

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

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# 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**

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HUD 50075  
OMB Approval No: 2577-0226  
Expires: 03/31/2002

**PHA Plan  
Agency Identification**

**PHA Name:** Negaunee Housing Commission

**PHA Number:** MI068

**PHA Fiscal Year Beginning:** 01/2000

**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
- 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 families in the PHA's jurisdiction. (select one of the choices below)

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.

The PHA's mission is:

The mission of the Negaunee Housing Commission is to be the area's affordable housing of choice by providing and maintaining drug free, decent, safe, and sanitary housing in a cost-effective manner for eligible families. This will be achieved by providing options that promote maximum independence and dignity, yet make available services necessary to insure security and peace of mind. The residents will find a way of life where they will have privacy when they want to be alone. When they want people around, they will be there to share experiences and discover new interests.

**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 targets such as: numbers of families served or PHAS scores achieved.) PHAs should identify these measures in the spaces to the right of or below the stated objectives.

**HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.**

\_\_\_ PHA Goal: Expand the supply of assisted housing

Objectives:

\_\_\_ Apply for additional rental vouchers:

\_\_\_ Reduce public housing vacancies:

\_\_\_ Leverage private or other public funds to create additional housing opportunities:

\_\_\_ Acquire or build units or developments

\_\_\_ Other (list below)

X PHA Goal: Improve the quality of assisted housing  
Objectives:

X Improve public housing management: (PHAS score)

Currently Negaunee Housing is staffed only by the Housing Director. The Director will strive to get office assistant to perform the routine office tasks thus allowing the Director additional time to focus on continually improving the management of the Negaunee Housing Commission. Currently, numerous additional hours are put in weekly with no provisions for compensation. (12-31-2000)

\_\_\_ Improve voucher management: (SEMAP score)

Concentrate on efforts to improve specific management functions:  
(list; e.g., public housing finance; voucher unit inspections)

X Renovate or modernize public housing units:

Continue with upgrades and modernization improvement with CIAP Funds and Capital Funds to make Negaunee Housing Commission's, Lakeview Apartments the housing of choice. This is a huge undertaking since we must compete with new, larger apartments with storage and many extras we can not offer at this point. We can offer a very scenic location, located across from Teal Lake. The Negaunee Housing Commission is within walking distance (within 1/10 of a mile) of a drug store, two large grocery stores, four local banks, a local credit union, a dental office, a beauty shop, an insurance company, a pizza shop and restaurant, and two gas stations. All of these services are easily accessible by car without having to travel on major roads.

\_\_\_ Demolish or dispose of obsolete public housing:

\_\_\_ Provide replacement public housing:

\_\_\_ Provide replacement vouchers:

X Other:

Strive to reduce vacancy rate even though there are one hundred forty- four (144) new low income housing units in our area plus additional housing recently available since the closing of K. I. Sawyer Air Force Base in Marquette County. In addition , there were sixty-two (62) assisted living units constructed and now complete. These factors make it extremely competitive to fill our units as they become available. However, Negaunee Housing Commission will always remember that the residents are our ultimate customers.

- \_\_\_ 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**

X 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)
- X Other:

Implement measures to deconcentrate poverty by mixing higher and lower income residents. To promote income mixing, Negaunee Housing Commission Policy will be followed. Negaunee Housing Commission will attempt to improve housing security by means of annual preventive maintenance inspections, fire drills, and by bringing in speakers to speak on topics of concern for seniors such as phone scams, elder abuse, drugs for elderly etc.

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

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

Objectives:

- \_\_\_ Increase the number and percentage of employed persons in assisted families:

- Provide or attract supportive services to improve assistance recipients' employability:
- Provide or attract supportive services to increase independence for the elderly or families with disabilities. Service available are visiting home health services, Blood Pressure/ Blood Sugar screening, Meals-on-Wheels and Title III meal site, commodities distributions (door-to-door), foot clinic and visiting doctors (twice a month).
- Other: (list below) advertisement of classified for near elderly and singles to achieve employment.

**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
    - ~ Offer housing to families regardless of race, color, religion national origin, sex, familial status, and disability - Equal Housing Opportunity to all.
    - ~ Will provide a suitable living environment for families living in assisted housing.
    - ~ Negaunee Housing Commission will offer accessible housing to persons with all varieties of disabilities regardless of unit size required. Currently have five (5) units that meet 504 (ADA) regulations.

**Other PHA Goals and Objectives: (list below)**

Negaunee Housing Commission will will make every effort possible to improve and preserve the existing affordable housing units and neighborhoods.

Negaunee Housing Commission will continue to develop linkages between housing and service sectors to provide greater housing opportunities for households with special needs.

**Annual PHA Plan**  
**PHA Fiscal Year 2000**

[24 CFR Part 903.7]

**i. 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**

**ii. 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.

The Negaunee Housing Commission has prepared its Agency Plan in compliance with the Quality Housing and Work Responsibility Act of 1998.

The mission of the Negaunee Housing Commission is to be the area's affordable housing of choice, by providing and maintaining drug free, decent, safe, and sanitary housing in a cost-effective manner for eligible families. By providing options that promote maximum independence and dignity, yet make available services necessary to insure security and peace of mind. The residents will find a way of life where they will have privacy when they want to be alone. When they want people around, they will be there to share experiences and discover new interests.

The changing role of public housing has been challenging. Negaunee Housing Commission's Lakeview Apartments are a vital part of our community offering clean safe, affordable housing with a family oriented atmosphere. Negaunee Housing Commission has established a reputation of caring, while providing safe affordable housing. This commitment is expressed through the personal touch of being available to answer questions, educating the residents in principles of fire safety (fire drills), adverse weather, and staff, residents and resident's families working together to ensure the safety of all of the residents of Lakeview Apartments.

Negaunee Housing Commission provides housing along with programs and services that help meet the needs of the current residents as well as the housing needs of our community. Quality home health care in our area is for people of all ages with either a temporary or a need for long term assistance. It is an alternative to an extended hospital stay or nursing home placement. Resident in many incidents respond better to treatment when they are in their own home/apartment in a familiar environment.

The dramatic change in the housing market conditions in the local area resulting from the closing of the military base and the new housing construction has had a direct affect on our vacancy rate. It has become extremely difficult to lease very small apartments with no storage space when there is a surplus of more desirable units, (having storage space, ore floor space, air conditioning, carports) available in our local area. Prospective residents choose larger more modern apartments over what we have to offer because rents are competetive.

The Negaunee Housing Commission will do extensive advertising in an effort to get the community and outlying area aware of units available. Tours of the Negaunee Housing Commission are conducted on a regular basis. It is very important to get as many outside organizations as possible to become aware of what Negaunee has to offer. I strongly believe the Negaunee Housing Commission is a great asset in the community and I want the public to see for themselves.

As Director, I make a point to be available to conduct tours and show apartments at times convenient to prospective residents and their families. On many occasions, I have come back after my regular work schedule to show units in the evening and on weekends. It is an honor to represent Public Housing in Negaunee and I will expend the extra effort necessary to market units. Vacant units will reflect a reduction in the income needed to maintain financial stability.

The dedicated staff and Commissioners of the Negaunee Housing Commission make Lakeview Apartments a warm and inviting home to each resident and their families. It is always remembered that the residents are our ultimate customers.

Negaunee Housing Commission residents are quoted as saying, “don’t wait so long,” “I wish I’d come sooner,” “there is no reason to be lonely.” “Lakeview is a great place to live, a friendly place to be with friends--old and new.”

Our Annual Plan is an outline of what we are currently doing plus goals and objectives to continue to improve all aspects of the Negaunee Housing Commission.

The plans, goals, objective, policies and financial summary are the means by which the mission of the Negaunee Housing Commission will be accomplished and will be consistent with the Consolidated Plan.

Highlights of the Negaunee Housing Commission Annual Plan include but are not limited to the following:

- ~ Negaunee Housing Commission preferences based on the definition as listed in NHC's ACOP are Elderly/Disabled – 300 points; Near Elderly – 200 points; all other applicants – 0 points.
- ~ A Deconcentration Policy has been implemented.
- ~ Minimum Rent for Negaunee Housing Commission is \$50.00.
- ~ Flat Rent/Ceiling Rent is \$354.00.
- ~ Negaunee Housing Commission will strive to get office assistance to alleviate a portion of the routine office tasks so additional time can be focused on the management of the Negaunee Housing Commission and the changing role of computer implementation for various reporting.
- ~ CIAP and Capital Funds will be used to upgrade and modernize Negaunee Housing Commission's units to compete with the new construction in our area and reduce vacancy rate.

In closing I must again state that I strongly believe Negaunee Housing Commission's Lakeview Apartments are an asset to the community and I am pleased to represent Public Housing in Negaunee.

### **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.

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Indicate which attachments are provided by selecting all that apply. Provide the attachment's name (A, B, etc.) in the space 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.

**Required Attachments:**

- Admissions Policy for Deconcentration
- 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)

**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 in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

| <b>List of Supporting Documents Available for Review</b> |  |                                  |
|--|--|----------------------------------|
| <b>Applicable &amp; On Display</b>                       | <b>Supporting Document</b>   | <b>Applicable Plan Component</b> |
| X  | PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations | 5 Year and Annual Plans          |

| <b>List of Supporting Documents Available for Review</b> |   |  |
|--|---|--|
| <b>Applicable &amp; On Display</b>                       | <b>Supporting Document</b>  | <b>Applicable Plan Component</b>                             |
| X  | State/Local Government Certification of Consistency with the Consolidated Plan  | 5 Year and Annual Plans                                      |
| X  | Fair Housing Documentation:<br>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                                      |
| X<br>(Michigan)  | 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:<br>Housing Needs                                |
| X  | Most recent board-approved operating budget for the public housing program  | Annual Plan:<br>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:<br>1. 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<br>2. 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<br><u>X</u> 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<br><u>X</u> check here if included in the public housing A & O Policy   | Annual Plan: Rent Determination                              |

| <b>List of Supporting Documents Available for Review</b> |   |   |
|--|---|---|
| <b>Applicable &amp; On Display</b>                       | <b>Supporting Document</b>  | <b>Applicable Plan Component</b>                  |
| N/A  | Section 8 rent determination (payment standard) policies<br><input type="checkbox"/> 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<br><input checked="" type="checkbox"/> check here if included in the public housing A & O Policy  | Annual Plan: Grievance Procedures                 |
| N/A  | Section 8 informal review and hearing procedures<br><input type="checkbox"/> check here if included in Section 8 Administrative Plan  | Annual Plan: Grievance Procedures                 |
| X  | The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year  | Annual Plan: Capital Needs                        |
| X  | 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           |
| N/A  | 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         |
| N/A  | Approved or submitted public housing homeownership programs/plans   | Annual Plan: Homeownership                        |
| N/A  | Policies governing any Section 8 Homeownership program<br><input type="checkbox"/> 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 |

| <b>List of Supporting Documents Available for Review</b> |   |   |
|--|---|---|
| <b>Applicable &amp; On Display</b>                       | <b>Supporting Document</b>  | <b>Applicable Plan Component</b>                  |
| 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 (PHEDEP) 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)<br>(list individually; use as many lines as necessary)  | (specify as needed)                               |
|  |   |   |

## **1. Statement of Housing Needs**

[24 CFR Part 903.7 9 (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 available to the PHA, provide a statement of the 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 factor 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 this assessment.

| <b>Housing Needs of Families in the Jurisdiction<br/>by Family Type</b> |                |                            |               |                |                            |             |                       |
|---|----------------|----------------------------|---------------|----------------|----------------------------|-------------|-----------------------|
| <b>Family Type</b>  | <b>Overall</b> | <b>Afford-<br/>ability</b> | <b>Supply</b> | <b>Quality</b> | <b>Access-<br/>ibility</b> | <b>Size</b> | <b>Loca-<br/>tion</b> |
| Income <= 30% of AMI  | 1406           | 1                          | 1             | 1              | 1                          | 1           | 1                     |
| Income >30% but <=50% of AMI  | 987            | 1                          | 1             | 1              | 1                          | 1           | 1                     |
| Income >50% but <80% of AMI   | 511            | 1                          | 1             | 1              | 1                          | 1           | 1                     |
| Elderly   | 635            | 1                          | 1             | 1              | 1                          | 1           | 1                     |

| Housing Needs of Families in the Jurisdiction<br>by Family Type |              |                    |        |         |                    |      |               |
|---|--------------|--------------------|--------|---------|--------------------|------|---------------|
| Family Type   | Overall      | Afford-<br>ability | Supply | Quality | Access-<br>ibility | Size | Loca-<br>tion |
| Families with<br>Disabilities                                   | Not<br>Known |                    |        |         |                    |      |               |
| Race/Ethnicity  | ---          |                    |        |         |                    |      |               |
| Race/Ethnicity  | ---          |                    |        |         |                    |      |               |
| 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:
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
- 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.

|  |
|--|
| <b>Housing Needs of Families on the Waiting List</b> |
|--|

### Housing Needs of Families on the Waiting List

Waiting list type: (select one)

Section 8 tenant-based assistance

Public Housing

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  | 11            |                     |                 |
| Extremely low income<br><=30% AMI                           | 5             | 45.45<br>45%        |                 |
| Very low income<br>(>30% but <=50%<br>AMI)                  | 4             | 36.36<br>36%        |                 |
| Low income<br>(>50% but <80%<br>AMI)                        | 2             | 18.18<br>18%        |                 |
| Families with children                                      | 0             | 0                   |                 |
| Elderly families  | 5             | 45%                 |                 |
| Families with<br>Disabilities                               | 6             | 55%                 |                 |
| Race/ethnicity  |               |                     |                 |
| Characteristics by<br>Bedroom Size (Public<br>Housing Only) |               |                     |                 |
| 1BR   | 8             | 72.72 = 72%         |                 |
| 2 BR  | 3             | 27.27 = 27%         |                 |
| 3 BR  |               |                     |                 |
| 4 BR  |               |                     |                 |

| <b>Housing Needs of Families on the Waiting List</b>  |  |  |  |
|---|--|--|--|
| 5 BR  |  |  |  |
| 5+ BR   |  |  |  |
| Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes<br>If yes:<br>How long has it been closed (# of months)?<br>Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes<br>Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes |  |  |  |

### **C. Strategy for Addressing Needs**

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

The Quality Housing and Work Responsibility Act of 1998 requires that housing commissions set forth in its Annual Plan a Needs Assessment of the housing needs of our jurisdiction and our waiting list.

Negaunee Housing Commission contacted various sources to get information on the housing needs in our community and jurisdiction. The Chas Data, A Marketview Comparison Report of Demographical Information for the Ishpeming-Negaunee Area (1997), The County of Marquette Housing Plan (1996), The City of Negaunee Comprehensive Plan (1999), The local Family Independence Office (Marquette) and a MISHDA Development (Lost Creek) information.

Our waiting list will fluctuate on a regular basis. An extreme amount of time is spent building Negaunee Housing Commission's waiting list; however, if there is not an immediate opening, many of the applicants accept housing in other developments in the area.

The population in Marquette County has changed dramatically over the past 10 years since the last census was done. A major negative factor was the closing of K. I. Sawyer Air Force Base in Marquette County.

At the present time it is difficult to maintain an active waiting list. It appears that human nature causes applicants to wait until they are in need of housing then they apply at many apartments. When an applicant reaches the top of the waiting list and a contact is made, they've often found housing elsewhere.

Although a healthy waiting list is maintained, the timing of vacancies and waiting applicants often do not coincide which becomes most frustrating as we strive for 100% occupancy.

It is required that we state how we intend to address our community's housing needs.

At the present time there is excess housing available with the close of the air base. Rental housing at the former base is being offered at very attractive rates plus there has been additional new construction of one hundred forty-four (144) apartment units, and sixty-two (62) new assisted living units within a thirteen (13) mile radius of Negaunee Housing Commission. At this point there is not a need for additional housing units in our area.

Negaunee Housing Commission will continue its efforts to be the area's housing of choice by providing and maintaining drug free, decent, safe and sanitary housing in a cost-effective manner for eligible families. Some changes may occur from year to year due to various factors that are beyond our control.

### **(1) Strategies**

#### **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)

**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  
Always state there are five (5) units that meet ADA requirements.
- 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) Equal Housing Opportunity.

**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) Equal Housing Opportunity.

**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 One person administrative staff
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community

Excess housing in area – Air Force Base closed, and new construction which includes one hundred forty-four low income units and sixty-two (62) assisted living units in our area.

- 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:

Excess housing by privately owned units due to base closure.

**2. Statement of Financial Resources**

[24 CFR Part 903.7 9 (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. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing

safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

| <b>Financial Resources:<br/>Planned Sources and Uses</b>                              |                      |                         |
|---|----------------------|-------------------------|
| <b>Sources</b>  | <b>Planned \$</b>    | <b>Planned Uses</b>     |
| <b>1. Federal Grants (FY 2000 grants)</b>   |                      |                         |
| a) Public Housing Operating Fund  | 1,400                | Annual Audit            |
| b) Public Housing Capital Fund  | 98,662               | Improvements/Operations |
| c) HOPE VI Revitalization   | 0                    |                         |
| d) HOPE VI Demolition   | 0                    |                         |
| e) Annual Contributions for Section 8 Tenant-Based Assistance                         | 0                    |                         |
| f) Public Housing Drug Elimination Program (including any Technical Assistance funds) | 0                    |                         |
| g) Resident Opportunity and Self-Sufficiency Grants                                   | 0                    |                         |
| h) Community Development Block Grant  | 0                    |                         |
| i) HOME   | 0                    |                         |
| Other Federal Grants (list below)   |                      |                         |
|   |                      |                         |
| <b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>             |                      |                         |
| 1998 CIAP   | 136,137.07 (9/30/99) | MI068 Improvements      |
|   |                      |                         |
|   |                      |                         |
| <b>3. Public Housing Dwelling Rental Income</b>                                       |                      |                         |
| Oct. 1, 1999 rent role  | 211501.44            | Operations              |
|   |                      |                         |
| <b>4. Other income (list below)</b>   |                      |                         |
| Laundry   | 5400                 | Operations              |
| Investments   | 5200                 | Operations              |
| <b>4. Non-federal sources (list below)</b>  |                      |                         |

| <b>Financial Resources:<br/>Planned Sources and Uses</b> |                   |                     |
|--|-------------------|---------------------|
| <b>Sources</b>   | <b>Planned \$</b> | <b>Planned Uses</b> |
|  |                   |                     |
|  |                   |                     |
| <b>Total resources</b>                                   | \$458300.51       |                     |
|  |                   |                     |
|  |                   |                     |

### **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 subcomponent 3A.

##### **(1) Eligibility**

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)

As soon as a notice to vacate is turned into the business office, the applicant at the top of the list is offered the unit and current official information is verified and updated to assure the information is true and correct.

