amount by which the sum of the expenses exceeds three percent of Annual Income.

ALLOWANCE FOR DEPENDENTS

\$480 deduction for each family member who is a dependent. (See definition of Dependent below.)

ALLOWANCE FOR DISABILITY ASSISTANCE EXPENSES

The amount of Disability Assistance Expense in excess of three (3) percent of annual income which

enables a family member (including the handicapped or disabled person) to work. The allowance may not exceed the annual income earned by the family member who is enabled to work. Disability assistance expenses include costs for care attendants and auxiliary apparatus (e.g., wheelchairs, adaptations, to vehicles, special equipment) if directly related to permitting the handicapped person or other family members to work.

ALLOWANCE FOR MEDICAL EXPENSES

For elderly families (see definition of Elderly Family below) only the amount of unreimbursed medical expenses (see definition of Medical Expenses below) in excess of three (3) percent of annual income.

ANNUAL INCOME

1. Annual income is the anticipated total income from all sources, monetary or not, received by the family head and spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets for the 12-month period following the effective date of initial determination or re-examination of income, exclusive of income that is temporarily non-recurring or sporadic. Annual income includes, but is not limited to:
 - a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
 - b. The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the Family.
 - c. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. All allowance for depreciation is permitted only as authorized in paragraph 1b of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets in excess of excess of \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate, as determined by HUD.
 - d. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amount for the delayed start of a periodic payment (except as provided in 2n below).
 - e. Payments in lieu of earnings such as unemployment and disability compensation, worker's compensation and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)

- f. Welfare assistance.
 - a) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:
 - 1) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
 - 2) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.
 - b) If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.
 - c) If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted as income.
- g. Periodic and determinable allowances, such as alimony and child support payments and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
- h. All regular pay, special pay allowances of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family or spouse (but see 2g below).

2. Income Exclusions

Annual income does not include the following:

- a. Income from employment of children (including foster children) under the age of 18 years;
- b. Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the tenant family, who are unable to live alone);
- c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in 1e above);
- d. Amounts received by the Family that are specifically for, or in reimbursement of, the cost of Medical Expenses for any Family member;
- e. Income of a live-in aide as defined in 24 CFR 5.403;

- f. The full amount of student financial assistance paid directly to the student or to the educational institution;
- g. The special pay to a Family member serving in the Armed Forces who is exposed to hostile fire;
- h.
 - (i) Amounts received under training programs funded by HUD;
 - (ii) Amounts received by a disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (iii) Amounts received by a tenant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program; or
 - (iv) A resident service stipend: this is a modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for the PHA, on a part-time basis, that enhances the quality of life in public housing. This may include, but is not limited to fire patrol, hall monitoring, lawn maintenance and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time; or
 - (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with the local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.
- i. Temporary, nonrecurring or sporadic income (including gifts);
- j. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- k. Earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse);
- l. Adoption assistance payments in excess of \$480.00 per adopted child;
- m. The earnings and benefits to any family member resulting from the participation in a certain training program prior to 10/01/99 providing employment training and supportive services in accordance with the Family Support Act of 1988, section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, state or local law during the exclusion period;

For the purposes of this paragraph, the following definitions apply:

- (i) Comparable Federal State or local law means a program providing employment training and supportive services that (1) is authorized by a Federal, State or local law; (2) is funded by the Federal, State or local government, (3) is operated or administered by a public agency;

(4) has as its objective to assist participants in acquiring employment skills.

(ii) Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end. (iii) Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.

- n. The incremental earnings due to employment during the 12-month period following date of hire shall be excluded. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion # m. Additionally, this exclusion is only available to the following families:
 - (i) Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.
 - (ii) Families whose income increases during the participation of a family member in any family self-sufficiency program.
 - (iii) Families who are or were, within 6 months, assisted under a State TANF program.

Upon expiration of the 12-month period described above, the rent payable by a family may be increased due to continued employment of a family member, except that for the 12-month period following expiration of the initial 12-month period the increase may not be more than 50% of the amount of the total rent increase.

