

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

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**BENSON, MN HRA**

**MN014v01**

**PHA Plans**

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

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

**PHA Plan  
Agency Identification**

**PHA Name:** Housing and Redevelopment Authority of Benson, MN

**PHA Number:** MN14-001

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

**Public Access to Information**

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

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices –Benson HRA Office, 300 13<sup>th</sup> Street N., Benson, MN 56215  
Executive Director: Jan Rohne Telephone: 320-842-8481,  
Fax 320-843-3018 e-mail pvm7@willmar.com

**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 Benson HRA Office, 300 13<sup>th</sup> ST. N, Benson, MN
- Main administrative office of the local government , Benson City Hall
- Main administrative office of the County government
- Main administrative office of the State government
- Public library, Benson 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, Benson HRA Office, 300 13<sup>th</sup> St. N., Benson
- PHA development management offices
- Other (list below)  
Benson City Hall

Benson Public Library

**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: (state mission here)The Housing and Redevelopment Authority of Benson, Minnesota's mission is: **WHEREAS IT HAS BEEN Our Goal to ensure that Healthy, safe, affordable, and adequately maintained housing Free from discrimination is available for the Residents of the Benson Community.**  
In order to achieve this mission, we will:  
Recognize the residents as or customer  
Seek problem solving partnerships with the residents, community, and Government leadership  
Review and update policies on a regular basis and ensure policies are Enforced  
Act as an agent for positive necessary change, and remain committed To improve housing for the citizens of the City of Benson  
Efficiently apply limited resources.

**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 the 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
  - X Other (list below) Manage the Benson Housing Authority's existing Program in an efficient and effective manner, planning to continue to be Classified as a High Performing HRA and also to manage in a manner that Results in full compliance with applicable statues and regulations as Defined by program audit findings
- Objectives:

HUD shall recognize the Benson Housing Authority as a high performer a minimum of three out of the next five years. The Benson HRA has been a high performer every year since the evaluation system was introduced, but due to a lack of information on the new grading system PHAS, this will be our goal through March 31, 2005.

The Benson Housing Authority will increase the marketing of the units in addition to advertising in the newspaper to run advertisements on the radio, local TV station, by March 31, 2001 will have a new brochure which will be available at social services offices, medical doctors offices, and churches, etc.

The Benson Housing Authority will ensure that there are at least twenty-two positive stories a year in the local media about the Housing Authority or one of its residents. We have been doing this since 1993 and will continue this through March 31, 2005.

The Benson Housing Authority has been at 100% occupancy for the past three years, and will continue at this occupancy rate and will make every effort to meet the HUD Goals that 40% of admissions each year will be at or below 30% of median income. This is evidenced by the Admission Policies which give first priority to the very, very low income, also a zero minimum rent has been adopted.

The Benson Housing Authority will continue to work on increasing its Waiting List so that the units can be filled within 30 days of becoming vacant. This is a standard we have been able to maintain for the past three years and plan to maintain through March 31, 2005.

The Benson Housing Authority will continue to achieve a goal of 99.5% Rental charges collected.

The Benson Housing Authority will continue to promote a motivating work environment with a capable and efficient team of employees to operate as a customer-friendly and fiscally prudent leader in the affordable housing industry.

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

X Improve public housing management: (PHAS score) 96.42% As was previously stated to be a high performer a minimum of three out of the next five years.

Improve voucher management: (SEMAP score)

X Increase customer satisfaction: Increase customer satisfaction: schedule annual meetings, in addition to the monthly informative session which we have with the residents, which will also include input (brain storming sessions) from the general public, this meeting will be advertised in the local media. Also have informative sessions which involve complete HRA financial information with the residents on an annual basis. See HRA Plan to Involve Resident and City of Benson Participation. This will begin in FYE 2001. Attachment MN 014v01z

Will actively solicit residents to serve on the HRA Board, as per policy for Benson HRA Board Member. This plan was set in motion on October 1, 1999, and will continue each year according to HUD Guidelines. Attachment MN014v01u.

Continues Promotion of the Benson Housing Authority housing stock and programs which meet the needs of the very large elderly population in Swift County. This pertains to the Assisted Living Program and the noon meal program. The HRA has been and will continue to participate in an annual Health Fair, we annually have over 200 people stop at our booth. The Benson HRA leadership shall speak to at least one civic, religious, or fraternal group a year between now and March 31, 2005.

X Concentrate on efforts to improve specific management functions: list; e.g., public housing finance; voucher unit inspections) The Benson Housing Authority shall maintain its operating reserves at least at \$100,000 between now and March 31, 2005.

The Benson Housing Authority will ensure full compliance with all applicable standards and regulations including government generally accepted accounting practices.

Continue to encourage and involve the residents to assist with the Programs and for them to be a positive resource for the community. (examples) – assist with informing the residents on procedures for fire drills, assist with making choices in certain phases of building and apartment renovation., develop and promote new social activities, assist with news articles, etc.

X Renovate or modernize public housing units: With the Capital Improvement funds the Benson HRA is to receive over the next five years, continually update and improve the units to keep them marketable.

Maintain the Benson Housing Authorities real estate in a decent condition and also deliver timely and high quality maintenance service to the residents of the Benson HRA; by having all of its units in compliance with the REAC centers requirements if economically feasible by March 31, 2005

Demolish or dispose of obsolete public housing:

Provide replacement public housing:

Provide replacement vouchers:

Other: (list below)

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

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

- X PHA Goal: Provide an improved living environment
  - Objectives:
    - X Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments: See Admission and Occupancy Policy: MN014v01a
    - X Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments: MN014v01a
    - X Implement public housing security improvements: add brighter lighting to parking area and to the grounds of the facilities, conduct fire drills with the Benson Fire Department, continue the coffee sessions in the Community Room with the Police Officers, continue to allow the Police Department to use the seven story high rise as a night lookout in this small community of 3300 people, continue with the annual meetings between the HRA Board and the Police Dept., Fire Dept., and the Benson Ambulance.
    - X Designate developments or buildings for particular resident groups (elderly, persons with disabilities): according to the admission policies first priority is to house the elderly or persons with disabilities, this has been implemented and will continue to do this through March 31, 2005.
    - X Other: (list below)
      - Continue to encourage the active participation of all residents in the Resident Councils at each building: See the attached Policy Statement for Park View Manor and Westwood Manor Residents Council. This will be reviewed on an annual basis. See attachment MN014v01s.

**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:
- X Increase the number and percentage of employed persons in assisted families: through continued use of ceiling and flat rents.
- X Provide or attract supportive services to improve assistance recipients' employability: We have in place active Assisted Living Services, Noon Meal Programs, Hair Care Areas, Benson Library provides movie times and also provides materials (books, pictures, videos, etc. residents may check items out once a month this service is provided to the residents in each building.)
- X Provide or attract supportive services to increase independence for the elderly or families with disabilities. The Benson HRA will apply to at least one appropriate foundation for grant funds to support the services needed by the elderly before March 31, 2005.
- X Other: (list below)
- The assets and incomes of each resident will be reviewed annually, instead of being adjusted each time there had been an income or asset change, see Lease and Occupancy Policies. MN014v01a

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

- X PHA Goal: Ensure equal opportunity and affirmatively further fair housing
- Objectives:
- X Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability: See Admission & Occupancy Policy MN014v01a
- X 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: We have an aggressive screening policy to insure that our residents will all be good neighbors, and also a lengthy orientation and lease signing with each new resident so they become familiar with the Lease and House Rules. See Attachments MN014v01y
- X Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required: Grab bars are installed where needed, raised toilets, what ever is needed and affordable to the Benson HRA. All buildings have elevators, we also have hair care areas in each building, raised flower beds, since we serve primarily the elderly, handicapped and disabled, and have been doing this for thirty-one years.

X  Other: (list below)

Invite Legal Aid to meet with the residents on an annual basis to discuss various issues.

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

**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 Benson Housing Authority has prepared this Agency Plan in compliance with Section 511 of the Quality Housing and Work Responsibility Act of 1998. Note the mission of the Benson HRA in the Five Year Plan. This a small PHA serving a community of 3300. Our financial sources are very limited, therefore, limiting the number of HRA staff. There is another HRA Office in Benson which is known as the Swift County HRA, which provides services county wide and addresses the other housing needs in this community. The City of Benson also has an active EDA which is involved with community development. The Benson HRA provides housing with an elderly preference and also services to the elderly. We own two apartment buildings: Park View Manor, which is 32 years old, is a seven story high rise, with 70 units; Westwood Manor, which is 16 years old, is a three story low rise, with 39 units. Over 50% of the residents in Swift County are elderly. There is a need for housing with services. We have been fulfilling this need. We provide noon meals, have a twenty-four hour seven day per week assisted living program, provide hair care facilities, and social activities enabling the low income seniors in this community to**

**age in place. The residents volunteer to serve and do the clean up for the noon meal program and also volunteer to provide the social activities in the buildings. We have exercise programs, catered dinner parties, cards, bingo, pancake breakfasts, flower gardens, fire drills, and other activities organized by the volunteer residents. The average age of our residents is 81.**

**We have revised and updated all policies, such as the Deconcentration Policy which is part of the Admission and Occupancy Policy and the Pest Control Policy. These policies will be reviewed annually and updated. We are actively looking for a resident to join the HRA Board of Commissioners (as of this date we have had a resident board member for the past two months – working out very well), we have established the flat rents in addition to ceiling rents, and have a minimum rent of zero. We are working toward meeting the goal that states: 40% of admissions each year must be at or below 30% of medium income. In order to accomplish this we will step-up our marketing techniques to include radio and television advertisement, and also will have the HRA Leadership do presentations at churches, service organizations, and the residents will invite someone from the community to join them in an activity in our buildings at least twice per year and will always try to promote a positive image for Westwood and Park View Manor. With the capital funds we will receive on an annual basis, we will give first priority to upgrade the fire and safety issues and accessibility issues. These items will include new smoke detectors, some with strobe lights, and horns, new unit doors and hardware, replacement of eighteen year old refrigerators with frost free models (selling the old refrigerators to recoup some money), and seal coating and marking the parking areas, adding more handicapped areas where needed. We also must replace carpeting in the hallways and install a front loading washer in Park View Manor laundry.**

**We will continue to keep our focus on our customer, and provide decent, safe, and fair housing to the citizens of this community, within the constraint of our funding levels.**

### **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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#### **Attachments**

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:

- X  Admissions Policy for Deconcentration  
X  FY 2000 Capital Fund Program Annual Statement  
N/A  Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

#### Optional Attachments:

- N/A  PHA Management Organizational Chart  
X  FY 2000 Capital Fund Program 5 Year Action Plan

- N/A  Public Housing Drug Elimination Program (PHDEP) Plan  
 X  Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text) NOTE THERE WERE NO COMMENTS  
 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
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X State of MN Plan	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
N/A	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/199 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 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	Annual Plan: Rent

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Applicable Plan Component</b>
	methodology for setting public housing flat rents X <input type="checkbox"/> check here if included in the public housing A & O Policy	Determination
X	Schedule of flat rents offered at each public housing development X <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
N/A	Section 8 rent determination (payment standard) policies <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 X <input 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 <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
N/A	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
X	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 <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
N/A	Most recent self-sufficiency (ED/SS, TOP or ROSS or other	Annual Plan: Community

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Applicable Plan Component</b>
	resident services grant) grant program reports	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
N/A	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

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

[24 CFR Part 903.79 (a)]

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

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data 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 by Family Type</b>							
<b>Family Type</b>	<b>Overall</b>	<b>Afford-ability</b>	<b>Supply</b>	<b>Quality</b>	<b>Access-ibility</b>	<b>Size</b>	<b>Loca-tion</b>
Income <= 30% of AMI	135*	4	3	3	1	2	5
Income >30% but <=50% of AMI	78*	4	3	3	1	2	5
Income >50% but <80% of AMI	19*	4	3	3	1	2	5
Elderly	123*	4	5	5	3	2	5
Families with Disabilities	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Race/ Black / Non Hispanic	0	1	1	1	1	1	5
Race/Ethnicity Hispanic	56.7*	5	3	3	1	4	5

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Race/Ethnicity							
Race/Ethnicity							

\* This information is county-wide, we are a city with a pop. Of 330 in this county, no data available which is limited to just the city of Benson.

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 (State of MN 1999)  
Indicate year: 1990
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset 1990 INFORMATION RECEIVED FROM MPLES. AREA HUD OFFICE
- 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. **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.

**The Benson HRA has one waiting list. When a vacancy occurs at Westwood or Park View Manor, the next person on the waiting list is called according to the guidelines in the Admission and Occupancy Policy. We have given first priority to the very, very low income elderly, then singles, and secondly to the local preferences for elderly first then singles. All of the apartments are**

**one bedroom. There is a continual advertisement in the paper, the waiting list is always open.**

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input checked="" type="checkbox"/> Public Housing WAITING LIST AS OF 10/27/1999			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> 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	17		15-20
Extremely low income <=30% AMI	2	12%	
Very low income (>30% but <=50% AMI)	9	53%	
Low income (>50% but <80% AMI)	6	35%	
Families with children	0	0%	
Elderly families	15	88%	
Families with Disabilities	1	6%	
Race/ethnicity WHITE	17	100%	
Race/ethnicity			
Race/ethnicity			
Race/ethnicity			
Characteristics by			

Housing Needs of Families on the Waiting List			
Bedroom Size (Public Housing Only)			
1BR	17	100%	
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes: How long has it been closed (# of months)? Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes 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.

We will have a more aggressive advertising campaign, including the local television coverage, talks at churches, and service organizations. The maintenance personal works efficiently at minimizing the time of turnover of units, and will continually update the units to keep them marketable. We will also refer applicants to other agencies in this community who may serve their needs and work with these agencies to address housing needs if applicable.

#### (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
- X 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: N/A**

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
- X Employ admissions preferences aimed at families with economic hardships
- X 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
- X Adopt rent policies to support and encourage work
- X Other: (list below)
- Have minimum rent of zero

**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
- X 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
- X Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- X Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- X Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)

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

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

Select if applicable

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

**Strategy 2: Conduct activities to affirmatively further fair housing**

Select all that apply

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

**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:

- X  Funding constraints
- X  Staffing constraints
- Limited availability of sites for assisted housing
- X  Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- X  Influence of the housing market on PHA programs
- X  Community priorities regarding housing assistance This is the only assisted living service for the elderly in Benson, and it is satisfying a definite need
- X  Results of consultation with local or state government
- X  Results of consultation with residents and the Resident Advisory Board
- X  Results of consultation with advocacy groups
- Other: (list below)

**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: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
1. <b>Federal Grants (FY 2000 grants)</b>	135,740	PHA OPERATIONS

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
a) Public Housing Operating Fund	-8,775 **	
b) Public Housing Capital Fund	136,362*	
c) HOPE VI Revitalization	N/A	
d) HOPE VI Demolition	N/A	
e) Annual Contributions for Section 8 Tenant-Based Assistance	N/A	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	N/A	
g) Resident Opportunity and Self- Sufficiency Grants	N/A	
h) Community Development Block Grant	N/A	
i) HOME	N/A	
Other Federal Grants (list below)	N/A	
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>		
<b>3. Public Housing Dwelling Rental Income</b>	218,390	PHA OPERATIONS
<b>EXCESS UTILITIES</b>	800	PHA OPERATIONS
<b>4. Other income (list below)</b>		
COIN LAUNDRY RECEIPTS	3,700	PHA OPERATIONS
<b>NON-DWELLING RENT</b>	4,200	PHA OPERATIONS
<b>4. Non-federal sources (list below)</b>		
<b>PHA INVESTMENT INCOME</b>	4,130	PHA OPERATIONS
<b>Total resources</b>	366,960	PHA OPERATIONS

\*\* According to the most recent PFS calculations.

- a. Public Housing Capital Fund have received \$148,220 in 1999 but according to HUD Notice 99-33 we are to use only 92% of this amount since we are unsure of future government appropriations.

The Benson HRA specifically reserves the right to change this financial resources statement based on later, better information.

### **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) Immediately upon receiving the application in order to determine if they are eligible to be on the waiting list and also to determine their position on the list according to the category of their income.

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

- Criminal or Drug-related activity  
 Rental history  
 Housekeeping  
 Other (describe)

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

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

- e.  Yes  No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source) See page 15 ACOP Policy . The extent of the criminal records search depends on the residence of the applicant for the past three years.

**(2)Waiting List Organization**

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

- X Community-wide list
- Sub-jurisdictional lists
- Site-based waiting lists
- X Other (describe) We have only one waiting list for both buildings

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

- X PHA main administrative office – Benson HRA Office, 300 13<sup>th</sup> St. N. Benson, MN, 56215 or they may call 320-842-8481
- PHA development site management office
- Other (list below)

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

N/A

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

2. N/A 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. N/A 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)?

- N/A 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 – then they go to the bottom, unless they have a valid medical reason. Note they are only removed from the waiting list at their request, or failure to respond to an annual request from the HRA concerning the waiting list.

Two

Three or More

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

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

#### **(4) Admissions Preferences**

a. Income targeting:

Yes  No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

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

Emergencies

Overhoused

Underhoused

Medical justification

Administrative reasons determined by the PHA (e.g., to permit modernization work)

Resident choice: (state circumstances below)

Other: (list below)

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:

- X  Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- X  Victims of domestic violence
- X  Substandard housing
- X  Homelessness
- X  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)
- X  Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- X  Victims of reprisals or hate crimes
- X  Other preference(s) (list below)

First priority is to the elderly, handicapped, or disabled.

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

1 – Elderly households that contribute to meeting income requirements

2,1 Date and Time

2 – Elderly households

1- Singles that contribute to meeting income targeting requirements

Former Federal preferences:

2,1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)

2,1 Victims of domestic violence

2,1 Substandard housing

2,1 Homelessness

2,1 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)

4. Relationship of preferences to income targeting requirements:

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

**(5) Occupancy**

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

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

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

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

**(6) Deconcentration and Income Mixing**

- a.  Yes  No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b.  Yes  No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

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

- Adoption of site-based waiting lists  
If selected, list targeted developments below:
- Employing waiting list “skipping” to achieve deconcentration of poverty or income mixing goals at targeted developments  
If selected, list targeted developments below:
- Employing new admission preferences at targeted developments  
If selected, list targeted developments below:

Other (list policies and developments targeted below)

At all developments we are choosing the very low income first in order to meet Federal Admission Guidelines see: ACOP

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)

N/A

- Additional affirmative marketing
- Actions to improve the marketability of certain developments
- Adoption or adjustment of ceiling rents for certain developments
- Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- Other (list below)

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

- Not applicable: results of analysis did not indicate a need for such efforts
- List (any applicable) developments below:

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

- Not applicable: results of analysis did not indicate a need for such efforts
- List (any applicable) developments below:

## **B. Section 8 N/A BENSON HRA DOES NOT ADMINISTER SECT. 8**

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

### **(1) Eligibility N/A**

- 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)

N/A

- 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 N/A**

- 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 N/A**

- 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 N/A**

- 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 N/A**

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: **SEE ACOP – NO NEED TO FOLLOW THROUGH SINCE MINIMUM RENT IS ZERO, MN014v01a**

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  
 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
- N/A  For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below)

e. Ceiling rents

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

- X  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)

- X  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
- X  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)

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)

At annual review and also immediately for changes in family composition.

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)

Also looked at operating cost plus debt service and used a HUD method of calculation which has been used to calculate ceiling rent. The flat rent varies for different size apartments – this was based on the number of square feet in each type of apartment.

**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

N/A

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)

N/A

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)

N/A

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)

N/A

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

- Annually
- Other (list below)

N/A

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** N/A

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)] Exemption Benson HRA is High Performing and small PHA less than 300 units.

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.
- X  A brief description of the management structure and organization of the PHA follows:  
The City Council appointed five HRA Board Members, these were appointed so that one Board Member's term expires each year. They are limited to two consecutive five year terms. The HRA Executive Director is hired by the HRA Board of Commissioners. The Executive Director is responsible for the hiring of two maintenance workers and also a part time office assistant; and for the supervision of a Green Thumb Worker.

**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	106	10-15
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)	N/A	

### 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.

- a. Public Housing Maintenance and Management: (list below
- b. Admission and Continued Occupancy (AOCP)
- c. Blood Borne Diseases
- d. Capitalization
- e. Check Signing
- f. Classified Records Management
- g. Disposition
- h. Drug Free Work Place
- i. Equal Housing
- j. Ethics
- k. Funds Transfer
- l. Hazardous Materials
- m. Investment
- n. Maintenance
- o. Natural Disaster
- p. Pest Control (Cockroach, etc.)
- q. Proquirement
- r. Determining Utility Allowance

- s. Community Room Facilities Use & Park View & Westwood Manors Residents Council
- t. Sexual Harassment
- u. Selection Process for Resident Board Member
- v. Equal Employment Opportunity/Affirmative Action Plan\
- w. Personnel

(2) Section 8 Management: (list below) N/A

## **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.

The Benson HRA Grievance Procedure is part of the Admission and Continued Occupancy Policy (ACOP) MN014v01a page 69

### **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 – BENSON HRA, 300 13<sup>TH</sup> ST. N., BENSON, MN 56215

PHA development management offices

Other (list below)

### **B. Section 8 Tenant-Based Assistance N/A**

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:

N/A

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)

N/A

## **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.

N/A

### **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.

N/A

### **(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)

### **(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)

## **B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund) N/A**

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 N/A**

[24 CFR Part 903.7 9 (h)]

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

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

#### 2. Activity Description

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

<b>Demolition/Disposition Activity Description</b>
1a. Development name: 1b. Development (project) number:
2. Activity type: Demolition <input type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> 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) <input type="checkbox"/> Part of the development

<input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:

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

[24 CFR Part 903.7 9 (i)]

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

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

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:	
1b. Development (project) number:	
2. Designation type:	
Occupancy by only the elderly	<input type="checkbox"/>
Occupancy by families with disabilities	<input type="checkbox"/>
Occupancy by only elderly families and families with disabilities	<input type="checkbox"/>
3. Application status (select one)	
Approved; included in the PHA’s Designation Plan	<input type="checkbox"/>

Submitted, pending approval <input type="checkbox"/>
Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission: (DD/MM/YY)
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected:
7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

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

[24 CFR Part 903.79 (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  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.)

N/A

#### 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>
1a. Development name:
1b. Development (project) number:
2. What is the status of the required assessment? <input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question)

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

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

N/A

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

N/A

**11. Homeownership Programs Administered by the PHA**

[24 CFR Part 903.7 9 (k)]

N/A

**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 N/A

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

**B. Section 8 Tenant Based Assistance N/A**

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

2. Program Description:

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

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

**12. PHA Community Service and Self-sufficiency Programs N/A**

[24 CFR Part 903.7 9 (l)]

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

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

1. Cooperative agreements: N/A

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)

N/A

- 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 N/A**

**(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 (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)
N/A				

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

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing	N/A	
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)

- N/A  Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
- N/A  Informing residents of new policy on admission and reexamination
- N/A  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 N/A**

[24 CFR Part 903.7 9 (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)

N/A

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

- Safety and security survey of residents
- Analysis of crime statistics over time for crimes committed "in and around" public housing authority

- Analysis of cost trends over time for repair of vandalism and removal of graffiti
- Resident reports
- PHA employee reports
- Police reports
- Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- Other (describe below)

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

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

N/A

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** N/A

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
- X 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)

N/A

**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)]

SEE MN014v01a page 61-63

**15. Civil Rights Certifications**

[24 CFR Part 903.7 9 (o)]

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

**16. Fiscal Audit**

[24 CFR Part 903.7 9 (p)]

- 1.  Yes  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?  
N/A WE HAD NO UNRESOLVED FINDINGS  
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?

N/A

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:

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

- Considered comments, but determined that no changes to the PHA Plan were necessary.  
 The PHA changed portions of the PHA Plan in response to comments  
List changes below:

- Other: (list below) NO COMMENTS WERE RECEIVED

**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)SELF NOMINATION, CANDIDATES REGISTERED WITH THE CITY OF BENSON AND THE CITY COUNCIL APPOINTED A RESIDENT TO FILL THE VACANCY ON THE HRA BOARD.

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) N/A

- 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)STATE OF MINNESOTA 1999 CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT PLAN AND THE 1990 CHAS DATA BOOK SUPPLIED BY HUD.

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)
  
- Other: (list below)

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

#### **D. Other Information Required by HUD**

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

**Board Resolution #99-9 Deconcentration Policy ---June 9, 1999  
RESOLUTION #99-9 TO REVISE THE STATEMENT OF  
POLICIES GOVERNING ADMISSION TO AND CONTINUED  
OCCUPANCY OF LOW RENT PUBLIC HOUSING, BENSON,  
MINNESOTA, TO INCLUDE INCOME TARGETING AND  
DECONCENTRATION REQUIREMENTS**

**BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS  
OF THE HOUSING AND REDEVELOPMENT AUTHORITY OF  
BENSON, MINNESOTA, HEREBY INCLUDES IN PART 5, HUD  
Guidelines for very low income will comply with the income  
targeting requirements of QHWRA: 40% of households admitted in  
a fiscal year must have incomes below 30% of the area median  
income; and if the average income (adjusted for unit sizes) at one  
development varies from the agency wide average by more than**

**50%, the Benson HRA will offer incentives to eligible applicants to accept unit assignments which will reduce the disparity.**

.....