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) References.

- c. \_\_\_ Yes X No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- d. X Yes \_\_\_ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- e. \_\_\_ Yes X 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
- X Other (describe)
- Preferences: Elderly  
Near Elderly  
Single

Then date and time.

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

- X PHA main administrative office
- \_\_\_ PHA development site management office
- X Other (list below) Through the U.S. Mail.

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**

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) Internal Move Policy, opposed to having my residents leave to go to other housing with larger units, storage and new.
- Other: (list below)

c. Preferences

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:

- 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)

Based on the definition as listed in Negaunee Housing Commission’s ACOP

Elderly/disabled = 300 points

Near-Elderly = 200 points

All other applicants = 0 points

If equal points then the date and time will be used.

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 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)
  - 1 Elderly/ Disabled = 300 points
  - 2 Near-elderly = 200 points
  - 3 All other applicants = 0 points

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)

Facts sheet of amenities offered at Negaunee Housing Commission and a binder of all policies to review.

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)

Income changes.

**(6) Deconcentration and Income Mixing**

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:

MI068001 and MI068002

- 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)

Established Flat Rent – effective October 1, 1999 as required.

- 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:

MI068001 and MI068002

- 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 N/A**

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).

**(1) Eligibility**

- 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)

b. 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 903.7 9 (d)]

##### **A. Public Housing**

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

##### **(1) Income Based Rent Policies**

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one)

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:

Negaunee Housing Commission's ACOP

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?

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

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 – can not increase rent for one (1) year from date of employment, per ACOP.

\_\_\_ For increases in earned income

\_\_\_ 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)

e. Ceiling rents (same as flat rent – explained in ACOP)

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)  
The Ceiling rent amount became the Flat Rent amount effective October 1, 1999 as required.

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)
- 95<sup>th</sup> 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) Unit Distribution Method

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
- 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) Family size.

g. \_\_\_ Yes  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
- Survey of similar unassisted units in the neighborhood
- Other (list/describe below)

HUD published FMR for Marquette County.

## 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 voucher program, certificates).**

### (1) 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)

### **A. PHA Management Structure**

Describe the PHA's management structure and organization.

(select one)

- 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 upcoming fiscal year, and expected turnover in each. (Use “NA” to indicate that the PHA does not operate any of the programs listed below.)

| <b>Program Name</b>   | <b>Units or Families Served at Year Beginning</b> | <b>Expected Turnover</b> |
|---|---|--------------------------|
| Public Housing  | 80  | Unknown                  |
| Section 8 Vouchers  | N/A   |                          |
| Section 8 Certificates  | N/A   |                          |
| Section 8 Mod Rehab   | N/A   |                          |
| Special Purpose Section 8 Certificates/Vouchers (list individually) | N/A   |                          |
| Public Housing Drug Elimination Program (PHDEP)                     | N/A   |                          |
|   |   |                          |
| Other Federal Programs(list individually)                           | CIAP<br>Capital Funds                             |                          |
|   |   |                          |
|   |   |                          |

**C. Management and Maintenance Policies**

List the PHA’s public housing management and maintenance policy documents, manuals and handbooks that contain the Agency’s rules, standards, and policies 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.

- (1) Public Housing Maintenance and Management: (list below)
- (2) Section 8 Management: (list below)

**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.

### **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 903.7 9 (g)]

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

**A. Capital Fund Activities**

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may skip to component 7B. All other PHAs must complete 7A as instructed.

**(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.

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the 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**

Capital Fund Grant Number 12/31/1999 of Grant Approval: 09/29/1999

Original Annual Statement

| Line No. | Summary by Development Account | Total Estimated Cost |
|----------|--------------------------------|----------------------|
|----------|--------------------------------|----------------------|

|    |   |           |
|----|---|-----------|
| 1  | Total Non-CGP Funds                                       |           |
| 2  | 1406 Operations   | 107241.00 |
| 3  | 1408 Management Improvements                              |           |
| 4  | 1410 Administration                                       |           |
| 5  | 1411 Audit  |           |
| 6  | 1415 Liquidated Damages                                   |           |
| 7  | 1430 Fees and Costs                                       |           |
| 8  | 1440 Site Acquisition                                     |           |
| 9  | 1450 Site Improvement                                     |           |
| 10 | 1460 Dwelling Structures                                  |           |
| 11 | 1465.1 Dwelling Equipment-Nonexpendable                   |           |
| 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 | <b>Amount of Annual Grant (Sum of lines 2-19)</b>         |           |
| 21 | Amount of line 20 Related to LBP Activities               |           |
| 22 | Amount of line 20 Related to Section 504 Compliance       |           |
| 23 | Amount of line 20 Related to Security                     |           |
| 24 | Amount of line 20 Related to Energy Conservation Measures |           |

**Annual Statement**  
**Capital Fund Program (CFP) Part II: Supporting Table**

| Development Number/Name<br>HA-Wide Activities | General Description of Major Work Categories | Development Account Number | Total Estimated Cost |
|---|--|----------------------------|----------------------|
|   |  |                            |                      |

|                                 |  |      |           |
|---------------------------------|--|------|-----------|
| MI068001<br>MI068002<br>HA/WIDE | Replace siding, eve venting, fascia; purchase appliances; replace hall carpet; purchase maintenance equipment and management improvements. | 1406 | 107241.00 |
|---------------------------------|--|------|-----------|

**Annual Statement**

**Capital Fund Program (CFP) Part III: Implementation Schedule**

| Development<br>Number/Name<br>HA-Wide Activities | All Funds Obligated<br>(Quarter Ending Date)    | All Funds Expended<br>(Quarter Ending Date)     |
|--|---|---|
| <p>MI068001<br/>MI068002<br/>HA/WIDE</p>         | <p>12/31/1999<br/>12/31/1999<br/>12/31/1999</p> | <p>12/31/1999<br/>12/31/1999<br/>12/31/1999</p> |

**(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 5 Year Action Plan table provided in the table library at the end of the PHA Plan template **OR** by completing and attaching a properly updated HUD-52834.

a.  Yes \_\_\_ No: Is 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)

**Optional 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 |                                     |
| MI068001 &002  | Lakeview Apartments                     | 0                   | 0                          |                                     |
| Description of Needed Physical Improvements or Management Improvements |   |                     | Estimated Cost             | Planned Start Date (HA Fiscal Year) |

|   |               |                                 |
|---|---------------|---------------------------------|
| ~ Management improvements: computer upgrades, printers, copiers, training, manuals, etc.                                      | 40000         | 2000,2001,2002,2003<br>2004     |
| ~ Office Secretary  | 41433         | 2000,2001,2002,2003<br>2004     |
| ~ Emergency overtime (snow removal, call outs)  | 2500          | 2000,2001,2002,2003<br>2004     |
| ~ Building siding replacement   | 61000         | 2000                            |
| ~ Door replacements, kick plates, tile removal/carpet replacement, lavatory floor replacemnt and medicine cabinet & handrails | 80200         | 2000,2002,2003,2004             |
| ~ Privacy walls, sign, landscaping, sidewalks, patio renovation, parking  | 45000         | 2000,2001,2003,2004             |
| ~ Replace ranges & washers, add microwaves  | 28450         | 2000, 2001, 2004                |
| ~ Residential storage units   | 55000         | 2001                            |
| ~ Equipment replacement: snow blower, tractor, vacuum cleaner   | 7800          | 2002, 2003                      |
| ~ Furniture replacement   | 4000          | 2002                            |
| ~ Gate valves, access panels, boiler controls   | 31200         | 2002, 2004                      |
| ~ Lighting  | 47500         | 2003, 2004                      |
| ~ Architect Fee's   | 38160         | 2000, 2001, 2002,<br>2003, 2004 |
| ~ Contingency   | 20446         | 2000, 2001, 2002,<br>2003, 2004 |
| <b>Total estimated cost over next 5 years</b>   | <b>501889</b> |                                 |

## **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  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:

- 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:

## **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 X 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.)

| <b>Demolition/Disposition Activity Description</b>  |  |
|---|--|
| 1a. Development name:   |  |
| 1b. Development (project) number:   |  |
| 2. Activity type: Demolition <input type="checkbox"/><br>Disposition <input type="checkbox"/>   |  |
| 3. Application status (select one)<br>Approved <input type="checkbox"/><br>Submitted, pending approval <input type="checkbox"/><br>Planned application <input type="checkbox"/> |  |
| 4. Date application approved, submitted, or planned for submission: <u>(DD/MM/YY)</u>   |  |
| 5. Number of units affected:  |  |
| 6. Coverage of action (select one)<br><input type="checkbox"/> Part of the development<br><input type="checkbox"/> Total development  |  |
| 7. Timeline for activity:<br>a. Actual or projected start date of activity:<br>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 X 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.)

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.

| <b>Designation of Public Housing Activity Description</b>  |
|--|
| 1a. Development name:<br>1b. Development (project) number:   |
| 2. Designation type:<br>Occupancy by only the elderly <input type="checkbox"/><br>Occupancy by families with disabilities <input type="checkbox"/><br>Occupancy by only elderly families and families with disabilities <input type="checkbox"/> |
| 3. Application status (select one)<br>Approved; included in the PHA’s Designation Plan <input type="checkbox"/><br>Submitted, pending approval <input type="checkbox"/><br>Planned application <input type="checkbox"/>                          |
| 4. Date this designation approved, submitted, or planned for submission: <u>(DD/MM/YY)</u>   |

|   |
|---|
| <p>5. If approved, will this designation constitute a (select one)</p> <p><input type="checkbox"/> New Designation Plan</p> <p><input type="checkbox"/> Revision of a previously-approved Designation Plan?</p> |
| <p>6. Number of units affected:</p> <p>7. Coverage of action (select one)</p> <p><input type="checkbox"/> Part of the development</p> <p><input type="checkbox"/> Total development</p>                         |

## **10. Conversion of Public Housing to Tenant-Based Assistance**

[24 CFR Part 903.79(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 X 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.

| <b>Conversion of Public Housing Activity Description</b>  |
|---|
| <p>1a. Development name:</p> <p>1b. Development (project) number:</p>   |
| <p>2. What is the status of the required assessment?</p> <p><input type="checkbox"/> Assessment underway</p> <p><input type="checkbox"/> Assessment results submitted to HUD</p> <p><input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question)</p> <p><input type="checkbox"/> Other (explain below)</p> |
| <p>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.)</p>   |

4. Status of Conversion Plan (select the statement that best describes the current status)

- Conversion Plan in development
- Conversion Plan submitted to HUD on: (DD/MM/YYYY)
- Conversion Plan approved by HUD on: (DD/MM/YYYY)
- 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)

- Units addressed in a pending or approved demolition application (date submitted or approved: \_\_\_\_\_)
- Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: \_\_\_\_\_)
- Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: \_\_\_\_\_)
- Requirements no longer applicable: vacancy rates are less than 10 percent
- Requirements no longer applicable: site now has less than 300 units
- 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**

[24 CFR Part 903.7 9 (k)]

**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.)

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.)

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

**B. Section 8 Tenant Based Assistance**

1.  Yes X 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 (1)]

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.

**A. PHA Coordination with the Welfare (TANF) Agency**

1. Cooperative agreements:

\_\_\_ Yes \_\_\_ No: Has the PHA has 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 the table may be altered to facilitate its use. )

**Services and Programs**

| Program Name & Description<br>(including location, if appropriate) | Estimated<br>Size | Allocation<br>Method<br>(waiting<br>list/random<br>selection/specific<br>criteria/other) | Access<br>(development office /<br>PHA main office / other<br>provider name) | Eligibility<br>(public housing or<br>section 8<br>participants or<br>both) |
|--|-------------------|--|--|--|
|  |                   |  |  |  |
|  |                   |  |  |  |
|  |                   |  |  |  |
|  |                   |  |  |  |
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|  |                   |  |  |  |
|  |                   |  |  |  |
|  |                   |  |  |  |
|  |                   |  |  |  |

**(2) Family Self Sufficiency program/s**

a. Participation Description

| Family Self Sufficiency (FSS) Participation |  |  |
|---|--|--|
| Program                                     | Required Number of Participants<br>(start of FY 2000 Estimate) | Actual Number of Participants<br>(As of: DD/MM/YY) |
| Public Housing                              |  |  |
| Section 8                                   |  |  |

b. \_\_\_ Yes \_\_\_ No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent FSS Action Plan address the steps the PHA plans to take to achieve at least the minimum program size?  
If no, list steps the PHA will take below:

**C. Welfare Benefit Reductions**

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by:  
(select all that apply)

- \_\_\_ Adopting appropriate changes to the PHA’s public housing rent determination policies 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 submitting a PHDEP Plan 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 use 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 PHDEP funds.

Yes  No: 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: )

**14. RESERVED FOR PET POLICY**

[24 CFR Part 903.7 9 (n)]

**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.

Attached

**16. Fiscal Audit**

[24 CFR Part 903.7 9 (p)]

1.  Yes \_\_\_ 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.)
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 903.7 9 (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:

- "Would like new floral drapes in the community room."
- "To hard for seniors – very happy with Lakeview Apartments as they are now - why change so much!"
- "It's to hard to understand - leave well enough alone."

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 request for new drapes in the community room will be consider with funds from the Capital Fund.

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

List changes below:

\_\_\_ 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 necessary).

1. Consolidated Plan jurisdiction: (provide name here)

Michigan State Housing Development Authority Consolidated Plan. (MSHDA)

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.
- 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)

#2) Improve and preserve the existing affordable housing stock and neighborhoods (with the use of Capital Funds); and

#5) Develop linkages between housing and service sectors to provide greater housing opportunities for households with special needs.

\_\_\_\_ Other: (list below)

4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

A goal of Michigan State Housing Development Authority Consolidate Plan is to improve and preserve the existing affordable housing stock and neighborhoods and another goal is to develop linkages between housing and service sectors to provide greater housing opportunities for households with special needs.

**D. Other Information Required by HUD**

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

**Attachments**

**NEGAUNEE HOUSING COMMISSION  
DECONCENTRATION PLAN**

The Quality Housing and Work Responsibility Act of 1998 requires that 40% of **newly** available public housing units must go to applicants with incomes less than 30% of the area media income. This is an effort to achieve a mix of income levels. Currently 30% of the median income for Marquette County is \$8,400.00 for a single person and \$9,600.00 per couple. These figures are revised on an annual basis and are posted at the Negaunee Housing Commission.

The Negaunee Housing Commission is an 80 unit Public Housing development consisting of a 60 unit low-income building built in 1968 connected with a 20 unit very low-income building built in 1982. As of June 1, 1999 , 79 units were occupied, (59 in Project I and 20 in Project II). The current resident statistics are as follows:

|           |  |
|-----------|--|
| Project I | Less than 30% of the median = 19 units - 32% |
| ☞         | Very low income = 29 units - 49%             |
| ☞         | Low income = 10 units - 17%                  |
| ☞         | Moderate income = 1 unit - 2%                |
|           | -----  |
|           | 59 units                                     |

|            |   |
|------------|---|
| Project II | Less than 30% of the median = 3 units - 15% |
| ☞          | Very low income = 16 units - 80%            |
| ☞          | Low income = 1 unit - 5%                    |
| ☞          | Moderate income = 0 - 0%                    |
|            | -----                                       |
|            | 20 units                                    |

After extensive advertising in local and outlying areas we have developed waiting lists at the Negaunee Housing Commission. At the present time there are 16 applicants on the Regular Waiting List with a breakdown of income level as Less than 30% = 6; Very low = 6; Low = 2; Moderate = 2. There are 6 applicants on the Handicapped Waiting List with income levels as Less than 30% = 1; Very low = 4; Low = 0; Moderate = 1. There is also an Inactive Waiting List of applicants unable to move immediately but desire to have their name on the waiting list. There are 3 applicant on this list with income levels as Less than 30% = 2; Very low = 0; Low = 1; Moderate = 0.

As reflected by Negaunee Housing Commissions current residents and also the current waiting list there are more residents and applicants in the 30% and the very low income brackets.

As stated, Negaunee Housing Commission is two projects connected together making it one building. Negaunee Housing Commission is unique considering the heating system, water/hot water system, community room, laundry room and mail area serves both projects. For that reason the 40% of 30% of the median will be monitored building wide. At all times the maximum income levels per project will be enforced, with Project I being low income and Project II being very low income.

Negaunee Housing Commission will attempt to admit a minimum of 40% of new admissions each fiscal year with income of 30% of the median. One or more of the current applicants may be excluded from consideration of a particular unit should their income not fall within the appropriate levels to comply with meeting the Quality Housing and Work Responsibility Act of 1998 requirements.

Negaunee Housing Commission is located across from scenic Teal Lake in the newer area of town. Adjacent to our property are four privately owned apartment buildings that are generally moderate to high income renters.

It is the intent of the Negaunee Housing Commission to comply with the requirement of the Quality Housing and Work Responsibility Act of 1998.