- o. Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump-sum amount or in prospective monthly amounts;
- p. Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit;
- q. Amounts paid by a State Agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
- r. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the 1937 Act. The following is a list of incomes that qualify for that exclusion:
 - (i) The value of the allotment provided to an eligible household under Food Stamp Act of 1977;
 - (ii) Payments to volunteers under the Domestic Volunteer Service Act of 1973

- (employment through VISTA, Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions);
- (iii) Payments received under Alaska Native Claims Settlement Act;
 - (iv) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes;
 - (v) Payments or allowances made under department of Health and Human Services' Low-Income Energy Assistance Program;
 - (vi) Payments received under programs funded in whole or in part under the Job Training Partnership Act;
 - (vii) Income derived from the disposition of funds of Grant River Band of Ottawa Indians;
 - (viii) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Grant of Claims or from funds held in trust for an Indian tribe by the Secretary of Interior;
 - (ix) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the BIA student assistance programs. These are made available to cover the cost of tuition, fees, books, equipment, materials, supplies, transportation and miscellaneous personal expenses of a student or an educational institution;
 - (x) Payments received from programs funded under Title V of the Older Americans Act of 1965;
 - (xi) Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, MDL No. 381 (E.D.N.Y.);
 - (xii) Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-426, 94 Stat. 1785).
 - (xiii) The value of any childcare provided or reimbursed for under the Child Care and Development Block Grant Act of 1990.
 - (xiv) Earned income tax credit refund payments.
 - (xv) Payments for living expenses under the Americorps Program.
- s. All overtime income received by a family member from employment.
- t. All incremental increases in earnings from same employment must be reported, but will be excluded until the next annual reexamination date. If tenant seeks new or additional employment, it is the tenant's responsibility to report the change and the income will be included on an interim reexamination up to 40 hours per week with one or more employers.
3. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for shorter periods may be annualized, subject to redetermination at the end of the shorter period.
4. Any family receiving the reparation payments referred to in paragraph 2j of this section that has been requested to repay assistance under this chapter as a result of receipt of such payments shall not be required to make further repayments on or after April 23, 1993.

APPLICANT

An applicant is a Family who is seeking assistance through the Public Housing Program and who does not yet have a fully executed lease agreement with the Housing Authority.

APPLICATION FOR ADMISSION

The written form that is signed and dated by all adult members of the family and which includes information the Housing Authority needs to determine whether the family can be admitted. The format for this basic information will be developed by the Housing Authority.

AREA OF OPERATION

Following is the name and address of the Sioux Center Housing Authority site:

New Homestead Low Rent Housing Agency
510 North Meadow Drive
Sioux Center, IA 51250

ASSETS

The values of (or equity) in the real property, stocks, bonds, savings accounts or certificates, stocks or merchandise or valuables and other forms of capital investments. (Does not include personal and household belongings and automobiles.) Assets shall include any asset disposed of at less than fair market value within the last two years.

CHILD CARE EXPENSES

Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period of which annual income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his/her education. A child care deduction will not be allowed if an adult family member is capable and available to provide the child care. The amount deducted shall reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment and only to the extent such amounts are not reimbursed.

CITIZEN

A citizen or national of the United States.

CLEAR AND PRESENT DANGER (Iowa Code 562A.27A)

A clear and present danger to the health or safety of other tenants, the landlord, the landlord's employees or agents, or other persons on or within one thousand feet of the landlord's property includes, but is not limited to, any of the following activities of the tenant or of any person on the premises with the consent of the tenant:

- a. Physical assault or the threat of physical assault.
- b. Illegal use of a firearm or other weapon, the threat to use a firearm or other weapon illegally, or possession of an illegal firearm.
- c. Possession of a controlled substance unless the controlled substance was obtained directly from or pursuant to a valid prescription or order by a licensed medical practitioner while acting in the course of the practitioner's professional practice. This paragraph applies to any other person on

the premises with the consent of the tenant, but only if the tenant knew of the possession by the other person of a controlled substance.