**FOR ALL ANNUAL PLANS FOLLOWING SUBMISSION OF THE FIRST ANNUAL PLAN THE BENSON HRA WILL INCLUDE a brief statement of the Benson HRA's progress in meeting the mission and goals described in the 5-Year Plan if there exists a substantial deviation from its 5-Year Plan. This is defined by the Benson HRA to mean discretionary changes in the plans or policies of the Benson Housing Authority that fundamentally changes the mission, goals, objectives, or plans of the Benson HRA and which also requires formal approval of the Board of Commissioners.**

## Attachments

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

## PHA Plan Table Library

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

**Since the Benson HRA is a high performer and has less than 250 units we will put the money from the Capital funds into the operating fund which will give us greater flexibility in the use of these funds. Due to circumstances beyond our control we do not know the amount we will receive. According to HUD instructions in PIH 99-33 we are to use 92% of the amount we received in 1999 CIAP funding. In 1999 we received \$148,220.**

#### Annual Statement

#### Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number MN46P014907-00 FFY of Grant Approval: (04/2001)

X  Original Annual Statement

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	136,362
3	1408 Management Improvements	0
4	1410 Administration	0
5	1411 Audit	0
6	1415 Liquidated Damages	0
7	1430 Fees and Costs	0
8	1440 Site Acquisition	0
9	1450 Site Improvement	0
10	1460 Dwelling Structures	0
11	1465.1 Dwelling Equipment-Nonexpendable	0
12	1470 Nondwelling Structures	0
13	1475 Nondwelling Equipment	0
14	1485 Demolition	0
15	1490 Replacement Reserve	0
16	1492 Moving to Work Demonstration	0
17	1495.1 Relocation Costs	0
18	1498 Mod Used for Development	0
19	1502 Contingency	0

20	<b>Amount of Annual Grant (Sum of lines 2-19)</b>	136,362
21	Amount of line 20 Related to LBP Activities	0
22	Amount of line 20 Related to Section 504 Compliance	0
23	Amount of line 20 Related to Security	0
24	Amount of line 20 Related to Energy Conservation Measures	0

**Annual Statement**

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

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
MN14001 PVM	Update fire alarms, add strobes, & horns	1406	57,500
MN14001 PVM	Repair, seal coat, stripe parking lot	1406	4,250
MN14001 PVM	Architec. And Engineering Fee	1406	3,400
MN14001 PVM	Admin. Fee, building permit, etc.	1406	500
MN14001 PVM	Repari underground pipe west side of building	1406	3,000
MN14003 WWM	Brick repair & sealing exterior	1406	8,500
MN10003 WWM	Update Fire Alarms, add strobes & horns	1406	43,500
MN10003 WWM	Architec. And Engineering fee	1406	3,600
MN14003 WWM	Admin. Fee, building permit, etc.	1406	500
MN14003 WWM	Repair, seal coat, stripe parking lot	1406	7,400
		<b>Total</b>	<b>136,150</b>

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

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)
MN14-001/003	3/31/2001	3/31/2000

## 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	
Mn14-003	Westwood Manor	0	0%	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Replace Sheet vinyl in units in kitchens and bathrooms			13,440	2001
Irrigation system – move 5 heads			1,000	2001
<b>Total estimated cost over next 5 years</b>			<b>14,440</b>	

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
MN14-001	Park View Manor	0	0%	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Replace air handling unit lobby ceiling & install sound batts			15,000	2001
Replace External Air Conditioner & Relocate			18,000	2001

<b>Construct Exterior Storage Building for mower, gas, etc, with brick &amp; EFS on Exterior to match Building</b>	28,650	2001
<b>Replace 9 Exterior Doors, 6 Community RM Doors, 1 Laundry RM Door, 3 electrical room doors, and 34 unit doors</b>	37,700	2001
<b>Replace TWENTY- TWO, 21 “ ranges with 24 inch ranges</b>	9,020	2001
<b>Maintenance &amp; Mechanical Room Floor Tile and Paint</b>	13,000	2001
<b>Install Sprinkler System on all 7 floors which includes new lighting and ceiling tile</b>	272,720	2002 & 2003
<b>Replace Exterior Lighting at West Entrance</b>	600	2004
<b>Roof Replacement</b>	81,000	2004
<b>Replace Carpet in five Hallways</b>	18,000	2004
<b>Repaint stairwells and Hallways</b>	17,000	2004
<b>Interior of apartments door replacement, closet doors etc.</b>	19,760	2004
<b>TOTAL</b>	<b>\$530,450</b>	

**The Total Cost for both buildings will be \$544,890 from 2001 - 2004**

**THESE PLANS ARE CONTINGENT UPON HUD DESIGNATION OF FUNDING AND ALSO PROPOSALS RECEIVED BY THE HRA FOR THE VARIOUS JOBS IN EACH OF THE PRECEDING YEARS AND ALSO UNFORSEEN EVENTS.**



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# **ADMISSIONS AND CONTINUED OCCUPANCY POLICY**

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This Admissions and Continued Occupancy Policy defines the Benson Housing Authority'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 Benson Housing Authority to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

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 Benson Housing Authority's programs.

To further its commitment to full compliance with applicable Civil Rights laws, the Benson Housing Authority will provide Federal/State/local information to applicants/tenants 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 Benson Housing Authority office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

The Benson Housing Authority will assist any family that believes they have suffered illegal discrimination by providing them copies of the appropriate housing discrimination forms. The Benson Housing Authority 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 Benson Housing Authority 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 Benson Housing Authority will follow in determining whether it is reasonable to provide a

requested accommodation. Because disabilities are not always apparent, the Benson Housing Authority will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

## 2.1 Communication

Anyone requesting an application will also receive a Request for Reasonable Accommodation form.

Notifications of reexamination, inspection, appointment, or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by the tenant will include information about requesting a 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 Benson Housing Authority 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 Benson Housing Authority will obtain documentation that the requested accommodation is needed due to the disability. The Benson Housing Authority 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. Would the accommodation constitute a fundamental alteration? The

Benson Housing Authority's business is housing. If the request would alter the fundamental business that the Benson Housing Authority conducts, that would not be reasonable. For instance, the Benson Housing Authority would deny a request to have the Benson Housing Authority do grocery shopping for a person with disabilities.

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 Benson Housing Authority 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 Benson Housing Authority retains the right to be shown how the requested accommodation enables the individual to access or use the Benson Housing Authority's programs or services.

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

The cost necessary to carry out approved requests, including requests for physical modifications, will be borne by the Benson Housing Authority if there is no one else willing to pay for the modifications. If another party pays for the modification, the Benson Housing Authority will seek to have the same entity pay for any restoration costs.

If the tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the Benson Housing Authority will generally approve such a request if it does not violate codes or affect the structural integrity of the unit.

Any request for an accommodation that would enable a tenant 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 Benson Housing Authority will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families, by contacting the local school Language Department, or other bilingual staff at area colleges, technical schools, or Human Service Offices.

#### **4.0 Family Outreach**

The Benson Housing Authority 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 Benson Housing Authority will distribute fact sheets to the broadcasting media and initiate personal contacts with members of the news media and community service personnel. The Benson Housing Authority will also try to utilize public service announcements.

The Benson Housing Authority 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 tenant 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 tenant information will not be released unless there is a signed release of information request from the applicant or tenant.

#### **6.0 Required Postings**

In its office, the Benson Housing Authority 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. A listing of all the developments by name, address, number of units, units designed with special accommodations, address of all project offices, office hours, telephone numbers, TDD numbers, and Resident Facilities and operation hours
- D. Income Limits for Admission
- E. Excess Utility Charges
- F. Utility Allowance Schedule

- G. Current Schedule of Routine Maintenance Charges
- H. Dwelling Lease
- I. Grievance Procedure
- J. Fair Housing Poster
- K. Equal Opportunity in Employment Poster
- L. Any current Benson Housing Authority 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 will be accepted during regular business hours at:

**Benson HRA Office  
Park View Manor  
300 13<sup>th</sup> Street North  
Benson, MN 56215**

Applications are taken to compile a waiting list. One waiting list will be maintained for all low rent projects. The waiting list will consist of apparently eligible applicants, based on type and size of unit required, factors affecting local preference, and date and time the application was received. Application forms will be completed to the extent that all factors of eligibility and preference factors are included and a determination can be made to the Authority on this eligibility status of the applicant.

Completed applications will be accepted for all applicants and the Benson Housing Authority will verify the information.

Applications may be made in person at the **Benson HRA Office, 300 13<sup>th</sup> St. N, Benson, MN , Monday – Friday, between 10 a.m. and 5 p.m.** Applications will be mailed to interested families upon request.

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

Persons with disabilities who require a reasonable accommodation in completing an application may call the Benson Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available for the deaf. The TDD telephone number is **(1-800-627-3529)**.

The application process will involve two phases. The first phase requires the family to provide basic information which also aids 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 application, the Benson Housing Authority will make a preliminary determination of eligibility. The Benson Housing Authority will notify the family in writing of the date and time of placement on the waiting list, and the approximate wait before housing may be offered. If the Benson Housing Authority determines the family to be ineligible, the 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 Benson Housing Authority will annotate the applicant's file and will update their place on the waiting list. Confirmation of the changes will be confirmed with the family in writing.

The second phase is the final determination of eligibility which takes place when the family nears the top of the waiting list. The Benson Housing Authority 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

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 Benson Housing Authority screening criteria in order to be admitted to public housing.

### 8.2 Eligibility Criteria

#### A. Family status.

1. A **family** is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship.
  - a. Children temporarily absent from the home due to placement in foster care are considered family members.
  - 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. An **elderly family**, which is:
  - 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.
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 tenant family**.
7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.

B. Income eligibility

1. To be eligible for admission to Park View Manor which was 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.
2. To be eligible for admission to Westwood Manor which became available for occupancy 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. (See exception in Appendix A)
3. Income limits apply only at admission and are not applicable for continued occupancy.
4. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the Benson Housing Authority.
5. If the Benson Housing Authority 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 tenants.
6. Income limit restrictions do not apply to families transferring within our Public Housing Program.
7. If there are no eligible families on the waiting list and the Benson Housing Authority 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 be given at least a 30 day notice and must vacate the unit if an eligible family applies after they are in occupancy.

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)).

3. Family eligibility for assistance.

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 Federal Register 5/12/1999 and also section 13.6 for calculating rents under the noncitizen rule) PHA's are not required to affirmatively establish and verify eligibility of at least one family member before providing financial assistance.

c. A family without any eligible members and receiving assistance on June 19, 1995, may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

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

E. Signing Consent Forms

4. 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 Benson Housing Authority 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 Benson Housing Authority 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 12 months after the date the consent form is signed.

### 8.3 Suitability

- 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 Benson Housing Authority 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 tenants, Benson Housing Authority 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.
- B. The Benson Housing Authority will consider objective and reasonable aspects of the family's background, including the following:
  1. History of meeting financial obligations, especially rent;
  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 tenants;
  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 tenants or staff or cause damage to the property;
  3. History of disturbing neighbors or destruction of property;
  4. 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. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.
- C. The Benson Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease.

The Benson Housing Authority will verify the information provided. Such verification may include but may not be limited to the following:

1. A credit check of the head, spouse and co-head;
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 Benson Housing Authority may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);
4. A home visit. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
5. 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 Benson Housing Authority 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 tenants;

- 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 tenants 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 authority 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 Benson Housing Authority may waive this requirement if:
  - 1. The person demonstrates to the Benson Housing Authority'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 Benson Housing Authority 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 Benson Housing Authority determines that an applicant does not meet the criteria for receiving public housing assistance, the Benson Housing Authority 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 Benson Housing Authority will describe how to obtain the informal review.

The informal review may be conducted by any person designated by the Benson Housing Authority, 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 Benson Housing Authority's decision. The Benson Housing Authority 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 Benson Housing Authority 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 apartment size, preference, and then in order of date and time of application; and
- C. Any contacts between the Benson Housing Authority and the applicant will be documented in the applicant file.

## 9.3 Families Nearing the Top of the Waiting List

When a family appears to be within two (2) months of being offered a unit, the family will be invited to an interview and the final verification process will begin. It is at this point in time that the family's waiting list preference will be verified. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate spot on the waiting list. The Benson Housing Authority must notify the family in writing of this determination and give the family the opportunity for an informal review.

## 9.4 Purging the Waiting List

The Benson Housing Authority 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 Benson Housing Authority has current information, i.e. applicant's address, family composition, income category, and preferences.

## 9.5 Removal of Applicants From the Waiting List

The Benson Housing Authority 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.

***a. MISSED APPOINTMENTS***

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

The Benson Housing Authority 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 Benson Housing Authority will work closely with the family to find a more suitable time. Applicants will be offered the right to informal review before being removed from the waiting list.

## 9.7 Notification of Negative Actions

Any applicant whose name is being removed from the waiting list will be notified by the Benson Housing Authority, 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 time frame specified. The Benson Housing Authority 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 Benson Housing Authority 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 Tenant Selection and Assignment Plan

### 10.1 Preferences

The Benson Housing Authority will select families based on the following local preferences:

#### **Table Library**

**LOCAL PREFERENCES:** Preferences will always be given to the elderly, handicapped and disabled. Other preferences will be given in the order listed below. Applicant must qualify for the preference at the time of selection. An applicant loses the preference if the situation has changed or cannot be documented. If two or more applicants have identical preferences, selection will be made on an equal basis in order of application date and time.

- A) Eligible elderly, handicapped, and disabled persons.
- B) Eligible elderly, handicapped, and disabled applicants within HUD guidelines for very low income. Twenty five units at Westwood Manor have been granted a waiver of the very low income guidelines due to the number of vacancies. Applicants for this housing can be low income range.
- C) Near Elderly
- D) Singles

Additional Local Preferences:

- a. Involuntary Displacement – may be public or private displacement which has occurred or will be occurring within 6 months of verification. Types of Involuntary Displacement are:
  - E) Government Action by U.S., State, or Local Unit including code enforcement, public improvement or development;
  - F) Natural Disaster such as a fire or flood which results in the applicant's unit being uninhabitable. Verification of government or disaster displacement is obtained from an appropriate government agency;
  - G) Displacement by inaccessibility of unit: An applicant family is involuntarily displaced if: 1) a member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit; and 2) the owner is not legally obligated to make changes to the unit that would make critical elements accessible to the disabled person as a reasonable accommodation;
  - H) Owner's Action, that is, beyond the applicant's ability to control or prevent, occurs despite an applicant's having met all conditions of occupancy, and is other than a rent increase or eviction (for cause). The reason for a tenant's involuntary displacement by owner action (but are not limited to): Conversion of the unit to non-rental or non-residential use; closing of the unit for rehab, or any reason owner wants the unit for personal or family use or occupancy; sale of the unit, which requires the unit to be vacant when possession is transferred; any other legally authorized act that results or will result in withdrawal of the unit from the rental market; an owner's decision

not to renew an applicant's lease. Verification of owner action is obtained from the owner or his agent.

An applicant loses the preference if they obtain "standard replacement housing" before selection. This is housing that is: a) Decent, safe and sanitary; b) Adequate for the family size; c) Permanent and occupied pursuant to a lease or occupancy agreement.

5. Domestic Violence of a recent of Continuing Nature which results in

the applicant: vacating a unit because of domestic violence; or living in a unit with an individual who engages in such domestic violence.

a. "Domestic violence" means actual or threatened physical violence directed against one or more members of the applicant family by

a

spouse or other member of the applicant's household.

b. For an applicant to qualify as involuntarily displaced because of

domestic violence;

occurred

1. The HRA must determine that the domestic violence

recently or is of a continuing nature; and

engaged in

2. The applicant **must certify** that the person who

unless

such violence **will not** reside with the applicant family

family is

the HRA has given advance written approval. If the

assistance to the

admitted, the HRA may deny or terminate

family for breach of this certification.

For Domestic Abuse Displacement, replacement housing does not include a shelter or the return to the abuser's residence.

Verification of Domestic Violence Displacement is accomplished through written

Confirmation from police, social service agencies, courts, clergymen, physicians, or public or private shelters or counseling facilities.

a. Substandard Housing Preference is given for residents of inadequate housing and for the homeless.

D) A Housing Unit is substandard if it:

a. Is dilapidated;

**Table Library**

- b. Does not have operable indoor plumbing;
- c. Does not have useable flush toilet inside the unit for the exclusive use of the family;
- d. Does not have useable bathtub or shower inside the unit for the exclusive use of the family;
- e. Does not have electricity or has unsafe or inadequate electrical service;
- f. Does not have a safe or adequate source of heat;
- g. Should, but does not, have a kitchen, or;
- h. Has been declared unfit for human habitation by an agency or unit of government.

J) A Housing Unit is dilapidated if:

- a. The unit does not provide safe and adequate shelter, and in its present condition endangers the health, safety, or well-being of a family; or
- b. The unit has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or may result from continued neglect or lack of repair from serious damage to the structure.

Verification of Substandard Housing is by a written statement from a local government agency or the applicant's landlord.

C. The Homeless Family includes any person or family that: Lack a fixed, regular and adequate nighttime residence; and also has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing); an institution providing temporary residence for a person intending to be institutionalized, or; a public or private place not designed for or intended for use as sleeping accommodations for human beings.

A "Homeless Family" does not include individuals imprisoned or detained by an Act of Congress or a State Law.

*Verification of a Homeless Condition is obtained through written confirmation from a public or private shelter or from the local police department or social service agency.*

Rent Burden – Given to families or individuals paying more than 50% of their income for rent for at least 90 days.

D. The definition of rent includes:

- 1. The monthly amount due under a lease of occupancy agreement between a family and the family's current landlord. Verification is by canceled checks or money orders, copies of rental documents or through the

landlord.

2. The cost of family-purchase utilities determined, at the option of the applicant, either by : The PHA utility allowance , or; The average monthly utility payments actually made for the most recent 12 months, or other appropriate period, reduced by any amounts paid by an energy assistance program. Verification is by bills, receipts, or through the utility company.
3. A manufactured home and pad. Total “rent” includes the mortgage payment, pad rental, and utilities. Verification is by mortgage documents, rental agreements, and utility bills.
4. Charges under the occupancy agreement between members and a cooperative. Verification is by copy of an occupancy agreement.

An application does not qualify for a “Rent Burden” preference if: 1) the applicant has been paying more than 50% of income for rent for less than 90 days; and 2) the applicant is paying more than 50 % of income of family rent for a unit because the applicant’s housing assistance for occupancy of the unit , under any of the following programs, has been terminated because of the applicant’s refusal to comply with applicable program policies and procedures on the occupancy of under occupied and over crowded units. (The Section 8 programs or Public Housing programs under the United States Housing Act of 1936; the Rent Supplement Program under Section 101 of the Housing and Urban Development Act of 1965; or Rental Assistance Payments under Section 236(f) (2) of the National Housing Act.).

An applicant may claim qualifications for a Local Preference by certifying to the Benson HRA that the family qualifies for a Local Preference. The HRA must accept this certification, unless the HRA verifies that the applicant is not qualified for Local Preference.

**PROHIBITION OF PREFERENCE:** If an applicant was evicted for drug-related criminal activity the HRA may not give preference to an applicant if any member of the family is a person who was evicted during the past three (3) years because of drug-related criminal activity from housing assisted under the 1937 Housing Act Program. However; the HRA may give an admission preference in any of the following cases:

- A) The HRA determines that the evicted person has successfully completed a rehabilitation program approved by the HRA;
- B) The HRA determines that the evicted person clearly did not participate in or know about the drug related activity;
- C) The HRA determines that the evicted person no longer participates in any drug-related criminal activity.

VERIFICATION OF LOCAL PREFERENCES: Before an applicant is admitted on the basis of a Local preference, the applicant must provide information needed by the HRA to verify that the applicant qualifies for a Local preference because of the applicant's current status. Once the HRA has verified an applicant's qualification for a Local preference, the HRA need not require the applicant to provide information needed by the HRA to verify such qualifications again unless:

- a. The HRA determines reverification is desirable because a long time has passed since verification; or
- b. The HRA has reasonable grounds to believe that the applicant no longer qualifies for a Local preference.

RESTRICTIONS ON AN APPLICANT'S PREFERENCE STATUS:

1. Applicants must qualify for a preference at the time of selection. An applicant loses the preference if they obtain "standard replacement housing" before selection. This would be housing that is: Decent, safe, and sanitary; Adequate for the family size. (the PHA occupancy standard defines "adequate" size); Permanent and occupied pursuant to a lease or occupancy agreement.
2. An applicant is not involuntarily displaced if they moved from an assisted unit because of failure to comply with program policies on under or over occupancy.
3. The "rent burden" preference does not apply if the applicant is now paying more than 50% of income for rent because assistance was terminated for failure to comply with program policies on under or over-occupancy.
4. Single room occupancy units are not considered substandard.

Applicants who do not qualify for the Local preference are placed next on the waiting list arranged by date and time of application and are selected only after all Local preference applicants according to HUD Policies.

The Authority in selecting eligible applicants to fill available units of suitable size shall give second consideration to the HUD APPROVED LOWER INCOME RANGE AND WILL FOLLOW THE SAME LOCAL PREFERENCES AS APPLIED TO THE HUD APPROVED VERY LOW INCOME RANGE satisfying the HUD directive that 40% of the admissions each year be at 30% or less of median income.

- A) Individual and families displaced by a natural disaster in a declared disaster area, or by governmental action.
- B) The urgency of housing needs. In determining need the following will be considered:
  - a. The degree of substandard factors present in the existing housing of the applicant.
  - b. The gross rent paid for present housing as a percentage of annual income.
  - c. Domestic Violence of a Recent or Continuing Nature.
  - d. Homeless Family
- C) Date and time of application.

EFFECT OF CURRENT RESIDENCE IN ASSISTED HOUSING: No applicant is to be denied a Local preference for which the family otherwise qualified on the basis that the applicant already resides in assisted housing; for example, the actual condition of the housing unit must be considered, or the possibility of involuntary displacement resulting from domestic violence must be evaluated.

NOTICE AND OPPORTUNITY FOR A MEETING WHERE LOCAL PREFERENCE IS DENIED

- A) If the HRA determines that an Applicant does not qualify for a Local preference claimed by the applicant, the HRA must promptly give the applicant written notice of the determination. The notice must contain a brief statement of the reasons for the determination, and state that the applicant has the right to meet an HRA representative to review the determination. The meeting

may be conducted by any person or persons designated by the HRA, who may be an officer or employee of the HRA, including the person who made or reviewed the determination or a subordinate employee.

- B. The Applicant may exercise other rights if the Applicant believes that he/she has been Discriminated against on the basis or race, color, religion, sex, national origin, age, disability; or familial status

Based on the above preferences, all families in preference one will be offered housing before families in preference two, all families in preference two will be offered housing before families in preference three, and all families in preference three will be offered housing before all families in preference four.

The date and time of application will be noted and utilized to determine the sequence within the above prescribed preferences.

Notwithstanding the above, families who are elderly, disabled, or displaced or near elderly 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 apartment size using these priorities, 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 the HRA expense to another apartment in that building) 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

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

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
Small 1 bdrm, PVM	1	2

**Table Library**

Large 1 bdrm, all others	1	2
2 – caretaker units	2	4

- A) Dwelling should be assigned so that, except possibly in the case of infants and very young children, the parent (s) has a separate bedroom.
- B) The age, sex, and relationship of the members of the family will be taken into consideration in assigning unit sizes; persons of different generations, persons of the opposite sex (other than married couples, or couples who have a marital type relationship), and unrelated adults, will be assigned separate bedrooms. In any case, minors of the opposite sex, six years or older, will not be required to share the same bedroom.
- C. Units will be assigned so that the living room is not used for sleeping purposes. In order to prevent underutilization of space and permit efficient and economical use of scarce housing resources, the above mentioned standards will determine the number of bedrooms required to accommodate a family of a given size.

In determining bedroom size, the Benson Housing Authority 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.

Such standards may be waived when a vacancy problem exists and it is necessary to achieve or maintain full occupancy by temporarily assigning a family to a large size unit, or a different unit type, such as a handicapped adapted unit, than is required. Such family shall be advised that they will be transferred to the proper type of size unit as soon as one becomes available. In no event should waiver action be taken to assign smaller units to families than established in the maximums.

### 10.3 Selection From the Waiting List

The Benson Housing Authority 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 Benson Housing Authority'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 Benson Housing Authority 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.

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. If the average income (adjusted for unit sizes) at one development varies from the agency wide average by more than 50%, the Benson HRA will offer incentives to eligible applicants to accept unit assignments which will reduce the disparity. (Benson HRA Board Resolution #99-9). Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement. The worksheet for the analysis can be found in **Appendix 1**.

## 10.5 Deconcentration Incentives

The Benson Housing Authority may offer one or more incentives to encourage applicant families whose income classification would help to meet the deconcentration goals of a particular development.

*Various incentives may be used at different times, or under different conditions, but will always be provided in a consistent and nondiscriminatory manner. Some of these may include: skip ahead on the waiting list or the Housing Authority will waive the payment of the Security Deposit. These incentives will only be used if the HRA as a problem meeting the deconcentration goals.*

## 10.6 Offer of a Unit

When the Benson Housing Authority discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit

or development and whose income category would help to meet the deconcentration goal and/or the income targeting goal.

The Benson Housing Authority 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 Benson Housing Authority regarding the offer. If the letter is mailed outside of Swift County a family will be given 10 business days from the date the letter was mailed to contact the Benson Housing Authority .

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will have two (2) business days to accept or reject the unit. This verbal offer and the family's decision must be documented in the tenant file. If the family rejects the offer of the unit, the Benson Housing Authority 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 Benson Housing Authority skipped over other families on the waiting list in order to meet their deconcentration goal or offered the family any other deconcentration incentive and the family rejects the unit, the family will not lose their place on the waiting list and will not be otherwise penalized.

If the Benson Housing Authority 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

The family will be required to sign a lease that will become effective no later than three (3) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later.

Prior to signing the lease all families (head of household) and other adult family members will be required to attend the Lease and Occupancy Orientation. The family will not be housed if they have not attended the orientation. Applicants who provide prior notice of an inability to attend the orientation will be rescheduled. Failure of an applicant to attend

the orientation, without good cause, may result in the cancellation of the occupancy process.

A lease will be signed and dated by the head of the household and other adult family members. The head of the household is the person who assumes legal and moral responsibility for the household. The lease is to be current at all times and must be compatible with Authority Policies, Federal regulations, and state and local law. Notices of Rent Adjustments will be issued to amend the dwelling lease. This procedure provides formal acknowledgment of the rent change and must be signed by both parties.

The applicant will be provided a copy of the lease, the grievance procedure, utility allowances, utility charges, house rules, supportive assisted living services, the current schedule of routine maintenance charges, and a request for reasonable accommodation form. These documents will be explained in detail. Such schedules, rules and regulations may be modified from time to time, provided that at least thirty days written notice is given each affected tenant setting forth the proposed modification, the reasons for each change, and providing the tenant an opportunity to present written comments which shall be taken into consideration prior to the proposed modifications becoming effective. A copy of such notice shall be: delivered directly or mailed to each tenant; or posted in at least three conspicuous places within each building in which the affected dwelling units are located, as well as in the Authority Office. The applicant will sign a certification that they have received these documents and that they have reviewed them with Housing Authority personnel. The certification will be filed in the tenant's file.

**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 Benson Housing Authority will retain the original executed lease in the tenant's file. A copy of the grievance procedure will be attached to the resident's copy of the lease.**

**The family will pay a security deposit at the time they accept the unit, but not later than at the time of lease signing. The security deposit for tenants is \$150.00 and the Pet deposit for a dog or cat is \$150.00, or for one or two birds in a cage the security deposit is \$50.00 (see appendix B).**

In exceptional situations, the Benson Housing Authority reserves the right to allow a new resident to pay their security deposit in up to three (3) payments. One third shall be paid in advance, one third with their second rent payment, and one third with their third rent payment. This shall be at the sole discretion of the Housing Authority.

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

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

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

To determine annual income, the Benson Housing Authority 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 Benson Housing Authority subtracts all allowable deductions (allowances) to determine the Total Tenant Payment.

#### **11.1 Income**

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
- 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 includes, but is not limited to:

- A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
- B. The net income from 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.
- 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.

- 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.)
- E. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
- F. Welfare assistance.
  - 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.
- 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.
- 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.)