However, due to new competitive housing units built beginning in 1998 plus the existing housing available, filling vacancies is becoming increasingly difficult. Recently, there have been periods where we had no applicants and units remained vacant for long periods. If this situation arises again, we will fill units with available applicants rather than having a unit vacant. This is necessary to keep Negaunee Housing Commission financially stable.

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## ***ADMISSIONS AND CONTINUED OCCUPANCY POLICY***

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This Admissions and Continued Occupancy Policy defines the Negaunee Housing Commission's policies for the operation for the Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail.

## **1.0 Fair Housing**

It is the policy of the Negaunee Housing Commission 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.

No person shall, on the grounds of race, color, sex, religion, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Negaunee Housing Commission's programs.

To further its commitment to full compliance with applicable Civil Rights laws, the Negaunee Housing Commission will provide Federal/State/local information to applicants/residents of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Negaunee Housing Commission office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

The Negaunee Housing Commission will assist any family that believes they have suffered illegal discrimination by providing them copies of the appropriate housing discrimination forms. The Negaunee Housing Commission will also assist them in completing the forms if requested, and will provide them with the address of the nearest HUD office of Fair Housing and Equal Opportunity.

## **2.0 Reasonable Accommodation**

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Negaunee Housing Commission housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines the Negaunee Housing Commission will follow in determining whether it is reasonable to provide a requested accommodation. Because

disabilities are not always apparent, the Negaunee Housing Commission will ensure that all applicants/residents are aware of the opportunity to request reasonable accommodations.

## 2.1 Communication

It is the responsibility of the applicant or resident to notify the Negaunee Housing Commission of the need for reasonable accommodation.

All decisions granting or denying requests for reasonable accommodations will be in writing.

## 2.2 Questions to Ask in Granting the Accommodation

- A. Is the requestor a person with disabilities? For this purpose the definition of person with disabilities is different than the definition used for admission. The Fair Housing definition used for this purpose is:

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. (The disability may not be apparent to others, i.e., a heart condition).

If the disability is apparent or already documented, the answer to this question is yes. It is possible that the disability for which the accommodation is being requested is a disability other than the apparent disability. If the disability is not apparent or documented, the Negaunee Housing Commission will obtain verification that the person is a person with a disability.

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the Negaunee Housing Commission will obtain documentation that the requested accommodation is needed due to the disability. The Negaunee Housing Commission will not inquire as to the nature of the disability.

- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:

1. 1. Would the accommodation constitute a fundamental alteration? The Negaunee Housing Commission's business is housing. If the request would alter the fundamental business that the Negaunee Housing Commission conducts, that would not be reasonable. For instance, the Negaunee Housing Commission

would deny a request to have the Negaunee Housing Commission do grocery shopping for a person with disabilities.

2.

3. 2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the Negaunee Housing Commission may request a meeting with the individual to investigate and consider equally effective alternatives.

- D. Generally the individual knows best what it is they need; however, the Negaunee Housing Commission retains the right to be shown how the requested accommodation enables the individual to access or use the Negaunee Housing Commission's programs or services.

If more than one accommodation is equally effective in providing access to the Negaunee Housing Commission's programs and services, the Negaunee Housing Commission retains the right to select the most efficient or economic choice.

1. The cost necessary to carry out approved requests, including requests for physical modifications, will be borne by the Negaunee Housing Commission if there is no one else willing to pay for the modifications. If another party pays for the modification, the Negaunee Housing Commission will seek to have the same entity pay for any restoration costs.
1. If the resident requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the Negaunee Housing Commission will generally approve such request if it does not violate codes or affect the structural integrity of the unit. When the resident leaves public housing, he/she will be responsible for restoring the unit to its original condition.

Any request for an accommodation that would enable a resident to materially violate essential lease terms will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

### **3.0 Services For Non-English Speaking Applicants and Residents**

The Negaunee Housing Commission will endeavor to locate a person who can speak languages other than English in order to assist non-English speaking families.

## **4.0 Family Outreach**

The Negaunee Housing Commission will publicize the availability and nature of the Public Housing Program for extremely low-income, very low, and low-income families in a newspaper of general circulation, minority media, and by other suitable means.

To reach people who cannot or do not read the newspapers, the Negaunee Housing Commission distributes fact sheets to community service personnel such as senior centers, church groups, home health agencies, etc. The Negaunee Housing Commission utilizes public service announcements on Negaunee's local cable T.V. network.

The Negaunee Housing Commission 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.

## **5.0 Right to Privacy**

All adult members of both applicant and resident households are required to sign HUD Form 9886, Authorization for Release of Information and Privacy Act Notice. The Authorization for Release of Information and Privacy Act Notice states how family information will be released and includes the Federal Privacy Act Statement.

Any request for applicant or resident information will not be released unless there is a signed release of information request from the applicant or resident.

## **6.0 Required Postings**

In each of its offices, the Negaunee Housing Commission will post, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)
- C. Income Limits for Admission
- D. Excess Utility Charges

- E. Current Schedule of Routine Maintenance Charges
- F. Dwelling Lease
- G. Grievance Procedure
- H. Fair Housing Poster
- I. Equal Opportunity in Employment Poster
- J. Any current Negaunee Housing Commission Notices

## **7.0 Taking Applications**

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications may be made in person during regular business hours, Monday through Friday between 8:30 A.M. and 4:30 P.M. at the business office of Negaunee Housing Commission, 98 Croix Street, Negaunee, Michigan. Applications will be mailed to interested families upon request.

Applications are taken to compile a waiting list. The Negaunee Housing Commission may take applications on an open enrollment basis, depending on the length of the waiting list.

Completed applications will be accepted from all applicants and the Negaunee Housing Commission will verify the information.

The completed application will be dated and time stamped upon its return to the Negaunee Housing Commission.

Persons with disabilities who require a reasonable accommodation in completing an application may call the Negaunee Housing Commission to make special arrangements.

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.

Upon receipt of the family's pre-application, the Negaunee Housing Commission will make a preliminary determination of eligibility. If the Negaunee Housing Commission determines the

family to be ineligible, a notice will state the reasons therefore and will offer the family the opportunity of an informal review of the determination.

The applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The Negaunee Housing Commission will annotate the applicant's file and will update their place on the waiting list. Written confirmation of the changes will be required.

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 Negaunee Housing Commission 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.

## 8.0 Eligibility For Admission

### 8.1 Introduction

- 1.
2. There are five eligibility requirements for admission to public housing: qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the Negaunee Housing Commission screening criteria in order to be admitted to public housing.
- 3.

### 8.2 Eligibility Criteria

- 1.
2. A. Family status.
  1. A **family with or without children** Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship.
    1. a. Children temporarily absent from the home due to placement in foster care are considered family members.
    - 2.
    - b. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.
  2. 2. An **elderly family**, which is:

3.
  - a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;
  - b. Two or more persons who are at least 62 years of age living together; or
  - c. One or more persons who are at least 62 years of age living with one or more live-in aides.
  
3. A **near-elderly family**, which is:
  - a. 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;
  - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
  - c. 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.
  
4. A **disabled family**, which is:
  - a. A family whose head, spouse, or sole member is a person with disabilities;
  - b. Two or more persons with disabilities living together; or
  - c. One or more persons with disabilities living with one or more live-in aides.
  
2. 5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
  
6. A **remaining member of a resident family**.
  
2. 7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a resident family.

1. B. Income eligibility

2. 1. To be eligible for admission to development units that were available for occupancy before 10/1/81, 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. Negaunee's development is MI068001, (Lakeview Apartments Project I).
2. 2. 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. Negaunee' development is MI068002, (Lakeview Apartments Project II).
2. 3. Income limits apply only at admission and are not applicable for continued occupancy.
2. 4. A family may not be admitted to the public housing program from another assisted housing program (e.g., resident-based Section 8) or from a public housing program operated by another housing commission without meeting the income requirements of the Negaunee Housing Commission.
3. 4. 5. If the Negaunee Housing Commission acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing residents.
2. 6. Income limit restrictions do not apply to families transferring within our Public Housing Program.
2. 7. **(For housing authorities with fewer than 250 public housing units)** If there are no eligible families on the waiting list and the Negaunee Housing Commission has published a 30-day notice of available 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.

1. C. Citizenship/Eligibility Status

2. To be eligible each member of the family must be a citizen, national, or a

noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).

2. Family eligibility for assistance.

1. a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
- b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.6 for calculating rents under the noncitizen rule)
- c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

1. D. Social Security Number Documentation

To be eligible, all family members six (6) years of age and older must provide a Social Security number or certify that they do not have one.

1. E. Signing Consent Forms

2. 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.
2. The consent form must contain, at a minimum, the following:
  - a. A provision authorizing HUD or the Negaunee Housing Commission 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
  - b. A provision authorizing HUD or the Negaunee Housing Commission to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;

- c. 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
- d. 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.

### 8.3 Suitability

1.

- 2. A. Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The Negaunee Housing Commission will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other residents, Negaunee Housing Commission employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.

- 1. B. The Negaunee Housing Commission will consider objective and reasonable aspects of the family's background, including the following:

5. 1. History of meeting financial obligations, especially rent;

6.

- 7. 2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other residents;

- 5. 3. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other residents or staff or cause damage to the property;

- 5. 4. History of disturbing neighbors or destruction of property;

- 5. 5. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; and

5. 6. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.
- C. The Negaunee Housing Commission will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The Negaunee Housing Commission will verify the information provided. Such verification may include but may not be limited to the following:
1. A credit check of the head of household, spouse and co-head of household;
  2. A rental history check of all adult family members;
  3. A criminal background check on all adult household members including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. Where the individual has lived outside the local area, the Negaunee Housing Commission may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC); and
  4. A check of the State's lifetime sex offender registration program for each adult household member including live-in aides. No individual registered with this program will be admitted to public housing.

#### 8.4 Grounds for Denial

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

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
- C. Have failed to respond to a written request for information or a request to declare their continued interest in the program;
- D. Have a history of not meeting financial obligations, especially rent;

- E. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other residents;
- F. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other residents or staff or cause damage to the property;
- G. Have a history of disturbing neighbors or destruction of property;
- H. Currently owes rent or other amounts to any housing commission in connection with their public housing or Section 8 programs;
- I. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- J. Were evicted from assisted housing within three years of the projected date of admission because of drug-related criminal activity involving the personal use or possession for personal use;
- K. Were evicted from assisted housing within five years of the projected date of admission 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;
- L. Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The Negaunee Housing Commission may waive this requirement if:
  - 1. The person demonstrates to the Negaunee Housing Commission's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
  - 2. Has successfully completed a supervised drug or alcohol rehabilitation program;
  - 3. Has otherwise been rehabilitated successfully; or
  - 4. Is participating in a supervised drug or alcohol rehabilitation program.

- M. Have engaged in or threatened abusive or violent behavior towards any Negaunee Housing Commission staff or residents;
- N. Have a household member who has ever been evicted from public housing;
- O. Have a family household member who has been terminated under the certificate or voucher program;
- P. **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;
- Q. **Denied for Life:** Has a lifetime registration under a State sex offender registration program.

## 8.5 Informal Review

- A. If the Negaunee Housing Commission determines that an applicant does not meet the criteria for receiving public housing assistance, the Negaunee Housing Commission will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision and state that the applicant may request an informal review of the decision within 10 business days of the denial.

The informal review may be conducted by any person designated by the Negaunee Housing Commission, other than a person who made or approved the decision under review or subordinate of this person. The applicant must be given the opportunity to present written or oral objections to the Negaunee Housing Commission's decision. The Negaunee Housing Commission must notify the applicant of the final decision within 14 calendar days after the informal review, including a brief statement of the reasons for the final decision.

- B. The participant family may request that the Negaunee Housing Commission provide for an Informal Hearing after the family has notification of an INS decision on their citizenship status on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family 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.

For the participant families, the Informal Hearing Process above will be utilized with the exception that the participant family will have up to 30 days of receipt of the Notice of Denial or Termination of Assistance, or of the INS appeal decision.

## **9.0 Managing the Waiting List**

### **9.1 Opening and Closing the Waiting List**

Opening of the waiting list will be announced with a public notice stating that applications for public housing will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media. The public notice will state any limitations to who may apply.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.

Closing of the waiting list will also be announced with a public notice. The public notice will state the date the waiting list will be closed and for what bedroom sizes. The public notice will be published in a local newspaper of general circulation and also by any available minority media.

### **9.2 Organization of the Waiting List**

The waiting list will be maintained in accordance with the following guidelines:

- A. The application will be a permanent file;
- B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and
- C. Any contacts between the Negaunee Housing Commission and the applicant will be documented in the applicant file.

### **9.3 Purging the Waiting List**

The Negaunee Housing Commission will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents the interested families for whom the Negaunee Housing Commission has current information, i.e. applicant's address, family composition, income category, and preferences.

## 9.4 Removal of Applicants From the Waiting List

The Negaunee Housing Commission will not remove an applicant's name from the waiting list unless:

- A. The applicant requests in writing that the name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.

## 9.5 Missed Appointments

All applicants who fail to keep a scheduled appointment with the Negaunee Housing Commission will be sent a notice of termination of the process for eligibility.

The Negaunee Housing Commission will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, the Negaunee Housing Commission 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.

## 9.6 Notification of Negative Actions

Any applicant whose name is being removed from the waiting list will be notified by the Negaunee Housing Commission, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The Negaunee Housing Commission system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Negaunee Housing Commission will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

## 10.0 Resident Selection and Assignment Plan

### 10.1 Preferences

The Negaunee Housing Commission will adopt the following preferences at this time as the method to organize the waiting list.

|                      |   |            |
|----------------------|---|------------|
| Elderly/Disabled     | = | 300 points |
| Near Elderly         | = | 200 points |
| All other applicants | = | 0 points   |

Then date and time.

Notwithstanding the above, families who are elderly, disabled, or displaced will be offered housing before other single persons.

**Buildings Designed for the Elderly and Disabled:** Preference will be given to elderly and disabled families. If there are no elderly or disabled families on the list, preference will then be given to near-elderly families. If there are no near-elderly families on the waiting list, units will be offered to families who qualify for the appropriate bedroom size using these priorities. All such families will be selected from the waiting list using the preferences as outlined above.

**Accessible Units:** Accessible units will be first offered to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if, at a future time, a family requiring an accessible feature applies. Any family required to transfer will be given a 30-day notice.

### 10.2 Assignment of Bedroom Sizes

Negaunee Housing Commission Project I MI-068001 was built in 1969 and consists of 36 efficiency, 20 regular, 3 ADA units and 1 two bedroom unit. In 1983 Project MI-068002 was built and consists of 18 regular units and 2 ADA units.

The following guidelines will determine each family's unit size without overcrowding or over-housing:

| Number of Bedrooms | Number of Persons |         |
|--------------------|-------------------|---------|
|                    | Minimum           | Maximum |
|                    |                   |         |
| 1                  | 1                 | 2       |
| 2                  | 2                 | 4       |
|                    |                   |         |
|                    |                   |         |

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Two adults will share a bedroom unless related by blood.

In determining bedroom size, the Negaunee Housing Commission will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school, or children who are temporarily in foster-care.

In addition, the following considerations may be taken in determining bedroom size:

- A. Children of the same sex may share a bedroom.
- B. Children of the opposite sex, both under the age of 4, may share a bedroom.
- C. Adults and children will not be required to share a bedroom.
- D. Foster adults and/or foster children will not be required to share a bedroom with family members.
- E. Live-in aides will get a separate bedroom if available.
- F. Two persons of different generations may be provided separate bedrooms at the discretion of the Housing Commission.
- G. A child who is not living in the units at least 50% of the time shall not be considered to be a member of the family in determining a proper bedroom size unit.

- H. Assignment of units to elderly  
Management shall assign the first available appropriate size units to the applicant. There are larger one bedroom units designed for couples. If there are no “couple” applications, the units may be rented to a “single” in order to maintain and/or achieve full occupancy.

Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The Negaunee Housing Commission will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they understand they will be ineligible for a larger size unit for 5 years based on Resolution #161 – Resident Internal Move Policy.
- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Negaunee Housing Commission will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.
- C. 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.
- D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

### 10.3 Selection From the Waiting List

The Negaunee Housing Commission shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met we shall quarterly monitor the incomes of newly admitted families and the incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, we will skip higher income families on the waiting list to reach extremely low-income families.

If there are not enough extremely low-income families on the waiting list we will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement.

#### 10.4 Deconcentration Policy

It is Negaunee Housing Commission's policy to provide for deconcentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Toward this end, we will skip families on the waiting list to reach other families with a lower or higher income. We will accomplish this in a uniform and non-discriminating manner.

The Negaunee Housing Commission 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. Under no circumstances will the Negaunee Housing Commission leave a dwelling unit vacant due to there being no higher or lower income family on the waiting list.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement.

#### 10.5 Deconcentration Incentives

The Negaunee Housing Commission shall make every effort to provide for deconcentration of poverty and income mixing.

To this extent the Negaunee Housing Commission shall ensure that not less than 40% of all new admissions shall be families whose income at the time of their admission does not exceed 30% of the area's median income.

The Negaunee Housing Commission does not intend to utilize and/or impose any specific income or racial quotas nor offer incentives for eligible families to occupy units in developments predominately occupied by families having either lower or higher income.

#### 10.6 Offer of a Unit

When the Negaunee Housing Commission 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 Negaunee Housing Commission will contact the family first by telephone to make the unit offer. If the family cannot be reached by telephone, the family will be notified of a unit offer via first class mail. The family will be given five (5) business days from the date the letter was mailed to contact the Negaunee Housing Commission regarding the offer.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will have one (1) business day to accept or reject the unit. This verbal offer and the family's decision must be documented in the resident file. If the family rejects the offer of the unit, the Negaunee Housing Commission will send the family a letter documenting the offer and the rejection.

## 10.7 Rejection of Unit

If in making the offer to the family the Negaunee Housing Commission 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 be otherwise penalized.