3. This section shall not apply to a tenant if the activities causing the clear and present danger, as defined in this subsection, are conducted by a person on the premises other than the tenant and the tenant takes at least one of the following measures against the person conducting the activities:
 - a. The tenant seeks a protective order, restraining order, order to vacate the homestead, or other similar relief pursuant to Chapters 236, 598 or 910A, or any other applicable provision which would apply to the person conducting the activities causing the clear and present danger.
 - b. The tenant reports the activities causing the clear and present danger to a law enforcement agency or the county attorney in an effort to initiate a criminal action against the person conducting the activities.
 - c. The tenant writes a letter to the person conducting the activities causing the clear and present danger, telling the person not to return to the premises and that a return to the premises may result in a trespass or other action against the person, and the tenant sends a copy of the letter to a law enforcement agency whose jurisdiction includes the premises. If the tenant has previously written a letter to the person as provided in this paragraph, without taking an action specified in paragraph "a" or "b" or filing a trespass or other action, and the person to whom the letter was sent conducts further activities causing a clear and present danger, the tenant must take one of the actions specified in paragraph "a" or "b" to be exempt from proceedings pursuant to termination for this reason.

However, in order to fall within the exemptions provided within this subsection, the tenant must provide written proof to the landlord, prior to the commencement of a suit against the tenant, that the tenant has taken one of the measures specified in paragraphs "a" through "c".

DEPENDENT

A member of the family household (excluding foster children, head of household, or spouse) who is under 18 years of age or is a disabled person or is a full-time student.

DISABLED PERSON

A person who is under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423), or who has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) which defines a developmental disability as:

"severe chronic disability that (a) is attributable to a mental or physical impairment or combination of mental and physical impairments; (b) is manifested before the person attains age twenty-two; (c) is likely to continue indefinitely; (d) results in substantial functional limitations in three or more of the following areas of major life activity: (1) self-care, (2) receptive and responsive language, (3) learning, (4) mobility, (5) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and (e) reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment or other services which are of lifelong extended duration and are individually planned and coordinated."

DISPLACED FAMILY/PERSON

A family in which each member or whose sole member is a person displaced or about to be displaced by governmental action or whose dwelling has been extensively damaged as a result of disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. Lodgers may not be included in the family.

ELDERLY FAMILY

A family whose head or spouse or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with another who is determined to be essential to their care or well being.

ELDERLY PERSON

A person who is at least 62 years of age.

ELIGIBLE IMMIGRATION STATUS

Documentation and verification of eligible status as defined by HUD.

EVICTION

The dispossession of the tenant from the leased unit as a result of the termination of the lease, for serious or repeated violation of material terms of the lease such as failure to make payments due under the lease or to fulfill the tenant obligations set forth in HUD regulations, Federal, and state law, or for other good cause.

FAMILY

Family includes but is not limited to:

- a. A family with or without children (Unborn children, children in the process of being adopted, and children temporarily absent from the home due to placement in foster care are considered family members for the purpose of determining bedroom size, but are not considered family members for determining income limit.);
- b. An elderly family;
- c. A near-elderly family;
- d. A disabled family;
- e. A displaced family;
- f. The remaining member of a tenant family; and

- g. A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

FOSTER-CARE PAYMENT

Payment to eligible households by state, local or private agencies for the care of a child placed in the home by an agency.

FULL-TIME STUDENT

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

HANDICAPPED/DISABILITY ASSISTANCE EXPENSE

Reasonable expenses in excess of three (3) percent of annual income that are anticipated during the period for which annual income is computed for attendant care and auxiliary apparatus for a disabled family member and expenses that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

HEAD OF HOUSEHOLD

An adult, 18 years of age or older, or an emancipated minor under the age of 18 years, whom the members of the family have routinely looked to as the head of the family, and who is legally competent to sign a binding contract.