## 11.2 Annual income

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 tenant family, who are unable to live alone);
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses;
- 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 Authority 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:

### **Table Library**

- 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.
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:
  - a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.
  - b. Families whose income increases during the participation of a family member in any family self-sufficiency program.
  - c. Families who are or were, within 6 months, assisted under a State TANF program.

(While HUD regulations allow for the housing authority 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 authority to provide the exclusion in all cases.) The percentage of incremental earnings to be excluded during the second 12 months after the date of first employment is 50%.
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;

#### **Table Library**

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;
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
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 sub marginal 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 Benson Housing Authority

The Benson Housing Authority 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:

- A. \$480 for each dependent;
- B. \$400 for any elderly family or disabled family;
- 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.
- D. For any elderly or disabled family:
  - 2. 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;
  - 3. 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;
  - 4. 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.
- E. Child care expenses.

## 12.0 Verification

The Benson Housing Authority 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 Benson Housing Authority or automatically by another government agency, i.e. the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant 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 Benson Housing Authority will accept documentation received from the applicant/tenant. Hand-carried documentation will be accepted if the Benson Housing Authority 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 Benson Housing Authority will accept a notarized statement signed by the head, spouse or co-head. 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 Benson Housing Authority will send a request form to the source along with a release form signed by the applicant/tenant via first class mail or via fax machine.

<b>Verification Requirements for Individual Items</b>		
<b>Item to Be Verified</b>	<b>3<sup>rd</sup> party verification</b>	<b>Hand-carried verification</b>
<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>		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDS, bonds, etc	Letter from institution	Tax return, information brochure

**Table Library**

Verification Requirements for Individual Items		
Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
		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
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating - whether enrolled or completed - whether training is HUD-funded	N/A

**Table Library**

Verification Requirements for Individual Items		
Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
	<ul style="list-style-type: none"> <li>- whether Federal, State, local govt., or local program</li> <li>- whether it is employment training</li> <li>- whether it has clearly defined goals and objectives</li> <li>- whether program has supportive services</li> <li>- whether payments are for out-of-pocket expenses incurred in order to participate in a program</li> <li>- date of first job after program completion</li> </ul>	Evidence of job start

### 12.3 Verification of Citizenship or Eligible Noncitizen Status

The citizenship/eligible noncitizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status by such means as a Social Security card, birth certificate, military ID, or military DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible noncitizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will also be required to show proof of age.

Prior to being admitted or at the first reexamination, all eligible noncitizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The Benson Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The Benson Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the Benson Housing Authority will mail information to the INS in order that a manual check can be made of INS records.

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.

Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to public housing.

Any family member who does not choose to declare their status must be listed on the statement of noneligible members.

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

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.

If the Benson Housing Authority 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

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.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the Benson Housing Authority 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.

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 Benson Housing Authority will not require any individual who does not have a Social Security number to obtain a Social Security number.

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.

If a member of a tenant 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 Authority 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 Tenant Payment and Tenant 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 and using the ceiling rent if applicable, or having their rent set at the flat rent amount.

- A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo.
- B. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
  - 1. The family's income has decreased.
  - 2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.

3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

## 13.2 The Formula Method

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or Ceiling Rent
- C. The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of **\$0.00**, but never more than the ceiling rent.

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 Benson Housing Authority has set the minimum rent at **\$0.00**. However if the family requests a hardship exemption, the Benson Housing Authority will immediately suspend the minimum rent for the family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

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

5. When a death has occurred in the family.
- B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.
  - C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.
  - D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
  - E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

#### 13.4 The Flat Rent

The Benson Housing Authority has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its condition, amenities, services, and neighborhood. The Benson Housing Authority determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually and adjustments applied. 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). (Also see appendix A for Flat rent )

The Benson Housing Authority 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 CEILING RENT

The Benson Housing Authority has set a ceiling rent for each public housing unit using the amounts from the HUD table for Section 8 Fair Market Rents for Swift County.. The amount of the ceiling rent will be reevaluated annually and the adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are

applied on the anniversary date for each affected family. This type of rent will be phased out within three years according to (24 CFR Parts 5, 960,966, and 984 dated 4/30/1999).At that time the ceiling rents will be adjusted to the same level as Flat rents and will be known as Flat rents. Utility allowances are deducted from Ceiling Rents.

The Benson Housing Authority will post the ceiling rents at each of the developments and at the central office and are incorporated in this policy upon approval by the Board of Commissioners. (See appendix A).

### 13.6 Rent for Families under the Noncitizen Rule

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;
- B. The family was granted continuation of assistance before November 29, 1996;
- C. The family's head 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 Benson Housing Authority will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Benson Housing Authority 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%.

The family's assistance is prorated in the following manner:

#### **Table Library**

- A. Determine the 95<sup>th</sup> percentile of gross rents (tenant rent plus utility allowance) for the Benson Housing Authority. The 95<sup>th</sup> percentile is called the maximum rent.
- B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.
- C. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.
- D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

### 13.7 Utility allowance

The Benson Housing Authority shall establish a utility allowance for all check-metered utilities and for all tenant-paid utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, the Benson Housing Authority will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances.

The utility allowance will be subtracted from the family's formula, Ceiling Rent, or flat rent to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family (Westwood Manor) owes each month to the Benson Housing Authority. The amount of the utility allowance is then still available to the family to pay the cost of their utilities. Any utility cost above the allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance belongs to the tenant.

For Benson Housing Authority paid utilities, the Benson Housing Authority will monitor the utility consumption of each household. Any consumption in excess of the allowance established by the Benson Housing Authority will be billed to the tenant monthly. (Park View Manor)

For current Utility Allowance see appendix C.

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.

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

Requests for relief from surcharges for excess consumption of Benson Housing Authority purchased utilities or from payment of utility supplier billings in excess of the utility allowance for tenant-paid utility costs may be granted by the Benson Housing Authority on reasonable grounds. Requests shall be granted to families that include an elderly member or a member with disabilities. Requests by the family shall be submitted under the Reasonable Accommodation Policy. Families shall be advised of their right to individual relief at admission to public housing and at time of utility allowance changes.

**EXCESS UTILITY CONSUMPTION:** *Where the utilities are included in the contract rent, the Authority will charge each tenant for utility usage in excess of necessary amounts. These charges will be determined by the HRA by contacting the area utility suppliers and determining the cost for actual usage. The amount will then be determined by the HRA. The residents will be notified of these changes according to HUD Guidelines. These charges are due and payable in the HRA Office in addition to their monthly rental payment.*

**EXCESS UTILITY CHARGES:** Tenants utilizing the follow appliances and/or services are required to pay the following amounts:

**Headbolt Heaters:** When in use, \$10.00 per month NOVEMBER-MARCH  
Or \$1.00 per day.

**Units Check-metered:** Electrical charges exceeding the established base will be

Billed quarterly at the current utility rate. MN014001

(See Appendix D)

## 13.8 PAYING RENT

Rent and other charges are due and payable on the first day of the month. All rents should be paid at **(Benson HRA Office between the first and fifth of the month during regular business hours or at Westwood Manor between 10:30 a.m. and 12 p.m. on the third of the month)**. 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 fifth of the month, it will be considered delinquent, unless a written agreement had been made with the HRA Office prior to the first of the month

requesting an extension of the due date. If the tenant fails to make payment by the fifth day of the month, or the date of the written agreement, a late notice will be sent; if the rent has not been paid by the tenth day of the month, a second late notice will be sent; if the rent has not been paid by the 15<sup>th</sup> day of the month a third late notice will be sent along with an eviction notice.

#### **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

The following adult family members of tenant families are exempt from this requirement.

- A. Family members who are 62 or older
- B. Family members who are blind or disabled
- C. Family members who are the primary care giver for someone who is blind or disabled
- D. Family members engaged in work activity
- 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
- 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

The Benson Housing Authority shall identify all adult family members who are apparently not exempt from the community service requirement.

The Benson Housing Authority 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 Benson Housing Authority shall verify such claims.

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

#### 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 Benson Housing Authority will coordinate with social service agencies, local schools, and the Human Resources Office in identifying a list of volunteer community service positions.

Together with the resident advisory councils, the Benson Housing Authority may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

#### 14.5 The Process

At the first annual reexamination on or after October 1, 1999, and each annual reexamination thereafter, the Benson Housing Authority will do the following:

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions.
- C. 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.

- D. Assign family members to a volunteer coordinator (the Benson HRA Office Assistant) who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The volunteer coordinator will track the family member's progress monthly and will meet with the family member as needed to best encourage compliance.
- E. Thirty (30) days before the family's next lease anniversary date, the volunteer coordinator will advise the Benson Housing Authority whether each applicable adult family member is in compliance with the community service requirement.

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

The Benson Housing Authority 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;

#### 14.7 Opportunity for cure

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

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

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

#### 15.0 Recertifications

At least annually, the Benson Housing Authority 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

The Benson Housing Authority will contact them personally or send a notification letter to 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 letter also includes, for those families paying the formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

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

## 15.2 MISSED APPOINTMENTS

If the family fails to respond to the letter 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 Benson Housing Authority taking eviction actions against the family.

## 15.3 Flat Rents

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

- 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.
- B. The amount of the flat rent
- C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories of allowances that can be deducted from income.

- D. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.
- E. Families who opt for the flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons:
  - 1. The family's income has decreased.
  - 2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
  - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.
- F. The dates upon which the Benson Housing Authority 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.
- G. The name and phone number of an individual to call to get additional information or counseling concerning flat rents.
- H. A certification for the family to sign accepting or declining the flat rent.

Each year prior to their anniversary date, Benson Housing Authority will send a reexamination letter to the family offering the choice between a flat or a formula rent. The opportunity to select the flat rent is available only at this time. At the appointment, the Benson Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with the Benson Housing Authority representative, they may make the selection on the form and return the form to the Benson Housing Authority. In such case, the Benson Housing Authority will cancel the appointment.

#### 15.4 THE FORMULA METHOD

During the interview, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances.

Upon receipt of verification, the Benson Housing Authority will determine the family's annual income and will calculate their rent as follows.

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or Ceiling Rent
- C. The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of **\$0.00**, but never more than the ceiling rent.

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

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

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.

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.

Families will not be required to report any increase in income or decreases in allowable expenses between annual reexaminations.

Families are required to report the following changes to the Benson Housing Authority 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.

- A. A member has been added to the family through birth or adoption or court-awarded custody.
- 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. This includes the screening for methamphetamine offenders and sex offenders which is mandated by statute. The Benson Housing Authority 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.

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 Benson Housing Authority will take timely action to process the interim reexamination and recalculate the tenant's rent. If a social security adjustment has been made since the last recertification and the medicare cost has increased, therefore increasing the medical expense, both the new social security amount, SSI adjustment, or other pension cost of living adjustments will be put into the requested review, along with the medicare adjustment and with additional other medical expense.

### 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 Benson Housing Authority 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).

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.

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.

## **16.0 Unit Transfers**

### **16.1 Objectives of the Transfer Policy**

The objectives of the Transfer Policy include the following:

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

### **16.2 Categories of Transfers**

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.

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.

Category 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Benson Housing Authority 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 Benson Housing Authority 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 Incentive transfers

Transfer requests will be encouraged and approved for families who live in a development where their income category (below or above 30% of area median) predominates and wish to move to a development where their income category does not predominate.

Families living in multifamily developments have the opportunity to transfer to another multifamily development, or to scattered-site housing. Families approved for such transfers will meet the following eligibility criteria:

- A. Have been a tenant for three years;
- B. For a minimum of one year, at least one adult family member is enrolled in an economic self-sufficiency program or is working at least thirty-five (35) hours per week, the adult family members are 62 years of age or older or are disabled or are the primary care givers to others with disabilities;
- C. Adult members who are required to perform community service have been current in these responsibilities since the inception of the requirement or for one year which ever is less;
- D. The family is current in the payment of all charges owed the Benson Housing Authority and has not paid late rent for at least one year;
- E. The family passes a current housekeeping inspection and does not have any record of housekeeping problems during the last year;
- F. The family has not materially violated the lease over the past two years by disturbing the peaceful enjoyment of their neighbors, by engaging in criminal or drug-related activity, or by threatening the health or safety of tenants or Housing Authority staff.
- G. Participates in a series of classes conducted by the Benson Housing Authority on basic home and yard care.

## 16.5 Processing Transfers

Transfers on the waiting list will be sorted by the above categories and within each category by date and time.

Transfers in category A and B will be housed ahead of any other families, including those on the applicant waiting list. Transfers in category A will be housed ahead of transfers in category B.

Transfers in category C will be housed along with applicants for admission at a ratio of one transfer for every seven admissions.

Upon offer and acceptance of a unit, the family will execute all lease up documents and pay any rent and/or security deposit within two (2) days of being informed the unit is ready to rent. The family will be allowed seven (7) 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 they have possession of both. The prorated rent and other charges (key deposit and any additional security deposit owing) must be paid at the time of lease execution.

The following is the policy for the rejection of an offer to transfer:

- A. If the family rejects with good cause any unit offered, they will not lose their place on the transfer waiting list.
- B. If the transfer is being made at the request of the Benson Housing Authority and the family rejects two offers without good cause, the Benson Housing Authority will take action to terminate their tenancy. If the reason for the transfer is that the current unit is too small to meet the Benson Housing Authority'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.
- 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.
- 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.

## 16.6 Cost of the family's move

The cost of the transfer generally will be borne by the family in the following

### **Table Library**

circumstances:

- A. When the transfer is made at the request of the family or by others on behalf of the family (i.e. by the police or social service agency);
- B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller;
- C. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable.

The cost of the transfer will be borne by the Benson Housing Authority in the following circumstances:

- A. When the transfer is needed in order to carry out rehabilitation activities; or
- B. When action or inaction by the Benson Housing Authority has caused the unit to be unsafe or inhabitable.
- C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved.

The responsibility for moving costs in other circumstances will be determined on a case by case basis.

## 16.7 Tenants 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 Benson Housing Authority. This means the family must be in compliance with their lease, current in all payments to the Housing Authority, and must pass a housekeeping inspection.

## 16.8 Transfer Requests

A tenant may request a transfer at any time by completing a transfer request form. This also applies to the transfer of car parking areas. In considering the request, the Benson Housing Authority may request a meeting with the tenant to better understand the need for transfer and to explore possible alternatives. The Benson Housing Authority will review the request in a timely manner and if a meeting is desired, it shall contact the tenant within ten (10) business days of receipt of the request to schedule a meeting.

The Benson Housing Authority will grant or deny the transfer request in writing within ten (10) business days of receiving the request or holding the meeting, or when a unit becomes available, whichever is later.

If the transfer is approved, the family's name will be added to the transfer waiting list.

If the transfer is denied, the denial letter will advise the family of their right to utilize the grievance procedure.

## 16.9 Right of the Benson Housing Authority 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 tenant to transfer or refuse to transfer.

## 17.0 Inspections

An authorized representative of the Benson Housing Authority 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 Benson Housing Authority file and a copy given to the family member. An authorized Benson Housing Authority 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 any payment due to the Benson Housing Authority regarding damages to the unit or HRA property caused by the tenant.

### 17.1 Move-in Inspections

The Benson Housing Authority 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 tenant file.

### 17.2 Annual Inspections

The Benson Housing Authority will inspect each public housing unit annually to ensure that each unit meets the Benson Housing Authority'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, GFI outlets, emergency call bells, appliances, door closers, grouting in the tile in the showers, condition of the cupboards, doors, walls, and flooring; checks for leaks; and provides an opportunity to change range hood filters; window

maintenance; faucet maintenance; and provide other minor servicing that extends the life of the unit and its equipment.

#### 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 Benson Housing Authority.

#### 17.5 Housekeeping Inspections

Generally, at the time of annual reexamination, or at other times as necessary, the Benson Housing Authority 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 Benson Housing Authority will give the tenant at least two (2) days written advance notice.

#### 17.7 Emergency Inspections

If any employee and/or agent of the Benson Housing Authority 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 tenant gives notice that they intend to move, the Benson Housing Authority will offer to schedule a pre-move-out inspection with the family. The inspection allows the Benson Housing Authority 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 Benson Housing Authority to ready units more quickly for the future occupants.

#### 17.9 Move-out Inspections

The Benson Housing Authority conducts the move-out inspection after the tenant vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the tenant 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 SECTION XXIII. PET POLICY

### 18.1 EXCLUSIONS

This policy does not apply to animals that are used to assist persons with disabilities. Certification must be provided that an animal has been trained to assist the disabled. Certified assistive animals are allowed in all public housing facilities with no restrictions other than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

### 18.2 PETS IN SENIOR BUILDINGS

The Benson Housing Authority 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 prior approval of the Benson HRA; sign a Lease Addendum; and pay the Security Deposit for a pet 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 Authority will approve the request.

### 18.4 Types and Number of Pets

The Benson Housing Authority will allow only domesticated dogs, cats, birds, and fish in aquariums in units. All dogs and cats must be neutered. Bird may be one single bird or a pair of birds in one cage.

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. Reptiles are prohibited.

#### ***Size Limitation:***

The residents must be able to carry the animal that is his pet.

### 18.5 Inoculations, license, and identification requirements for dogs and cats

In accordance with City Ordinance, each dog shall be licensed annually and shall wear a valid animal license tag at all times. In addition, a dog owned by a resident shall wear at all times a valid rabies inoculation tag and an identification tag bearing the owner's name, address, and telephone number. Each dog owner shall be required to have

his/her dog re-inoculated against rabies no less than every thirty six (36) months.

A cat owned by a resident shall wear at all times a valid rabies inoculation tag and an identification tag bearing the owner's name, address and telephone number. Each cat owner shall be required to have his/her cat re-inoculated against rabies no less than every twelve (12) months.

***SPAYING OR NEUTERING REQUIREMENTS*** – Each female dog and cat over six (6) months of age shall be spayed and each male dog or cat over eight (8) months of age shall be neutered.

## 18.6 Pet Deposit

A pet deposit of \$150 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.

## 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 Benson Housing Authority 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 Benson Housing Authority 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.

Each dog or cat shall be kept on leash and/or carried when being taken outside of the owner's apartment. The dog or cat shall always be accompanied by, and in the direct control of an adult. Only one (1) dog or one (1) cat at a time shall be allowed in the designated elevator.

A pet owner shall physically control or confine his/her pet during the times when PHA employees, agents of the PHA or others must enter the pet owner's apartments to conduct business, provide services, enforce lease terms, etc.

***Unattended Pets:***

Residents who own pets shall be, or shall arrange for others to be responsible for their pet at all times. If any pet is left unattended and it is determined by the PHA that the pet is in distress or suffering from lack of care, or if the pet is causing a disturbance to others, the PHA may, at its sole discretion, enter the pet owner's apartment, remove the pet and deliver it or cause it to be delivered to the proper authorities. The PHA accepts no responsibility for the pet under such circumstances.

***Improperly Cared for Pets:***

If it is determined by the PHA that a pet owner is no longer capable of properly caring for a pet, the PHA may, at its sole discretion, require that the pet be removed from the owner's immediate possession and control.

## 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). Pets will be allowed only in designated areas on the grounds of the projects. Pet owners must clean up after their pets and are responsible for disposing of pet waste. This area is the north side of the concrete patio at Westwood Manor and the area by the parking lot on the east side of the building at Park View Manor. Building entrance areas, walkways, and parking lots are to be avoided as places for pets to deposit wastes. Each cat owner shall provide a litter box for his/her cat. Each litter box shall be kept within the pet owner's apartment. No less than every other day, the litter box shall be cleaned and accumulated wastes properly wrapped and disposed of in the containers provided.

In no event shall pet wastes or litter box material be disposed of through sinks, toilets or trash chutes.

***Pet Bathing Restrictions:***

The bathing of a pet shall not be permitted in the building's laundry or in a tub/shower room.

***Pet Enclosure Restrictions:***

A pet owner shall not alter the physical structure of his/her apartment or apartment balcony, if applicable, in order to create an enclosure for a pet.

## 18.10 Visiting Pets

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 Benson Housing Authority approval. Tenants 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 tenant to violate the lease, the tenant will be required to remove the visiting pet.

## 18.11 REMOVAL OF PETS

The Benson Housing Authority, or an appropriate community authority, 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.

### ***PARK VIEW MANOR AND WESTWOOD MANOR PET COMMITTEES:***

The Pet Committee shall consist of the Floor Captains in the Resident's Council at each building. The Pet Committee: shall promote and facilitate the reasonable and satisfactory co-existence of residents and pets; may in the event of non-compliance by any pet owner, recommend to the PHA management the appropriate action to be taken against said pet owner; and may make recommendations to the building Resident's Council, and the PHA's concerning policies and procedures related to pets and pet owners.

## **19.0 Repayment Agreements**

When a resident owes the Benson Housing Authority back charges and is unable to pay the balance by the due date, the resident may request that the Benson Housing Authority allow them to enter into a Repayment Agreement. The Benson Housing Authority 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.

## **20.0 Termination**

### 20.1 Termination By Tenant

The tenant may terminate the lease at any time upon submitting a one month plus one day written notice as defined in the Lease Agreement. If the tenant vacates prior to the end of the notice period, 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 Authority

The Benson Housing Authority 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 Benson Housing Authority 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 authority 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 Benson Housing Authority;
- 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 Authority; and
- M. Pattern of illegal use of a controlled substance and/or alcohol abuse that the HRA determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents
- N. Other good cause.

The Benson Housing Authority 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 Benson Housing Authority 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, a Benson Housing Authority representative may enter the unit and remove any abandoned property. It will be stored in a reasonably secure place. The HRA then has a claim against the resident for reasonable costs and expenses incurred in removing the property and in storing and caring for the property and the HRA can collect from the resident all moving and storage costs. A notice will be mailed to the resident stating where the property is being stored and when it will be sold. If the Benson Housing Authority 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 Benson Housing Authority may sell or otherwise dispose of the property sixty (60) days after the Benson HRA receives actual notice of abandonment or sixty (60) days after it reasonably appears to the HRA that the resident has abandoned the premises, whichever date occurs last. At least fourteen (14) days prior to the sale, the HRA agrees to make reasonable efforts to notify the resident of the sale by sending written notice of the sale by certified mail, return receipt requested, to the resident's last known address or likely living quarters if that is known by the HRA. The HRA shall also post a notice of sale in a clearly visible place on the premises for at least two weeks before the sale. The HRA may use the money from the sale to pay off any debts the residents owes the HRA.

Personal papers, family pictures, and keepsakes can be sold or disposed of at the same time as other property.

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

Within **(twenty one)** days of learning of an abandonment, the Benson Housing Authority will either return the deposit or provide a statement of why the deposit is being kept.

## 20.4 Return of Security Deposit

After the Resident has deposited the Security Deposit with the Benson HRA, the HRA will hold the security deposit for the period the Tenant occupies the dwelling unit. The

HRA will not use the Security Deposit for rent or other charges while the resident is living in the dwelling unit.

Within 21 days after the resident has permanently moved out of the dwelling unit the HRA shall return the Security Deposit with interest (5% simple interest per annum before October 1, 1984; 5.5% per annum thereafter; 4% simple interest per annum after April 27, 1992, thereafter the current rate as approved by Minnesota State Law minus whatever amount is needed to pay the cost of :

- A) unpaid rent
- B) repair of damages that exceed normal wear and tear (intentional or negligent damages to the unit caused by resident, household members or guests) as listed on the move-out Inspection Report; and
- C) other charges due under the Lease as long as a forwarding address has been furnished to the HRA. Interest due begins on the first day of the month following the payment of the Security Deposit.

If the resident disagrees with the amounts deducted, the HRA agrees to meet with the Tenant to discuss the charges.

The Benson Housing Authority 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 **(twenty-one days according to Minnesota State law)**.

## **20.0 SPECIAL PROGRAMS**

**ASSISTED LIVING PROGRAM:** The Benson Housing Authority has contracted with Central Minnesota Senior Care as a provider for this service. This service is optional to each resident.

Assisted Living Services, as defined by Minnesota Statute section 256B.0911, refers to supportive services provided by a single vendor to two or more approved clients who reside in apartments in the same apartment building of ten or more units. These services may include care coordination, the cost of preparing one or more nutritionally balanced meals per day, general oversight, and other supportive services which the vendor is licensed to provide according to sections of MN State Law 144A.43 to 144A.49.

Assisted Living Services are defined as up to twenty-four (24) hour supervision and oversight, supportive services, individualized home care aid tasks, and individualized home management tasks provided to residents of a residential center living in their apartments with full kitchens and bathroom.

Individualized mean that services are chosen and designed specifically for each resident's needs, rather than provided to offered to all residents regardless of their illness, disabilities, or physical conditions.

Supportive Services mean:

- A) socialization (when socialization is part of the plan of care, has specific goals and outcomes established, and is not diversional or recreational in nature);
- B) assisted clients in setting up meetings and appointments; and
- C) providing transportation (when provided by the residential center only).

Home Care Aide Task means:

- A) preparing modified diets, such as diabetic or low sodium diets;
- B) reminding resident to take regularly scheduled medications or perform exercises;
- C) household chores in the presence of technically sophisticated medical equipment or episodes of acute illness or infectious disease;
- D) household chores when the resident's care requires the prevention of exposure to infectious disease or containment of infectious disease; and
- E) assisting with dressing, oral hygiene, hair care, grooming, and bathing, if the resident is ambulatory and has no serious acute illness or infectious disease. Oral hygiene means care of teeth, gums, and oral prosthetic devices.

Home Management Tasks Mean:

- F) housekeeping
- G) laundry
- H) preparation of regular snacks and meals; and
- I) shopping

## ELIGIBILITY CRITERIA

Applicants must:

- a. Reside in Park View Manor or Westwood Manor
- b. Have a complete Pre-Admission Screening
- c. Be someone for whom a safe and cost effective plan of care can be developed;
- d. Be able and willing to cooperate with the care plan;
- e. Be functionally oriented to the environment
- f. Be able to appropriately manage any incontinence
- g. Not have behaviors endangering to self or others
- h. Be able to transfer independently or have an available caregiver capable of completing a transfer.

Service direction shall be provided by the resident with oversight services provided by the Assisted Living provider.

On-going evaluation and/or assessment will be conducted by Swift County Family Service Agency to determine client/tenant eligibility.

Assisted Living Provider will inform the Benson Housing Authority of any problems relating to lease compliance by participants in the Assisted Living Program.

Residents receiving Assisted Living Services may be eligible for additional Medical Assistance (MA) home health and private duty nursing services and waiver services such as extended home health aid or extended skilled nursing services. Individuals receiving Assisted Living Services cannot receive additional homemaking and extended personal care assistant (PCA) services under the waiver as these services are provided as part of the Assisted Living Services.

Costs for rent and direct food costs will be covered by other resources such as retirement income, Minnesota Supplemental Aid (MSA) or Supplemental Security Income (SSI).