If the Negaunee Housing Commission did not skip over other families on the waiting list to reach this family, did not offer any other deconcentration incentive, and the family 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 family rejects with good cause any unit offered, they will not lose their place on the waiting list. Good cause includes reasons related to health, proximity to work, school, and childcare (for those working or going to school). The family will be offered the right to an informal review of the decision to alter their application status.

## 10.8 Acceptance of Unit

Prior to signing the lease, the family will be loaned a binder that contains all of the Negaunee Housing Commission policies, the lease, etc. so they may become familiar with the many requirements associated with living in public housing.

The family will be required to sign a lease that will become effective no later than three (1) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later.

The applicant will be provided a copy of the lease, the Admission and Continued Occupancy Policy (which contains the grievance procedure), the current schedule of routine maintenance charges. These documents will be explained in detail. The applicant will sign a certification that they have received these documents and that they have reviewed them with Housing Commission personnel. The certification will be filed in the resident's file.

The signing of the lease and the review of financial information are to be privately handled. The head of household and all adult family members will be required to execute the lease prior to admission. One executed copy of the lease will be furnished to the head of household and the Negaunee Housing Commission will retain the original executed lease in the resident's file.

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to one month's rent.

In the case of a move within public housing, the security deposit for the first unit will be transferred to the second unit.

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.

## **11.0 Income, Exclusions From Income, and Deductions From Income**

- 1.
2. To determine annual income, the Negaunee Housing Commission 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 Negaunee Housing Commission subtracts all allowable deductions (allowances) to determine the Total Resident Payment.

### **11.1 Income**

1. Annual income means all amounts, monetary or not, that:
  - A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
    1. B. Are anticipated to be received from a source outside the family during

the 12-month period following admission or annual reexamination effective date; and

C. Are not specifically excluded from annual income.

1. Annual income includes, but is not limited to:

1. 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.
- 2.
3. B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not 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 is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family.
- 4.
5. C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not 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 an investment is 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 \$5,000, annual income includes 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.
- 6.
7. D. The full amount of periodic amounts 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 amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)
- 8.
9. 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.)
- 10.

11. F. Welfare assistance.

1. 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:
  - a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
  - b. 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.
2. 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.
3. 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.

1. G. Periodic and determinable allowances, such as alimony, child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.

2.

3. H. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)

4.

11.2 Annual income

1.

2. 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 persons with disabilities, unrelated to the resident 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;
- 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;
- 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. The amounts received from the following programs:
  - 1. Amounts received under training programs funded by HUD;
  - 2. Amounts received by a person with a disability 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);
  - 3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
  - 4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Commission or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are 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;

5. 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 a 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;
6. Temporary, nonrecurring or sporadic income (including gifts);
7. 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;
8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides 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 purposes of this exclusion the following definitions apply:
  - a. Comparable Federal, State or local law means a program providing employment training and supportive services that:
    - i. Is authorized by a Federal, State or local law;
    - ii. Is funded by the Federal, State or local government;
    - iii. Is operated or administered by a public agency; and
    - iv. Has as its objective to assist participants in acquiring employment skills.
  - b. 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.

c. Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.

1. 11. 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 #10. Additionally, this exclusion is only available to the following families:

2.

3. a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.

4.

5. b. Families whose income increases during the participation of a family member in any family self-sufficiency program.

6.

7. c. Families who are or were, within 6 months, assisted under a State TANF program.

(While HUD regulations allow for the housing commission to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of this housing commission to provide the exclusion in all cases.)

12. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;

13. 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;

1. 14. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

1. 15. Amounts specifically excluded by any other Federal statute from

consideration as income for purposes of determining eligibility or benefits. These exclusions include:

- a. The value of the allotment of food stamps
- b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
- c. Payments received under the Alaska Native Claims Settlement Act
- d. Income from submarginal land of the U.S. that is held in trust for certain Indian tribes
- e. Payments made under HHS's Low-Income Energy Assistance Program
- f. Payments received under the Job Training Partnership Act
- g. Income from the disposition of funds of the Grand River Band of Ottawa Indians
- h. The first \$2000 per capita received from judgment funds awarded for certain Indian claims
- i. Amount of scholarships awarded under Title IV including Work Study
- j. Payments received under the Older Americans Act of 1965
- k. Payments from Agent Orange Settlement
- l. Payments received under the Maine Indian Claims Act
- m. The value of child care under the Child Care and Development Block Grant Act of 1990
- n. Earned income tax credit refund payments
- o. Payments for living expenses under the Americorps Program
- p. Additional income exclusions provided by and funded by the Negaunee Housing Commission

The Negaunee Housing Commission will not provide exclusions from income in addition to those already provided for by HUD.

### 11.3 Deductions from annual income

The following deductions will be made from annual income:

1. A. \$480 for each dependent;
- 2.
3. B. \$400 for any elderly family or disabled family;
- 4.
5. C. For any family that is not an elderly or disabled family but has a member (other than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities.
- 6.
7. D. For any elderly or disabled family:
8.
  9. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;
10.
  11. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses;
12.
  13. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income.
- 14.
15. E. Child care expenses.

## 12.0 Verification

The Negaunee Housing Commission will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income,

assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations; full time student status of family members 18 years of age and older; Social Security numbers; and citizenship/eligible noncitizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

## 12.1 Acceptable Methods of Verification

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the Negaunee Housing Commission or automatically by another government agency, i.e. the Social Security Administration. Verification forms and reports received will be contained in the applicant/resident file. Oral third party documentation will include the same information as if the documentation had been written, i.e. name date of contact, amount received, etc.

When third party verification cannot be obtained, the Negaunee Housing Commission will accept documentation received from the applicant/resident. Hand-carried documentation will be accepted if the Negaunee Housing Commission has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

When neither third party verification nor hand-carried verification can be obtained, the Negaunee Housing Commission will accept a notarized statement signed by the head of household, spouse or co-head of household. Such documents will be maintained in the file.

## 12.2 Types of verification

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the Negaunee Housing

Commission will send a request form to the source along with a release form signed by the applicant/resident.

| Verification Requirements for Individual Items |   |  |
|--|---|--|
| Item to Be Verified                            | 3 <sup>rd</sup> party verification  | Hand-carried verification  |
| <b>General Eligibility Items</b>               |   |  |
| Social Security Number                         | Letter from Social Security, electronic reports   | Social Security card   |
| Citizenship                                    | N/A   | Signed certification, voter's registration card, birth certificate, etc.                       |
| Eligible immigration status                    | INS SAVE confirmation #   | INS card   |
| Disability                                     | Letter from medical professional, SSI, etc  | Proof of SSI or Social Security disability payments  |
| Full time student status (if >18)              | Letter from school  | For high school students, any document evidencing enrollment                                   |
| Need for a live-in aide                        | Letter from doctor or other professional knowledgeable of condition   | N/A  |
| Child care costs                               | Letter from care provider   | Bills and receipts   |
| Disability assistance expenses                 | Letters from suppliers, care givers, etc.   | Bills and records of payment   |
| Medical expenses                               | Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed | Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls |
| <b>Value of and Income from Assets</b>         |   |  |

| Verification Requirements for Individual Items     |   |  |
|--|---|--|
| Item to Be Verified                                | 3 <sup>rd</sup> party verification  | Hand-carried verification  |
| Savings, checking accounts                         | Letter from institution   | Passbook, most current statements  |
| CDS, bonds, etc                                    | Letter from institution   | Tax return, information brochure from institution, the CD, the bond                                |
| Stocks   | Letter from broker or holding company   | Stock or most current statement, price in newspaper or through Internet                            |
| Real property                                      | Letter from tax office, assessment, etc.  | Property tax statement (for current value), assessment, records or income and expenses, tax return |
| Personal property                                  | Assessment, bluebook, etc   | Receipt for purchase, other evidence of worth  |
| Cash value of life insurance policies              | Letter from insurance company   | Current statement  |
| Assets disposed of for less than fair market value | N/A   | Original receipt and receipt at disposition, other evidence of worth                               |
| <b>Income</b>                                      |   |  |
| Earned income                                      | Letter from employer  | Multiple pay stubs   |
| Self-employed                                      | N/A   | Tax return from prior year, books of accounts  |
| Regular gifts and contributions                    | Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state) | Bank deposits, other similar evidence  |
| Alimony/child support                              | Court order, letter from source, letter from Human Services   | Record of deposits, divorce decree   |



documentation. The Negaunee Housing Commission will make a copy of the individual's INS documentation and place the copy in the file. The Negaunee Housing Commission will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the Negaunee Housing Commission will mail information to the INS in order that a manual check can be made of INS records.

1. Family members who do not claim to be citizens, nationals, or eligible noncitizens must be listed on a statement of noneligible members and the list must be signed by the head of the household.
1. Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to public housing.
1. Any family member who does not choose to declare their status must be listed on the statement of noneligible members.
- 2.
3. If no family member is determined to be eligible under this section, the family's eligibility will be denied.
1. The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.
1. If the Negaunee Housing Commission determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

#### 12.4 Verification of Social Security Numbers

1. Prior to admission, each family member who has a Social Security number and who is at least 6 years of age must provide verification of their Social Security number. New family members at least 6 years of age must provide this verification prior to being added to the lease. Children in assisted households must provide this verification at the first regular reexamination after turning six.
1. The best verification of the Social Security number is the original Social Security card. If the card is not available, the Negaunee Housing Commission will accept letters from the Social Security Agency that establishes and states the number. Documentation from other governmental agencies will also be accepted that establishes and states the number. Driver's licenses, military IDs, passports, or other official documents that establish and state the number

are also acceptable.

1. If an individual states that they do not have a Social Security number, they will be required to sign a statement to this effect. The Negaunee Housing Commission will not require any individual who does not have a Social Security number to obtain a Social Security number.
1. If a member of an applicant family indicates they have a Social Security number, but cannot readily verify it, the family cannot be housed until verification is provided.
- 2.
3. If a member of a resident family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to sixty (60) days to provide the verification. If the individual is at least 62 years of age, they will be given one hundred and twenty (120) days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

## 12.5 Timing of Verification

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.

When an interim reexamination is conducted, the Housing Commission will only verify and update those elements reported to have changed.)

## 12.6 Frequency of Obtaining Verification

For each family member, citizenship/eligible noncitizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible noncitizen status will be verified.

For each family member age 6 and above, verification of Social Security number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security number at admission receives a Social Security number, that number will be verified at the next regular reexamination. Likewise, when a child turns six, their verification will be obtained at the next regular reexamination.

## **13.0 Determination of Total Resident Payment and Resident Rent**

### 13.1 Family choice

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.

1. 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.
1. 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:
  8. 1. The family's income has decreased.
  8. 2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
  8. 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

### 13.2 The Formula Method

- 8.
9. The total resident payment is equal to the highest of:
  10.
    - A. 10% of monthly income;
    - B. 30% of adjusted monthly income; or
  - 8.
9. The family will pay the greater of the total resident payment or the minimum rent of \$50.00, but never more than the ceiling rent.
- 10.
11. In the case of a family who has qualified for the income exclusion at Section 11.2(H)(11), 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.

### 13.3 Minimum Rent

The Negaunee Housing Commission has set the minimum rent at \$50.00. However if the family requests a hardship exemption, the Negaunee Housing Commission will immediately suspend the minimum rent for the family until the Housing Commission 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 Commission 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 Commission reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will be 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 Commission 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 Commission will not evict the family for nonpayment of the amount of resident rent owed for the suspension period.
- D. Long-term hardship. If the Housing Commission 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 Commission's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

### 13.4 The Ceiling/Flat Rent

The Negaunee Housing Commission has set a ceiling/flat rent for each public housing unit. It is the Negaunee Housing Commission's position that ceiling and flat rents are synonymous per Federal Register Vol. 64, No 83/Friday, April 30, 1999. The Negaunee Housing Commission has chosen to use the "Unit Distribution Method" to calculate "Ceiling/Flat Rent". Unit Distribution Method is calculated using a unit rent relationship, which is based on the rent of a two bedroom unit (100%) of the Fair Market Rent in Marquette County. The adjustment factors for units are as follows: one bedroom units = 0.85 (85%) and two bedroom units = 1.00 (100%). Fair Market Rent for our jurisdiction is published annually and changes from time to time. 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 15.3).

The Negaunee Housing Commission will post the flat rents at each of the developments and at the central office and are incorporated in this policy upon approval by the Board of Commissioners.

### 13.5 Rent for Families under the Noncitizen Rule

- 1. A mixed family will receive full continuation of assistance if all of the following conditions are met:
  - A. The family was receiving assistance on June 19, 1995;
  - 8. B. The family was granted continuation of assistance before November 29, 1996;
  - C. The family's head of household or spouse has eligible immigration status; and
  - D. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the

orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision is eighteen (18) months. The Negaunee Housing Commission will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Negaunee Housing Commission will provide additional search periods up to the maximum time allowable.

Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

### 13.6 Paying Rent

Rent and other charges are due and payable on the first day of the month. All rents should be paid at the Negaunee Housing Commission's Administrative Office located at 98 Croix Street, Negaunee, Michigan 49866. Reasonable accommodations for this requirement will be made for persons with disabilities. As a safety measure, no cash shall be accepted as a rent payment

If the rent is not paid by the sixth of the month, a Notice to Vacate will be issued to the resident. In addition, a \$10 late charge and \$1 a day for every day rent remains unpaid in full will be assessed to the resident. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and will incur the late charge plus an additional charge of \$25.00 for processing costs.

## 14.0 Continued Occupancy and Community Service

### 14.1 General

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

### 14.2 Exemptions

- 1.

2. The following adult family members of resident families are exempt from this requirement.
  8. A. Family members who are 62 or older
  8. B. Family members who are blind or disabled
  8. C. Family members who are the primary care giver for someone who is blind or disabled
  8. D. Family members engaged in work activity
  8. E. 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
  8. F. 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

### 14.3 Notification of The Requirement

8. The Negaunee Housing Commission shall identify all adult family members who are apparently not exempt from the community service requirement.
8. The Negaunee Housing Commission 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 Negaunee Housing Commission shall verify such claims.
8. 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.

### 14.4 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 Negaunee Housing Commission may develop a list of volunteer community service positions within the City of Negaunee or position available at the Negaunee Housing Commission.

#### 14.5 The Process

8. At the first annual reexamination on or after October 1, 1999, and each annual reexamination thereafter, the Negaunee Housing Commission will do the following:
  - A. Provide a list of volunteer opportunities to the family members, if a list is available.
  - B. 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.

#### 14.6 Notification of Non-compliance with Community Service Requirement

8. The Negaunee Housing Commission will notify any family found to be in noncompliance of the following:
  - A. The family member(s) has been determined to be in noncompliance;
  - B. That the determination is subject to the grievance procedure; and
  - C. That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated;
- 9.
- 1.

## 14.7 Opportunity for Cure

8. The Negaunee Housing Commission 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.
8. 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 Negaunee Housing Commission shall take action to terminate the lease.
- 9.
- 10.
- 11.
- 12.

## 15.0 Recertifications

At least annually, the Negaunee Housing Commission will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, and (2) whether the family is housed in the correct unit size.

### 15.1 General

1. The Negaunee Housing Commission will notify the family 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. 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 can make their final decision regarding which rent method they will choose. The notification will also include, 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.
- 2.
3. During the appointment, the Negaunee Housing Commission will determine whether family composition may require a transfer to a different bedroom size unit.

## 15.2 Missed Appointments

If the family fails to respond to the notification and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to attend the second scheduled interview will result in the Negaunee Housing Commission taking eviction actions against the family.

## 15.3 Ceiling/Flat Rents

The annual letter to flat rent payers regarding the reexamination process will state the following:

1. A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.
1. B. The amount of the ceiling/flat rent
1. C. 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.
- 2.
3. D. Families who opt for the ceiling/flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.
1. E. Families who opt for the ceiling/flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons:
  8. 1. The family's income has decreased.
  8. 2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
  8. 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

1. F. The dates upon which the Negaunee Housing Commission 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.
1. G. The name and phone number of an individual to call to get additional information or counseling concerning ceiling/flat rents.
  1. H. A certification for the family to sign accepting or declining the flat rent.
  - 2.
3. Each year prior to their anniversary date, Negaunee Housing Commission will send a reexamination letter to the family offering the choice between a ceiling/flat or a formula rent. The opportunity to select the ceiling/flat rent is available only at this time. At the appointment, the Negaunee Housing Commission may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the ceiling/flat rent method without meeting with the Negaunee Housing Commission representative, they may make the selection on the form and return the form to the Negaunee Housing Commission. In such case, the Negaunee Housing Commission will cancel the appointment.

#### 15.4 The Formula Method

1. 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 consent forms that later will be mailed to the sources that will verify the family circumstances.
1. Upon receipt of verification, the Negaunee Housing Commission will determine the family's annual income and will calculate their rent as follows.
  - 2.
  3. The total resident payment is equal to the highest of:
    4.
      - A. 10% of monthly income;
      - B. 30% of adjusted monthly income; or
  8. The family will pay the greater of the total resident payment or the minimum rent of \$50.00 but never more than the ceiling/flat rent.

#### 15.5 Effective Date of Rent Changes for Annual Reexaminations

1. The new rent will generally be effective upon the anniversary date with thirty (30) days notice of

any rent increase to the family.

1. If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.
1. If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

## 15.6 Interim Reexaminations

During an interim reexamination, only the information affected by the changes being reported will be reviewed and verified.

1. Families will not be required to report any increase in income or decreases in allowable expenses between annual reexaminations.
1. Families are required to report the following changes to the Negaunee Housing Commission between regular reexaminations. If the family's rent is being determined under the formula method, these changes will trigger an interim reexamination. The family shall report these changes within ten (10) days of their occurrence.
  8. A. A member has been added to the family through birth or adoption or court-awarded custody.
  - 9.
  10. B. A household member is leaving or has left the family unit.

In order to add a household member other than through birth or adoption (including a live-in aide), the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security number if they have one and must verify their citizenship/eligible immigrant status. (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The Negaunee Housing Commission will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being

determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph below 15.8.

1. Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the Negaunee Housing Commission will take timely action to process the interim reexamination and recalculate the resident's rent.

### 15.7 Special Reexaminations

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income (0 renters) or have a temporary decrease in income, the Negaunee Housing Commission may schedule special reexaminations every sixty (60) days until the income stabilizes and an annual income can be determined.

### 15.8 Effective Date of Rent Changes Due to Interim or Special Reexaminations

Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family causes a delay, then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

1. If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should have been completed.
1. If the new rent is a reduction and the family caused the delay or did not report the change in a timely manner, the change will be effective the first of the month after the rent amount is determined.
- 2.

## 16.0 Unit Transfers

### 16.1 Objectives of the Transfer Policy

The objectives of the Transfer Policy include the following:

1. A. To address emergency situations.
1. B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit.
1. C. To facilitate a relocation when required for modernization or other management purposes.
1. D. To facilitate relocation of families with inadequate housing accommodations.
1. E. To provide an incentive for families to assist in meeting the Negaunee Housing Commission's deconcentration goal.
1. F. To eliminate vacancy loss and other expense due to unnecessary transfers.

## 16.2 Categories of Transfers

1. Category 1: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.
1. Category 2: Immediate administrative transfers. These transfers are necessary in order to permit a family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.
1. Category 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Negaunee Housing Commission occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Negaunee Housing Commission when a transfer is the only or best way of solving a serious problem.

## 16.3 Documentation

When the transfer is at the request of the family, the family may be required to provide third party verification of the need for the transfer.

## 16.4 Processing Transfers

- 8.
  9. The Negaunee Housing Commission staff shall:
  10.
    - ~ Follow Negaunee Housing Commission's Resident Internal Move Policy - Resolution #161.
  11.
    - ~ Determine whether a vacancy is used for transfer or move-ins based on priorities and established ratios.
  12.
    - ~ Coordinate actual transfers with other Housing Commission staff.
  13.
    - ~ Issue notice of vacant apartment as soon as vacant apartment is identified.
  14.
    - ~ Issue notice to transfer when apartment is available for occupancy giving the resident (3) days to complete transfer.
  15.
    - ~ Process transfer documents.
  16.
    - ~ Inspect both apartments involved in the transfer charging for any damage beyond normal wear and tear.
  17.
    - ~ Participate in planning and implementation of special transfer systems for modernization and other similar programs.
  - 18.
- 
8. Upon offer and acceptance of a unit, the family will execute all lease up documents. The family will be allowed three (3) days to complete a transfer. The family will be responsible for paying rent at the old unit as well as the new unit for any period of time in excess of the allowed three (3) days
  - 9.
  10. The following is the policy for the rejection of an offer to transfer:
  11.
    12. A. If the family rejects with good cause any unit offered, they will not lose their place on the transfer waiting list.
    - 13.
    14. B. If the transfer is being made at the request of the Negaunee Housing Commission and the family rejects two offers without good cause, the Negaunee Housing Commission will take action to terminate their tenancy. If the reason for the

transfer is that the current unit is too small to meet the Negaunee Housing Commission's optimum occupancy standards, the family may request in writing to stay in the unit without being transferred so long as their occupancy will not exceed two people per living/sleeping room.

- 15.
16. C. If the transfer is being made at the family's request and the rejected offer provides deconcentration incentives, the family will maintain their place on the transfer list and will not otherwise be penalized.
- 17.
- D. If the transfer is being made at the family's request, the family may, without good cause and without penalty, turn down one offer that does not include deconcentration incentives. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

The plan is to be used as a guide to ensure fair and impartial means of assigning units for transfer. It is not intended that his policy shall create a property right or any other type of right for a resident to transfer or refuse to transfer. Management reserves the right to make exceptions to this policy as circumstances require.

## 16.5 Cost of the Family's Move

1. The cost of the transfer generally will be borne by the family in the following circumstances:
  - 2.
  3. A. When the transfer is made at the request of the family .
  8. B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller;
  8. C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved (The family without disabilities signed a statement to this effect prior to accepting the accessible unit); or
  8. D. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable.
1. The cost of the transfer will be borne by the Negaunee Housing Commission in the following circumstances:
  - A. When the transfer is needed in order to carry out rehabilitation activities; or

- 8.
9. B. When action or inaction by the Negaunee Housing Commission has caused the unit to be unsafe or inhabitable.
- 10.
11. The responsibility for moving costs in other circumstances will be determined on a case by case basis.

## 16.6 Residents in Good Standing

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with the Negaunee Housing Commission. This means the family must be in compliance with their lease, current in all payments to the Housing Commission, and must pass a housekeeping inspection.

## 16.7 Right of the Negaunee Housing Commission in Transfer Policy

The provisions listed above are to be used as a guide to insure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a resident to transfer or refuse to transfer.

## 17.0 Inspections

An authorized representative of the Negaunee Housing Commission and an adult family member will inspect the premises prior to commencement of occupancy. A written statement of the condition of the premises will be made, all equipment will be provided, and the statement will be signed by both parties with a copy retained in the Negaunee Housing Commission file and a copy given to the family member. An authorized Negaunee Housing Commission representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice under State law. The resident's security deposit can be used to offset the charges for damages to the unit.

### 17.1 Move-in Inspections

The Negaunee Housing Commission and an adult member of the family will inspect the unit prior to signing the lease. Both parties will sign a written statement of the condition of the unit. A copy of the signed inspection will be given to the family and the original will be placed in the resident file.

## 17.2 Annual Inspections

The Negaunee Housing Commission will inspect each public housing unit annually to ensure that each unit meets the Negaunee Housing Commission's housing standards. Work orders will be submitted and completed to correct any deficiencies.

## 17.3 Preventive 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, thermostats and water temperatures; checks for leaks; and provides an opportunity to provide other minor repairs/servicing that extends the life of the unit.

## 17.4 Special Inspections

A special inspection may be scheduled to enable HUD or others to inspect a sample of the housing stock maintained by the Negaunee Housing Commission.

## 17.5 Housekeeping Inspections

Generally, at the time of annual reexamination, or at other times as necessary, the Negaunee Housing Commission will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.

## 17.6 Notice of Inspection

For inspections defined as annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections the Negaunee Housing Commission will give the resident at least two (2) days written notice.

## 17.7 Emergency Inspections

If any employee and/or agent of the Negaunee Housing Commission 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.

## 17.8 Pre-move-out Inspections

When a resident gives notice that they intend to move, the Negaunee Housing Commission will offer to schedule a pre-move-out inspection with the family. The inspection allows the Negaunee Housing Commission to help the family identify any problems which, if left uncorrected, could lead to vacate charges. This inspection is a courtesy to the family and has been found to be helpful both in reducing costs to the family and in enabling the Negaunee Housing Commission to ready units more quickly for the future occupants.

## 17.9 Move-out Inspections

The Negaunee Housing Commission conducts the move-out inspection after the resident vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the resident is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit.

## 18.0 Pet Policy

### 18.1 Exclusions

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

### 18.2 Pets in Senior Buildings

The Negaunee Housing Commission will allow for pet ownership in projects or buildings designated for use by elderly and/or disabled families and in any project or building for which elderly and/or disabled families are given preference.

### 18.3 Approval

Residents must have the prior approval of the Housing Commission before moving a pet into their unit. Residents must request approval on the Authorization for Pet Ownership Form that must be fully completed before the Housing Commission will approve the request.

### 18.4 Types and Number of Pets

The Negaunee Housing Commission will allow only domesticated dogs, cats, birds, and fish in aquariums in units. All dogs and cats must be neutered. Fish tanks or aquariums may not exceed 20 gallons in capacity.

8. Only one (1) pet per unit allowed.

Any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, will not be allowed.

No animal may exceed thirty (20) pounds in weight.

### 18.5 Inoculations

- 1.
2. In order to be registered, pets must be appropriately inoculated against rabies and other conditions prescribed by local ordinances. All dogs and cats must be neutered. All cats must be declawed.
- 3.
4. Dogs and cats must wear a collar at all times with proof of rabies inoculation attached and an identification tag that bears the animal's name, owner's name, address and telephone number.
- 5.
6. All dogs must be licensed.
- 7.
8. To register the pet and at each annual recertification or at other times deemed necessary by the Housing Commission, residents must provide proof of license, current inoculations, and current photograph in color (3 X 5 minimum size).
- 9.

### 18.6 Pet Deposit and Liability Insurance

A pet deposit of \$300.00 is required at the time of registering a pet. The deposit is refundable when the pet or the family vacate the unit, less any amounts owed due to damage beyond normal wear and tear. The resident must obtain liability insurance in the minimum amount of \$50,000.00 providing to the Housing Commission a Certificate of Insurance naming the Negaunee Housing Commission as an additional insured. The Certificate of Insurance must state the Housing Commission shall be notified if said insurance is discontinued.

### 18.7 Financial Obligation of Residents

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any 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 Negaunee Housing Commission reserves the right to exterminate and charge the resident.

## 18.8 Nuisance or Threat to Health or Safety

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas.

Repeated substantiated complaints by neighbors or Negaunee Housing Commission personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance will result in the owner having to remove the pet or move him/herself.

## 18.9 Designation of Pet Areas

Pets must be kept in the owner's apartment or on a leash at all times when outside (no outdoor cages may be constructed). Pet owners must clean up after their pets and are responsible for disposing of pet waste.

## 18.10 Visiting Pets

- 1.
2. Pets that meet the size and type criteria outlined above may visit the projects/buildings where pets are allowed for up to two weeks without Negaunee Housing Commission approval. Residents who have visiting pets must abide by the conditions of this policy regarding health, sanitation, nuisances, and peaceful enjoyment of others. If visiting pets violate this policy or cause the resident to violate the lease, the resident will be required to remove the visiting pet.

3.

## 18.11 Removal of Pets

- 1.
2. The Negaunee Housing Commission, or an appropriate community commission, 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.

## 18.12 Alternate Responsible Person

Before acquiring a pet, the owner must have on file with the Housing Commission a Pet Data Sheet identifying the person, home and work address and telephone numbers of the person

accepting the responsibility for the care of the pet in case of owner's illness, hospitalization, or other times when the owner is absent.

## **19.0 Repayment Agreements**

When a resident owes the Negaunee Housing Commission back charges and is unable to pay the balance by the due date, the resident may request that the Negaunee Housing Commission allow them to enter into a Repayment Agreement. The Negaunee Housing Commission has the sole discretion of whether to accept such an agreement. All Repayment Agreements must assure that the full payment is made within a period not to exceed twelve (12) months. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

**Note: If the housing commission has a minimum rent greater than \$0, they must allow for repayment agreements for those residents whose rental amount is the minimum rent and who have had their rent abated for a temporary period.**

## **20.0 Termination**

### **20.1 Termination By Resident**

The resident may terminate the lease at any time upon submitting a 14-day written notice. If the resident vacates prior to the end of the thirty (14) days, they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.

### **20.2 Termination By the Housing Commission**

The Negaunee Housing Commission after 10/1/2000 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.

The Negaunee Housing Commission will terminate the lease for serious or repeated violations of material lease terms. Such violations include but are not limited to the following:

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments;

- C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;
- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for housing commission approved resident businesses);
- H. Destruction of property;
- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Any criminal activity on the property or 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 Negaunee Housing Commission;
- K. Non-compliance with Non-Citizen Rule requirements;
- L. 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 Housing Commission; and
- M. Other good cause.

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

### 20.3 Abandonment

The Negaunee Housing Commission 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 Negaunee Housing Commission 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 and when it will be sold or otherwise disposed of. If the Negaunee Housing Commission 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. The resident will be charged a storage fee on a per day basis.

Any money raised by the sale of the property goes to cover money owed by the family to the Negaunee Housing Commission 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 Negaunee Housing Commission will mail it to the family. If the family's address is not known, the Negaunee Housing Commission will keep it for the resident for one year. If it is not claimed within that time, it belongs to the Negaunee Housing Commission.

Within 30 days of learning of an abandonment, the Negaunee Housing Commission will either return the deposit or provide a statement of why the deposit is being kept.

#### 20.4 Return of Security Deposit

After a family moves out, the Negaunee Housing Commission will return the security deposit within 30 days or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

The Negaunee Housing Commission will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within 30 days of returning unit keys to the Housing Commission.

## **21.0 GRIEVANCE PROCEDURE**

### 21.1 Right to a Hearing

Upon the filing of a written request as provided in these procedures, a resident shall be entitled to a hearing before a Hearing Officer.

### 21.2 Definitions

For the purpose of this Grievance Procedure, the following definitions are applicable:

- A. **“Grievance”** shall mean any dispute which a resident may have with respect to the Negaunee Housing Commission’s action or failure to act in accordance with the individual resident’s lease or Commission regulations which adversely affect the individual resident’s rights, duties, welfare or status. Grievance does not include any dispute a resident may have with the Commission concerning a termination of tenancy or eviction that involves any activity that threatens the health, safety, or right to peaceful enjoyment of the Commission’s public housing premises by other residents or employees of the Commission, including alcohol abuse determined by the Housing Commission to interfere with the health, safety of, or right to peaceful enjoyment of the premises by other residents; or any violent or drug-related criminal activity on or off such premises; or any activity resulting in a felony conviction. Nor shall this process apply to disputes between residents not involving the Negaunee Housing Commission or to class grievances.
- B. **“Complainant”** shall mean any resident whose grievance is presented to the Negaunee Housing Commission or at the development management office in accordance with section 3.0 and 4.0 of this procedure.
- C. **“Elements of Due Process”** shall mean an eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required:
1. Adequate notice to the resident of the grounds for terminating the tenancy and for eviction.
  2. Right of the resident to be represented by counsel.
  3. Opportunity for the resident to refute the evidence presented by the Commission including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the resident may have.
  4. A decision on the merits.

**“Hearing Officer” shall mean a person selected in accordance with section 4.0 of these procedures to hear grievances and render a decision with respect thereto.**

**“Resident” shall mean the adult person (or persons) other than a live-in aide.**

1. Who resides in the unit and who executed the lease with the Negaunee Housing Commission as lessee of the premises, or, if no such person now resides in the premises.
2. Who resides in the unit and who is the remaining head of household of the resident family residing in the unit.

F. **“Resident Organization”** includes a resident management corporation.

- D. “Promptly” shall mean within the time period indicated in a notice from the Negaunee Housing Commission of a proposed action which would provide the basis for a grievance if the resident has received a notice of a proposed action from the agency.**

### 21.3 Procedures Prior to a Hearing

Any grievance shall be promptly and personally presented, either orally or in writing, to the Negaunee Housing Commission office so that the grievance may be discussed informally and settled without a hearing. A summary of such discussion shall be prepared within fourteen (14) calendar days and one copy shall be given to the resident and one retained in the Commission’s resident file. The summary shall specify the names of the participants, dates of the meeting, the nature of the proposed disposition of the complaint and the specific reasons therefor, and shall specify the procedures by which a hearing under these procedures may be obtained if the resident is not satisfied.

### 21.4 Procedures to Obtain a Hearing

#### **A. REQUEST FOR HEARING**

The resident shall submit a written request for a hearing to the Commission or the development office within fourteen (14) calendar days from the date of the mailing of the summary of the discussion pursuant to section 3.0. The written request shall specify:

1. The reasons for the grievance.
2. The action or relief sought.

#### **B. SELECTION OF A HEARING OFFICER**

A grievance hearing shall be conducted by an impartial person appointed by the Negaunee Housing Commission other than a person who made or approved the action under review or a subordinate of such person.

The Negaunee Housing Commission shall annually submit a list of prospective hearing officers. This list shall be provided to any existing resident organization(s) for such organization(s) comments or recommendations. The Negaunee Housing Commission shall consider any comments or recommendation by a resident organization.

From this list, a hearing officer shall be selected.

### **C. FAILURE TO REQUEST A HEARING**

If the resident does not request a hearing in accordance with this section, then the Negaunee Housing Commission's disposition of the grievance under section 3.0 shall become final. However, failure to request a hearing does not constitute a waiver by the resident of the right thereafter to contest the Negaunee Housing Commission's action in disposing of the complaint in an appropriate judicial proceeding.

### **D. HEARING PREREQUISITE**

All grievances shall be promptly presented in person, either orally or in writing, pursuant to the informal procedure prescribed in section 3.0 as a condition precedent to a hearing under this section. However, if the resident can show good cause why there was failure to proceed in accordance with section 3.0 to the Hearing Officer, the provisions of this subsection may be waived by the Hearing Officer.

### **E. ESCROW DEPOSIT**

Before a hearing is scheduled in any grievance involving the amount of rent as defined in the lease which the Negaunee Housing Commission claims is due, the resident shall pay to the Negaunee Housing Commission an amount equal to the amount of the rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The resident shall thereafter deposit monthly the same amount of the monthly rent in an escrow account held by the Negaunee Housing Commission until the complaint is resolved by decision of the Hearing Officer. 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. In extenuating circumstances, the Negaunee Housing Commission may waive these requirements. Unless so waived, the failure to make such payments shall result in a termination of the grievance procedure. However, failure to make payment shall not constitute a waiver of any right the resident may have to contest the Negaunee Housing Commission's disposition of his grievance in any appropriate judicial proceeding.

### **F. SCHEDULING OF HEARINGS**

Upon the resident's compliance with this section the Hearing Office shall promptly schedule a hearing for a time and place reasonably convenient to both the resident and the Negaunee Housing Commission. A written notification specifying the time, place and the procedures governing the hearing shall be delivered to the resident and the appropriate agency official.