HOMELESS FAMILY

"Homeless Family" includes any individual or family who:

1. lacks a fixed, regular, and adequate nighttime residence; and
2. has a primary nighttime residence that is:
 - a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - b. An institution that provides a temporary residence for individuals intended to be institutionalized; and
 - c. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

A "Homeless Family" does not include any individual imprisoned or otherwise detained pursuant to an Act of Congress or State law.

HUD

The U.S. Department of Housing and Urban Development or its designee.

INS

U.S. Immigration and Naturalization Service.

LEASE

A written agreement between the PHA and an eligible family for the leasing of a Public Housing unit.

LIVE-IN-AIDE

A person who resides with one or more elderly persons or near-elderly persons, or persons with disabilities, and who:

- a. Is determined by the Authority to be essential to the care and well-being of the person(s);
- b. Is not obligated for support of the person(s); and
- c. Would not be living in the unit except to provide necessary supportive services.

A live-in aide does not qualify as the remaining member of a tenant family.

LOWER INCOME FAMILY

A family whose annual income does not exceed 80 percent of the median income for the area as determined by HUD.

LUMP SUM BENEFIT

A payment of periodic benefits for a previous period which may be included as income, not including Social Security and Social Security lump sum benefits. Only that portion of the payment attributable to the time the tenant resided continuously under the Public Housing Program may be counted as income.

MEDICAL EXPENSES

For purposes of income determination for elderly or disabled families, medical expense in excess of 3% of total family income which are anticipated to be incurred during the period for which the annual income is computed, where these expenses are not compensated for, or covered by insurance. Medical expenses include such items as medical insurance premiums, dental expenses, prescription and nonprescription medicines, etc.

MINOR

A person less than eighteen years of age.

MIXED FAMILY

A family whose members include both citizens/eligible immigrants and noncitizens with ineligible immigration status.

NATIONAL

A person who owes permanent allegiance to the U.S. as the result of birth in a U.S. territory or possession.

NEAR-ELDERLY FAMILY

A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.

NEAR-ELDERLY PERSON

A person who is at least 50 years of age but below the age of 62, who may be a person with a disability.

NET FAMILY ASSETS

Value of equity in real property, savings, stock, bonds, life insurance policies, and other forms of capital investment, excluding interests in Indian trust land. (The value of necessary items of personal property such as furniture and automobiles is excluded).

In cases where a trust fund had been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.

In determining the Net Family Assets, the Housing Authority shall include the value of any assets greater than one thousand dollars (\$1000) which were disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of any consideration received for the asset.

NON-CITIZEN

A person who is neither a citizen nor national.

REMAINING FAMILY MEMBER

A person left in an assisted unit after other family members have vacated who may or may not normally qualify for assistance on his or her own circumstances (e.g., widow age 47, not disabled or handicapped). The person must be of legal age to sign a lease (adult) and all amounts incurred under the previous lease must have been paid before the person is provided a lease in his/her name.

RENT (for the purpose of determining eligibility for the Rent-Burdened Federal Preference)

1. The actual amount due, calculated on a monthly basis under a lease or occupancy agreement between a family and the family's current landlord
2. In the case of utilities purchased directly by tenants from utility providers:
 - a. The utility allowance (if any) determined for the Public Housing Program for tenant-purchased utilities (except telephone and cable) and the other housing services that are normally included in rent: or
 - b. If the family chooses, the average monthly payments that it actually made for these utilities and services for the most recent 12-month period, or if information is not obtainable for the entire period, for an appropriate recent period.
 - c. For the purposes of calculating rent under this definition, amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the otherwise applicable rental amount, to the extent that they are not included in the family's income.
 - d. In the case of an applicant who owns a manufactured home, but who rents the space upon which it is located, rent, under this definition includes the monthly payment to amortize the purchase price of the home, calculated in accordance with HUD's requirements.
 - e. In the case of an applicant who resides within the jurisdiction of an Indian Housing Authority that is not administering a Public Housing Program, the applicable utility allowance for purposes of calculating rent under this definition will be determined under 24 CFR part 965, Subpart E.
 - f. In the case of members of a cooperative, rent under this definition means the charges under the occupancy agreement between the members and the cooperative.