## **21.0 PUBLIC HOUSING GRIEVANCE PROCEDURE HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON, MINNESOTA**

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### **1.0 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.

### **2.0 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 Benson Housing Authority's action or failure to act in accordance with the individual resident's lease or Authority 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 Authority concerning a termination of tenancy or eviction that involves any activity that threatens the health, safety, or right to peaceful enjoyment of the Authority's public housing premises by other residents or employees of the Authority; 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 Benson Housing Authority or to class grievances.
- B. **"Complainant"** shall mean any resident whose grievance is presented to the Benson Housing Authority or at the development management office in accordance with sections 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 Authority including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the resident may have; and
  4. A decision on the merits.
- D. **"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.
- E. **"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 Benson Housing Authority 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.
- G. **"Promptly"** (as used in section 3.0, and 4.0 (D)), shall mean within the time period indicated in a notice from Benson Housing Authority 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.

### 3.0 PROCEDURES PRIOR TO A HEARING

Any grievance shall be promptly and personally presented, either orally or in writing, to the Benson Housing Authority 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 Authority'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.

### 4.0 PROCEDURES TO OBTAIN A HEARING

#### 4.1 Request for hearing

The resident shall submit a written request for a hearing to the Benson Housing Authority 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:

- A. The reasons for the grievance; and
- B. The action or relief sought.

#### 4.2 Selection of a Hearing Officer

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

The Benson Housing Authority 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 Benson Housing Authority shall consider any comments or recommendations by a resident organization.

From this list, a hearing officer shall be selected.

#### 4.3 Failure to request a hearing

If the resident does not request a hearing in accordance with this section, then the Benson Housing Authority'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 Benson Housing Authority's action in disposing of the complaint in an appropriate judicial proceeding.

#### 4.4 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.

#### 4.5 Escrow deposit

Before a hearing is scheduled in any grievance involving the amount of rent as defined in the lease which the Benson Housing Authority claims is due, the resident shall pay to the Benson Housing Authority 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 Benson Housing Authority 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 Benson Housing Authority 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 Benson Housing Authority's disposition of his grievance in any appropriate judicial proceeding.

#### 4.6 Scheduling of hearings

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

#### 5.0 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 Authority 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 Benson Housing Authority does not make the document available for examination upon request by the resident, the Benson Housing Authority 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, to controvert evidence relied on by the Authority or development management, and to confront and cross examine all witnesses upon whose testimony or information the Benson Housing Authority or development management relies; and
- E. A decision based solely and exclusively upon the facts presented at the hearing.

The Hearing Officer 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 Authority fails to appear at a scheduled hearing, the Hearing Officer 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 Benson Housing Authority 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 persons with disabilities:

- A. The Benson Housing Authority 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.

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

The participant family may request that the Benson Housing Authority provide for an informal hearing after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. The participant family must make this request within 30 days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 days of receipt of the INS appeal decision.

#### **7.0 DECISION OF THE HEARING OFFICER**

The Hearing Officer shall prepare a written decision, together with the reasons therefor, within fourteen (14) calendar days after the hearing. A copy of the decision shall be sent to the resident and the Benson Housing Authority. The Authority shall retain a copy of the decision in the resident's folder. A copy of such decision with all names and identifying references deleted shall also be maintained on file by the Benson Housing Authority 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 Benson Housing Authority who shall take all actions, or refrain from any actions, necessary to carry out the decision unless the Benson Housing Authority's Board of Commissioners determines within reasonable time, and promptly notifies the complainant of its determination, that:

- A. The grievance does not concern Benson Housing Authority action or failure to act in accordance with or involving the resident's lease or Authority regulations, which adversely affect the resident's rights, duties, welfare or status;
- B. The decision of the Hearing Officer is contrary to applicable Federal, State, or local law, Authority regulations, or requirements of the Annual Contributions

Contract between the Authority and the U.S. Department of Housing and Urban Development.

A decision by the Hearing Officer or Board of Commissioners in favor of the Benson Housing Authority 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 do novo 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 authority, 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 tenant 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 authority.

**Annual Contributions Contract (ACC):** The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority 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 tenant family; and
- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant 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 authority 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 authority 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 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 tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. 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 tenant 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 authority 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 CFR 5.520)

**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 Tenant 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 tenant 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 tenant 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.

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

**Tenant Rent:** The amount payable monthly by the family as rent to the housing authority. Where all utilities (except telephone) and other essential housing services are supplied by the housing authority or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing authority and the cost thereof is not included in the amount paid as rent, tenant rent equals total tenant payment less the utility allowance. (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 Tenant Payment (TTP):**

- A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:
  - 1. Total tenant 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 tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.

- B. Total tenant 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 tenant 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 tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing authority 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 tenant 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
INS SAVE	Immigration and Naturalization Service Systematic Alien Verifications for Entitlements
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 Tenant Payment

## APPENDIX A

### INCOME LIMITS FOR OCCUPACY

<u># IN FAMILY</u>	<u>LOWER INCOME</u>	<u>VERY LOW INCOME</u>	<u>VERY VERY LOW INCOME</u>
1	\$23,300	\$14,550	\$8,750
2	\$26,600	\$16,650	\$10,000

\*Persons/families in this category are NOT ELIGIBLE for occupancy in the following projects

Project # MN46P014003 – Westwood Manor

Or An exception has been made for Twenty-five apartments at Westwood Manor due to our vacancy problem for the past five (5) years, persons in the LOWER INCOME RANGE May be admitted in twenty-five units (25). (1987)

- a. There are only a LIMITED NUMBER OF UNITS available for families in this income category in the following project: Project # MN46P014003 – Westwood Manor.

DATE APPROVED: 2/10/1999

### CEILING RENT

The provisions of 24 CFR 913.107 (a) have been waived so the Benson Housing Authority may utilize Ceiling rents. This decision is based on the need for rent relief for tenants paying rents that are excessive compared to the Section 8 Fair Market Rents for the Area. The Authority may charge tenants in both Park View and Westwood Manor the Section 8 Fair Market Rents for Swift County. This currently is \$324 for a one (1) bedroom apartment. This will be adjusted on an annual basis with the approval of the Mpls-St. Paul Area HUD Office. Ceiling rents are scheduled to be phased out over the next three year period.

DATE APPROVED: 10/13/1999

### MINIMUM RENT

\$ 0.00 MINUM RENT

DATE APPROVED: 9/28/1999

### FLAT RENT

**Table Library**

Westwood Manor \$365  
Park View Manor apt. 201,202,205,206; 301-308;401-408;501-508;601-608;701-708  
**\$340**

Park View Manor apt. 204, 207-210; 309-312; 409-412; 509-512; 609-612; 709-712  
**\$352**

DATE APPROVED :9/28/1999

## APPENDIX B

### SECURITY DEPOSIT

The Security Deposit for residents of elderly housing is \$150.00

Owners of dogs, cats, and birds are required to register the pet with the HRA office and pay an additional security deposit of: Dog or Cat : **\$150.00**

A limit of One or Two birds in one cage and only one cage is permitted: **\$50.00**

In any case only one pet will be allowed per apartment. Pets are permitted in the following PHA Projects: Park View Manor and Westwood Manor.

DATE APPROVED:12/17/1997  
RESOLUTION # 97-12

## APPENDIX C

### UTILITY ALLOWANCES

	1 Bedroom	2 Bedroom
MN446P014003		
Westwood Manor Electricity	<b><u>\$20.00</u></b>	

This amount to be subtracted from Gross Rent each month. Tenant pays the balance. This is contract rent.

The utility allowance is based on utility consumption of major appliances such as refrigerator, range, minor electric appliances such as toasters, can openers.

Tenants may supply and use other major appliances with Authority approval,(e.g. air conditioners, freezers, oxygen machines ), but the utility cost of these appliances is borne by the resident.

**Table Library**

DATE APPROVED: 5/12/1999

APPENDIX D

**EXCESS UTILITY CHARGES**

Tenants utilizing the following appliances and/or services are required to pay the following amounts:

Headbolt Heaters: When in use: **\$10.00** per month NOVEMBER-MARCH

Or **\$1.00** per day.

Units Check-metered: Electrical charges exceeding the established base will be billed  
Quarterly at the  
current utility rate. MN014001

DATE APPROVED: 12/17/1997

RESOLUTION # 97-13

Income Limits and Deconcentration Worksheet

Development Name	Number of Units Under ACC	Number of Occupied Units	Number of Units Occupied by Very Poor Families	% Occupied by Very Poor Families

**%Very Poor in**

**Census Tract**

**Target Number**

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

**Table Library**

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

**Waiting list number of families Appendix 2**

**MN014v01b TRAVEL POLICY  
HOUSING AND REDEVELOPMENT AUTHORITY  
BENSON, MINNESOTA**

**Amended: Resolution # 81-17, date 10/27/81**

BE IT RESOLVED THAT:

The Board of Commissioners, effective December 11, 1967, established the following travel policy to be used in the conduct of Authority operations:

1. Commissioner, employees, or authorized representatives of the Authority may perform official travel upon an authorization by the Board of Commissioners, the Chairman, the Vice Chairman, or Executive Director.
  - A) Each trip to a destination outside the jurisdiction of the Local Authority (except to the HUD Regional office and nearby communities to carry out normal operating functions) shall specifically be authorized by resolution of the Board approving the trip as essential to the conduct of the housing program or the development or operation of a particular housing project.
  - B) All transportation costs for person so authorized to travel shall be paid by the Authority. First Class train fare plus Pullman accommodations, as required, or airline if advantageous, shall be the standard means of transportation.
  - C) All expenses incident to official business such as taxi fares, telephone calls, telegrams, secretarial services, registered fees, and other similar items, shall be considered as reimbursable expenses.
  - D) Reimbursement shall be limited to the amount of actual expense incurred. The reimbursement voucher must itemize the amounts spent daily for (A) lodging, (B) meals, (C) all other items properly within the scope of subsistence expenses. Any amount in excess of \$5.00 must be itemized separately and receipts shall be obtained for items costing more than \$5.00. In all cases, receipts must be obtained for lodging.
  - E) In substantiation of reimbursement of any of the above items, receipts obtained wherever possible, shall be attached to a signed Statement of Travel Expense and submitted to the Authority.

7. Authorized out-of-town travel performed by privately-owned automobile shall be paid by the Authority at a rate not to exceed the amount as is currently being paid by the City of Benson, except that the Authority shall, at its discretion permit reimbursement only at the rate of first class rail fare, plus Pullman, unless it has determined that travel by a private owned automobile is more advantageous to the Authority. When travel is performed in an automobile owned by the Authority, necessary car expenses shall be paid. Whenever automobile travel is involved, signed records of car expenditures and mileage only in the case of a privately owned automobile, shall be submitted and approved before payment. If two or more persons travel in the same automobile, only one of these persons shall be reimbursed for mileage (if travel is by private car) or for car expenditures (if travel is by Authority-owned car).
  
- A) Authorized in-town-travel performed in a privately owned automobile shall be paid at the rate as the City of Benson plus parking expenses. In substantiation of reimbursement, signed records of mileage and parking receipts must be submitted to the Authority, except where the HRA Authorizes a flat monthly fee, established on a realistic basis.
  
9. Advances for travel may be authorized by the Executive Director. Such advances shall not exceed the amount reasonably computed as reimbursable from the trip, and shall be deducted from the reimbursement due the traveler. In the event the advance does exceed the reimbursement due, the excess shall be promptly paid to the Authority.

# MN014VO1C

## **BLOOD-BORNE DISEASES POLICY HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON, MINNESOTA**

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### 1.0 GENERAL INFORMATION

#### 1.1 PURPOSE

The Benson Housing Authority will make every effort to provide its employees a workplace that is free from recognized hazards that may cause death or serious physical harm. In providing services to the residents of the Benson Housing Authority, employees may come in contact with serious diseases that can be transmitted by blood-borne pathogens. It is important that both residents and employees are protected from the transmission of such diseases.

The purpose of this policy is to comply with Federal regulations and to establish a comprehensive set of rules and regulations governing the prevention of potential occupational exposure to Hepatitis B Virus (HBV), Hepatitis C Virus (HCV), the Human Immunodeficiency Virus (HIV - AIDS), and other blood-borne diseases.

#### 1.2 COVERAGE

Occupational exposure to blood-borne pathogens may occur in many ways, including needle sticks, cut injuries or blood spills. Although most Housing Authority employees do not think of themselves as at risk for blood-borne diseases, there are many daily tasks that potentially place them at risk. These tasks include:

- A. Cleaning any unit where blood is present.
- B. Giving first aid to an injured person.
- C. Picking up needles or trash containing needles.
- D. Working in sewage.
- E. Transporting infectious clean up supplies to be disposed of or laundered.
- F. Cleaning public restroom areas.
- G. Cleaning common areas in buildings and grounds where blood or other infectious material may be present.
- H. Assisting in removal of a deceased resident from their unit.
- I. Being exposed by another infectious individual through hostile acts.
- J. Any work involving body fluid or blood contact.

The purpose of the policy and related training program is not to alarm the employees of the Benson Housing Authority, but to make them responsibly aware of the risks they may encounter and to equip them to react professionally in the face of those risks.

#### 1.3 ADMINISTRATION

The Executive Director will serve as the Housing Authority's employees part-time Safety Officer. The Safety Officer will administer this policy for the Benson Housing Authority. The Safety Officer will be responsible for the following tasks:

- A. Developing, implementing and maintaining an effective blood-borne disease plan subject to the provisions of Federal and State law relating to Occupational Safety and Health Administration (OSHA) regulations.
- B. Permanently maintaining records of all employees and incidents subject to the provisions of this program.
- C. Coordinating, monitoring, and documenting all training activities undertaken in support of this plan.
- D. Compiling a list of all jobs in which employees have potential occupational exposure to blood-borne diseases.
- E. Ensuring that there are complete health and immunization records for all employees.
- F. Investigating all incidents of exposure, notifying all employees who were exposed and ensuring that all reports are completed and any necessary follow-up medical care is made available.
- G. Providing exposed employees with access to post-exposure follow-up and counseling.

## **2.0 GENERAL POLICIES AND PROCEDURES**

### **2.1 POLICY STATEMENT**

All blood and other body fluids are potentially infectious and can transmit several diseases. For this reason, all Benson Housing Authority employees should take particular care when there is potential exposure. These precautions have been termed "universal precautions" and stress that employees should behave as though there is the possibility of exposure at all encounters.

### **2.2 GENERAL GUIDELINES**

General guidelines that shall be used by everyone include the following:

- A. Think carefully when responding to emergencies and exercise common sense when there is possible exposure to blood or other potentially infectious materials that require universal precautions.
- B. Keep all open cuts and abrasions covered with adhesive bandages that repel liquids.
- C. If hands are contaminated with blood or other potentially infectious materials wash immediately and thoroughly. Hands shall also be washed after gloves are removed even if the gloves appear to be intact. When soap and water or hand-washing facilities are not available, then use a waterless antiseptic hand cleaner according to the manufacturer's recommendation for the product.
- D. All workers shall take precautions to prevent injuries caused by needles. To prevent needle stick injuries, needles shall not be recapped, purposely bent or broken by hand, or removed from disposable syringes. After they are found, disposable syringes and needles shall be placed in puncture resistant containers for disposal.
- E. The puncture resistant container shall be located as close as practical to the use area.
- F. The Housing Authority will provide gloves, protective glasses, and other necessary equipment of appropriate material and quality for use when needed.

### **3.0 TRAINING**

#### **3.1 EMPLOYEES AT RISK FOR EXPOSURE**

Employees believed to be at risk for exposure shall receive training regarding the location and proper use of personal protective equipment. They shall be trained concerning proper work practices and understand the concept of "universal precautions" as it applies to their work situation.

#### **3.2 NEW EMPLOYEES AT RISK OF EXPOSURE**

During the orientation period, all new employees at risk of exposure will be trained on the risks of blood-borne diseases associated with their position.

### **4.0 RECORDS AND REPORTS**

#### **4.1 EXPOSURE REPORTING**

All employees who are exposed to blood or body fluids during the performance of work duties must report the incident to protect themselves and the public. The employee must notify the Safety Officer and make sure that the proper report is prepared. Using the information in the report, the Safety Officer will determine the best course of action to follow.

### **5.0 MANAGEMENT OF POTENTIAL EXPOSURE**

#### **5.1 HEPATITIS B VACCINATIONS**

The Benson Housing Authority shall offer all employees at risk of exposure a Hepatitis B Vaccination free of charge and in amounts and at times prescribed by standard medical practices. The vaccination shall be voluntary. All employees have the option of being vaccinated by their own physician and using their personal physician for any post-exposure treatment and follow-up described in this policy. When a personal physician is used, the employee must submit to the Safety Officer records of all treatment or vaccinations received.

If an employee decides not to receive the vaccination, that refusal shall be documented in writing and placed in the employee's file. The refusal can be rescinded at any time.

#### **5.2 REPORTING POTENTIAL EXPOSURES**

Employees shall observe the following procedures for reporting a job exposure incident that may put them at risk for HIV or HBV infections (i.e., needle sticks, blood contact on broken skin, body fluid contact with eyes or mouth, etc.):

- A. Notify the Safety Officer and immediate supervisor of the contact incident and details thereof.
- B. Complete the appropriate on-the-job injury reports and exposure forms.
- C. Make arrangements for the employee to be seen by a physician as with any job-related injury. The Housing Authority will make Blood testing available to all workers who have had a documented on the job exposure and may be concerned they have been infected with HIV. A blood sample should be drawn from the employee and tested for Hepatitis and the antibody to Human Immunodeficiency Virus (HIV antibody). Testing should be done at a location where appropriate pretest counseling is available. Post-test counseling and referral for treatment should also be provided.

### 5.3 DISABILITY BENEFITS

Entitlement to worker's compensation benefits and any other benefits available for employees who suffer from on-the-job injuries will be determined as with any other work-related injury in accordance with applicable State law.

### 6.0 CONFIDENTIALITY

All medical information and records are confidential under State and Federal laws. Any employee who disseminates such confidential information in regard to a victim or suspected victim of communicable disease is in violation of such laws and could be subject to serious disciplinary and/or civil action.

**MN014V01D**

**CAPITALIZATION POLICY  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF BENSON, MINNESOTA**

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The Benson Housing Authority adopts the following capitalization policy for the purpose of determining, distinguishing and recording materials and non-expendable equipment and personal property purchased or acquired in connection with the development, management, and maintenance of public housing developments owned or operated by this Authority. Non-Expendable personal property shall be Capitalized for the purpose of establishing the Property Ledger, preparing records for each individual item and recording the cost of each piece in the applicable Development cost accounts in the 1465 and 1475 sections. The Enterprise Type of Accounting will be used and the Depreciation Schedule will conform with the Internal Revenue Guidelines.

- A. If the initial cost of a piece of equipment and/or other personal property is Two Hundred Fifty Dollars (\$250.00) or more and the anticipated life or useful value of said equipment or property is more than one (1) year, the same shall be capitalized and recorded as non-expendable equipment and charged as a capital expenditure.
- B. If the initial cost of the piece of equipment and/or personal property is less than Two Hundred Fifty Dollars (\$250.00) or its useful life is less than one (1) year regardless of cost, the same shall be treated and recorded as materials or inventory and charged to maintenance, administration, or tenant service expense.
- C. The Executive Director, or the Executive Director's designee, is authorized and directed to determine whether each piece of equipment or other personal property that is acquired by the Housing Authority in connection with the development, management and maintenance of the properties owned or operated by the Housing Authority, shall be classified as material or non-expendable, as defined in the preceding sections. The Executive Director is further directed to ensure that the determination is documented in the appropriate records of the Housing Authority and retained for the information and guidance of its personnel and for audit purposes.

**MN014VO1E      CHECK SIGNING AUTHORIZATION  
POLICY  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF BENSON, MINNESOTA**

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The Benson Housing Authority hereby establishes a policy that identifies those people who are authorized to sign and issue checks on its behalf. The purpose of this policy is to update instructions to depositories so that there is a clear understanding regarding this important matter. It also is necessary to implement appropriate internal controls over our financial matters.

- A.      The following policy for issuing and signing checks of the Housing Authority shall be established:
  - 1.      All checks shall bear two signatures, one of which must be a Commissioner of the Benson Housing Authority.
  - 2.      The second signature must be that of the Executive Director .
- B.      The incumbents in the positions authorized to sign checks shall be bonded in the amount of **\$25,0000**, with a blanket bond of \$25,000.
- C.      The supporting data for each check shall be available for the signer to review at the time of signing.
- D.      A copy of this policy shall be forwarded to all designated depositories of the Authority.
- E.      This policy rescinds all previous authorization policies and shall become effective upon its adoption.

**MN014VO1F                    CRIMINAL, DRUG TREATMENT, AND  
REGISTERED SEX OFFENDER CLASSIFICATION  
RECORDS MANAGEMENT POLICY  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF BENSON, MINNESOTA**

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**1.0 PURPOSE**

In the course of its regular operations, the Benson Housing Authority comes into possession of criminal records as well as records of drug treatment or registered sex offender status of both residents and applicants. While necessary to accomplish Housing Authority business, these records must be maintained securely and kept from improper use.

The Benson Housing Authority may also be called upon to perform criminal record checks regarding applicants for, or tenants of, housing that receives project-based assistance in the jurisdiction of the Housing Authority. The authority shall maintain the records received for these residents or applicants in the manner prescribed by this policy. Such records will not be made available to the owner of the subject property, but will be used to make recommendations to the owner based on criteria supplied by the owner.

**2.0 ACQUISITION**

*All adult applicants and residents shall complete the Benson Housing Authority Authorization for Release of Police Records and Authorization of Release of Medical Records when they apply for housing. Through its cooperative agreement with the Benson Police Department, the Housing Authority will request a check of local records as well as a National Crime Information Center check for a criminal history of any applicant. This check is done for the purpose of screening applicants for housing.*

*All requests for criminal records or records of drug treatment or registered sex offender status will direct the records to be sent to the Executive Director of the HRA office. Only this individual shall have access to the records received. He or she shall discuss the records with other Benson Housing Authority employees only as required to make a housing decision.*

**3.0 MAINTENANCE**

The Benson Housing Authority will keep all criminal records or records of drug treatment or sex offender status that are received confidential. These records will be used only to screen applicants for housing or to pursue evictions. The records will not be disclosed to any person or other entity except for official use in the application process or in court proceedings. No copies will be made of the records except as required for official or court proceedings.

Criminal records or records of drug treatment or registered sex offender status will be kept in a file separate from other application or eviction information. These files will be maintained in a different cabinet that is locked and kept in a secure location. Only specified employees shall have access to this cabinet.

**4.0 DISPOSITION**

*The records shall be destroyed once action is taken on the application for housing and any grievance hearing or court proceeding has been completed and the action is finalized. A notification of destruction will be maintained.*

**MN014V01G                      DISPOSITION POLICY**  
**HOUSING AND REDEVELOPMENT AUTHORITY**  
**OF BENSON, MINNESOTA**

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Personal property belonging to the Benson Housing Authority shall not be sold or exchanged for less than fair value. Any personal property belonging to the Housing Authority that is no longer needed for Housing Authority operations shall be declared excess. Any such excess property valued at One Hundred Dollars (\$100.00) or more, which is not being sold to a public body for a public use or to a non-profit organization for low-income housing related purposes (e.g. a resident organization), shall be sold at a public sale.

Sales of excess personal property shall be conducted in the following manner:

- A. The Executive Director shall declare personal property that is worn out, obsolete or surplus to the needs of the Housing Authority excess. All such declarations shall be documented in writing. A survey to identify such property shall be conducted at least once a year following the inventory.
- B. If the estimated market value of the personal property offered for sale is less than One Hundred Dollars (\$100.00), the Executive Director may negotiate a sale in the open market after such informal inquiry as he or she considers necessary to ensure a fair return to the Housing Authority. The sale shall be documented by an appropriate bill of sale.
- C. For sales of excess property valued between One Hundred Dollars (\$100.00) and One Thousand Dollars (\$1000.00), the Executive Director shall solicit informal bids orally, by telephone, or in writing from all known prospective purchasers and a tabulation of all such bids received shall be prepared and retained as part of the permanent record. The sale shall be documented by an appropriate bill of sale.
- D. For sales of excess property valued at more than One Thousand Dollars (\$1000.00), a contract of sale shall be awarded only after advertising for formal bids. The advertisement shall be posted at least fifteen (15) days prior to award of the sale contract and shall be published in newspapers or circular letters to all prospective purchasers. In addition, notices shall be posted in public places. Bids shall be opened publicly at the time and place specified in the advertisement. A tabulation of all bids received shall be prepared and filed with the contract as part of the permanent record. The award shall be made to the highest bidder as to price.
- E. Notwithstanding the above, the sale or donation of personal property to a public body for public use or a non-profit organization for low-income housing related purposes may be negotiated at its fair value subject to approval by the Board of Commissioners. The transfer shall be documented by an appropriate bill of sale.

Personal property shall not be destroyed, abandoned, or donated without the prior approval of the Board of Commissioners. The Executive Director shall make every effort to dispose of excess personal property as outlined above. However, if the property has no scrap or salvage value and a purchaser cannot be found, the Executive Director shall prepare a statement detailing the prospective bidders solicited and all other efforts made to sell the property, together with recommendations as to the manner of disposition. This statement shall be referred to the Board of Commissioners for its approval. A copy of the Board's approval, together with the complete documentation in support of destruction, abandonment, or donation, shall be retained as a part of the permanent records.

# **MN014V01H DRUG-FREE WORKPLACE POLICY HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON, MINNESOTA**

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The unlawful manufacture, distribution, dispensation, possession, possession for sale or distribution, or use of a controlled substance is prohibited on the premises of the Benson Housing Authority. Also, the abuse of prescription drugs is expressly prohibited. Appropriate disciplinary actions, which may include termination, will be taken against any employee for violation of these prohibitions.

A controlled substance for purposes of this Policy means a controlled substance listed in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. Section 812), and as further defined by Federal regulations (21 C.F.R. Sections 1300.11 through .15). This list includes, but is not limited to marijuana, heroin, PCP, cocaine, and amphetamines.

A condition of employment for work under funds received by the Housing Authority from any Federal agency, is that each employee directly engaged in the performance of work funded by such a grant will:

- A. Abide by the terms of this Policy, and
- B. Notify the Housing Authority of his or her criminal drug statute conviction for any violation occurring in the workplace of the Benson Housing Authority no later than five (5) days after such conviction.
  - 1. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violation of Federal or State criminal drug statutes.
  - 2. Criminal drug statute means a criminal statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.

A sanction will be imposed on any employee so convicted. Within thirty (30) days after receiving notice of the conviction:

- A. The Housing Authority will take appropriate disciplinary action against such employee, up to and including termination; or
- B. The Housing Authority will require such employee to satisfactorily participate in drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement, or other appropriate agency.