## 21.5 Procedures Governing the Hearing

The resident shall be afforded a fair hearing, which shall include:

- A. The opportunity to examine before the grievance hearing any Commission documents, including records and regulations that are directly relevant to the hearing. The resident shall be provided a copy of any such document at the resident's expense. If the Negaunee Housing Commission does not make the document available for examination upon request by the resident, the Negaunee Housing Commission may not rely on such document at the grievance hearing .
- B. The right to be represented by counsel or other person chosen as the resident's representative and to have such person make statements on the resident's behalf.
- C. The right to a private hearing unless the resident requests a public hearing.
- D. The right to present evidence and arguments in support of the resident's complaint, the controvert evidence relied on by the Commission or development management, and to confront and cross examine all witnesses upon whose testimony or information the Negaunee Housing Commission or development management relies.
- E. A decision based solely and exclusively upon the facts presented at the hearing.

The Hearing Office may render a decision without holding a hearing if the Hearing Officer determines that the issue has been previously decided at another hearing.

If either the resident or the commission fails to appear at a scheduled hearing, the Hearing Office may postpone the hearing for up to five business days or determine that the missing party has waived their right to a hearing. Both the Negaunee Housing Commission and the resident shall be notified of the Hearing Officer's decision. This decision shall not waive a resident's right to contest the disposition of the grievance in an appropriate judicial proceeding.

The following accommodation will be made for person with disabilities:

- A. The Negaunee Housing Commission shall provide reasonable accommodations for persons with disabilities to participate in the hearing. Reasonable accommodations may include qualified sign language interpreters, readers, accessible locations, or attendants.
- B. If the resident is visually impaired, any notice to the resident that is required by these procedures must be in an accessible format

## 21.6 Informal Hearing Procedures for Denial of Assistance on the Basis of Ineligible Immigration Status

The participant family may request that the Negaunee Housing Commission 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.

## 21.7 Decision of the Hearing Officer

The Hearing Officer shall prepare a written decision, together with the reasons therefore, within fourteen (14) calendar days after the hearing. A copy of the decision shall be sent to the resident and the Negaunee Housing Commission. The Commission shall retain a copy of the decision in the resident's file. A copy of such decision with all names and identifying references deleted shall also be maintained on file by the Negaunee Housing Commission and made available for inspection by a prospective complainant, his or her representative, or the Hearing Officer.

The decision of the Hearing Officer shall be binding on the Negaunee Housing Commission who shall take all actions, or refrain from any actions, necessary to carry out the decision unless the Negaunee Housing Commission's Board of Commissioners determines within reasonable time, and promptly notifies the complainant of its determination, that:

- A. The Grievance does not concern the Negaunee Housing Commission action or failure to act in accordance with or involving the resident's lease or Commission regulations, which adversely affect the resident's rights, duties, welfare or status.
- B. The decision of the Hearing Office is contrary to applicable Federal, State, or local law, Commission regulations, or requirements of the Annual Contributions Contract between the Commission and the U. S. Department of Housing and Urban Development.

A decision by the Hearing Officer or Board of Commissioners in favor of the Negaunee Housing Commission or which denies the relief requested by the resident in whole or in part shall not constitute a waiver of, nor affect in any manner whatsoever, any rights the resident may have to a trial or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

## GLOSSARY

**50058 Form:** The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the housing commission, for interim reexaminations.

**1937 Housing Act:** The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

**Adjusted Annual Income:** The amount of household income, after deductions for specified allowances, on which resident rent is based. (24 CFR 5.611)

**Adult:** A household member who is 18 years or older or who is the head of the household, or spouse, or co-head.

**Allowances:** Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing commission.

**Annual Contributions Contract (ACC):** The written contract between HUD and a housing commission under which HUD agrees to provide funding for a program under the 1937 Act, and the housing commission agrees to comply with HUD requirements for the program. (24 CFR 5.403)

**Annual Income:** All amounts, monetary or not, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.

Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access. (1937 Housing Act; 24 CFR 5.609)

**Applicant (applicant family):** A person or family that has applied for admission to a program but is not yet a participant in the program. (24 CFR 5.403)

**As-Paid States:** States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs. Currently, the four as-paid States are New Hampshire, New York, Oregon, and Vermont.

**Assets:** The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

**Asset Income:** Income received from assets held by family members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

**Ceiling Rent:** Maximum rent allowed for some units in public housing projects.

**Certification:** The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

**Child:** For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

**Child Care Expenses:** Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

**Citizen:** A citizen or national of the United States. (24 CFR 5.504(b))

**Consent Form:** Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

**Decent, Safe, and Sanitary:** Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

**Department:** The Department of Housing and Urban Development. (24 CFR 5.100)

**Dependent:** A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student. (24 CFR 5.603(d))

**Dependent Allowance:** An amount, equal to \$480 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

**Disability Assistance Expenses:** Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and 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. (24 CFR 5.603(d))

**Disability Assistance Expense Allowance:** In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

**Disabled Family:** A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities.")

**Disabled Person:** See "person with disabilities."

**Displaced Family:** A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

**Displaced Person:** A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. [1937 Act]

**Drug-Related Criminal Activity:** Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

**Elderly Family:** A family whose head, spouse, or sole member is a person who is at least 62 years of age; 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 one or more live-in aides. (24 CFR 5.403)

**Elderly Family Allowance:** For elderly families, an allowance of \$400 is deducted from the household's annual income in determining adjusted annual income.

**Elderly Person:** A person who is at least 62 years of age. (1937 Housing Act)

**Extremely low-income families:** Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

**Fair Housing Act:** Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24 CFR 5.100)

**Family** includes but is not limited to:

- A. A family with or without children;
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a resident family; and
- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a resident family. (24 CFR 5.403)

**Family Members:** All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

**Family Self-Sufficiency Program (FSS Program):** The program established by a housing commission to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.103(b))

**Flat Rent:** A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The flat rent is established by the housing commission set at the lesser of the market

value for the unit or the cost to operate the unit. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

**Formula Method:** A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the formula method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

**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. (24 CFR 5.603(d))

**Head of Household:** The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

**Household Members:** All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

**Housing Assistance Plan:** A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

**Imputed Income:** For households with net family assets of more than \$5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

**In-Kind Payments:** Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g., groceries provided on a weekly basis, baby sitting provided on a regular basis).

**Interim (examination):** A reexamination of a family income, expenses, and household composition conducted between the regular annual recertifications when a change in a household's circumstances warrants such a reexamination.

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

- A. Is determined to be essential to the care and well-being of the persons;

- B. Is not obligated for the support of the persons; and
- C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))

**Low-Income Families:** Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937Act)

**Medical Expenses:** Medical expenses (of all family members of an elderly or disabled family), including medical insurance premiums, that are anticipated during the period for which annual income is computed and that are not covered by insurance. (24 CFR 5.603(d)). These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctors, dentists, therapists, medical facilities, care for a service animals, transportation for medical purposes.

**Mixed Family:** A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status. (24 CFR 5.504(b))

**Monthly Adjusted Income:** One twelfth of adjusted income. (24 CFR 5.603(d))

**Monthly Income:** One twelfth of annual income. (24 CFR 5.603(d))

**National:** A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession. (24 CFR 5.504(b))

**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; 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. (24 CFR 5.403(b))

**Net Family Assets:**

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

- B. In cases where a trust fund has 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.
- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or resident 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 the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or resident receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

**Non-Citizen:** A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b))

**Occupancy Standards:** The standards that a housing commission establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

**Person with Disabilities:** A person who:

- A. Has a disability as defined in Section 223 of the Social Security Act, which states:  
  
"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months, or  
  
In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."  
  
B. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:
  - 1. Is expected to be of long-continued and indefinite duration;
  - 2. Substantially impedes his or her ability to live independently; and

3. Is of such a nature that such ability could be improved by more suitable housing conditions, or
- C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

1. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;
4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (e) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and
5. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

**Proration of Assistance:** The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR5.520)

**Public Housing Agency (PHA):** Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

**Recertification:** The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

**Remaining Member of a Resident Family:** A member of the family listed on the lease who continues to live in the public housing dwelling after all other family members have left. (Handbook 7565.1 REV-2, 3-5b.)

**Self-Declaration:** A type of verification statement by the resident as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

**Shelter Allowance:** That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

**Single Person:** Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a resident family. (Public Housing: Handbook 7465.1 REV-2, 3-5)

**State Wage Information Collection Agency (SWICA):** The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

**Temporary Assistance to Needy Families (TANF):** The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

**Resident:** The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b))

**Resident Rent:** The amount payable monthly by the family as rent to the housing commission. Where all utilities (except telephone) and other essential housing services are supplied by the housing commission or owner, resident rent equals total resident payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing commission and the cost thereof is not included in the amount paid as rent, resident rent equals total resident payment less the utility allowance. (24 CFR 5.603(d))

**Third-Party (verification):** Written or oral confirmation of a family's income, expenses, or household composition provided by a source outside the household.

**Total Resident Payment (TTP):**

- A. Total resident payment for families whose initial lease is effective on or after August 1, 1982:
1. Total resident payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of :
    - a. 30% of the family's monthly adjusted income;
    - b. 10% of the family's monthly income; or
    - c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a)(1) shall be the amount resulting from one application of the percentage.
  2. Total resident payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.
- B. Total resident payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total resident payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

**Utility Allowance:** If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the resident rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing commission of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. (24 CFR 5.603)

**Utility Reimbursement:** The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total resident payment for the family occupying the unit. (24 CFR 5.603)

**Very Low-Income Families:** Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

**Welfare Assistance:** Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State or local governments. (24 CFR 5.603(d))

**Welfare Rent:** In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

## ACRONYMS

ACC Annual Contributions Contract

CFR Code of Federal Regulations

FSS Family Self Sufficiency (program)

HCDA Housing and Community Development Act

HQS Housing Quality Standards

HUD Department of Housing and Urban Development

INS (U.S.) Immigration and Naturalization Service

NAHA (Cranston-Gonzalez) National Affordable Housing Act

NOFA Notice of Funding Availability

OMB (U.S.) Office of Management and Budget

PHA Public Housing Agency

QHWR Quality Housing and Work Responsibility Act of 1998

SSA Social Security Administration

TTP Total Resident Payment

**Appendix I**

**Income Limits and Deconcentration Worksheet**

| <b>Development Name</b> | <b>Number of Units Under ACC</b> | <b>Number of Occupied Units</b> | <b>Number of Units Occupied by Very Poor Families</b> | <b>% Occupied by Very Poor Families</b> |
|-------------------------|----------------------------------|---------------------------------|---|---|
|                         |                                  |                                 |   |   |
|                         |                                  |                                 |   |   |
|                         |                                  |                                 |   |   |

**%Very Poor in**

**Census Tract**

**Target Number**

**Number Needed of below 30% of median area income**

**Number Needed above 30% of median area income**

**Waiting list number of families Appendix 2**



## PUBLIC HOUSING LEASE

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1. **PARTIES AND DWELLING UNIT:** The parties to this Lease are The Negaunee Housing Commission, referred to as Negaunee Housing Commission, and, the occupying family, referred to as the Resident. The Negaunee Housing Commission leases to the Resident the premises located at 98 Croix Street, Negaunee, Michigan 49866. The unit number is \_\_\_\_\_.

The premises leased are for the exclusive use and occupancy of the Resident and the Resident's household consisting of the following named persons who will live in the dwelling unit:

| Name  | Date of Birth | Social Security Number |
|-------|---------------|------------------------|
| _____ | _____         | _____                  |
| _____ | _____         | _____                  |
| _____ | _____         | _____                  |

Any additions to the household members listed above require the advance written approval of the Negaunee Housing Commission. This includes Live-in Aides and foster children or adults. The Negaunee Housing Commission shall approve the additions if they pass the screening and an appropriate size unit is available. Deletions from the household shall be reported to the Negaunee Housing Commission within ten (10) days.

If the Resident is incapable of complying with this Lease, the Negaunee Housing Commission should contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

(Home)

(Work)

Relationship: \_\_\_\_\_

2. **LEASE TERM:** This Lease shall begin on \_\_\_\_\_. The term shall be one year and shall renew automatically for another year, unless terminated as provided by this Lease.
3. **RENTAL PAYMENT:** Resident shall pay monthly rent of \$ \_\_\_\_\_. If this Lease begins on a day other than the first day of the month, the first month's rent shall be \$ \_\_\_\_\_ (pro-rated).

(Check one)

\_\_\_\_\_ This rent is based on the Commission's determined flat rent for this unit.

\_\_\_\_\_ This rent is based on the income and other information reported by the Resident.

Families may change rent calculation methods at any recertification. Families who have chosen the flat rent option may request a reexamination and change to the formula-based method at any time if the family's income has decreased, their on-going expenses for such purposes as child care and medical care have changed, or any other circumstances that create a hardship for the family that would be alleviated by a change.

This amount is due on the first day of each month at the Negaunee Housing Commission office and shall remain in effect until adjusted in accordance with the provisions of this lease. Rental payments may be mailed to the Negaunee Housing Commission office via first class mail. The Negaunee Housing Commission is not responsible for the performance of the U. S. Postal Service. Rental payments may also be placed in an envelope marked with the Resident's name and apartment number and dropped by the Negaunee Housing Commission office.

If a Resident fails to make the rent payment by the sixth day of the month, a notice to vacate will be issued to the Resident. The Resident must request in writing prior to the sixth of the month, approval to pay rent late to avoid an eviction notice for non-payment of rent. The letter of request should include anticipated payment date and the reason for the request. If approved, the Resident will receive a copy of their written request from the Negaunee Housing Commission with notation approving acceptance of the late payment. A \$10.00 late charge plus \$1.00 a day late charge will be assessed for rent received after the sixth day of the month. A check returned for non-sufficient funds shall be considered non-payment of rent. A check charge of \$25.00 will be assessed as well as late rental payment as explained above.

If a family is paying the minimum rent and its circumstances change creating an inability to pay the rent, the family may request suspension of the minimum rent because of a recognized hardship.

In the event legal proceedings are required to recover possession of the premises, the Resident will be charged with the actual cost of such proceedings including, but not limited to, attorney fees and court costs.

4. **SECURITY DEPOSIT:** The Resident has paid the amount of \$ \_\_\_\_\_ to the Negaunee Housing Commission as a Security Deposit.

The Negaunee Housing Commission will hold this security deposit for the period the Resident occupies the dwelling unit. The Negaunee Housing Commission shall not use the Security Deposit for rent or other charges while the Resident is living in the dwelling unit. The Security Deposit is not an advance payment of rent and does not relieve the Resident from the obligation to pay rent for the last month of occupancy.

Within 30 days after the Resident has permanently moved out of the dwelling unit, the Negaunee Housing Commission shall return the Security Deposit after deducting whatever amount is needed to pay the cost of:

- a. unpaid rent;
- b. repair of damages that exceed normal wear and tear as listed on the Move-Out Inspection Report; and
- c. other charges due under the Lease.

The Negaunee Housing Commission shall provide the Resident with a written list of any charges made against the Security Deposit. If the Resident disagrees with the amounts deducted, the Negaunee Housing Commission will meet with the Resident to discuss the charges.

YOU MUST NOTIFY THE NEGAUNEE HOUSING COMMISSION IN WRITING WITHIN FIVE (5) DAYS AFTER YOU MOVE OF A MAIL FORWARDING ADDRESS. OTHERWISE, THE NEGAUNEE HOUSING COMMISSION SHALL BE RELIEVED OF SENDING YOU AN ITEMIZED LIST OF DAMAGES AND THE PENALTIES ADHERENT TO THAT FAILURE.

5. **OCCUPANCY:** The Resident shall use the premises as a private dwelling for himself or herself and the persons named in this Lease, with the exception of minor children born into the household during this residency, and shall not permit its use for any other purpose without the written permission of the Negaunee Housing Commission.

The Resident shall not:

- a. permit any persons other than those listed above and minor children which are born into the household during this residency to reside in the dwelling unit for more than fourteen (14) days each calendar year without obtaining the prior written approval of the Negaunee Housing Commission (all overnight guests are to be registered in the office for emergency purposes);
- b. sublet or assign the unit or any part of the unit;
- c. engage in or permit unlawful activities in the unit, in the common areas, or on the property grounds;
- d. act or allow household members or guests to act in a manner that will disturb the rights or comfort of neighbors;
- e. permit any member of the household, a guest, or another person under the Resident's control to engage in any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or Commission employees;
- f. permit any member of the household, a guest, or another person under the Resident's control to engage in any violent or drug-related criminal activity on or off the premises;
- g. permit any member of the household, a guest, or another person under the Resident's control to engage in alcohol abuse which interferes with the health, safety, or right to peaceful enjoyment of the premises;
- h. permit any member of the household, a guest, or another person under the Resident's control to engage in any violent or drug-related criminal activity on or off the premises;
- i. permit any member of the household, a guest, or another person under the Resident's control to make repairs or service vehicles on-site.

With the written permission of the Negaunee Housing Commission, the Resident can incidentally use the premises for legally permissible income producing purposes so long as the business does not infringe on the rights of other Residents. All such business-related uses of the premises must meet all zoning requirements and the Resident must have the proper business licenses and insurance coverage.

The Resident has the right to exclusive use and occupancy of the dwelling unit, which includes reasonable accommodation of the Resident's guests, visitors and, with the consent of the Negaunee Housing Commission, foster children and/or adults and the live-in caregiver of the Resident's family.

6. **CONDITION OF DWELLING:** By signing this Lease and the Inventory checklist, the Resident acknowledges that the dwelling unit is safe, clean and in good condition, and that all appliances and equipment in the dwelling unit are in good working order as described on the Move-in Unit Inspection Report. This report will be signed by both the Resident and Negaunee Housing Commission.

At the time of move out, the Negaunee Housing Commission shall complete another inspection of the dwelling unit. When the Resident notifies the Negaunee Housing Commission of his or her intent to vacate, the Negaunee Housing Commission shall advise the Resident of their opportunity to participate in the move-out inspection.

7. **UTILITIES:** The Negaunee Housing Commission shall provide the following utilities as a part of this lease agreement, but shall not be liable for the failure to provide service if beyond its control:

Heat, water, sewer, electricity, and garbage removal. The resident agrees to immediately notify the Negaunee Housing Commission of any interruption of any utilities to their unit.