RESIDENCY

A family living in the Housing Authority's operational jurisdiction, working in the Housing Authority's jurisdiction or notified that they are hired to work in the Housing Authority's jurisdiction would be considered a resident of the jurisdiction. The length of time the family has lived or worked in the jurisdiction may not be considered.

SECURITY DEPOSIT

A dollar amount set by the Housing Authority for the Public Housing Program for unpaid rent, damages or other amounts owed under the lease upon termination of the lease.

SINGLE PERSON

A person who lives alone or intends to live alone.

TENANT RENT

The amount payable monthly by the family as rent to the Housing Authority. Where all utilities (except telephone and cable) and other essential housing services are supplied by the Housing Authority, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone and cable) and other essential housing services are not supplied by the Housing Authority and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance.

TOTAL TENANT PAYMENT

(Hereinafter referred to as TTP) An amount equal to 30 percent of the family's monthly adjusted income or 10 percent of the gross monthly income of the family occupying the dwelling unit, whichever amount is greater. TTP does not include charges for excess utility consumption or other miscellaneous charges.

TRANSFER

A move by a tenant family from one PHA apartment to another, generally as the result of changes in family composition which changes the number of bedrooms required by the family. A transfer may not be used to split an extended family into two households by moving only some members of the family to a second apartment.

UTILITIES

Water, electricity, gas, other heating, refrigeration and cooking fuels, trash collection and sewerage services. Telephone service and cable TV is not included as a utility.

UTILITY ALLOWANCE

The cost of utilities (except telephone and cable TV) and other housing services for an assisted unit when not included in the tenant rent but is the responsibility of the family occupying the unit. An amount equal to an estimate made or approved by the Housing Authority or HUD of the monthly cost of a reasonable consumption of utilities for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

VERY LOW INCOME FAMILY

Family whose annual income does not exceed 50 percent of the median income for the area as determined by HUD.

APPENDIX E
PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY
GRIEVANCE PROCEDURE

TABLE OF CONTENTS

	Page
I. PURPOSE AND SCOPE.....	1
II. APPLICABILITY.....	1
III. DEFINITIONS.....	1
A. Grievance	1
B. Complainant	1
C. Elements of Due Process.....	1
D. Hearing Officer.....	2
E. Hearing Panel	2
F. Tenant.....	2
G. Resident Organization.....	2
H. Informal Settlement.....	2
I. Summary of Discussion	2
J. Escrow.....	2
K. Waiver.....	2
L. Trial de Nova	2
IV. INFORMAL SETTLEMENT OF GRIEVANCE.....	3
V. PROCEDURE TO OBTAIN A HEARING.....	3
VI. FAILURE TO REQUEST A HEARING	3
VII.....HEARING INVOLVING AMOUNT OF RENT - ESCROW ACCOUNT	4
VIII. SCHEDULE OF HEARINGS.....	4
IX. FAILURE TO APPEAR AT THE HEARING.....	5
X. PROCEDURE GOVERNING HEARING	5
XI. DECISION OF HEARING OFFICER.....	6

GRIEVANCE PROCEDURE

I. PURPOSE AND SCOPE

This Grievance Procedure sets forth the requirements, standards, and criteria established to assure the tenants of the Sioux Center Low Rent Housing Agency (the Authority) an opportunity for a Hearing if he or she disputes within 30 days any Housing Authority action or failure to act involving the tenants' lease or Housing Authority regulations which adversely affect the individual tenant's rights, duties, welfare or status.