**MN014V01I            EQUAL HOUSING OPPORTUNITY  
POLICY  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF BENSON, MINNESOTA**

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**1.0 Nondiscrimination**

It is the policy of the Benson Housing Authority to fully comply with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and any legislation protecting the individual rights of residents, applicants or staff which may be subsequently enacted.

The Housing Authority shall not discriminate because of race, color, sex, religion, familial status (in non-elderly designated housing), disability, handicap or national origin in the leasing, rental, or other disposition of housing or related facilities, including land, included in any development or developments under its jurisdiction.

The Housing Authority shall not take any of the following actions on account of race, color, sex, religion, familial status, disability, handicap, or national origin:

- A. Deny to any family the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs.
- B. Provide housing which is different than that provided others.
- C. Subject a person to segregation or disparate treatment.
- D. Restrict a person's access to any benefit enjoyed by others in connection with any program operated by the Housing Authority.
- E. Treat a person differently in determining eligibility or other requirements for admission.
- F. Deny a person access to the same level of services.
- G. Deny a person the opportunity to participate in a planning or advisory group which is an integral part of the public housing or tenant-based housing programs.

The Housing Authority shall not automatically deny admission to a particular group or category of otherwise eligible applicants (e.g., families with children born to unmarried parents or elderly pet owners). Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

The Housing Authority will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehabilitation Act of 1973, the Housing Authority will make such physical or procedural changes as will reasonably accommodate people with disabilities.

Housing Authority records with respect to applications for admission shall indicate for each application the date of receipt; the determination of eligibility or non-eligibility; the preference rating, if any; and the date, location, identification, and circumstances of each vacancy offered and whether that vacancy was accepted or rejected.

## **2.0 Affirmative Marketing**

As conditions may require, the Housing Authority will post notices of housing availability in particular neighborhoods or developments to encourage fuller participation. The Housing Authority may issue public announcements of availability to encourage applications for assistance. Among the marketing efforts the Housing Authority may engage in depending on the situation are the following:

- A. Send informational spots local media outlets such as radio stations, cable TV, newspapers, or other periodicals for broadcast or publication
- B. Special outreaches to minorities, persons with disabilities and very low-income families;
- C. Distribute pamphlets and brochures.
- D. Post notices in places of employment, unemployment offices, welfare offices, post offices, grocery stores, churches, community halls, buses and other public transportation centers.
- E. Outreach to organizations which assist people with disabilities, the elderly, students, immigrants, homeless people and victims of domestic violence.

The Housing Authority will monitor the benefits received, as a result of the above activities, and will increase or decrease the outreach activities accordingly.

To reach minority groups, it may be necessary to canvas neighborhoods or make mass mailings to areas with a heavy concentration of minority citizens. If language is a problem, brochures may be printed in Spanish, Vietnamese, Arabic or other languages as required.

## **3.0 Operations**

In order to further the objectives of nondiscrimination the Housing Authority shall:

- A. Include in the admissions briefings for all Housing Authority programs a section on compliance with Civil Rights laws. The briefing shall carefully explain to all participants what should be done if they believe they have been discriminated against.
- B. Prominently display a Fair Housing Poster in every development office owned by the Housing Authority and in the Housing Authority's main office.
- C. Use the Equal Housing Opportunity logo and/or statement in all advertising and in all marketing publications of the Housing Authority. The Housing Authority shall be particularly conscious of human models used in its publications so as to avoid signaling any sense of discrimination.
- D. The Housing Authority shall maintain a TDD Machine or an acceptable alternative for the use of the hearing impaired.
- E. As many publications as feasible shall be printed in both English and Spanish or any other language commonly spoken in the locality.

**MN014V01J                      ETHICS POLICY**  
**HOUSING AND REDEVELOPMENT AUTHORITY**  
**OF BENSON, MINNESOTA**

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**PREFACE**

The Benson Housing Authority has established standards of conduct for its employees and members of its Board of Commissioners. These standards are designed to assure the utmost in public trust and confidence in the policies and practices of the Authority. Because of its status as an independent public corporation, the Authority recognizes its responsibility to conduct all business in a manner above reproach or censure. This Code of Ethics will describe in detail the standards by which members of the Board of Commissioners and staff are to be held accountable.

This code recognizes and incorporates those sections of federal, state, and local law which govern the conduct of public employees, and in no way supplants those provisions of law. In cases where no statutory precedent exists, the policy of the Benson Housing Authority shall be applied, except that this policy shall in no way be taken to supersede the provisions of any contracts, labor agreements, or other external agreements affecting the rights and privileges of employees.

The Standards of Conduct contained within the Code of Ethics shall be generally applied so as to avoid the appearance, or actual occurrence of, any favoritism or special treatment towards any applicant, resident, vendor, or agent having business, or dealings of any kind, with the Authority. No Commissioner or employee shall use or cause or allow to be used his or her position to secure any personal privileges for himself, herself, or others, or to influence the activities, actions, or proceeds of the Authority.

The Benson Housing Authority, in establishing standards of conduct for its employees and commissioners, recognizes the importance of establishing standards of conduct for external vendors and suppliers of products and/or services to the Authority. While the Authority cannot mandate the internal conduct or policies of vendors, it nevertheless requires that vendors and suppliers adhere to certain basic principles in conducting business with the Authority. Specifically, these principles include:

- A. No direct or indirect personal inducement of Authority employees. This includes the giving of gifts, money, tickets or any item or service having value.
- B. No direct or indirect inducement of members of the Board of Commissioners. This shall include the same provisions covering employees, except that it is recognized that in the course of business dealings, there may be times when meals and/or visits may be arranged. In such cases, such events should be reported to the Chairman of the Board, with the nature of the visit explained.

It is expected that vendors or suppliers of professional services to the Authority will be governed by the Code of Ethics to which their particular profession prescribes.

Any vendor or supplier found in violation of Authority policy shall be barred from future business dealings with the Authority. The Authority reserves the right to have vendors and suppliers sign a statement of compliance with the standards of conduct of the Authority.

**1.0 TITLE**

This shall be called the "Benson Housing Authority Code of Ethics and Standards of Conduct."

**2.0 APPLICABILITY**

The provisions contained herein shall apply to all employees and the Board of Commissioners of the Benson Housing Authority. With respect to contracted professional services of the Authority (legal, accounting, or

otherwise), it is assumed that these professionals will abide by the professional ethics of their particular profession.

### **3.0 PURPOSE**

This Code of Ethics establishes standards for employee and Commissioner conduct that will assure the highest level of public service. Recognizing that compliance with any ethical standards rests primarily on personal integrity, and also recognizing in general the integrity of Commissioners and employees, it nevertheless sets forth those acts or omissions of acts that could be deemed injurious to the general mission of the Authority.

This Code of Ethics is not intended, nor should it be construed as, an attempt to unreasonably intrude upon the individual employee's or Commissioner's right to privacy and the right to participate freely in a democratic society and economy.

### **4.0 DEFINITIONS**

"Agent" shall mean any employee of the Authority (whether full or part time) acting in his or her official capacity is an agent of the Authority.

"Claim" shall mean any demand, written or oral, made upon the Authority to fulfill an obligation arising from law or equity.

"Commissioner" shall mean one of the persons serving on the Board of Commissioners of the Authority.

"Contract" shall mean any obligation to do something arising from an exchange of promises or consideration between persons, regardless of the particular form in which it is stated.

"Conventional" shall mean those housing programs operated by the Authority, which are broadly considered part of the "conventional public housing program." This shall include but not be limited to, such programs as public housing, the Capital Fund, HOPE VI, and the Public Housing Drug Elimination Program (PHDEP).

"Employee" shall mean any person appointed or hired, whether full or part time, seasonal, temporary, paid or unpaid, on a fixed or unfixed term, provisional or permanent.

"Enrollee" shall broadly mean any applicant, resident, or program participant in any program operated by the Authority. Specifically, an "enrollee" shall be a person who expects to receive, or is receiving, some form of assistance from the Authority.

"Family" shall mean the spouse, father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister, or a person living in a stable family relationship.

"Interest" shall mean a benefit or advantage of an economic or tangible nature that a person or a member of his or her family would gain or lose as a result of any decision, or action or omission to decide or act, on the part of the Authority, its Board, or employees.

"Leasing program" shall mean those programs operated by the Benson Housing Authority that are broadly included within the Section 8 Program or the tenant-based program, whether it be for certificates or vouchers. Unless otherwise noted, the provisions contained herein shall apply equally to both the "Leasing" and the "Conventional" programs of the Authority.

"Person" shall mean any individual, corporation, partnership, business entity, association, organization, and may include an Authority employee.

"Public Information" shall mean information obtainable pursuant to the Freedom of Information Act and Authority guidelines adopted pursuant thereto.

## **5.0 ETHICAL STANDARDS FOR EMPLOYEES**

No employee of the Benson Housing Authority shall have any employment, or engage in any business or commercial transaction, or engage in any professional activity, or incur any obligation in which directly or indirectly he or she would have an interest that would impair his or her independence of judgement or action in the performance of his or her official duties or that would be in conflict with the performance of his or her official duties.

No employee shall have or enter into any contract with any person who has or enters into a contract with the Authority unless:

- A. The contract between the person and the Authority is awarded pursuant to competitive bidding procedures and/or purchasing policies as outlined in regulations promulgated by the U.S. Department of Housing and Urban Development (HUD), state law, and the Benson Housing Authority Procurement Policy; or
- B. The contract between the person and the Authority is one in which the Authority employee has no interest, has no duties or responsibilities, or if the contract with the person is one which the Authority employee entered into prior to becoming an employee.

There shall be no preferential treatment given by an employee of the Authority acting in performance of his or her official duties to any person, agency or organization.

No Authority employee shall use or permit the use of Authority-owned vehicles, equipment, materials or property for the convenience or profit of himself, herself, or any other person. However this provision shall not apply in the case of usage for "diminutive" purposes, i.e., purposes which in and of themselves should not be construed as abuse of Authority property.

No Authority employee shall solicit any gift or consideration of any kind, nor shall any Authority employee accept or receive a gift, regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before the Authority.

No authority employee acting individually can bind the housing authority by and action or verbal representation.

No Authority employee shall disclose without proper authorization non-public information or records concerning any aspects of the operation of the Authority, nor shall he or she use such information to the advantage or benefit of himself, herself, or any other person. This shall include records maintained on enrollees of the Authority, for whom a properly executed release of information form shall be obtained and kept in the client file. The release of any information relative to enrollees of the Authority shall be done pursuant to government regulations allowing the release of information among government agencies or agencies receiving government subsidy, shall be done following prescribed methods of requesting and transmitting such information, and shall be done with full knowledge of the enrollee except in those cases where through action of law the enrollee's knowledge is not required.

No Authority employee currently employed shall represent any person, other than himself, in business negotiations, judicial or administrative actions or procedures, to which the Authority may be a party.

No former employee of the Authority shall personally represent any person in a matter in which the former employee personally participated while employed by the Authority

for one year, if such representation would be adverse to the interests of the Authority. This provision shall not, however, bar the timely filing by a current or former employee, of any claim, account, demand, or suit arising out of personal injury, property damage, or any benefit authorized or permitted by law.

No member of the family of any Authority employee shall be appointed or hired to serve under the direct supervision or authority of that employee, and in no event shall any Authority employee participate in the decision-making regarding employment or contract for services of any family member.

No Authority employee shall have an interest in a contract between any person and the Authority, except that this provision shall not apply if the contract was entered into prior to the employee's hire by the Authority; the employee discloses his or her interest in the contract prior to employment; and after employment, the employee has no power to authorize or approve payment under the contract, monitor performance or compliance under the contract, or audit bills or claims under the contract and the compensation of the employee will not be affected by the contract.

No Authority employee shall have any employment, engage in any business or commercial transaction, or engage in any professional activity in which, directly or indirectly, he or she would have an interest that would impair his or her independence of judgement or action in the performance of his or her duties with the Authority or that would be in conflict with his or her duties at the Authority.

No employee of the Authority shall discuss, vote upon, decide or take part in (formally or informally) any matter before the Authority in which he or she has an interest. Exception shall be made in the case of an employee whose interest in the matter is minimal (e.g. an employee helping decide on a new telephone system owns 100 shares of AT&T stock), provided the employee shall fully and specifically describe his or her interest, in writing, and the underlying basis of it, whether it be ownership, investment, contract, claim, employment or family relationship, to his or her immediate supervisor prior to the employee's participation. If, in the opinion of the supervisor, there is any question as to whether the interest is minimal, the matter shall be referred to the Ethics Review Committee for a binding decision on the question.

Any matter decided on, contracted, adjudicated, or in any way acted upon by an employee who does not disclose a personal interest either in the matter, or in any person or organization having an interest in the matter, may be considered null and void by the Authority. Such a matter may be referred to the Ethics Review Committee to render judgement and assess any penalties if necessary.

If the Ethics Review Committee renders judgement that a matter was performed; a contract entered into; or any matter was conducted, decided or acted upon in a manner prohibited by the Code of Ethics; it may then propose, among other things, that the Board of Commissioners seek an injunction against the proscribed action.

No person employed by the Authority shall be permitted to participate as a lessor or lessor's agent in the leasing programs. Similarly, no member of the Board of Commissioners in his or her individual capacity shall be a lessor or lessor's agent. These prohibitions, however, shall not apply where the employee or Commissioner is a principal in a not-for-profit or charitable, educational, or humanitarian agency or organization that may own or manage housing for rental purposes.

## **6.0 ETHICAL STANDARDS FOR COMMISSIONERS**

The Board of Commissioners of the Benson Housing Authority is the architect of policy governing the operations of the Authority and retains legal and fiscal responsibility for the Authority. Recognizing that the commissioners are chosen from a broad range of fields and professions and community interests renders difficult the circumscription of external interests and activities of the Commissioners. It is the intent that, insofar as is possible, the members of the Board of Commissioners are generally enjoined to follow the standards of conduct which are outlined in the Code of Ethics for employees. Further, it is expected that a Commissioner will voluntarily and fully outline his or her personal interests and potential conflicts of interest

prior to assuming their seat on the board. Such a statement should be submitted to the Board Chairman within ninety (90) days of the Commissioner's appointment. For Commissioners currently serving, such an updated statement shall be developed within ninety (90) days of their re-appointment for a new term. Such a statement shall disclose the following:

- A. The names of any business, organizational, or professional involvements that might reasonably be inferred as having business with the Authority and for which at some point a Commissioner might be expected to vote, legislate, or rule on a matter involving said party.
- B. Any current or past contact in, or interest in, activities or programs of the Authority, including, but not limited to, any contracts previously bid and let, familial relationships with any staff or other board members, or any consultative or professional contracts.
  - 1. No Commissioner shall vote, decide on, or discuss any matter before the Board if that Commissioner has an interest in the matter, except that:
    - a. A Commissioner having interest through a voluntary association with the person or organization may be allowed to discuss the matter.
    - b. If the matter concerns a person or organization with which the Commissioner had former contact, and that former contact existed either prior to his or her selection, or occurred at least two years prior to the current discussion of the matter, the Commissioner may freely act.
  - 2. No Commissioner may use his or her position on the Board to intimidate, coerce, persuade or otherwise influence any of the activities or employees of the Authority.

## **7.0 ETHICS REVIEW COMMITTEE**

There shall be established an Ethics Review Committee of the Benson Housing Authority.

The purpose of the Committee shall be to review and render decisions on any matters involving ethical conduct, or breach of ethical conduct, by employees, vendors, or commissioners.

The Committee is empowered by the Board of Commissioners to:

- A. Call witnesses and receive depositions in the performance of its duties.
- B. Call for provision of appropriate records, files or tapestives to the performance of its duties.
- C. Review any records maintained by the Authority, except those records that are considered confidential or personal. However, confidential records may be examined upon execution of a proper release by the subject person.

In performing its duties, the Committee may:

- A. Issue rules and regulations consistent with and to clarify the Code of Ethics.
- B. Review any questions concerning alleged or suspected infractions of the Code of Ethics and make recommendations to the Board of Commissioners or Executive Director for further or final actions.
- C. Require financial disclosure or disclosure of any other pertinent information by employees, vendors, or commissioners.
- D. Oversee compliance by the Authority with the Code of Ethics and any other applicable regulations involving ethics.

The Committee shall be composed of three (3) members and one (1) alternate: Board of Commissioners (1), employees (1), and a neutral third party (1). The alternate member of the panel shall be a party versed in legal/ethical issues, e.g., an attorney not currently serving as counsel to the Authority or an academic authority on ethical issues.

The members of the Committee shall be appointed in the following manner:

- A. The representative of the Board of Commissioners and the neutral third party shall be selected by vote of the Board of Commissioners.
- B. The employee representative and alternate shall be selected by the Executive Director.

Each member of the Committee will serve a five (5) year term. The terms may be renewed once. In no case will a person serve more than two (2) consecutive five (5) year terms.

There shall be a chair of the Committee, elected by the members of the Committee. The chair shall serve for five (5) years and may not serve more than two (2) consecutive terms. The Executive Director of the Authority shall serve as a non-voting Secretary of the Committee.

Voting by the Committee shall be by simple majority, with the Chair voting as any other member.

The alternate member of the Committee may attend all meetings of the Committee. In case of a conflict of interest by a committee member, the alternate member will assume the role as a voting member of the Committee. The alternate may at any and all times voice opinions regarding the deliberations of the Committee.

The Committee shall, upon receiving a written request from either the Board of Commissioners or any individual associated with the Authority, respond in writing within sixty (60) days after receipt of the request, unless the Committee determines that additional time is required. If additional time is required, it shall inform the requestor of the approximate time it will be able to render a response.

The Committee shall make reports and recommendations for action to the Board of Commissioners. If the Board finds a recommended action is properly within the purview of the Executive Director or his or her designee, it shall delegate the matter without further Board action.

The legal counsel of the Authority may be involved in the deliberations of the Committee, but he/she has no vote and cannot serve as the alternate committee member.

## **8.0 STARTUP PROCEDURES**

Within ninety (90) days of the adoption of this policy, the members of the Ethics Review Committee shall be appointed.

The Board of Commissioner representative and the alternate shall initially serve one (5) year term. The employee representative shall initially serve a three (3) year term. The neutral third party shall initially serve a one (1) year term. This way at least one appointment will expire each year and yet continuity can be maintained.

Within ninety (90) days of the adoption of this policy, the current Commissioners shall file the required disclosure with the Board Chairman.

**MN014V01K            FUNDS TRANSFER POLICY**  
**HOUSING AND REDEVELOPMENT AUTHORITY**  
**OF BENSON, MINNESOTA**

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The Benson Housing Authority hereby designates the positions that have the authority to transfer funds on its behalf. The purpose of this policy is to update instructions to depositories on who may transfer funds.

- A. People occupying the following positions are the only ones authorized to transfer funds from one Benson Housing Authority bank account to another and/or to wire transfer funds relating to Authority investments and cash management:
  - 1. Executive Director
  - 2. Chairman of the Benson HRA Board of Commissioners
- B. The positions authorized to transfer funds shall be bonded in the amount of \$25,000 with a blanket bond .
- C. A copy of this policy shall be forwarded to all designated depositories of the Authority.
- D. This policy rescinds all previous transfer of funds policies and shall become effective upon its adoption.

# **MN014V01L      HAZARDOUS MATERIALS POLICY HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON, MINNESOTA**

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## **1.0 PURPOSE**

The purpose of this policy is to inform the employees of the Benson Housing Authority about possible hazards connected with materials in their workplace and about proper handling of materials used in Authority operations.

## **2.0 SCOPE**

This implementation of this policy will ensure that Authority employees are aware of any potential hazards connected with any materials to which they may be exposed in the course of their work. In order to accomplish this, the Authority will ensure that:

- A. A current list of all hazardous chemicals or materials being used by the Authority is maintained at each work site;
- B. All containers of hazardous materials stored and used at the Authority are appropriately labeled;
- C. All Authority employees are trained to recognize and interpret labels, warnings, and signs that are attached to containers; and
- D. All Authority employees are trained to understand the content of the material safety data sheets (MSDS) provided for each hazardous substance and recognize possible risks to health and the potential for physical harm.

## **3.0 LISTING OF HAZARDOUS CHEMICALS.0      LISTING OF HAZARDOUS CHEMICALS**

The Benson Housing Authority will maintain a list of all hazardous chemicals used on-site.

The Head Maintenance Person at Park View Manor and Westwood Manor will insure that material safety data sheets are requested and obtained from the supplier of any new product ordered by the Benson Housing Authority. These will be posted on the bulletin board in the Maintenance Room at Park View Manor and Westwood Manor. The Executive Director will maintain a master listing of all hazardous materials and MSDS for all materials. The list of hazardous materials will also be posted on the Maintenance Room Bulletin Boards.

## **4.0 LABELS**

Material received at the Benson Housing Authority must have intact, legible labels. These labels must include the following:

- A. The name of the hazardous substance(s) in the container;
- B. A hazard warning; and
- C. The name and address of the manufacturer or other responsible party.

## **5.0 TRAINING**

A Safety Officer will be appointed by the Executive Director and the Safety Officer will insure that all employees at sites where hazardous materials are kept or used receive training on hazardous material handling.

The training program will include the following:

- A. The location and availability of the MSDS and files.
- B. Methods and procedures that the employee may use to detect the presence or accidental release or spill of hazardous materials in the work area, including proper clean up.
- C. Precautions and measures employees can take to protect themselves from the hazardous materials.

Annual training will be conducted for all employees at the Authority who deal with hazardous materials.

Each new or newly transferred at-risk employee will be trained in the handling of hazardous materials on the first working day at the new work site.

Training must be conducted for all employees when any new chemical or hazardous material enters the work site. This training must occur before the chemical or hazardous material is used by any employee.

After each training session, the trainer will certify a roster of all participants. Included with the roster will be a list of all hazardous materials included in the training.

#### **6.0 HEALTH, SAFETY AND EMERGENCY PROCEDURES**

The following information will be available in the procurement office for local health and jurisdictional authorities, if requested or required:

- A. A list of all hazardous materials used on authority sites.
- B. The location of stored hazardous materials of 55 gallons (500 pounds) or more, and special procedures for spill control and/or clean-up for specific hazardous substances if necessary.
- C. Unusual health and environmental hazards (both air and water) that may result from the release of specific quantities of hazardous substances.

**MN014V01M                      INVESTMENT POLICY**  
**HOUSING AND REDEVELOPMENT AUTHORITY**  
**OF BENSON, MINNESOTA**

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The objective of this Investment Policy is to maximize the return on all Benson Housing Authority reserves by investing the maximum amount of money in prudent investment vehicles.

The Executive Director is hereby designated the administrator of the Benson Housing Authority's funds and will be responsible for their timely and appropriate investment.

An investment register shall be maintained to record the purchase and sale of investment securities. A separate record shall be maintained for each fund account. At a minimum, the record shall contain the following:

- A. A complete description of the securities purchased
- B. The date of purchase
- C. The purchase price
- D. The interest rate
- E. The amount of periodic increment of value of US Savings Bonds ~~applicable~~
- F. The date of sale
- G. Source of funds invested

Interest earned shall be credited when actually received or credited to the account.

On an annual basis, as part of the budget preparation process, the Benson Housing Authority shall develop an investment strategy for all agency funds that are not needed immediately. This strategy shall be presented to the Board of Commissioners for their approval along with the budget.

In addition, the Benson Housing Authority shall make periodic reviews to determine anticipated revenues (rents, non-dwelling income, requisitions of funds, grants, and other income) and anticipated expenditures to determine the amount of investment(s) to be made, if any. The investment process will be accomplished through financial representatives at designated financial institutions.

All federal funds of the Benson Housing Authority will be invested solely in securities of the type approved by the U.S. Department of Housing and Urban Development. Currently, these investments may include:

- A. U.S. Treasury Bills
- B. U.S. Treasury Notes and Bonds
- C. Obligations of Federal Government Agencies
- D. Securities of Government Sponsored Agencies
- E. Insured Money Market Deposit Accounts
- F. Municipal Depository Fund
- F. G. Super NOW Accounts

- H. Certificates of Deposit
- I. Repurchase Agreements
- J. Sweep Accounts
- K. Separate Trading of Registered Interest and Principal of Securities (STRIPS)
- L. Mutual Funds that meet the HUD criteria

All investments shall be adequately collateralized. If the Authority's funds in a bank exceed the federal insurance limits, there shall be adequate collateral of the type the Authority can invest in placed in a set aside in an amount equal to the total of the deposits exceeding the insurable limits.

As a general rule, not more than \$2000 will be retained in the checking account balance for contingencies over and above currently planned expenditures.

*Note: This policy does not apply to the housing authority's retirement plan funds that are required to be covered by the retirement plan.*

mn014v01n      Maintenance policy

# HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON, MINNESOTA

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The Maintenance Division of the Benson Housing Authority is responsible for managing the maintenance function in the most cost effective manner possible while maximizing the useful life of Authority properties and providing the best service to Authority residents. The following policy statements are designed to establish the structure of an effective and efficient maintenance system

## 1.0 COMPONENTS OF A MAINTENANCE SYSTEM

The Benson Housing Authority maintenance system shall include certain components:

- A. A system of priorities for work requests;
- B. Comprehensive working procedures;
- C. Performance goals;
- D. A work order system;
- E. A skills training program; and
- F. A long-range planning system.

By developing a maintenance system that has these components in place, the authority will have the tools it needs to control the performance of maintenance work at the Benson Housing Authority.

## 1.1 PRIORITY SYSTEM

The work priorities adopted by the Benson Housing Authority exemplify its philosophy of delivering maintenance services. This priority system ensures that the most important maintenance work is done at a time it can be performed most cost-effectively. Minimizing vacancy loss is part of the cost-effectiveness calculation. The maintenance priorities of the Benson Housing Authority are the following:

- A. Emergencies
- B. Scheduled Operations and Services
- C. Vacancy Preparation
- D. Resident On-Demand Requests

Placing planned maintenance and vacancy preparation work ahead of resident work requests does not indicate that resident requests are unimportant. It emphasizes the importance of maintaining control of the maintenance work by performing scheduled routine and preventive work first. By doing so the Authority will decrease on-demand work and maintain the property in a manner that will keep and attract good tenants.

## 1.2 Develop procedures

The Executive Director also known as the Director of Maintenance will ensure that there are sufficient clear procedures in place to allow staff to implement this maintenance policy statement. All procedures will include the following:

- A. A statement of purpose;
- B. The job title(s) of the staff member(s) responsible for carrying out the activities in the procedure;
- C. Any forms needed to carry out the activities; and
- D. The frequency of any specified activities.

After their adoption, maintenance procedures will be reviewed and updated at least annually.