The Resident agrees to pay for the following utilities:

Excess utilities charges.

Each dwelling unit shall include a range and a refrigerator provided by the Negaunee Housing Commission. Should a Resident desire to supply and use additional major appliance, the Resident must notify the Negaunee Housing Commission. The Schedule of Excess Utility Charges are posted. The Resident shall pay any excess utilities consumed in their unit over and above that set forth in the Schedule. Utility allowance revisions based on rate changes shall be effective retroactively to the first day of the month following the month in which the last rate change took place. Revisions based on changes in consumption or other reasons shall become effective at each family's next annual reexamination. The Negaunee Housing Commission shall not be responsible or liable for failure to supply any utilities for reasons beyond its control.

Each Resident is also to pay the current rate for cable T.V. each month to the Negaunee Housing Commission.

8. **RENT RECERTIFICATIONS:** Each year, by the date specified by the Negaunee Housing Commission, Residents who are paying rent based on their income shall provide updated information regarding income, assets, expenses, and family composition. The Negaunee Housing Commission shall verify the information supplied by the Resident and use the verified information to establish the amount of the Resident's rent for the next year. At the time of the annual review, the Negaunee Housing Commission shall advise the Resident of any income that will be excluded from consideration. Increased earnings due to employment shall be excluded during the twelve month period following hire for families whose income has increased because of the employment of a family member who was previously unemployed for one or more years, because of participation in a self-sufficiency program or was assisted by a State TANF program within the last six months.

Income reviews will be held every third year for Residents choosing the flat rent option. Residents who have chosen this option will be notified at the appropriate time for their recertification.

At the time of the review appointment the Resident may elect to change his or her rent choice option.

In cases where annual income cannot be projected for a twelve-month period or the Resident is reporting no income and Resident has chosen the percentage of income rent option, the Negaunee Housing Commission will schedule special rent reviews every sixty (60) days. In addition, the Resident may request a change in the rent choice option before the date of the review if the family experiences a decrease in income; their circumstances have changed increasing their expenses for child care, medical, etc.; or other circumstances create a hardship on the family such that the formula method would be more financially feasible for the family.

Residents paying rent based on income may meet with the Negaunee Housing Commission to discuss any change in rent resulting from the recertification process.

9. **INTERIM RENT ADJUSTMENTS:** Residents must promptly report to the Negaunee Housing Commission any of the following changes in household circumstances when they occur between Annual Rent Recertifications:

- a. A member has been added to the family through birth, adoption, or court-awarded custody.
- b. A household member is leaving or has left the family unit.

In addition, Residents paying rent based on a percentage of income may report the following activities that occur between Annual Rent Recertifications:

- a. A decrease in annual income;
- b. Child care expenses for children under the age of 13 that are necessary to enable a member of the household to be employed or to go to school;
- c. Handicapped assistance expenses, which enable a family member to work;
- d. Medical expenses of elderly, disabled, or handicapped headed households that are not covered by insurance; or
- e. Other family changes that impact their adjusted income.

Notwithstanding the provisions listed above, a Resident's rent shall not be reduced if the decrease in the family's annual income is caused by a reduction in the welfare or public assistance benefits received by the family that is a result of the Resident's failure to comply with the conditions of the assistance program requiring participation in an economic self-sufficiency program or other work activities. In addition, if the decrease in the family's annual income is caused by a reduction in welfare or public assistance benefits received by the family that is the result of an act of fraud, such decrease in income shall not result in a rent reduction. In such cases, the amount of income to be attributed to the family shall include what the family would have received had they complied with the welfare requirements or had not committed an act of fraud.

For purposes of rent adjustments, the reduction of welfare or public assistance benefits to a family that occurs as a result of the expiration of a time limit for the receipt of assistance will not be considered a failure to comply with program requirements. Accordingly, a Resident's rent will be reduced as a result of such a decrease.

The Negaunee Housing Commission shall verify the information provided by the Resident to determine if a decrease in the rent is warranted.

10. **EFFECTIVE DATE OF RENT CHANGE:** The Negaunee Housing Commission shall give the Resident written notice of any change in the Resident's rent. The notice shall be signed by the Negaunee Housing

Commission, state the new amount the Resident is required to pay, and the effective date of the new rental amount.

- a. Rent Decreases: The Negaunee Housing Commission shall process rent decreases so that the lowered rent amount becomes effective on the first day of the month after the Resident reports the change in household circumstances.
- b. Rent Increases: The Negaunee Housing Commission shall process rent increases so that the Resident is given no less than 30 days advance written notice of the amount due.

Once the rental rate is established, it shall remain in effect until the effective date of the next annual review, unless another interim review and change is warranted or the Resident elects to change to or from flat rent calculation method.

11. **RESIDENT OBLIGATION TO REPAY**: Residents who pay rent based on income shall reimburse the Negaunee Housing Commission for the difference between the rent that was paid and the rent that should have been charged if proper notice of income change had been given and if the following circumstances occur:

- a. Resident does not submit rent review information by the date specified in the Negaunee Housing Commission's request; or
- b. Resident submits false information at Admission or at annual, special, or interim review.

The Resident is not required to reimburse the Negaunee Housing Commission for undercharges caused solely by the Negaunee Housing Commission's failure to follow U.S. Department of Housing and Urban Development's procedures for computing rent.

12. **MAINTENANCE**:

The Resident Agrees To:

- a. keep the dwelling unit and any other areas assigned for the Resident's exclusive use in a clean and safe condition, which includes but is not limited to walls, floors (carpet and tile), ceilings, windows (with curtains intact), doors, woodwork, heat registers, etc.
- b. use all appliances, fixtures and equipment in a safe manner and only for the purposes for which they are intended;
- c. sinks must be kept clean, free of grease and garbage, and Residents must refrain from putting food or other debris down the sink drain;
- d. cabinets and food storage areas must be kept clean and neat. Cabinets should not be overloaded and free of spilled food or containers not sealed;
- e. not litter the grounds or common areas of the property and hallways clear of personal belongings such as lawn chairs, etc;
- f. not undertake, or permit his or her family or guests to undertake any hazardous acts or do anything that will damage the property;
- g. not destroy, deface, damage or remove any part of the dwelling unit, common areas, or property grounds;
- h. give the Negaunee Housing Commission prompt notice of any defects in the plumbing, fixtures, appliances, heating equipment or any other part of the unit or related facilities;

- i. not park unregistered or uninspected vehicles on the property or park any vehicle in an unauthorized location;
- j. remove garbage and other waste from the dwelling unit in a clean and safe manner; and
- k. pay reasonable charges for the repair of damages other than normal wear and tear to the premises, development buildings, facilities or common areas caused by the Resident, his or her household or guests, and to do so within 30 days after the receipt of the Negaunee Housing Commission's itemized statement of the repair charges. The Damage and Service Charge Schedule is posted in the Negaunee Housing Commission's office. If the item is not listed on the Schedule, the Resident shall be charged the actual cost the Negaunee Housing Commission incurred.

The Negaunee Housing Commission Agrees To:

- a. maintain the premises and the property in decent and safe condition;
- b. comply with requirements of applicable building codes, housing codes materially affecting health and safety, and U.S. Department of Housing and Urban Development regulations;
- c. make necessary repairs to the premises;
- d. keep property buildings, facilities and common areas, not otherwise assigned to the Resident for maintenance and upkeep, in a clean and safe condition;
- e. maintain in good and safe working order and condition electrical, plumbing, sanitary, heating, ventilating, and other facilities and appliances, including elevators, supplied or required to be supplied by the Negaunee Housing Commission;
- f. provide and maintain appropriate receptacles and facilities for the deposit of garbage, rubbish, and other waste removed from the premises by the Resident; and
- g. supply running water and reasonable amounts of hot water and heat at appropriate times of the year (according to local customs and usage) except where heat or hot water is generated by an installation within the exclusive control of the Resident and supplied by a direct utility connection;
- h. include in each dwelling unit a stove, a refrigerator and smoke detector(s);
- i. notify the Resident of the specific grounds for any proposed adverse action.

If the dwelling unit is rendered uninhabitable, regardless of cause:

- a. The Resident shall immediately notify the Negaunee Housing Commission;
- b. The Negaunee Housing Commission shall be responsible for repair of the unit within a reasonable time. If the Resident, household members or guests caused the damage, the reasonable cost of the repairs shall be charged to the Resident.
- c. The Negaunee Housing Commission shall offer standard alternative accommodations, if available, when necessary repairs cannot be made within a reasonable time.
- d. The Negaunee Housing Commission shall make a provision for rent abatement in proportion to the seriousness of the damage and loss in value if repairs are not made within a reasonable time. No abatement of rent shall occur if the Resident rejects the alternative accommodations or if the Resident, Resident's household, or guests caused the damage.

13. **RESTRICTION ON ALTERATIONS:** The Resident shall not do any of the following without first obtaining the Negaunee Housing Commission's written permission:

- a. dismantle, change or remove any part of the appliances, fixtures or equipment in the dwelling unit;
- b. paint or install wallpaper or contact paper in the dwelling unit;
- c. attach awnings or window guards in the dwelling unit;

- d. attach or place any fixtures, signs, or fences on the building(s), the common areas, or the property grounds;
- e. attach any shelves, screen doors, or other permanent improvements in the dwelling unit;
- f. install or alter carpeting, resurface floors, or alter woodwork;
- g. install washing machines, dryers, fans, heaters, or air conditioners in an elderly dwelling unit;
- h. place any aerials, antennas or other electrical connections on the dwelling unit;
- i. install additional or different locks or gates on any doors or windows of the dwelling unit;
- or
- j. operate a business as an incidental use in the dwelling unit;
- k. dismantle or disconnect smoke detectors and to report a smoke detector which is not operational to the Negaunee Housing Commission immediately.

14. **ACCESS BY NEGAUNEE HOUSING COMMISSION:** The Director and/or Maintenance Supervisor shall provide two (2) days written advance notice to the Resident of his or her intent to enter the dwelling unit for the purpose of performing routine inspections and preventive maintenance, extermination or to show the dwelling unit for re-renting. The notice shall specify the date, time, and purpose for the entry. If an exact date and time are not known, an estimated time frame will be given. The Resident shall permit the Negaunee Housing Commission, his or her agents, or other persons, when accompanied by the Negaunee Housing Commission or Maintenance Supervisor, to enter the dwelling unit for these purposes. In the event that the Resident and all adult members of the household are absent from the dwelling unit at the time of entry, the Negaunee Housing Commission or Maintenance Supervisor shall leave a notice stating the date, time and name of the person(s) entering the dwelling unit and the purpose of the visit.

The Negaunee Housing Commission may enter the dwelling unit at any time without advance notice when there is reasonable cause to believe an emergency exists, or if the Resident signed a waiver allowing Management or Maintenance to enter without prior notification if no one is at the dwelling unit. A notice of someone being in the unit including date, time and reason for entering will be left for the Resident.

15. **SIZE OF DWELLING:** The Resident understands that the Negaunee Housing Commission assigns dwelling units according to the Occupancy Standards published in its Admissions and Continued Occupancy Policy (ACOP). The Standards consider the type (such as dwelling units designed for the elderly or disabled) and size of the dwelling unit required by the number of household members. If the Resident is, or later becomes, eligible for a different type or size dwelling unit and an appropriate dwelling unit under this program and the Negaunee Housing Commission's transfer policy becomes available, the Resident shall be given a reasonable period of time to move. This time shall not exceed three (3) days unless an unusual hardship condition exists. If the Resident fails to move to the designated dwelling unit within the notice period specified by the Negaunee Housing Commission, the Negaunee Housing Commission may terminate this lease.

All expenses incidental to the transfer are the Resident's responsibility regardless of whether the transfer was initiated by the Resident or by the Negaunee Housing Commission.

If the Negaunee Housing Commission determines that a Resident must transfer to another unit based on family composition, the Negaunee Housing Commission shall notify the Resident. The Resident may ask for an explanation stating the specific grounds of the determination.

16. **LEASE TERMINATION BY NEGAUNEE HOUSING COMMISSION:** Any termination of this Lease shall be carried out in accordance with U.S. Department of Housing and Urban Development regulations, State and local law, and the terms of this Lease.

The Negaunee Housing Commission shall not terminate or refuse to renew the Lease other than for serious or repeated violation of material terms of the Lease, such as, but not limited to, the following:

- a. nonpayment of rent or other charges due under the Lease, or repeated chronic late payment of rent (two times in a twelve month period);
- b. failure to provide timely and accurate statements of income, assets, expenses and family composition at Admission, Interim, Special or Annual Rent Recertifications, to attend scheduled reexamination interviews or to cooperate in the verification process if the Resident has chosen to pay rent based on a percentage of income;
- c. furnishing false or misleading information during the application or review process;
- d. assignment or subleasing of the premises or providing accommodation for boarders or lodgers;
- e. use of the premises for purposes other than solely as a dwelling unit for the Resident and Resident's household as identified in this Lease, or permitting its use for any other purpose without the written permission of the Negaunee Housing Commission;
- f. failure to abide by necessary and reasonable rules made by the Negaunee Housing Commission for the benefit and well being of the housing development and the Residents;
- g. failure to abide by applicable building and housing codes materially affecting health or safety;
- h. failure to dispose of garbage, waste and rubbish in a safe and sanitary manner;
- i. failure to use electrical, plumbing, sanitary, heating, ventilating, air conditioning and other equipment, including elevators, in a safe manner;
- j. acts of destruction, defacement or removal of any part of the premises, or failure to cause guests to refrain from such acts;
- k. failure to pay reasonable charges for the repair of damages to the premises, property buildings, facilities or common areas;
- l. any activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other Residents or employees of the Commission;
- m. any violent or drug-related criminal activity on or off the premises, not just on or near the premises;
- n. alcohol abuse that the Negaunee Housing Commission determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
- o. failure to perform required community service or be exempted therefrom;
- p. failure to allow inspection of the dwelling unit;
- q. determination that a family member has knowingly permitted an ineligible non-citizen not listed on the lease to permanently reside in their public housing unit;
- r. determination or discovery that a resident is a registered sex offender; or
- s. any other good cause.

17. **NOTICE OF LEASE TERMINATION:** If the Negaunee Housing Commission proposes to terminate this Lease, the Resident shall be given written notice of the proposed termination, as listed below:

- a. for failure to pay rent;
- b. for creation or maintenance of a threat to health or safety of other Residents or Negaunee Housing Commission's employees, a reasonable time based on the urgency of the situation; or
- c. for all other cases, thirty (30) days, unless State law permits a shorter period.

The Notice to Vacate required by State or local law may be combined with or run concurrently with a Notice of Lease termination required by this lease.

The Notice of Lease Termination from the Negaunee Housing Commission shall be either personally delivered to the Resident or to an adult member of the Resident's family residing in the dwelling unit, or sent to the Resident by First Class Mail, properly addressed, postage pre-paid. The notice shall:

- a. specify the date the Lease shall be terminated;
- b. state the grounds for termination with enough detail for the Resident to prepare a defense. The Negaunee Housing Commission shall rely solely on the grounds stated in the Notice of Lease Termination in the event eviction action is initiated;
- c. advise the Resident of the right to reply as he or she may wish, and of the right to request a hearing in accordance with the Negaunee Housing Commission's Grievance Policy.

18. **LEASE TERMINATION BY RESIDENT:** The Resident shall give the Negaunee Housing Commission 14 days written notice before moving from the dwelling unit. If the Resident does not give the full notice, the Resident shall be liable for rent to the end of the notice period or to the date the dwelling unit is re-rented, whichever date comes first.

Upon termination of the dwelling lease, the Resident agrees to leave the dwelling unit and all property contained therein in a clean and good condition, reasonable wear and tear expected, and to return the keys to Management when he or she vacates.

19. **TERMINATION OF LEASE UPON DEATH OR INCAPACITY OF RESIDENT:** Upon the death of the Resident, or if there is more than one Resident, upon the death of all Residents, either the Negaunee Housing Commission or the personal representative of the Resident's estate may terminate this Lease upon 14 days written notice. If full notice is not given, the Resident's estate shall be liable for rent to the end of the notice period or to the date the unit is re-rented, whichever date comes first. The termination of a Lease under this section shall not relieve the Resident's estate from liability either for payment of rent or other amounts owed prior to or during the notice period, or for the payment of amounts necessary to restore the premises to their condition at the beginning of the Resident's occupancy, normal wear and tear excepted.

If during the term of this Lease the Resident, by reason of physical or mental impairment, is no longer able to comply with the material provisions of this Lease and the Negaunee Housing Commission cannot make a reasonable accommodation to enable the Resident to comply with the Lease; then action shall be taken to terminate the Lease. This Lease will terminate upon the Resident moving from the unit.

20. **PROPERTY ABANDONMENT:** If a Resident abandons the dwelling unit, the Negaunee Housing Commission shall take possession of the Resident's personal property remaining on the premises, and shall store and care for the property. The Negaunee Housing Commission will consider the unit to be abandoned when a resident has fallen behind in rent and has clearly indicated by words and actions an intention not to continue living in the unit. The Negaunee Housing Commission has a claim against the Resident for reasonable costs and expenses incurred in removing the property, in storing and caring for the property, and in selling the property. The Negaunee Housing Commission can collect from the Resident all these costs.

The Negaunee Housing Commission may sell or otherwise dispose of the property 30 days after the Negaunee Housing Commission receives actual notice of abandonment or 30 days after it reasonably appears to the Negaunee Housing Commission that the Resident has abandoned the premises. The Negaunee Housing Commission agrees to make reasonable efforts to notify the Resident of the sale by sending written notice of the sale by First Class Mail, to the Resident's last known address or likely living quarters if that is known by the Negaunee Housing Commission. The Negaunee Housing Commission may

use the money from the sale to pay off any debts the Resident owes the Negaunee Housing Commission. Any amount above this belongs to the Resident, if the Resident has written and asked for it.