II. APPLICABILITY

- A. This procedure applies to all grievances between individual tenants and the Housing Authority as defined in Section 3A below.
- B. This Grievance Procedure does not apply to:
 - 1. Disputes between tenants in which the Authority is not involved;
 - 2. Any changes in Authority policies and procedures. This procedure is not intended as a forum for initiating or negotiating policy changes between a tenant or group of tenants and the Authority, or its Board of Commissioners.
 - 3. Class grievances.
 - 4. Termination of tenancy or eviction that involves:
 - a. Any criminal or other activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other tenants or employees of the Authority;
 - b. Any violent or drug-related criminal activity on or off the premises; OR.
 - c. Any activity resulting in a felony conviction.

III. DEFINITIONS

For the purpose of this Grievance Procedure, the following definitions apply:

- A. **Grievance** -- Any disagreement or dispute which a tenant may have with respect to Housing Authority's action or failure to act in accordance with the individual's lease or Housing Authority regulations which adversely affects the individual tenant's rights, duties, welfare or status.
- B. **Complainant** -- Any tenant whose grievance is presented to the office of the Housing Authority in accordance with Sections 4 and 5 of this procedure.

- C. **Elements of Due Process** -- Legal proceedings carried out in accordance with established rules.
Any eviction action or termination of tenancy proceeding requires:

1. Adequate notice to the tenant of the grounds for terminating his or her lease and for eviction.
 - a. The Housing Authority shall give fourteen (14) days written notice of termination if the termination is caused by the tenant's failure to pay rent.
 - b. The Housing Authority shall give three (3) days written notice of termination if there is a threat to the health or safety of other tenants or employees of the authority.
 - c. The Housing Authority shall give thirty (30) days written notice of termination in all other cases.
 2. The right of the tenant to be represented by legal counsel.
 3. The opportunity for the tenant to disagree with the evidence presented by the Authority including the right to confront and cross-examine witnesses and to present any affirmative legal or fair defense which the tenant may have. The tenant may examine (and make copies of at the tenant's own expense) all relevant documents, records, policies, and regulations of the Housing Authority prior to the hearing for the purpose of preparing a defense.
 4. A decision on the merits.
 5. A person with disabilities shall be provided reasonable accommodation to the extent necessary to provide the person with the opportunity to participate in a grievance hearing.
- D. **Hearing Officer** -- A person selected to hear grievances and make a decision.
- E. **Hearing Panel** -- A panel selected to hear grievances and to make a decision.
- F. **Tenant** -- shall mean the adult person (or persons) other than a live-in aide who:
1. Resides in the unit, and who executed the lease with the Authority as lessee of the dwelling unit, or, if no such person now resides in the unit;
 2. Resides in the unit, and is a remaining member of the tenant family residing in the dwelling unit.
- G. **Resident organization** -- Includes Resident Councils and Resident Management Corporations.
- H. **Informal Settlement** -- Meeting held with complainant and the Authority in an attempt to resolve the grievance before going to a formal grievance hearing.
- I. **Summary of Discussion** -- Result of informal hearing giving detailed information in writing of the major points discussed in the informal hearing and the Authority's decision on the complaint.
- J. **Escrow** -- Money held by a third person fiduciary as a good faith promise until a determination is made on what to do with the money. The escrow amount can be deposited into a bank account or held by an uninterested, independent third party with the equivalent security and accountability as a bank account.
- K. **Waiver** -- The release of a right or claim.

- L. **Trial De Nova** -- The right to a new trial.