### 1.3 Develop performance standards and goals

The Director of Maintenance will establish measures that will allow the effectiveness of maintenance systems and activities to be evaluated. In establishing these standards the Housing Authority will take into consideration certain factors:

- A. Local housing codes;
- B. HUD Housing Quality Standards;
- C. Public Housing Assessment System (PHAS) standards;
- D. Benson Housing Authority Collective bargaining agreements; and
- E. Benson Housing Authority job descriptions.

Nothing in the documents listed above will prevent the Housing Authority from setting a standard that is higher than that contained in the documents.

These standards and goals will be used to evaluate current operations and performance and to develop strategies to improve performance and meet the standards that have been set.

### 1.4 Work Order System

The Benson Housing Authority shall have a comprehensive work order system that includes all work request information: source of work, description of work, priority, cost to complete, days to complete, and hours to perform. This information is required for the Authority to plan for the delivery of maintenance services as well as evaluate performance. To obtain the greatest effectiveness from the work order system, all work requests and activities performed by maintenance staff must be recorded on work orders.

Work orders will contain, at a minimum, the following information:

- A. Preprinted number
- B. Source of request (planned, inspection, resident), etc
- C. Priority assigned
- D. Location of work
- E. Date and time received
- F. Date and time assigned
- G. Worker(s) assigned

- A) Description of work requested
- A) Description of work performed
- J. Estimated and actual time to complete
- K. Materials used to complete work
- L. Resident charge (if any)
- M. Resident signature

## 1.5 Training

In order to allow its staff members to perform to the best of their abilities, the Benson Housing Authority recognizes the importance of providing the staff with opportunities to refine technical skills, increase and expand craft skills, and learn new procedures. The staff will be given the opportunity to attend training sessions sponsored by MN NAHRO and/or vendors who supply equipment or goods to Park View Manor or Westwood Manor.

## 1.6 Long-Range Planning

The Benson Housing Authority will put in place a long-range maintenance planning capability in order to ensure the most cost-effective use of Authority resources and the maximum useful life of Authority properties.

The Director of Maintenance will develop a property-specific long-range planning process that includes the following components:

- A. A property maintenance standard;
- B. An estimate of the work required to bring the property to the maintenance standard;
- C. An estimate of the work required to keep the property at the maintenance standard including routine and preventive maintenance workloads, vacant unit turn-around, inspection requirements and resident on-demand work;
- D. An estimate of the on-going cost of ~~operating~~ the property at the maintenance standard;
- E. A market analysis of the property to determine if there are any capital improvements needed to make the property more competitive;
- F. A cost estimate to provide the specified capital improvements; and
- G. A revised work plan and cost estimate of maintaining property at the improved standard.

By developing a work plan, the Authority will be able to anticipate its staff, equipment and materials needs. It will also be possible to determine need for contracting particular services.

## 2.0 MAINTAINING THE PROPERTY

All maintenance work performed at Housing Authority properties can be categorized by the source of the work. Each piece of work originates from a particular source -- an emergency, the routine maintenance schedule, the preventive maintenance schedule, a unit inspection, a unit turnover, or a resident request.

### Table Library

## 2.1 Responding to Emergencies

Emergencies are the highest priority source of work. The Benson Housing Authority will consider a work item to be an emergency if the following occur:

- A. The situation constitutes a serious threat to the life, safety or health of residents or staff; or
- B. The situation will cause serious damage to the property structure or systems if not repaired within twenty-four (24) hours.

For emergencies that occur after regular working hours, the Benson Housing Authority shall have a twenty-four (24) emergency response system in place. This response system includes the designation of the maintenance person assigned to each building or his substitute in charge for each day, after hours and on weekends, or if no response the Executive Director will be called as well as a list of qualified pre-approved contractors, open purchase orders for obtaining required supplies or equipment, and access to Authority materials and supplies. The designated employee shall prepare a work order and report on any emergency within twenty-four hours after abatement of the emergency.

## 2.2 Prepare Vacant Units for Reoccupancy

It is the policy of the Benson Housing Authority to reoccupy vacant units as soon as possible. This policy allows the Authority to maximize the income produced by its properties and operate attractive and safe properties.

The Director of Maintenance is responsible for developing and implementing a system that ensures an average turn-around time of seven (7) working days. In order to do so, he or she must have a system that can perform the following tasks:

- A. Forecast unit preparation needs based on prior years' experience;
- B. Estimate both the number of units to be prepared and the number of hours it will take to prepare them; and
- C. Control work assignments to ensure prompt completion.

The maintenance procedure for reoccupying vacant units relies on the prompt notification by management of the vacancy, fast and accurate inspection of the unit, ready availability of workers and materials, and good communication with those responsible for leasing the unit.

The Director of Maintenance has the ability to create special teams for vacancy turnaround or to hire contractors when that is required to maintain Authority goals.

## 2.3 Preventive Maintenance Program

Preventive maintenance is part of the planned or scheduled maintenance program of the Benson Housing Authority. The purpose of the scheduled maintenance program is to allow the Authority to anticipate maintenance requirements and make sure the Authority can address them in the most cost-effective manner. The preventive maintenance program focuses on the major systems that keep the properties operating. These systems include heating and air conditioning, electrical, life safety and plumbing.

- A. General Operating Systems

The heart of any preventive maintenance program is a schedule that calls for the regular servicing of all systems. The development of this schedule begins with the identification of each system or item

that must be checked and serviced, the date it must be serviced, and the individual responsible for the work. The servicing intervals and tasks for each system must be included in the schedule. The completion of all required tasks is considered a high priority for the Benson Housing Authority.

The systems covered by the preventive maintenance program include but are not limited to:

1. Catch basins
2. Compactors
3. Condensate pumps
4. Electric transformer and emergency generators
5. Elevator equipment
6. Emergency lighting
7. Exhaust fans
8. Exterior lights
9. Fire extinguishers and other life safety systems
10. Heating plants
11. Mechanical equipment and ~~drives~~
12. Sanitary drains
13. Air Conditioning equipment
14. Domestic water

A specific program will be developed for each system. This program shall include a list of the scheduled service maintenance for each system and the frequency and interval at which that service must be performed. The equipment and materials required to perform the service will be listed as well so that they will be on hand when needed. An assessment of the skills or licensing needed to perform the tasks will also be made to determine if an outside contractor must be used to perform the work. The preventive maintenance schedule must be updated each time a system is added, updated, or replaced.

#### B. Roof Repairs/ Replacement

Maintenance of roofs requires regular inspections by knowledgeable personnel to ensure that there is no unauthorized access to roof surfaces and that there is good drainage, clear gutters and prompt discovery of any deficiencies.

The Director of Maintenance is responsible for the development of a roof maintenance plan that includes these features:

1. The type, area, and age of roof
2. Warranties and/or guarantees in effect
3. Company that installed the roof

### **Table Library**

4. Expected useful life of roof
5. History of maintenance and repair
6. Inspection schedule

The authority maintenance staff will usually undertake only minor roof repairs. Therefore there should be a list of approved roofing contractors to take on more serious problems for roofs no longer under warranty.

C. Vehicle/Equipment Maintenance

The Benson Housing Authority will protect the investment it has made in vehicles and other motorized equipment by putting in place a comprehensive maintenance program. The vehicles and equipment to be covered include:

1. Tractors
2. Snow blowers
3. Leaf blowers
4. Weed cutters
5. Lawn Mowers

The Director of Maintenance is responsible for the development of this plan which shall contain components for minimal routine service as well as servicing for seasonal use. Serviceable components for each vehicle or piece of motorized equipment will be listed in the plan along with the type and frequency of service required.

The Director of Maintenance shall also maintain a system to ensure that any employee that operates a vehicle or piece of motorized equipment has the required license or certification.

C. Lead-Based Paint

The Benson Housing Authority is committed to controlling lead-based paint hazards in all its dwellings, especially family dwellings constructed before 1978. If any hazards are discovered, the Authority will develop a plan to abate the hazard. The Director of Maintenance shall have the authority and responsibility to direct all activities associated with lead hazard control. The control plan will include such activities as:

1. Detecting the possible presence of lead paint;
2. Protection of residents and workers from lead-based paint hazards;
3. Surface protection of non-painted surfaces;
4. Equipment use and care;
5. Paint quality; and
6. Method of application.

The Benson Housing Authority's plan to control such hazards is detailed in a risk assessment report and lead hazard control plan.

C. Life Safety Systems

The Benson Housing Authority shall have a comprehensive program for maintenance of life safety systems to ensure that they will be fully functional in the case of an emergency. The Director of Maintenance shall be responsible for the development and implementation of a schedule that includes the inspection, servicing and testing of this equipment. The equipment to be included in the plan includes the following:

1. Fire alarms and fire alarm systems
2. Fire extinguishers
3. Fire hoses
4. Emergency generators
5. Emergency lighting
6. Smoke detectors
7. Sprinkler systems

The plan will include the required testing and servicing as required by manufacturer's recommendations. It will also include a determination of the most reliable and cost effective way to perform the work including the decision to hire a contractor.

## 2.4 Inspection Program

The Benson Housing Authority's goals of efficiency and cost-effectiveness are achieved through a carefully designed and rigorously implemented inspection program. This program calls for the inspection of all areas of the Authority's facilities -- the dwelling units, the grounds and building exteriors, and major service systems.

A. Dwelling Unit Inspections

The unit inspection system of the Benson Housing Authority has two primary goals:

1. To assure that all dwelling units comply with standards set by HUD and local codes; and
2. To assure that the staff of the Benson Housing Authority knows at all times the condition of each unit for which it is responsible.

The achievement of these goals may require more than the annual HUD required inspection. The Director of Maintenance is responsible for developing a unit inspection program that schedules inspections at the frequency required.

For all non-emergency inspections, the Resident shall be given at least two (2) days written notice of the inspection.

The maintenance staff along with the Executive Director or office assistant, shall perform the unit inspection program of the Benson Housing Authority. During each inspection, the staff shall perform specified preventive and routine maintenance tasks. Any other work items noted at the time of the inspection will be documented on the Benson Housing Authority inspection form. All uncompleted work items shall be converted to a work order within twenty-four hours of the

completion of the inspection. The maintenance staff shall endeavor to complete all inspection-generated work items within 30 days of the inspection.

All maintenance staff is responsible for monitoring the condition of dwelling units. Whenever a maintenance staff member enters a dwelling unit for any purpose, such as completing a resident request for service or accompanying a contractor, he or she shall record on an inspection form any required work he or she sees while in the apartment. These work items shall also be converted to a service request within twenty-four hours of discovery.

#### B. Building and Grounds Inspections

Regular inspections of the property grounds and building exteriors are required to maintain the curb appeal of the property. This curb appeal is required to maintain the attractiveness of the property for both current and prospective residents. The inspection procedure will specify the desired condition of the areas to be inspected. This defined condition will include any HUD or locally required standards. The existence of these standards shall not prevent the Housing Authority from setting a higher standard that will make the property more competitive in the local market.

Building and grounds inspections must cover these areas:

1. Hallways
2. Stairwells
3. Community room and other common space such as kitchens or public restrooms
4. Laundry facilities
5. Lobbies
6. Common entries
7. Grounds
8. Porches or patios
9. Parking lots
10. Sidewalks and fences
11. Lawns, shrubs and trees
12. Trash compactors or collection areas
13. Building foundations

An inspection form will be developed for common areas and building exteriors and grounds. The staff member responsible for the inspection shall note all deficiencies on the form and ensure that these deficiencies are recorded on work order within twenty-four hours of the inspection. The Benson Housing Authority will complete all inspection-generated work items within thirty (30) days of the inspection.

Nothing in this policy shall prevent any Benson Housing Authority staff member from reporting any needed work that they see in the regular course of their daily activities. Such work items shall be reported to the site manager of the appropriate property.

C. Systems Inspections

The regular inspection of all major systems is fundamental to a sound maintenance program. The major systems inspection program overlaps with the preventive maintenance program in some areas. To the extent that inspections, in addition to those required for scheduled service intervals, are needed, they will be a part of the inspection schedule. Any work items identified during an inspection shall be converted to a work order within twenty-four hours and completed within thirty (30) days.

## 2.5 Scheduled Routine Maintenance

The Benson Housing Authority includes in this work category all tasks that can be anticipated and put on a regular timetable for completion. Most of these routine tasks are those that contribute to the curb appeal and marketability of the property.

A. Pest Control/Extermination

The Benson Housing Authority will make all efforts to provide a healthy and pest-free environment for its residents. The Authority will determine which, if any, pests infest its properties and will then provide the best possible treatment for the eradication of those pests.

The Director of Maintenance will determine the most cost-effective way of delivering the treatments -- whether by contractor or licensed Authority personnel.

The extermination plan will begin with an analysis of the current condition at each property. The Director of Maintenance shall make sure that an adequate schedule for treatment is developed to address any existing infestation. Special attention shall be paid to cockroaches. The schedule will include frequency and locations of treatment. Different schedules may be required for each property.

Resident cooperation with the extermination plan is essential. All apartments in a building must be treated for the plan to be effective. Residents will be given information about the extermination program at the time of move-in. All residents will be informed at least one week and again twenty-four hours before treatment. The notification will be in writing and will include instructions that describe how to prepare the unit for treatment. If necessary, the instructions shall be bi-lingual to properly notify the resident population.

B. Landscaping and Grounds

The Benson Housing Authority will prepare a routine maintenance schedule for the maintenance of the landscaping and grounds of its properties that will ensure their continuing attractiveness and marketability.

Routine grounds maintenance includes numerous activities:

1. Litter control
2. Lawn care
3. Maintenance of driveways, sidewalks and parking lots
4. Care of flower and shrubbery beds and trees
5. Maintenance of playgrounds, benches and fences
6. Snow removal

The Director of Maintenance shall be responsible for the development of a routine maintenance schedule that shall include the following:

1. A clearly articulated standard of appearance for the grounds that acknowledges but is not limited to HUD and local code standards;
2. A list of tasks that are required to maintain that standard and the frequency with which the tasks must be performed;
3. The equipment, materials, and supplies required to perform the tasks and a schedule for their procurement; and
4. A separate snow removal plan including a schedule for preparing equipment for the season and the procurement of other necessary materials and supplies.

C. Building Exteriors and Interior Common Areas

The appearance of the outside of Authority buildings as well as their interior common areas is important to their marketability. Therefore, the Benson Housing Authority has established a routine maintenance schedule to ensure that they are always maintained in good condition. The components to be maintained include:

1. Lobbies
2. Hallways and stairwells
3. Elevators
4. Public restrooms
5. Lighting fixtures
6. Common rooms and community spaces
7. Exterior porches and railings
8. Building walls
9. Windows

The Director of Maintenance is responsible for the development of a routine maintenance schedule for building exterior and interior common areas. The schedule shall be based on the following:

1. A clearly articulated standard of appearance for the building
2. A list of tasks required to maintain that standard
3. The frequency with which the tasks must be performed
4. A list of materials, equipment and supplies required to perform the tasks.

D. Interior Painting

The appearance and condition of the paint within each unit is important to unit condition and resident satisfaction. Accordingly, the Benson Housing Authority will develop a plan to ensure that interior paint in resident dwelling units is satisfactorily maintained.

As part of this plan painting standards will be developed that include:

1. Surface preparation
2. Protection of non-painted surfaces
3. Color and finish
4. Paint quality
5. Methods of application approved
6. Lead paint testing and abatement if required

The plan will set out the conditions for the consideration of a painting request. These standards include the period of time that has elapsed (5-6 years) since the last time the unit was painted.

## 2.6 Resident On-Demand Service

This category of work refers to all resident generated work requests that fall into no other category. These are non-emergency calls made by residents seeking maintenance service. These requests for service cannot be planned in advance or responded to before the resident calls.

It is the policy of the Benson Housing Authority to complete these work requests within twenty four (24). However, unless the request is an emergency or entails work that compromises the habitability of the unit, these requests will not be given a priority above scheduled routine and preventive maintenance. By following this procedure, the Benson Housing Authority believes it can achieve both good resident service and a maintenance system that completes the most important work first and in the most cost effective manner.

### 3.0 CONTRACTING FOR SERVICES

The Benson Housing Authority will contract for maintenance services when it is in the best interests of the Authority to do so. When the employees of the Authority have the time and skills to perform the work at hand, they will be the first choice to perform a given task. When the employees of the Authority have the skills to do the work required, but there is more work than there is time available to complete it, the Housing Authority will determine whether it is more cost effective to use a contractor to complete the work. If the Authority staff does not have the skills to complete the work, a contractor will be chosen. In the last instance, the Authority will decide whether it will be cost effective to train a staff member to complete the work.

Once the decision has been made to hire a contractor, the process set out in the Benson Housing Authority Procurement Policy will be used. These procedures vary depending on the expected dollar amount of the contract. The Director of Maintenance will determine the contract award, within

the framework of the Procurement Policy. The Director will be responsible for the contribution of the Maintenance Department to this process. The most important aspect of the bid documents will be the specifications or statement of work. The clearer the specifications the easier it will be for the Authority to get the work product it requires.

# MN014V010 NATURAL DISASTER RESPONSE GUIDELINES HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON, MINNESOTA

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The Benson area, as all areas, is subject to natural disasters. The disaster most likely to affect Benson is a tornado or earthquake. Because significant warning that a disaster of this type will strike can seldom be given, this policy focuses primarily on how the Authority shall react to such a disaster. While the preparations we can make for a disaster are limited, the Authority will take all reasonable steps to enable it to act promptly and effectively in an emergency.

## 1.0 Preparation

The following steps will be taken to prepare for a natural disaster:

- A. The Executive Director shall serve as the coordinator of the Benson Housing Authority's disaster response efforts. As such, the Executive Director shall serve as the liaison to any community-wide disaster planning efforts. (This will be coordinated with the City of Benson Emergency Management Plan).
- B. A list of potential community shelters shall be compiled and retained by the Authority for use in the case of a disaster.
- C. By adopting this Policy, the Board of Commissioners recognizes that extraordinary efforts will be needed if a natural disaster strikes the Authority. Therefore, employees will be encouraged to potentially operate outside their job descriptions in any way required to assist in the recovery effort.
- D. The site manager in charge of each development shall prepare an emergency plan for their site and have it approved by the Executive Director within sixty (60) days of the adoption of this policy. These plans shall be reviewed annually by the Executive Director for completeness and timeliness. Each plan shall include the following:
  1. A method of verifying the well-being of the residents after the disaster;
  2. A method of checking the physical condition of the property for visible damage;
  3. The designation of a post-disaster assembly area for the residents to go after the disaster; and
  4. A plan for informing the residents what they should do in the aftermath of the disaster.
- E. These site plans will be included as part of an overall authority emergency plan which will be developed under the direction of the Executive Director. The agency plan will include coordination with local emergency management agencies as well as local response agencies such as the police and fire departments.

## 2.0 Reaction

The following steps will be taken in order to react to a natural disaster:

- A. If a disaster occurs during working hours, all employees except those at a damaged site shall immediately report to the Benson Housing Authority Central Office for assignment. If the Central

Office is damaged beyond usage, they shall report to the nearest damaged site to assist in the recovery effort.

- B. Outside of normal working hours, employees shall immediately report to the Central Office and inspect Authority properties between their home and the Central Office. Employees will perform items E through G prior to reporting to the Central Office. Employees are expected to ensure the safety of their own families prior to reporting to work.
- C. If electrical power is lost to the Central Office, a generator shall be immediately started to enable usage of the facilities.
- D. Individual employees will be directed from Central Office to the developments to assess for habitability with particular attention being paid to structural integrity.
- E. Structures will be searched for trapped survivors. Survivors shall be freed if possible without endangering the lives of others. Employees will not immediately enter structurally damaged buildings, but will summon local emergency crews to enter and rescue any trapped residents.
- F. Gas, electricity and water shall be disconnected from any building with severe structural damage.
- G. Lists of non-habitable buildings or units and trapped survivors shall be delivered to Central Office as soon as practicable.
- H. Work assignments will be made based upon reports received regarding damage sustained.
- I. The Executive Director will brief the Mayor of Benson as soon as practical after the disaster.
- J. As soon as practical, the Executive Director as Secretary of the Board, with the consent of the Chairperson, will call a Special Emergency Board Meeting on the situation and apprise the Board of emergency decisions made arising from the disaster and recovery activities.

**MN014V01P                      PEST CONTROL POLICY**  
**HOUSING AND REDEVELOPEMENT AUTHORITY**  
**OF BENSON, MINNESOTA**

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The Benson Housing Authority recognizes the importance of pest and vermin control in providing a living environment of adequate health and safety for its residents. To achieve this control the authority has adopted a pest control policy that will be implemented by the Executive Director.

**PEST CONTROL AND EXTERMINATION**

The Benson Housing Authority will make all efforts to provide a healthy and pest-free environment for its residents. The Authority will determine which, if any, pests infest its properties and will then provide the best possible treatment for the eradication of those pests. The Benson Housing Authority will contract on an Annual Basis with a reputable Pest Control Company as part of our preventive maintenance plan.

The extermination plan will begin with an analysis of the current condition at each property. The Executive Director shall make sure that an adequate schedule for treatment is developed to address any existing infestation. Special attention shall be paid to cockroaches. The schedule will include frequency and locations of treatment. Different schedules may be required for each property.

Resident cooperation with the extermination plan is essential. All apartments in a building must be treated for the plan to be effective. Residents will be given information about the extermination program at the time of move-in. All residents will be informed at least one week and again twenty-four hours before treatment. The notification will be in writing and will include instructions that describe how to prepare the unit for treatment. If necessary, the instructions shall be bi-lingual to properly notify the resident population.

# **MN014V01Q            PROCUREMENT POLICY HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON, MINNESOTA**

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This Procurement Policy complies with HUD's Annual Contributions Contract (ACC), HUD Handbook 7460.8, "Procurement Handbook for Public Housing Agencies," and the procurement standards of 24 CFR 85.36.

## **1.0 GENERAL PROVISIONS**

### **1.1 PURPOSE**

The purpose of this Procurement Policy is to provide a procurement system of quality and integrity; to assure that the Authority procures supplies, service and construction effectively, efficiently and at the most favorable prices; and to assure that Authority purchasing actions are in full compliance with applicable Federal standards, HUD regulations, and State and local laws. To the extent possible and in the best interests of the Authority, American-made equipment and products shall be purchased with HUD funds.

### **1.2 APPLICATION**

This Procurement Policy applies to all contracts for the procurement of supplies, services, and construction entered into by the Authority after the effective date of this Policy. It shall apply to every expenditure of Federal funds by the Authority for public purchasing, irrespective of the source of funds, including contracts that do not involve an obligation of funds (such as concession contracts). Nothing in this Policy, however, shall prevent the Authority from complying with the terms and conditions of any grant, contract, gift or bequest that is otherwise consistent with law. The term "procurement," as used in this Policy includes both contracts and modifications (including change orders) for construction or services, as well as purchase, lease, or rental of supplies and equipment.

### **1.3 PUBLIC ACCESS TO PROCUREMENT INFORMATION**

Procurement information shall be a matter of public record to the extent provided by State law and shall be available to the public as provided by that law.

### **1.4 EXECUTIVE DIRECTOR'S RESPONSIBILITIES**

The Contracting Officer shall administer all procurement transactions. The Contracting Officer shall be the Executive Director or any other individual so designated by the Executive Director. Any delegations of contracting authority must be documented in writing. The Contracting Officer shall ensure that the following occur:

- A. Procurement requirements are subject to a planning process to assure efficient and economical purchasing;
- B. Contracts and modifications are in writing and clearly specify the desired supplies, services, or construction; are supported by sufficient documentation regarding the history of the procurement, including as a minimum the method of procurement chosen, the selection of the contract type, the rationale for selecting or rejecting offers, and the basis for the contract price; and that contracts and modifications are awarded only by Authority employees designated in writing as having such authority;

- C. For procurements other than small purchases, public notice is given of each upcoming procurement, an adequate time period is provided for preparation and submission of bids or proposals, and notice of contract awards is made available to the public;
- D. Solicitation procedures are conducted in full compliance with Federal standards stated in 24 CFR 85.36, or State and local laws that are more stringent, provided they are consistent with 24 CFR 85.36;
- E. An independent cost estimate is prepared before solicitation is issued and is appropriately safeguarded for each procurement above the small purchase limitation, and a cost or price analysis is conducted of the responses received for all procurements;
- F. Contract award is made to the responsive and responsible bidder offering the lowest price (for sealed bid contracts) or contract award is made to the offeror whose proposal offers the greatest value to the Authority, considering price, technical, and other factors as specified in the solicitation (for contracts awarded based on competitive proposals); unsuccessful firms are notified within ten days (or other time period required by State or local law) after contract award;
- G. Work is inspected before payment, and payment is made promptly for contract work performed and accepted; and
- H. The Authority complies with applicable HUD review requirements and any local procedures supplementing this Statement.

## 1.5 CONTRACTOR RESPONSIBILITY

Procurements shall be conducted only with responsible contractors, i.e., those who have the technical and financial competence to perform and who have a satisfactory record of integrity. The Authority shall review each proposed contractor's ability to perform the contract successfully, considering factors such as the contractor's integrity (including a review of the List of Parties Excluded from Federal Procurement and Nonprocurement Programs published by the U.S. General Services Administration), compliance with public policy, record of past performance (including contacting previous clients of the contractor, such as other Housing Authorities), and financial and technical resources. Contracts shall not be awarded to debarred, suspended, or ineligible contractors.

## 1.6 QUALIFIED BIDDER'S LISTS

Interested businesses shall be given an opportunity to be included on a qualified bidder's lists. Any pre-qualified lists of persons, firms, or products, which are used in the procurement of supplies and services, shall be kept current and shall include enough qualified sources to ensure competition. Firms shall not be precluded from qualifying during the solicitation period. Solicitation mailing lists of potential contractors shall include, but not be limited to, such pre-qualified suppliers.

## 1.7 COMPETITIVE SPECIFICATIONS

The Authority shall seek full and open competition in all of its procurement transactions. All specifications shall be drafted so as to promote overall economy for the purpose intended and to encourage competition in satisfying the Authority's needs. Specifications shall be reviewed prior to solicitation to ensure that they are not unduly restrictive or represent unnecessary or duplicative items. Functional or performance specifications are preferred. Detailed product specifications shall be avoided whenever possible. Consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. For equipment purchases, a lease versus purchase analysis should be performed to determine the most economical form of procurement.

## 1.8 LIMITATIONS ON COMPETITION

The following specification limitations shall be avoided: geographic restrictions not mandated or encouraged by applicable Federal law (except for architect-engineer contracts, which may include geographic location as a selection factor if adequate competition is available); unnecessary bonding or experience requirements; brand name specifications (unless a written determination is made that only the identified item will satisfy the Authority's needs); and brand name or equal specifications (unless they list the minimum essential characteristics and standards to which the item must conform to satisfy its intended use). Nothing in this procurement policy shall preempt any State licensing laws. Specifications shall be scrutinized to ensure that organizational conflicts of interest do not occur (for example, having a consultant perform a study of the Authority's computer needs and then allowing that consultant to compete for the subsequent contract for the computers).