21. **DELIVERY OF NOTICES:**

Notice by Negaunee Housing Commission: Any notice from the Negaunee Housing Commission shall be in writing and either personally delivered to the Resident or to an adult member of the Resident's family residing in the dwelling unit, or sent to the Resident by First Class Mail, properly addressed, postage pre-paid.

Notice by Resident: Any notice to the Negaunee Housing Commission shall be in writing, and either personally delivered to the Negaunee Housing Commission at the Negaunee Housing Commission's Office, or sent to Negaunee Housing Commission by first-class mail, postage pre-paid and addressed to: The Negaunee Housing Commission. 98 Croix Street, Negaunee, Michigan 49866.

22. **GRIEVANCES:** All disputes concerning the obligations of the Resident or the Negaunee Housing Commission shall be resolved pursuant to the Grievance Policy which is in effect at the time of such dispute.

23. **HOUSE RULES/CHANGES:** The Resident agrees to obey any House Rules, which are reasonably related to the safety, care and cleanliness of the building and the safety, comfort and convenience of the Residents. Such rules may be modified by the Negaunee Housing Commission from time to time provided that the Resident receives written notice of the proposed change, reasons for the change and an opportunity to submit written comments during a 30 day comment period at least 30 days before the proposed effective date of the change in the Rule, which shall be taken into consideration by the Negaunee Housing Commission prior to the proposed modification becoming effective.

It is understood that changes in Federal or State law after the execution of this Lease will occur and the parties hereto shall be bound by said changes which may require an amendment to the Lease or other Policies. The Invalidity of any clause, part or provision of this Lease, shall not affect the validity of the remaining portions thereof.

24. **DISCRIMINATION PROHIBITED:** The Negaunee Housing Commission shall not discriminate based upon race, color, creed, religion, national origin, sex, martial status, age, handicap or disability, familial status, or recipients of public assistance and shall comply with all nondiscrimination requirements of Federal, State and local law.

25. **ATTACHMENTS TO THE LEASE** The Resident certifies that he/she has received a copy of this Lease and the following Attachments to this Lease, and understands that these Attachments are part of this Lease.

Attachments:

- A. Responsible Party Form
- B. Fire Alarm Procedure
- C. Inventory Checklist



The NHC was established in 1968 for the purpose of providing safe, low-income, affordable public housing. The 60 unit LAKEVIEW APARTMENT complex was constructed at 98 Croix Street, Negaunee, Michigan, with an additional adjoining 20 units structure developed in 1982.

## **COMMISSION BOARD**

The NHC has established a five member commissioning board of directors that govern policies of the NHC which is overseen by the Manager of the City of Negaunee. The five member board are selected by the city manager from the local community with one member being a resident at the Lakeview Apartment complex. Each member serves on the commission with set term limits.

## **STAFF**

The executive Director is responsible for the day-to-day operations of the NHC. The Executive Director implements policies and procedures instituted by the Board of Commissioners. All staff members answer to the Executive Director or her/his designee.

The maintenance staff consists of three people, including one full time Maintenance Leadman and two part-time Maintenance/Custodians. The Maintenance Leadman has a wide range of responsibilities, ranging from supervising and coordinating of daily and yearly maintenance programs to performing daily hands-on maintenance repairs. The Maintenance/Custodians are responsible for general building cleaning along with assisting the Maintenance Leadman with various maintenance tasks.

## **LOCATION**

The location of the Lakeview Apartment along the Lake Superior snowbelt Region of the Upper Peninsula has necessitated the need for continuous daily maintenance coverage. The area where the Lakeview Apartments is located receives approximately 193.2 inches of yearly snowfall (based on the past 10 year average from the National Weather Service), with accumulations starting October and ending in April. With weather related concerns along with building age and resident concerns the NHC has developed a maintenance plan to provide on site maintenance coverage seven days per week to meet the day-to-day maintenance requirements.

## **GOALS AND OBJECTIVES**

The goals & objectives of the NHC maintenance department are to maintain the Lakeview Apartments in a condition equal to or greater than requirements, to meet and exceed all maintenance related PHAS indicators, and to utilize all existing staff with a limited amount of overtime.

## **A. ROUTINE AND SEASONAL WORK**

The maintenance staff is responsible for all routine and seasonal requirements at the Lakeview Apartments including cycle painting and apartment turnover renovation. Recent average monthly volume of routine work orders totaled 43. Along with a yearly average winter snowfall of 193.2 inches of snowfall, our maintenance is very busy.

## **B. WORK ORDER TYPE AND PROCESS**

NHC requires work orders to be completed for all types of maintenance repairs. The issuance of a work order may be based upon information from residents, staff, commissioners, or the general public.

### **1. ISSUANCE**

Work orders are issued thru the Executive Director or her/his representative and assigned to the maintenance staff.

### **2. TYPES**

Work order types include: Preventative Maintenance, Emergency, Make Ready and Routine Work Orders.

### **3. GOALS**

Work orders that constitute emergency items as defined by HUD are corrected within 24 hours.

All non-emergency item work orders are to be completed with 25 calendar days.

### **4. COMPLETION**

Versatile staff also enables maintenance repairs to be completed seven days per week with very limited contracted out work.

All work orders are usually completed the same day as issued. (Data from last years PHMAP)

Upon completion of a work order, a copy is stored in a maintenance residence file according to apartment number with date of completion. A copy is given to the resident.

## **C. ANNUAL INSPECTIONS**

Unit and major system inspections are required annually to meet PHAS requirements. Most inspections are preformed between April and October of each year to allow for winter snow removal and corrective follow-up work. Some system inspections are required daily and monthly.

All residential dwelling units are inspected at least once annually. Whenever possible a move-out inspection is conducted the same day when a unit is vacated, with the resident or a representative of the resident present.

## **D. APARTMENT VACANCY RENOVATION (MAKE READY)**

The Negaunee Housing Commissions goal is to have vacant apartments returned to occupancy as soon as possible with an average turn over time of 1.88 days. In the case of a glut of vacancies or extensive damage, apartments are required to be ready in less than 20 days, with the exception when modernization work is in progress.

The procedures for preparing apartments for occupancy are:

1. Upon vacancy, apartments are inspected by staff, a make ready work order is issued by the Executive Director or her/his representative to the Maintenance Leadman.
2. Items listed on the Make-Ready Work Order are checked off by the staff completing the work.
3. Upon completion, the apartment is inspected and turned over to the Executive Director.
4. The Make-Ready Work Order is placed on file.

## **E. PREVENTATIVE MAINTENANCE**

Limited staff allows for preventative unit & major system inspections to be completed after routine and emergency work orders are completed. This requires additional planning by the Maintenance Leadman to complete daily repairs along with fitting in the preventative maintenance work load. This also allows for very limited overtime.

The preventative maintenance work inspections are also scheduled around seasonal work and cycle painting to virtually eliminate the need for overtime.

## **F. EMERGENCY WORK ITEMS**

By having maintenance staff on site seven days per week, all emergency situations are handled within 24 hours.

Emergencies that arise when residents and/or staff are faced with a health or a life-threatening situation or there is a condition which might result in a serious structural or system damage fall into this category.

## **G. EXTRAORDINARY REPAIRS**

The NHC has made no allowance in this years plan for extraordinary repairs. A \$280,000.00 CIAP grant was just completed, a \$640,000.00 is in progress now, and a \$107,241.00 grant is for 2000 Projects.

**H. SERVICE CONTRACTS**

All contractors are selected thru the competitive proposal procurement policy. Our present staff allows the NHC to have very limited work contracted out. The work contracted out is usually limited to services that require special state certification, specialized training or equipment. Contracted out work include computer repair, fire alarm, elevator, vehicle service, pest control, garbage collection, and snow removal that requires special equipment and man power.

**I. MATERIALS, SUPPLIES AND EQUIPMENT**

- E. Based upon the consumption and use of materials and supplies for last year, the NHC has not increased the maintenance material and supply budget for next year.

The NHC has no plans to purchase equipment this year because of the availability of CIAP funds for the coming year.

**J. BUDGET**

The NHC has developed a budget for next year based upon present staff, schedules and goals of our maintenance department.

The NHC believes it has developed a fiscally responsible balanced budget.

.....

A motion was made by Commissioner Maxine Sylvester, supported by Commissioner Margaret Dahlstrom to adopt the reviewed Maintenance Plan as presented the 14 day of September 1999. All members voted yes. Motion passed 5 to 0.

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**FISCAL YEAR 2000  
CAPITAL IMPROVEMENTS/FUNDS**

|   |              |
|---|--------------|
| <b>MANAGEMENT IMPROVEMENTS: computer software/hardware, printers, copier, manuals, training, etc.</b> | <b>9,000</b> |
| <b>OFFICE SECRETARY: 52 weeks @ 20hrs. @ 7.50/hr.</b>   | <b>7,800</b> |

|   |                |
|---|----------------|
| <b>EMERGENCY OVERTIME:</b> weather, call outs   | <b>500</b>     |
| <b>BUILDING SIDING:</b> replacement   | <b>61,000</b>  |
| <b>BOILER ROOM DOOR:</b> replacement  | <b>2,000</b>   |
| <b>PRIVACY WALL:</b> removal & reconstruction at front entrance                                       | <b>3,000</b>   |
| <b>BUILDING SIGN:</b> install new lighted sign at building entrance                                   | <b>1,500</b>   |
| <b>LANDSCAPE IMPROVEMENTS:</b> shade tree's, shrubs, removal of tree adjacent to entrance to building | <b>2,000</b>   |
| <b>KICK PLATES:</b> on apartment entrance door  | <b>2,400</b>   |
| <b>APARTMENT 112 –</b> entrance door replacement  | <b>1,200</b>   |
| <b>EQUIPMENT REPLACEMENT:</b> commercial washer   | <b>700</b>     |
| <b>ARCHITECT FEES</b>   | <b>8,688</b>   |
|   | =====          |
| <b>ESTIMATED</b> ----->   | <b>99,788</b>  |
| <b>CONTINGENCY</b> ----->   | <b>7,453</b>   |
|   | =====          |
| <b>TOTAL</b> ----->   | <b>107,241</b> |

**FISCAL YEAR 2001  
CAPITAL IMPROVEMENTS/FUNDS**

|  |               |
|--|---------------|
| <b>MANAGEMENT IMPROVEMENTS:</b> computer upgrade, software, hardware, printer, copier, manuals, training, etc. | <b>7,000</b>  |
| <b>OFFICE SECRETARY:</b> 52 weeks @ 20 hrs. @ 7.73/hr.   | <b>8,039</b>  |
| <b>EMERGENCY OVERTIME:</b> snow removal, call outs   | <b>500</b>    |
| <b>APPLIANCE REPLACEMENTS:</b> apartment ranges  | <b>15,750</b> |
| <b>SIDEWALK REPLACEMENT</b>  | <b>2,000</b>  |
| <b>RESIDENTIAL STORAGE:</b> storage units  | <b>55,000</b> |
| <b>ARCHITECT FEE'S</b>   | <b>6,840</b>  |
|  | =====         |
| <b>ESTIMATED</b> ----->  | <b>95,129</b> |
| <b>CONTINGENCY</b> ----->  | <b>3,533</b>  |
|  | =====         |
| <b>TOTAL</b> ----->  | <b>98,662</b> |

**FISCAL YEAR 2002  
CAPITAL IMPROVEMENTS/FUNDS**

|  |               |
|--|---------------|
| <b>MANAGEMENT IMPROVEMENTS:</b> computer upgrade, software, hardware, printer, manuals, training, etc. | <b>9,000</b>  |
| <b>OFFICE SECRETARY:</b> 52 weeks @ 20hrs. @ 7.96/hr.  | <b>8,278</b>  |
| <b>EMERGENCY OVERTIME:</b> weather, call outs  | <b>500</b>    |
| <b>FURNITURE:</b> replace community room and office furniture  | <b>4,000</b>  |
| <b>EQUIPMENT:</b> replace snow blower, misc.   | <b>1,800</b>  |
| <b>DOORS:</b> replace lavatory doors   | <b>14,300</b> |
| <b>TILE REMOVAL/CARPET REPLACEMENT:</b> Project I – 2 <sup>nd</sup> floor                              | <b>20,000</b> |
| <b>GATE VALVE REPLACEMENT:</b> hallway access panel replacement  | <b>30,000</b> |
| ARCHITECT FEE'S  | <b>7,716</b>  |
|  | =====         |
| <b>ESTIMATED</b> ----->  | <b>95,594</b> |
| <b>CONTINGENCY</b> ----->  | <b>3,068</b>  |
|  | =====         |
| <b>TOTAL</b> ----->  | <b>98,662</b> |

**FISCAL YEAR 2003  
CAPITAL IMPROVEMENTS/FUNDS**

|  |               |
|--|---------------|
| <b>MANAGEMENT IMPROVEMENTS:</b> computer upgrades, software, hardware, copier, printer, training, etc. | <b>7,000</b>  |
| <b>OFFICE SECRETARY:</b> 52 weeks @ 20hrs. @ 8.20/hr.  | <b>8,528</b>  |
| <b>EMERGENCY OVERTIME:</b> weather, call outs  | <b>500</b>    |
| PATIO RENOVATION   | <b>23,000</b> |
| <b>FLOOR REPLACEMENT:</b> lavatory floor Project I (57 units)  | <b>22,800</b> |

|  |        |
|--|--------|
| SIDEWALK REPLACEMENT   | 2,000  |
| BEDROOM LIGHT/FAN REPLACEMENT                                  | 17,500 |
| EQUIPMENT REPLACEMENT: vacuum cleaner, tractor, shelving, etc. | 4,000  |
| PRIVACY WALL: replacement adjacent to apt. 112                 | 2,500  |
| ARCHITECT FEES   | 8,136  |
|  | =====  |
| ESTIMATED ----->   | 95,964 |
| CONTINGENCY ----->   | 2698   |
|  | =====  |
| TOTAL ----->   | 98,662 |

**FISCAL YEAR 2004  
CAPITAL IMPROVEMENTS/FUNDS**

|   |        |
|---|--------|
| MANAGEMENT IMPROVEMENTS: computer upgrades, software, hardware, copier, manuals, training, etc. | 8,000  |
| OFFICE SECRETARY: 52 weeks @ 20hrs. @ 8.45  | 8,788  |
| EMERGENCY OVERTIME: weather, call outs  | 500    |
| EQUIPMENT REPLACEMENT: (1) washer   | 1,200  |
| BOILER CONTROL: update & repairs  | 1,200  |
| LAVATORY RENOVATION: medicine cabinets with lights  | 11,500 |
| MICROWAVES: install microwaves in 80 units  | 12,000 |
| HANDRAILS: install handrails on opposite wall Project I   | 6,000  |
| PARKING: add parking – East end of Project I with lighting                                      | 9,000  |
| TRACK LIGHTING: improve lighting in apartments  | 30,000 |
| ARCHITECT FEES  | 6,780  |
|   | =====  |
| ESTIMATED ----->  | 94,968 |
| CONTINGENCY----->   | 3,694  |
|   | =====  |
| TOTAL----->   | 98,662 |



**Michigan State Housing Development Authority**

James L. Logue III, Executive Director  
Plaza One, Fifth Floor  
401 South Washington Square, P.O. Box 30044  
Lansing, Michigan 48909

State of Michigan  
John Engler, Governor

Department of Consumer  
and Industry Services  
Kathleen M. Wilbur, Director

November 17, 1999

Ms. Marcia M. Waters, Executive Director  
Negaunee Housing Commission  
98 Croix Street  
Negaunee, Michigan 49866

RE: Certification of Consistency with the Consolidated Plan

Dear Ms. Waters:

I have reviewed the information regarding your Five Year and Annual PHA Plan and have found it to be consistent with the State of Michigan's 1999 Consolidated Plan. Enclosed please find the subject certification for your submission with your plans to the U.S. Department of Housing and Urban Development.

If you have any questions, please contact me at (517) 373-6018.

Sincerely,

Martha Baumgart, Planner  
Marketing, Research and Planning

Enclosure



Equal Housing Opportunity  
Equal Opportunity Employer



(517) 373-8370  
FAX (517) 335-4797  
TTY (800) 382-4568

**Certification by State or Local Official of PHA Plans Consistency with  
the Consolidated Plan**

I, Martha Baumgart the State of Michigan Consolidated Plan Coordinator certify that the Five Year and Annual PHA Plan of the Negaunee Housing Commission is consistent with the Consolidated Plan of the State of Michigan prepared pursuant to 24 CFR Part 91.

Martha Baumgart 11-17-99  
Signed/Dated by Appropriate State or Local Official

**PHA Certifications of Compliance with the PHA Plans  
and Related Regulations  
Board Resolution to Accompany the PHA Plan**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year Plan and Annual Plan for PHA fiscal year beginning 01/01/2000, hereinafter referred to as the Plan of which this document is a part and make the following certifications and agreements with the Department of Housing Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes the Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA will carry out the plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
7. For PHA Plan that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PHH Notice 99-2);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measure to assure that such waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).

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

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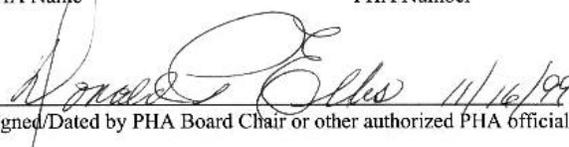
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA has submitted with the Plan a certification with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA has submitted with the Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.
13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
19. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize Capital Grant Funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and attachments at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

*Netaunee Housing Commission*

*MI068*

PHA Name

PHA Number

  
Signed/Dated by PHA Board Chair or other authorized PHA official

**PHA Plan  
Table Library**

## Optional 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 |                                     |
|  |   |                     |                            |                                     |
| Description of Needed Physical Improvements or Management Improvements |   |                     | Estimated Cost             | Planned Start Date (HA Fiscal Year) |
|  |   |                     |                            |                                     |
| <b>Total estimated cost over next 5 years</b>                          |   |                     |                            |                                     |