IV. INFORMAL SETTLEMENT OF GRIEVANCE

- A. Any grievance shall be personally presented, either orally or in writing, within five (5) business days after the grievable event to the Authority office of the project in which the complainant (also referred to as "tenant") resides so that the grievance may be discussed informally and settled without a Hearing. The PHA must schedule the informal meeting within ten (10) business days of receipt of the grievance.
- B. The Housing Authority must, within a reasonable time and not to exceed thirty (30) days after the informal discussion, provide a written summary of the discussion of the meeting discussion and send it to the tenant by Registered or Certified Mail or deliver it personally with a signed receipt obtained from the tenant. A copy will be retained in the tenant's file. The summary will specify:
 - 1. Names of the participants.
 - 2. Date of the discussion.
 - 3. Nature of proposed disposition of the grievance.
 - 4. Specific reason for proposed disposition of the grievance.
 - 5. Procedures by which a Hearing may be obtained if the tenant is not satisfied.
 - 6. That the tenant has five (5) business days from the date of the summary of the discussion to request a hearing.
- C. Before a tenant can request a Hearing by a Hearing Officer/Hearing Panel the grievance must be submitted first for an informal meeting.
- D. If the tenant can show good cause why he or she has failed to follow the procedure for informal meeting to the Hearing Officer/Hearing Panel, the informal meeting may be waived by the Hearing Officer/Hearing Panel..
- E. The participant family may request that the Housing Authority provide for an informal hearing after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. The participant family must make this request within 30 days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 days of receipt of the INS appeal decision.

V. PROCEDURE TO OBTAIN A FORMAL HEARING

- A. If the tenant is dissatisfied with the final results of the informal meeting, he or she must submit a written request to the Housing Authority or to the project office within five (5) business days after the receipt of the summary of the discussion pursuant to Section 4. The written request for a formal hearing must specify the reason(s) for the grievance and the action or relief sought.
- B. Selection of hearing officer/hearing panel. Grievances shall be presented before a hearing officer/hearing panel. The hearing officer/hearing panel shall be an impartial, disinterested person appointed by the PHA, other than the person who made or approved the PHA action under review or a subordinate of that person.

VI. FAILURE TO REQUEST A HEARING

If the tenant does not request a Hearing within five (5) business days following the date of the summary of the informal meeting:

- A. The Housing Authority's disposition of the grievance under Section 4 as stated in the summary of the discussion, becomes final and effective at the close of business on the fifth business day following the date of the summary of the discussion.
- B. The failure to request a hearing does not waive the tenant's right to contest the Housing Authority's decision in disposing of the complaint in an appropriate judicial proceeding.

VII. HEARING INVOLVING AMOUNT OF RENT - ESCROW ACCOUNT

Before a hearing can be scheduled for a grievance involving the amount of rent which the Authority claims is due as defined in the lease, the tenant must:

- A. Pay the Authority the full amount of rent, calculated by the Authority, which was due on the first of the month preceding the month in which the grievance occurred; and
- B. Deposit this same amount of rent due into an escrow account every month until the complaint is resolved by the hearing officer's decision. Amounts deposited into the escrow account shall not be considered as acceptance of money for rent during the period in which the grievance is pending..

If the tenant fails to comply with A and B above, the grievance process will be terminated. Failure to follow A and B above, however, does not waive any of the tenant's rights to contest the Authority's disposition of the grievance in an appropriate judicial proceeding.

The requirements described in Section 7 of this Grievance Procedure may be waived by the Housing Authority in extenuating circumstances.

VIII. SCHEDULE OF HEARINGS

If the tenant has met the informal meeting requirements, properly requested a formal hearing, and made any necessary rental payments to the Authority or to an escrow account (when applicable), then the following will take place:

- A. A hearing will be scheduled by the hearing officer/hearing panel within fourteen (14) days of the date the PHA receives the Request for the Hearing.
- B. The hearing will be scheduled for a time and place reasonably convenient to both the complainant and the Housing Authority. The written notification will be delivered to the tenant and appropriate Authority officials, by Registered or Certified mail, or delivered promptly with a signed receipt notice.
- C. The written notification will specify:
 - 1. Time of hearing.
 - 2. Place of hearing.

3. Procedures governing the hearing.

IX. FAILURE TO APPEAR AT THE HEARING

- A. If the tenant or the Housing Authority fails to appear at the hearing, the hearing officer/hearing panel will make a determination that the non-appearing party has waived the right to a hearing ; however, in certain cases, they may make a determination to postpone the hearing for a period not to exceed five (5) business days.
- B. The tenant and the Housing Authority will both be notified in writing of this determination by the hearing officer within fourteen (14) days.
- C. Failure of the tenant to appear at the hearing and a determination that he or she has waived the right to a hearing does not waive the tenant's right to argue the case in an appropriate judicial proceeding.