## 1.9 COOPERATIVE PURCHASING

The Authority may enter into State and local intergovernmental agreements to purchase or use common goods and services. The decision to use an intergovernmental agreement or conduct a direct procurement shall be based on economy and efficiency. If used, the intergovernmental agreement shall stipulate who is authorized to purchase on behalf of the participating parties and shall specify inspection, acceptance, termination, payment, and other relevant terms and conditions. The Authority shall use Federal or State excess and surplus property instead of purchasing new equipment and property whenever such use is feasible and reduces project costs.

## 2.0 PROCUREMENT METHODS

### 2.1 SMALL PURCHASE PROCEDURES

If it has been decided that the Housing Authority will directly purchase the required items, one of the following procurement methods shall be chosen, based on the nature and anticipated contract value of the total requirement.

- A) **General** - Any contract not exceeding \$25,000 may be made in accordance with the small purchase procedures authorized in this section. Contract requirements shall not be artificially divided so as to constitute a small purchase under this section (except as may be reasonably necessary to comply with Section 5.0 of this Policy).
- B) **Petty Cash Purchases** - Small purchases less than Fifty Dollars (\$50.00) which can be satisfied by local sources may be processed through the use of a petty cash account. The Contracting Officer shall ensure that the account is established in an amount sufficient to cover small purchases made during a reasonable period (e.g., one month), security is maintained, and only authorized individuals have access to the account. The account shall be reconciled monthly and replenished by submission of a voucher to the Authority's Board of Commissioners and audited monthly by the Authorities Fee Accountant to validate proper use and to verify that the account total equals cash on hand plus the total of accumulated vouchers.
- C) **Small purchases of \$2,500 or less** - For small purchases below \$2,500 [or the dollar limit established in D below], only one quotation need be solicited if the price received is considered reasonable. Such purchases must be distributed equitably among qualified sources. If practicable, a quotation shall be solicited from other than the previous source before placing a repeat order.
- D) **Small purchases over \$2,500** - For small purchases in excess of \$2,500 [or a higher amount up to 10% of the dollar limit in A above] but not exceeding \$25,000 [or a lower dollar limit stated in A above] no less than three offerors shall be solicited to submit price quotations. These quotes may be obtained orally, by telephone, or in writing, as allowed by State or local laws. Award shall be made

to the offeror providing the lowest acceptable quotation, unless justified in writing based on price and other specified factors, such as for architect-engineer contracts. If non-price factors are used, they shall be disclosed to all those solicited. The names, addresses, and/or telephone numbers of the offerors and persons contacted, and the date and amount of each quotation shall be recorded and maintained as a public record (unless otherwise provided in State or local law).

## 2.2 SEALED BIDDING

- A. Conditions for Use** - Contracts shall be awarded based on competitive sealed bidding if the following conditions are present: a complete, adequate, and realistic specification or purchase description is available; two or more responsible bidders are willing and able to compete effectively for the work; the procurement lends itself to a firm fixed price contract; and the selection of the successful bidder can be made principally on the basis of price. Sealed bidding is the preferred method for construction procurement. For modernization projects, sealed bidding shall be used for all construction and equipment contracts exceeding the small purchase limitation. For professional services contracts, sealed bidding should not be used.
- B. Solicitation and Receipt of Bids** - An invitation for bids shall be issued including specifications and all contractual terms and conditions applicable to the procurement, including a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirements of the invitation for bids. The invitation for bids shall state the time and place for both the receipt of bids and the public bid opening. All bids received shall be time-stamped but not opened and shall be stored in a secure place until bid opening. A bidder may withdraw its bid at any time prior to bid opening.
- C. Bid Opening and Award** - Bids shall be opened publicly, an abstract of bids shall be recorded, and the bids shall be available for public inspection. If equal low bids are received from responsible bidders, award shall be made by drawing lots or similar random method, unless otherwise provided in State or local law and stated in the invitation for bids. If only one responsive bid is received from a responsible bidder, award shall not be made unless a cost or price analysis verifies the reasonableness of the price.
- D. Mistakes in Bids** -
1. Correction or withdrawal of inadvertently erroneous bids may be permitted, where appropriate, before bid opening by written or telegraphic notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, corrections in bids shall be permitted only if the bidder can show by clear and convincing evidence that a mistake of a nonjudgmental character was made, the nature of the mistake, and the bid price actually intended. A low bidder alleging a nonjudgmental mistake may be permitted to withdraw its bid if the mistake is clearly evident on the face of the bid document but the intended bid is unclear or the bidder submits convincing evidence that a mistake was made.
  2. All decisions to allow correction or withdrawal of bid mistakes shall be supported by a written determination signed by the Contracting Officer. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the Authority or fair competition shall be permitted.
  3. **Bonds** - In addition to the other requirements of this Policy, the following requirements apply:
    - a. For construction contracts exceeding \$100,000, other than those specified in 3b and 3c below, contractors shall be required to submit the following, unless otherwise required by State or local laws or regulations:

- (1) a bid guarantee from each bidder equivalent to 5% of the bid price; and
  - (2) a performance bond for 100% of the contract price; and
  - (3) a payment bond for 100% of the contract price.
- b. In the case of construction of conventional development projects funded pursuant to the U.S. Housing Act of 1937, the contractor shall be required to submit the following, unless otherwise required by State or local laws or regulations:
- (1) a bid guarantee from each bidder equivalent to 5% of the bid price; and
  - (2) one of the following:
    - (i) a performance and payment bond for 100% of the contract price; or
    - (ii) a 20% cash escrow; or
    - (iii) a 25% irrevocable letter of credit.
- c. In the case of construction under the Comprehensive Grant Program or the Capital Fund Program funded pursuant to the U.S. Housing Act of 1937, for any contract over \$25,000, the contractor shall be required to submit the following, unless otherwise required by State or local laws or regulations:
- (1) a bid guarantee from each bidder equivalent to 5% of the bid price; and
  - (2) one of the following:
    - (i) a performance and payment bond for 100% of the contract price; or
    - (ii) separate performance and payment bonds, each for 50% or more of the contract price; or
    - (iii) a 20% cash escrow; or
    - (iv) a 25% irrevocable letter of credit.

## 2.3 COMPETITIVE PROPOSALS

- A. Conditions for Use** - Competitive proposals (including turnkey proposals for development) may be used if there is an adequate method of evaluating technical proposals and where the Authority determines that conditions are not appropriate for the use of sealed bids. An adequate number of qualified sources shall be solicited (normally, at least 3).
- B. Solicitation** - The request for proposals (RFP) shall clearly identify the relative importance of price and other evaluation factors and subfactors, including the weight given to each technical factor and subfactor. A mechanism for fairly and thoroughly evaluating the technical and price proposals shall be established before the solicitation is issued. Proposals shall be handled so as to

prevent disclosure of the number of offerors, identity of the offerors, and the contents of their proposals. The proposals shall be evaluated only on the criteria stated in the request for proposals.

- C. **Negotiations** - Unless there is no need for negotiations with any of the offerors, negotiations shall be conducted with offerors who submit proposals determined to have a reasonable chance of being selected for award, based on evaluation against the technical and price factors as specified in the RFP. Such offerors shall be accorded fair and equal treatment with respect to any opportunity for negotiation and revision of proposals. The purpose of negotiations shall be to seek clarification with regard to and advise offerors of the deficiencies in both the technical and price aspects of their proposals so as to assure full understanding of and conformance to the solicitation requirements. No offeror shall be provided information about any other offeror's proposal, and no offeror shall be assisted in bringing its proposal up to the level of any other proposal. Offerors shall not be directed to reduce their proposed prices to a specific amount in order to be considered for award. A common deadline shall be established for receipt of proposal revisions based on negotiations.
- D. **Award** - After evaluation of proposal revisions, if any, the contract shall be awarded to the responsible firm whose qualifications, price and other factors considered are the most advantageous to the Authority.
- E. **Architect/Engineer Services** - Architect/engineer services in the excess of the small purchase limitation (or less if required by State or local law) may be obtained by either the competitive proposals method or qualifications-based selection procedures, unless State law mandates a specific method. Sealed bidding, however, shall not be used to obtain architect/engineer services. Under qualifications-based selection procedures, competitors' qualifications are evaluated and the most qualified competitor is selected, subject to the negotiation of fair and reasonable compensation. Price is not used as a selection factor under this method. Qualifications-based selection procedures shall not be used to purchase other types of services even though architect-engineer firms are potential sources.

## 2.4 NONCOMPETITIVE PROPOSALS

- A. **Conditions for Use** - Procurements shall be conducted competitively to the maximum extent possible. Procurement by noncompetitive proposals may be used only when the award of a contract is not feasible using small purchase procedures, sealed bids, or competitive proposals, and one of the following applies:
  - 1. The item is available only from a single source, based on a good faith review of available sources;
  - 2. An emergency exists that seriously threatens the public health, welfare, or safety; endangers property; or would otherwise cause serious injury to the Authority, as may arise by reason of a flood, earthquake, epidemic, riot, equipment failure, or similar event. In such cases, there must be an immediate and serious need for supplies, services, or construction such that the need cannot be met through any other procurement methods, and the emergency procurement shall be limited to those supplies, services, or construction necessary to meet the emergency;
  - 3. HUD authorizes the use of noncompetitive proposals; or
  - 4. After solicitation of a number of sources, competition is determined inadequate.
- B. **Justification** - Each procurement based on noncompetitive proposals shall be supported by a written justification for using such procedures.

- C. **Price Reasonableness** - The reasonableness of the price for all procurements based on noncompetitive proposals shall be determined by performing a cost analysis, as described in section 2.5 below.

## 2.5 COST AND PRICE ANALYSIS

- A. **General** - Some form of cost or price analysis shall be performed for all procurement actions, including contract modifications, using the procedures described in HUD Handbook 2210.18. The method of analysis shall be determined as follows. The degree of analysis shall depend on the facts surrounding each procurement.
- B. **Submission of Cost or Pricing Information** - If the procurement is based on noncompetitive proposals, or when only one offer is received, or for other procurements as deemed necessary by the Authority (e.g., when contracting for professional, consulting, or architect/engineer services) the offeror shall be required to submit:
  - 1. A cost breakdown showing projected costs and profit;
  - 2. Commercial pricing and sales information, sufficient to enable the Authority to verify the reasonableness of the proposed price as a catalog or market price of a commercial product sold in substantial quantities to the general public; or
  - 3. Documentation showing that the offered price is set by law or regulation.
- C. **Cost Analysis** - Cost analysis shall be performed if an offeror/contractor is required to submit a cost breakdown as part of its proposal. When a cost breakdown is submitted a cost analysis shall be performed of the individual cost elements, the Authority shall have a right to audit the contractor's books and records pertinent to such costs, and profit shall be analyzed separately. Costs shall be allowable only to the extent that they are consistent with applicable Federal cost principles (for commercial firms, Subpart 31.2 of the Federal Acquisition Regulation, 48 CFR Chapter 1). In establishing profit, the Authority shall consider factors such as the complexity and risk of the work involved, the contractor's investment and productivity, the amount of subcontracting, the quality of past performance, and industry profit rates in the area for similar work.
- D. **Price Analysis** - For competitive procurements in which cost or pricing information is not required of contractors, the Authority shall perform a comparison of prices received in relation to the independent cost estimate, to ensure that the price being paid is reasonable.

## 2.6 CANCELLATION OF SOLICITATIONS

An invitation for bids, request for proposals, or other solicitation may be cancelled before offers are due if the Authority no longer requires the supplies, services or construction; the Authority can no longer reasonably expect to fund the procurement; proposed amendments to the solicitation would be of such magnitude that a new solicitation would be desirable; or similar reasons. The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation and/or rejection shall be provided upon request to any offeror solicited.

### 3.0 TYPES OF CONTRACTS, CLAUSES, AND CONTRACT ADMINISTRATION

#### 3.1 CONTRACT TYPES

Any type of contract which is appropriate to the procurement and which will promote the best interests of the Authority may be used, provided that the cost plus a percentage of cost and percentage of construction cost methods are prohibited. All procurements shall include the clauses and provisions necessary to define

the rights and responsibilities of the parties. A cost reimbursement contract shall not be used unless it is likely to be less costly or it is impracticable to satisfy the Authority's needs otherwise; the proposed contractor's accounting system is adequate to allocate costs in accordance with applicable cost principles (for commercial firms, see HUD Handbook 2210.18); and the contractor is paid only allowable costs. A time and material contract may be used only if a written determination is made that no other contract type is suitable, and the contract includes a ceiling price that the contractor exceeds at its own risk.

## 3.2 OPTIONS

Options for additional quantities or performance periods may be included in contracts, provided that (i) the option is contained in the solicitation; (ii) the option is a unilateral right of the Authority; (iii) the contract states a limit on the additional quantities and the overall term of the contract; (iv) the options are evaluated as part of the initial competition; (v) the contract states the period within which the options may be exercised; (vi) the options may be exercised only at the price specified in or reasonably determinable from the contract; and (vii) the options may be exercised only if determined to be more advantageous to the Authority than conducting a new procurement.

## 3.3 CONTRACT CLAUSES

In addition to containing a clause identifying the contract type, all contracts shall include any clauses required by Federal statutes, executive orders, and their implementing regulations, as provided in 24 CFR 85.36(i), such as the following:

- A. Termination for convenience
- B. Termination for default
- C. Equal Employment Opportunity
- D. Anti-Kickback Act
- E. Davis-Bacon Act
- F. Contract Work Hours and Safety Standards Act
- G. Reporting requirements
- H. Patent rights
- I. Rights in data
- J. Examination of records by Comptroller General, and retention of records for three years after closeout
- K. Clean air and water
- L. Energy efficiency standards
- M. Bid protests and contract claims
- N. Value engineering
- O. Payment of funds to influence certain Federal transactions.

## 3.4 CONTRACT ADMINISTRATION

A contract administration system designed to ensure that contractors perform in accordance with their contracts shall be maintained. The system shall include procedures for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on construction contracts, and similar matters.

### 4.0 APPEALS AND REMEDIES

#### 4.1 GENERAL

It is the Authority's policy to resolve all contractual issues informally at the Authority level, without litigation. Disputes shall not be referred to HUD until all administrative remedies have been exhausted at the Authority level. When appropriate, the Authority may consider the use of informal discussions between the parties by individuals who did not participate substantially in the matter in dispute to help resolve the differences. HUD will only review protests in cases of violations of Federal law or regulations and failure of the Authority to review a complaint or protest.

#### 4.2 BID PROTESTS

Any actual or prospective contractor may protest the solicitation or award of a contract for serious violations of the principles of this Policy. Any protest against a solicitation must be received before the due date for receipt of bids or proposals, and any protest against the award of a contract must be received within ten (10) calendar days after contract award, or the protest will not be considered. All bid protests shall be in writing and submitted to the Contracting Officer or designee, who shall issue a written decision on the matter. The Contracting Officer may, at his or her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented.

#### 4.3 CONTRACT CLAIMS

All claims by a contractor relating to performance of a contract shall be submitted in writing to the Contracting Officer, or designee, for a written decision. The contractor may request a conference on the claim. The Contracting Officer's decision shall inform the contractor of its appeal rights to the Executive Director.

### 5.0 ASSISTANCE TO SMALL AND OTHER BUSINESSES

#### 5.1 REQUIRED EFFORTS

Consistent with Presidential Executive Orders 11625, 12138, 12432, and Section 3 of the HUD Act of 1968, the Authority shall make efforts to ensure that small and minority-owned businesses, women's business enterprises, and individuals or firms located in or owned in substantial part by persons residing in the area of an Authority development are used when possible. Such efforts shall include, but shall not be limited to the following:

- A. Including such firms, when qualified, on solicitation mailing lists;
- B. Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
- C. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;
- D. Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;

- E. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce;
- F. Including in contracts a clause requiring contractors, to the greatest extent feasible, to provide opportunities for training and employment for lower income residents of the development area and to award subcontracts for work in connection with the project to business concerns which are located in, or owned in substantial part by persons residing in the area of the development, as described in 24 CFR 135; and
- G. Requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed in A through F above.

## 5.2 DEFINITIONS

A small business is defined as a business that is independently owned, not dominant in its field of operation, and not an affiliate or subsidiary of a business dominant in its field of operation. The size standards in 13 CFR 121 shall be used, unless the Authority determines that their use is inappropriate.

A minority-owned business is defined as a business which is at least 51% owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51% of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.

A women's business enterprise is defined as a business that is at least 51% owned by a woman or women who are U.S. citizens and who also control or operate the business.

A business concern located in the area of the development is defined as an individual or firm located within the relevant Section 3 covered development area, as determined pursuant to 24 CFR 135.15; listed on HUD's registry of eligible business concerns; and meeting the definition of small business above. A business concern owned in substantial part by persons residing in the area of the development is defined as a business concern which is 51% or more owned by persons residing within the Section 3 covered project, owned by persons considered by the U.S. Small Business Administration to be socially or economically disadvantaged, listed on HUD's registry of eligible business concerns, and meeting the definition of small business above.

## 6.0 ETHICS IN PUBLIC CONTRACTING

### 6.1 GENERAL

The Authority shall adhere to the following code of conduct and shall establish a system of sanctions for violations consistent with applicable State or local law.

### 6.2 CONFLICT OF INTEREST

No employee, officer or agent of this Authority shall participate directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interest in a firm selected for award is held by:

- A. An employee, officer or agent involved in making the award;
- B. His/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister);

- C. His/her partner; or,
- D. An organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

### 6.3 GRATUITIES, KICKBACKS, AND USE OF CONFIDENTIAL INFORMATION

Authority officers, employees or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontracts and shall not knowingly use confidential information for actual or anticipated personal gain.

### 6.4 PROHIBITION AGAINST CONTINGENT FEES

Contractors shall not retain a person to solicit or secure an Authority contract for a commission, percentage, brokerage, or contingent fee, except for bona fide employees or bona fide established commercial selling agencies.

**MN014v01r      POLICY FOR DETERMINING UTILITY ALLOWANCE**  
**FOR TENANT PURCHASED UTILITIES**  
**HOUSING AND REDEVELOPMENT AUTHORITY OF**  
**BENSON, MINNESOTA**

The Benson HRA is required by Section 965.473 of the Federal Regulations to establish and administer utility allowance schedules for Tenant Paid Utilities and Checkmetered Utilities. The objective of the HRA in establishing the schedule is to approximate the reasonable consumption of utilities by an energy-conservative household of modest circumstances, consistent with the requirements of a safe, sanitary, and healthful living environment. HUD is required to approve the Initial Utility Allowance Schedule and to monitor and review each subsequent revision, which is kept on file at the Benson HRA Office.

Allowances for Tenant Purchased Utilities represent fixed dollar amounts which are deducted from the Total Tenant Payment (Gross Rent) of a tenant who pays actual electrical charges directly to the utility supplier. Utility allowances are designed to include reasonable consumption for major equipment and for utility ~~furnished~~ furnished by the HRA for all tenants and for the minor items of equipment, such as toasters and radios furnished by the tenant. This same definition applies to checkmeters. A checkmeter is a device for measuring Utility consumption of each individual dwelling unit where the Utility service is supplied through a Mastermeter System. The HRA pays the Utility supplier of the Utility services on the basis of the Mastermeter readings and uses the Checkmeters to determine whether and to what extent the Utility consumption of each dwelling unit is in excess of the Allowance for Housing Authority Furnished Utilities.

**ANNUAL REVIEW**

According to Section 965.478 of the Federal Register, the HRA must review the basis on which the allowance was established at least annually. The Benson HRA will do this during the month of April each year. In addition, the schedule must be revised whenever there is a rate change which by itself, or together with prior rate changes not adjusted for, results in a change of 10 percent or more from the rates at the time the previous allowance was established. The adjustments to the tenant rent as a result of such changes are to be retroactive to the first day of the month following the month in which the last rate change was taken into account became effective.

**INDIVIDUAL RELIEF**

The Benson HRA is required by Section 965.479 of the Federal Regulations to provide for individual relief. Requests for relief from Surcharges for excess consumption of HRA Furnished Utilities, or from payment of Utility supplier billings in excess of the Allowances for Tenant-Purchased Utilities, may be granted by the HRA on such reasonable grounds, such as special needs of elderly, ill or handicapped tenants, or special factors affecting utility usage not within the control of the tenant, and the Benson HRA shall deem appropriate.

Relief may be granted (e.g.) us a resident requires two humidifiers or air purifiers to keep the air more humid in order to relieve a breathing problem. Relief will also be granted if there is a defect in the dwelling unit such as defective range, refrigerator, electrical check meter, or a defect in wiring, etc. which is beyond the control of the resident.

A written request for relief must be made by the resident within 10 days after the utility charge is presented to the resident. This written request must be presented to the Executive Director at the HRA Office or may be mailed to the Executive Director at:  
Benson HRA, 300 1<sup>st</sup> Street North, Benson, MN 56215.

The Executive Director must respond to the written request for relief with a written response within 10 days. If the written response is not satisfactory to the resident, the resident may file a grievance and follow the grievance procedure as is posted in the Benson HRA Office.

**RECOMMENDED DATE SOURCE**

The source of data for determining reasonable consumption levels of Housing Authority units is the utility supplier. The consumption levels of the HRA units is the utility supplier. The consumption data may be obtained form tenants directly, or with signed tenant release of information forms directly from the supplier.

#### **ANNUAL UTILITY ALLOWANCE REVISIONS**

Increases in Utility Allowance schedules will reduce the amount of dwelling rent; likewise, decreases in the schedule will increase the dwelling rent. Annual revisions to the utility allowance schedules will be effective on July 1 of each year.

#### **NOTICE REQUIREMENT**

The Benson HRA is required to give notice of proposed Allowances and of revisions to Allowances. The notice shall:

- A) be given in the manner provided in the lease, not less than 60 days prior to the proposed effective date of the revision,
- B) describe with reasonable particularity the basis for the revision,
- C) include a statement of the specified items of equipment and function whose utility consumption requirements were included in determining the amounts of the allowance,
- D) notify tenants of the place where the HRA records documenting the basis upon which the allowance was established and revised may be reviewed,
- E) provide all tenants an opportunity to submit written comments during a period expiring not less than 30 days prior to the proposed effective date of the revision; (these comments must be retained for inspection by tenants and, upon request, by HUD) and,
- F) advise tenants of individuals relief procedures, the HRA's contact person and criteria for granting such relief.

#### **STEPS IN REVISING TENANT PURCHASED UTILITY ALLOWANCE SCHEDULES**

*Obtain electrical consumption data for each tenant paid utility in the HRA's units for the past 12 month period.*

*Separate the data by the number of bedrooms in the units.*

*Make adjustments – Throw our figures that are unreasonably high or low; adjust consumption for tenants using extra appliances, e.g. freezers, air conditioners.*

*Average the remaining consumption data for each utility by bedroom size. The resulting figures must be in annual consumption units for each utility: Kilowatt hours for electricity.*

*Determine the current base rate for Electricity. Multiply the rate by the average annual electrical consumption figure to obtain a 12 month projection of the base rate.*

*Identify which of the following items apply to each utility. Add the result to the appropriate 12 month utility base rate projection. (including – taxes, surcharges, and meter charges).*

*Divide the annual utility cost projection by 12 to achieve a monthly utility allowance figure for the Tenant Purchase Utility.*

*Retain working papers and backup data in the HRA files. This data must be available for review by the Benson Housing Authority residents and by HUD.*

**MN014V01S                      FACILITIES USE POLICY**  
**ALSO KNOWN AS COMMUNITY SPACE POLICY**  
**HOUSING AND REDEVELOPMENT AUTHORITY**  
**OF BENSON, MINNESOTA**

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The Benson Housing Authority ~~HWO~~ community facilities. They are located in the following developments:

**Park View Manor, 300 13<sup>th</sup> Street. N., Benson**  
**Westood Manor, 2000 Hall Ave., Benson**

These facilities exist primarily for the benefit of the residents but may be available to responsible non-resident sponsored community groups with the written permission of the Executive Director and approval of the HRA Board.

All recognized and responsible organizations will be granted equal opportunity and fair and equal treatment with respect to granting requests for meeting space.

The Executive Director, or designee, shall be responsible for proper utilization of the Community Room and scheduling groups into the spaces. Effort must be made to encourage full use of the facility. To this end the views of the resident's should be sought, and required equipment and materials obtained. Groups may be regularly scheduled for specific time and space on a continuing basis with the written permission of the Executive Director. This permission shall be subject to revocation by the Housing Authority at any time. Priorities for scheduling groups into Housing Authority space shall be as follows:

A. Activities or meetings hosted by the Housing Authority

B. Activities or meetings hosted by a recognized resident group or resident. The Community Room is considered an extension of the resident's living room. This is in recognition of the limited living space provided in the apartments. Residents planning to entertain should make advance application to the Executive Director for the use, provided all is left in satisfactory order. Necessary charges levied to achieve this will cover the actual cost of labor and material required.

- A) Activities or meetings hosted by others for the exclusive benefit of residents. This refers to individuals or groups volunteering or responding to invitations to provide educational and/or entertainment features to residents. A Residents Committee as well as the Executive Director should seek out those willing to serve as leaders in this way, the possibilities of which are wide and varied. For example:
- a. Education : Homemaking Courses, Art Work, Music Appreciation, Languages, Lectures.
  - b. Entertainment: Travel Slides, Singing, Games, Book Reviews, Exhibitions.
  - c. Group Activities: Garden Club, Weight Reduction, Bird Watching, Songfests.

The Executive Director is to work with the residents in order to achieve well-rounded and meaningful programs. Several diverse functions should be realizable most months. Participation is to be encouraged. For some particular event this may mean using Authority funds to serve cookies and coffee.

D. Activities or meetings hosted by community groups for the benefit of both residents and non-residents. This refers to outside parties who have, are or can be expected to cooperate and assist the Housing Authority in various ways. Sometimes a local unit of Government requires temporary meeting quarters, a voting place or has a need to publicize a display.

Reimbursement should generally be adequate to cover utilities, janitorial and maintenance. As appropriate, a charge should be levied, a free will offering taken to defray expenses, or gift accepted, or on the other had, the circumstances may be such that no charge would be made. The Executive Director should periodically report to the Board

concerning such instances and how they were handled. A file should be maintained on Community Room Activities, indicating dates, number of participants, and general comments. From this a summary can be prepared and incorporated into the "Annual Report"

E. Activities or meetings hosted by community groups for the primary benefit of residents.

Responsible community agencies conducting education, health, welfare, and recreation programs to meet the needs of the Authority's residents may do so without charge for the facility space. Facilities within these spaces may be used occasionally without charge by other groups for non-income producing purposes, such as meetings of veterans organizations, civic groups, if there is no interference with the use of the building by Housing Authority or resident sponsored activities.