X. PROCEDURE GOVERNING HEARING

- A. The Hearing shall be held before the hearing officer/hearing panel.
- B. The tenant shall be afforded a fair hearing, which shall include:
 1. The opportunity to examine before the hearing, any documents, including records and regulations, that are directly relevant to the hearing. The tenant shall be allowed to copy any documents at his or her own expense. Any document requested but not made available to the tenant for examination may not be relied on by the Housing Authority during the hearing;
 2. The right to be represented by counsel or other person chosen as his or her representative and to have this person make statements on the tenant's behalf;
 3. The right to a private hearing unless the tenant requests a public hearing;
 4. The right to present evidence and arguments in support of his or her complaint, to object to irrelevant evidence and request that such evidence be excluded, and to confront and cross-examine all witnesses on whose testimony or information the Authority or project management relies; and
 5. A decision based solely and exclusively upon the facts presented at the hearing.
- C. The hearing officer/hearing panel may render a decision without holding the hearing if the hearing officer/hearing panel determines that the issue has been previously decided in another proceeding.
- D. At the hearing, the tenant must first show that he or she is entitled to the relief sought after which the Authority must justify the action or failure to act as cited in the complaint.
- E. The hearing shall be conducted informally by the hearing officer/hearing panel and oral or

documentary evidence pertinent to the facts and issues mentioned in the complaint may be received without regard to admissibility under the rules of evidence applicable in judicial proceedings.

- F. The hearing officer/hearing panel shall require the Authority, the tenant, tenant's counsel and other participants or spectators to conduct themselves in an orderly fashion.
- G. Failure to comply with the hearing officer's/hearing panel's call for order may result in removal of the offending person from the proceedings, termination of the hearing, or the entry of judgement by default against the offending person.
- H. The tenant or the Authority may arrange in advance, and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested person may purchase a copy of the transcript.
- I. Accommodation of Persons with Disabilities
 - 1. The Housing Authority will take steps to insure that reasonable accommodation for persons with disabilities is provided so that participation in any hearing is possible. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations or attendants.
 - 2. If the tenant is visually impaired any notice which is required under this Grievance Procedure, must be in an accessible format.

XI. DECISION OF HEARING OFFICER/HEARING PANEL

- A. The hearing officer/hearing panel will prepare a written decision, including an explanation of the reasons for the decision, within thirty (30) days after the hearing.
- B. A copy of the decision will be sent to the tenant and the Authority at the same time. The Authority shall retain a copy of the decision in the tenant's folder.
- C. A copy of the decision, with all names and identifying references deleted, will also be maintained on file by the Authority and made available for inspection by a prospective tenant, his or her representative or the hearing officer/hearing panel.
- D. The decision of the hearing officer/hearing panel will be binding on the Authority which will take all actions, or refrain from any actions, necessary to carry out the decision unless the Housing Authority Board of Commissioners determines within thirty (30) days, and promptly notifies the complainant of his/her determination, that:
 - 1. The grievance does not concern any act or failure to act on the part of the Authority involving the tenant's lease or Authority regulations which adversely affect the tenant's rights, duties, welfare or status; or
 - 2. The decision of the hearing officer/hearing panel is contrary to applicable Federal, State and/or Local law, HUD regulations or requirements of the Annual Contributions Contract between the Department of Housing and Urban Development and the Housing Authority.
- E. A decision by the hearing officer/hearing panel or Housing Authority Board of Commissioners in

favor of the Authority, or which denies the relief requested by the tenant in whole or in part, does not waive or affect any rights the tenant may have to a trial de nova or judicial review in any judicial proceedings, which may be filed in the future.