Although janitorial services will be provided by the Benson Housing Authority, all groups using the facilities are required to restore the space to the condition they found it before the event. This will require cleaning all litter and excessive dirt. The group will agree to be responsible for any damages occurring during their event. Based upon past actions, the Authority may charge a security deposit prior to a group using the facilities. Continued violation of this condition may be grounds to deny future use of the facility.

No one using the facilities of the Housing Authority shall allow the use or sale of alcoholic beverages, drugs, or other controlled substances on the premises.

Community Room activities should be publicized on the Bulletin Board, by means of a "Calendar of Events" written to stimulate the tenant's interest. The occasional use of candid camera photos of recent gatherings will also be posted.

In order to be sure that all agencies or groups using the Authority's facilities are aware of this policy and agree to comply with it, they shall be required to sign a copy of this policy certifying their agreement to comply with it. A copy of the signed policy shall be kept on file in the Housing Authority's Office.

The Benson Housing Authority is concerned that the outside areas of its properties not be used in such a way as to force residents into becoming "captive audiences" for activities and events which are not sponsored by the Benson Housing Authority and are not deemed by the Benson Housing Authority to be within the express or implied purpose of the Authority. It is specifically the intent of the Authority that the outside areas on its properties not be considered as a designated public forum or even a limited or nonpublic forum so as to require the Benson Housing Authority to allow third parties to utilize or have access to such areas for activities and events that are not officially sponsored by the Authority.

**RESIDENTS ORGANIZATION AND/OR COUNCIL**

*Each floor shall elect two members to represent the floor in the Residents Council for a two year term. The Residents Council shall consist of a captain and co-captain from each floor, the officers, and the Executive Director (who is a non voting member), and they shall hold regular monthly meetings. (See Park View Manor Residents Council and Westwood Manor Residents Council).*

*Since 50% of the income from the use of the washers and dryers adequately covers the cost of utilities, 50% of the income will be given to the Residents Council Organization at each building. The original resolution was dated November 1, 1984. The residents are currently paying 50 cents for the use of the washers and 35 cents for the dryers at Westwood Manor; and 50 cents for the use of the washers and 50 cents for the use of the dryers at Park View Manor.*

**PARK VIEW MANOR RESIDENTS COUNCIL  
POLICY STATEMENT  
REVISED 10 / 28 / 1999**

ORGANIZATIONAL DATE: November 22, 1967, an organizational meeting was held in the Park View Manor Community Room.

PURPOSE: To promote social functions for the benefit of all residents in the Community Room; and to assist and provide residents input to the Benson HRA for the HUD-assisted rental elderly housing program in Park View Manor.

BOARD OF DIRECTORS: Shall consist of captain and co-captain from each floor; the officers, and the executive director (who is a none voting member).

MEETING DATE: The last Thursday of each month at 1:30 p.m. in the Community Room. Special meeting dates may be set up with approval of the officers.

DUTIES OF THE RESIDENTS COUNCIL (RC) BOARD: Shall be, but not limited to, as follows:

- A) Make rules and regulations governing Tenants action.
- B) Make policy recommendations to the Benson Housing Authority.
- C) Purchase such equipment as may be necessary for the building as a whole, This is outside the financial scope of the Benson HRA.
- D) Plan group activities for the Community Room.
- E) Care and spend monies received from donations, concessions, and other activities.
- F) Such other duties as the Tenants may require.

OFFICERS: Slate of officers must be approved at the November RC Meeting: A Sample Ballot will be posted during the month of December, with election to be held the second Tuesday in January. Officers will consist of a Chairman – who presides at the monthly meetings; a Vice Chairman – who assists the chairman and presides at the meetings if the chairman is absent; Secretary – records the minutes of the meeting, sends correspondence as necessary, and keeps records; Financial Secretary – helps and advises the treasurer (will be appointed by the Residents Council at the Annual Meeting); Treasurer – receives and disperses funds only with the approval of the RC Board if the bill is over \$ 20.00.

Officers will be installed at the Annual meeting, which will be held the last Thursday during the month of January.

CAPTAINS AND CO-CAPTAINS: To be selected or appointed by the residents of each floor for a two year term. There is no limit to the number of terms anyone may serve. Captains and Co-captains must attend the monthly meetings, or have an alternate attend. They serve as representatives for the residents on their floor and will help organize workers if needed for various projects.

AGENDA FOR MONTHLY MEETING OF RC:

- Call the meeting to order
- Roll Call
- Secretary Report
- Treasurer Report
- Old Business
- New Business
- Plan Monthly Catered Meal (date, entertainment, menu) – third Wed. each month
  - Entertainment receives a free meal (max. # 10)
  - Entertainers may receive payment if previously approved by RC
  - Set up and decorating for the meal by two floors (2&3), (4&5), (6&7)
  - Residents must sign up for the meals five days before the date of dinner.
  - Cost of meal is \$5.00; resident's pay \$3.00 and \$2.00 is subsidized from Laundry funds. Guests and non-residents pay full price except Summer Catered Picnic everyone pays \$3.00
  - No seats are reserved unless occupied or reserved by committee

Calendar  
Adjournment

**All Residents are Welcome to Attend the Resident's Council Meetings each month.**

**BINGO:** Is held every other Monday at 7:30 p.m.; floors take turns being in charge; set tables; and prepare refreshments with a \$20 limit, unless prior approval has been given the RC, such as a special occasion. Cards cost 25 cents each, no limit to the number of cards each residents may use. Winners receive 50 cents, or special prizes if a donation has been received, or for a special occasion only with the approval of RC. Fifteenth game winners (also known as Share With Neighbor ) receive \$1.50; The floor in charge must also arrange for a caller.

**WHIST:** Is played every other Monday evening at 7:30 p.m. Registration fee is 25 cents each evening. Refreshments are served by those who participate in the Card Club. Prize is 25 cents for the two top winners, balance is put in kitty and used at the last party in May for a group dinner party in one of the local restaurants.

**GAMES:** Come to the Community Room at 7:30 p.m. every Thursday evening to join others in playing games of your choice.

**NOON MEALS:** Are served through Prairie V Senior Nutrition Program in the Community Room, Monday thru Friday. Reservations must be made one day in advance. Cost as is established – Current Cost is suggested donation of \$2.25, or purchase a 10-punch meals ticket for \$22.50. For those who are not residents and are less than 60 years of age the cost is \$4.00.

**CHURCH SERVICES:** Note calendar on each bulletin Board.

**GLASS DISPLAY CABINET:** Residents may make small items and display them in the cabinet. They may be only for display or individuals may price items and sell them.

**FAMILY GATHERINGS, BIRTHDAY PARTIES, ETC.:** May be held in the Community Room after a reservation has been made on the calendar in the HRA Office and also on the calendar in the Community Room. Upon completion of the party, all kitchen items which were used must be washed and put back into the same storage area; tables must be washed off; carpeting vacuumed, kitchen area floor washed if dirty; and lights must be switched off.

The Community Room is for everyone to enjoy, it is important that we are respectful and courteous to each other.

**WESTWOOD MANOR RESIDENTS COUNCIL**  
**POLICY STATEMENT**  
**Revised 10 / 26 / 1999**

ORGANIZATIONAL DATE: August 2, 1983, an organizational meeting was held in the Westwood Manor Community Room.

PURPOSE: To promote social functions for the benefit of all residents in the Community Room; and to assist and provide residents input to the Benson HRA for the HUD-assisted rental elderly housing program in Westwood Manor.

BOARD OF DIRECTORS: Shall consist of captain and co-captain from each floor; the officers, and the executive director (who is a none voting member).

MEETING DATE: The last Tuesday of each month at 10 a.m. in the Community Room. Special meeting dates may be set up with approval of the officers.

DUTIES OF THE RESIDENTS COUNCIL (RC) BOARD: Shall be, but not limited to, as follows:

- G) Make rules and regulations governing Tenants action.
- H) Make policy recommendations to the Benson Housing Authority.
- I) Purchase such equipment as may be necessary for the building as a whole,  
This is outside the financial scope of the Benson HRA.
- J) Plan group activities for the Community Room.
- K) Care and spend monies received from donations, concessions, and other activities.
- L) Such other duties as the Tenants may require.

OFFICERS: Slate of officers must be approved at the November RC Meeting: A Sample Ballot will be posted during the month of December, with election to be held January third or the first business day thereafter. Officers will consist of a Chairman – who presides at the monthly meetings; a Vice Chairman – who assists the chairman and presides at the meetings if the chairman is absent; Secretary – records the minutes of the meeting, sends correspondence if necessary, and keeps records; Treasure – receives and disperses funds only with the approval of the RC Board if the bill is over \$50.00. The financial records must be audited on an annual basis. Officers will be installed at the Annual meeting, which will be held the last Tuesday during the month of January.

CAPTAINS AND CO-CAPTAINS: To be selected or appointed by the residents of each floor for a two year term. There is no limit to the number of terms anyone may serve. Captains and Co-captains must attend the monthly meetings, or have an alternate attend. They serve as representatives for the residents on their floor and will help organize workers if needed for various projects.

AGENDA FOR MONTHLY MEETING OF RC:

- Call the meeting to order
- Roll Call
- Secretary Report
- Treasure Report
- Old Business
- New Business
- Plan Monthly Catered Meal (date, entertainment, menu) 1<sup>st</sup> Tues. of each month
  - Entertainment receives a free meal (max. # 5)
  - Entertainers may receive payment if approved by RC.
  - Set up and decorating for the meal on a rotational basis – first, second, or third floor. They are also responsible for providing entertainment for the dinner party.
  - Residents must sign up for the meals two days before the date of dinner.
  - Cost of meal is \$4.50; resident's pay \$3.00 and \$1.50 is subsidized from Laundry funds. Guest must pay actual cost of meal.

No seats are reserved unless occupied or reserved by committee

Calendar

Adjournment

**BINGO:** Is played every Monday except the third Monday at 7 p.m.; residents take turns being in charge; arranging for caller; set tables; and prepare refreshments (serving one item and beverage), unless prior approval has been given the RC, such as a special occasion. Cards cost 25 cents each, no limit to the number of cards each residents may use. Winners receive 50 cents, or special prizes if a donation has been received, or for a special occasion only with the approval of RC. Sixteen (cover all) game winners receive \$1.00; thirteen game play "Good Neighbor" and the one who bingo's receives 50 cents and each neighbor (R & L) receives 25 cents.

**COURT WHIST:** Is played every third Monday evening at 7 p.m. Registration fee is 25 cents each evening. Those who participate in the Card Club serve refreshments. Seventy-Five cents goes for high and low prizes. The rest of the money collected that evening goes back to the hostess to help defray serving expenses.

**GAMES:** The card game "31" is played each Wednesday and Friday evening at 7 p.m.

**NOON MEALS:** Are served through Prairie V Senior Nutrition Program in the Community Room, Monday thru Friday. Reservations must be made one day in advance. Cost as is established – Current Cost is suggested donation of \$2.25, or purchase a 10-punch meals ticket for \$22.50. For those who are not residents and are less than 60 years of age the cost is \$4.00.

**CHURCH SERVICES:** Note calendar on each bulletin Board.

**GLASS DISPLAY CABINET:** Residents may make small items and display them in the cabinet. They may be only for display or individuals may price items and sell them.

**FAMILY GATHERINGS, HOLIDAY CELEBRATIONS, BIRTHDAY PARTIES, ETC.:** May be held in the Community Room after a reservation has been made on the calendar in the laundry. **PLEASE NOTE** – The Community Room at Westwood Manor will accommodate 50-60 people. If you think more than this will come to your activity please consider scheduling the activity somewhere else, so that you can accommodate everyone. The first floor hallway is not an extension of the Community Room when scheduling family gatherings, since we have apartments on the first floor at Westwood Manor.

Upon completion of the party, all kitchen items which were used must be washed and put back into the same storage area; tables must be washed off; carpet vacuumed, kitchen area floor washed if dirty; and lights must be switched off.

During a major holiday please schedule the Community Room only for one day (example: do not schedule it for both New Years Eve and New Years Day), so that another resident may benefit from using the room during this time also.

The Community Room is for everyone to enjoy, it is important that we are respectful and courteous to each other.

# MN014v01t PROHIBITING SEXUAL HARASSMENT INTIMIDATION, OR SEXUAL VIOLENCE POLICY

## HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON, MINNESOTA

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The Housing and Redevelopment Authority of Benson, Minnesota, will not tolerate nor condone sexual harassment, intimidation, or sexual violence in any form. This behavior is unacceptable, either from or against, a resident or program applicant, an employee or applicant for employment, a Board member, a provider of services who is under contract, or a member of the public.

Sexual harassment is any repeated and/or unwanted sexual attention that a recipient finds objectionable or offensive. Sexual harassment may take many forms - - overt or subtle, physical or verbal. Some examples are:

Unwanted sexual comments, innuendoes or suggestions;

Suggestive or sexist remarks about a person's clothing, body or sexual activity;

Unwanted and unnecessary touching, brushing against, patting or pinching;

Displaying pictures or objects depicting sexual favors accompanied by implied or overt threats or promises.

Sexual violence is a physical act of aggression that includes a sexual act or sexual purpose.

The complain procedure is as follows:

- A) The complainant should report the incident to any supervisory staff member, the Executive Director, HRA Board, or City Council.
- B) Upon receiving a report of an apparent violation of this policy, HRA Director, HRA Board, or City Council shall take immediate steps to:
  - i. Counsel or cause the appropriate supervisor to counsel the alleged offender to cease such activity;
  - ii. Counsel the complainant as to his or her rights and the complaint investigation process; and
  - iii. Initiate and conduct an investigation of the complaint.

Within twenty working days, the findings of the investigation and recommendations shall be presented to the appropriate supervisor. A determination will be made and follow-up action, if necessary, taken as soon as possible. The appropriate parties will be notified of the decision. The complainant will be informed that the investigation has been concluded and appropriate action taken. If the resolution is unacceptable to the complainant, he/she may contact the EEO/Affirmative Action Officer about avenues of redress outside of the HRA and the City of Benson (for example: the State Department of Human Rights, or the Equal Employment Opportunity Commission.)

The above procedure is not intended to replace administrative or legal recourse for any action which violates criminal statutes. If such an illegal incident occurs, the complainant should contact the police department immediately.

An employee found to have acted in violation of this policy will be subject to appropriate disciplinary action, which may include termination of employment. Supervisors who delay or fail to report complaints of sexual harassment will also be considered to have violated this policy.

The HRA will discipline any employee who retaliates against any person who reports alleged sexual harassment, or who retaliates against any individual who testifies, assists or participates in any manner in any investigation, proceeding or hearing relating to the report alleging sexual harassment. Retaliation includes, but is not limited to any form of intimidation, reprisal, or harassment.

#### **SEXUAL HARASSMENT COMPLAINT PROCEDURE**

The Benson HRA is committed to providing a working and living environment free of sexual harassment. The following complaint procedure has been established to be used by any employee, applicant for employment, public housing applicant or resident who feels she/he has been sexually harassed or who has witnessed sexual harassment. It is intended to clarify and enhance the procedure documented in the "Policy Prohibiting Sexual Harassment".

- A) If an employee, applicant for employment, resident or applicant for public housing feels that he/she has been sexually harassed or has witnessed sexual harassment, he/she should report the incident to any one of the following:
  - a. If the complainant is an employee or applicant for employment, the incident should be reported to:
    - i. Executive Director
    - ii. HRA Board of Commissioners
    - iii. Or if it also involves a Commissioner, then to the City Council
  - b. If the complainant is a resident or applicant for public housing, the incident should be reported to:
    - i. Executive Director
    - ii. HRA Board of Commissioners
    - iii. Or if it also involves a Commissioner, then to the City Council
- B) Any incident reported to a staff member shall be immediately reported to the Executive Director, HRA Board, or City Council who shall notify legal counsel if applicable and shall counsel the complainant as to his or her rights and the complaint investigation process and shall initiate and conduct an investigation of the complaint.
- C) Within twenty working days, the findings of the investigation and recommendations shall be presented to the appropriate supervisor(s). A determination will be made and follow-up action, if necessary, taken as soon as possible. The appropriate parties will be notified of the decision. The complainant will be informed that the investigation has been concluded and appropriate action taken.
- D) If the resolution is unacceptable to the complainant, he/she may contact the Minnesota Department of Human Rights at 612-296-5663; or the Equal Employment Opportunity Commission at 6120335-4040.

**MN014v01u POLICY FOR SELECTION PROCESS  
RESIDENT BOARD MEMBER  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF BENSON, MINNESOTA**

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October 21, 1999 – Final Rule - Federal Register 24 CFR Part 964 - Implementing section 2 (b) of the United States Housing Act of 1937, which was added by section 505 of the Quality Housing and Work Responsibility Act of 1998, it requires with certain exceptions, that the membership of the board of director or similar governing body of a public housing agency (PHA) which has a public housing annual contributions contract, must contain not less than one member who is directly assisted by the PHA.

There are two exceptions to the residents board member requirement.

First, public housing agencies that are located in a state that requires members of a board of directors to be salaried and to serve on a full time basis.

Second, PHA's with less than 300 units are excepted from the resident board member requirement if they meet two conditions. The Benson HRA has 109 units therefore meets the exceptional rule if the following requirements are met:

- A) The Benson HRA must provide reasonable notice to the resident advisory board of the opportunity for residents to serve on the PHA board of directors; and
- B) The Benson HRA must wait a reasonable time after the resident advisory board has received this notice.
- C) The Benson HRA must be notified of the intention of any resident to participate on the HRA Board, within 30 days. The notice will be presented to the Resident's Council at Westwood Manor and Park View Manor at their October monthly meeting. The residents who are interested in serving on the HRA Board must notify the Benson HRA Office prior to December 1 each year. They must then complete an application form which will be presented to the Benson City Council during the December City Council meeting. If the City Council has not received an application from one of the residents, they may then appoint someone else to fill the vacancy.
- D) If there is not a resident serving on the Benson HRA Board, the Benson HRA must repeat the requirements of paragraphs (1), (2), and (3) at least once each year.

***ELIGIBLE CANDIDATE*** - Any Adult Resident of Park View Manor or Westwood Manor. When resident vacates either Park View Manor or Westwood Manor the City Council must go through the same selection process and appoint another resident. If the Resident Board Member vacates, he must submit a resignation for the Benson HRA Board immediately to the City Council.

***NONDISCRIMINATION*** –

- A) Membership Status – A resident board member is a full member of the governing board.
- B) Resident Participation – A resident board member must be allowed to take part in decisions related to the administration, operation, and management of Federal public housing programs. This rule does not extend to matters that: Exclusively relate to other types of housing assistance; or do not involve housing assistance as may occur where the city governing body also serves as the PHA Board.
- C) Residence Status – A governing board may not prohibit any person from serving on the governing board because that person is a resident of a public housing project.
- D) Conflict of Interest – The HRA Board may not exclude any resident board member from participating in any matter before the governing board on the grounds that the resident board member's lease with the public housing agency, or the resident board member's status as a public housing resident, either results or may result in a conflict of interest, unless the matter is clearly applicable to the resident board member only in a personal capacity and applies uniquely to that member and not generally to residents or to a subcategory of residents.

***TERM LIMITS*** – The term begins January 1<sup>st</sup> of each year and continues for a five (5) year term. A Board Member may serve no more than two consecutive five (5) year terms. The newly appointed board member must take the official oath of office and sign a statement that he will abide by the Benson HRA Ethics Policy.

**MN014v01v AFFIRMATIVE ACTION POLICY STATEMENT  
EQUAL EMPLOYMENT OPPORTUNITY (EEO)  
HOUSING AND REDEVELOPMENT AUTHORITY  
OF BENSON, MINNESOTA**

November 10, 1999

The Housing and Redevelopment Authority of Benson (Benson HRA) recognizes the essential right of all persons to be recruited, hired, trained, compensated and promoted based on merit and ability and free from discrimination based on race, creed, religion, color, gender, sexual or affect ional orientation, national origin or ancestry, age, disability, marital status, citizenship status or status with regard to public assistance.

Through this policy statement the Benson HRA affirms its commitment to provide equal opportunity to all employees and applicants for employment in accordance with all applicable equal employment opportunity (EEO)/affirmative action laws, directives and regulations of federal, state and local governing bodies and related agencies.

Specifically, the Benson HRA will not discriminate against or condone harassment of any employee or applicant for employment because of race, creed, religion, color, gender, sexual of affect ional orientation, national origin or ancestry, age, disability, marital status, citizenship status or status with regard to public assistance. The HRA will ensure that all of its employment practices are free from such discrimination. Such employment practices include, but are not limited to, the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation and selection for training.l

The Benson HRA also will take affirmative action to ensure that equal employment opportunity becomes a reality. The Agency is committed to active recruitment of all individuals including women, minorities, and persons with disabilities.

In the conduct of its business, including the procurement of goods, materials, services and construction, the Benson HRA is committed to a policy of equal opportunity and nondiscrimination. The HRA will not discriminate against any business organization in the award of any contract because of race, creed, religion, color, gender, sexual or affect ional orientation, national origin or ancestry, age, disability, marital status, citizenship status or status with regard to pubic assistance of its owners, managers or employees.

Likewise, the HRA requires that its contractors, suppliers and vendors not discriminate against their employees, applicants for employment and any business organization. To encourage equal opportunity the HRA requires that a nondiscrimination clause be written into all contracts. Rules and regulations related to affirmative action are to be incorporated as required by federal law. Any contractor not complying with all applicable equal employment opportunity/affirmative action laws, directives and regulations of the federal, state and local governing bodies or agencies thereof, will be subject to appropriate legal sanctions. In addition, a HRA contractor's failure to make good faith efforts toward achieving stated work force and/or subcontracting goals on previous HRA contracts may be considered in determining whether the contractor is a responsible contractor/bidder on future contracts. If the HRA becomes aware of violations of the regulations of the Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor; Executive Order11246, Equal Employment Opportunity; or Title VI of the Civil Rights Act of 1964; a report will be made to HUD and to the local OFCCP.

Furthermore, the Benson HRA will take affirmative action, consistent with sound policies and applicable law, to ensure that business enterprises owned and controlled by minorities, women, or persons with disabilities are afforded a maximum feasible opportunity to do business with the HRA.

The Benson HRA shall evaluate the performance of its management and supervisory personnel on their efforts in achieving the EEO/affirmative action objectives of the HRA. This will be included as a factor as an evaluation item for its employees. Any employee of the Benson HRA who does not comply with the equal employment opportunity policies and procedures will be subject to disciplinary action.

The Executive Director will serve as the EEO-Affirmative Action Officer and will manage the program. Responsibilities will include monitoring all equal employment opportunity activities, investigating all complaints, reporting as required by federal, state, and local agencies, and providing resolution assistance.

Any HRA employee, applicant for employment, bidder or potential bidder, who believes he/she has been discriminated against should contact the Executive Director or the Benson HRA Board, who shall investigate all complaints and provide resolution assistance.

**MN014v01w                      STATEMENT OF PERSONNEL POLICIES**  
**HOUSING AND REDEVELOPMENT AUTHORITY**  
**OF**  
**BENSON, MINNESOTA**

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**BASIC PRINCIPLES**

*MERIT SYSTEM* The employment of personnel and all actions affecting employee shall be based solely on merit, ability, and justice.

*NONDISCRIMINATION* There shall be no discrimination against employee or applicants for employment on account of race, creed, color, national origin, sex, or political or union affiliation. See attachments: Equal Employment Opportunity Policy/Affirmative Action Policy; Policy Prohibiting Sexual Harassment, Intimidation, or Sexual Violence.

*POLITICS* All members, officers, and employees of the Benson Housing Authority whose employment as such constitutes their principal employment, are subject to the provisions of Section 12 (a) of the Hatch Act. If any individual who is also engaged in some other employment or occupation is doubtful as to his status under the Hatch Act, he may present the matter in writing to the United States Civil Service Commission for a ruling. Also see attachment: Ethics Policy.

**ORGANIZATION**

This policy shall apply to all permant employees of the Housing and Redevelopment Authority of Benson including the Executive Director and the maintenance employees.

**COMPENSATION**

For maintenance and other employees whose salaries are fixed pursuant to wage determination, appropriate compensation rates shall be paid on the basis of prevailing rates in the locality, as determined by HUD and the Benson HRA Board.

For permanent employees appropriate compensation rates shall be determined on the basis of prevailing pertinent local public practice. Public practice as referred to here shall consist primarily of the related municipal or county government and of such local public bodies as public schools, public hospitals, or other institutions supported by public funds.

**EXECUTIVE DIRECTOR OR ANNUAL SALARIED EMPLOYEES**

The annual salary will be determined by the Benson HRA Board of Commissioners as stated in the previous section paragraph two o*COMPENSATION*. The annual salary shall be divided into twelve equal pay period throughout the calendar year. This annual salary shall be deemed to be the full and entire salary of those employees. These employees shall not be eligible for overtime or compensatory time. As annually salaried employees, they shall not be expected to log their hours and their work day will vary. Their regular work days shall be considered to be Monday through Friday excepting Holidays. On occasion, they are required to work on Holidays, Saturdays or Sundays and these will not be considered extra work days and they will not be compensated additionally for them. Their vacation time, personal leave days, and sick leave days may be taken in half day units. If an annually salaried employee reports to work and spends a minimum of 4 hours at work, it shall constitute a work day. Over a sustained year period, it is expected that annually salaried employees shall put in at least as many hours as would an hourly salaried employee considered to be full-time

## **AUTHORITY TO EFFECT PERSONNEL ACTIONS**

Authority to appoint, promote, transfer, demote, and separate personnel shall be vested in the Executive Director, subject to HRA Board approval.

## **SEPARATIONS**

**RESIGNATION** An employee who desires to terminate his employment shall submit a written resignation at least two weeks in advance, setting forth his reasons for resigning.

**DISMISSALS** An employee who gives unsatisfactory service or who is guilty of violation of regulations shall be subject to dismissal. In such cases the employee, if he desires, shall be given a hearing before the HRA Board of Commissioners.

## **WORKING HOURS**

**EXECUTIVE DIRECTOR** The Executive Director has the responsibility for the administration of the Authority affairs and shall devote as much time to these duties as is necessary to achieve an efficient and economical operation to carry out the requirements of the Authority, Commissioners, and HUD. The Director shall spend on the average, eight hours per day ( five days per week) in the direct work of managing the public housing and the time may be adjusted as needed.

**MAINTENANCE EMPLOYEES** *Maintenance employees will work a 40 hour week or 27 hours per week or less as specified in the job description, during the 7 day week and will keep the building and grounds in proper condition and working order. Authorized overtime over 40 hours per week will be paid at a rate of time and a half.*

## **LEAVE POLICY**

*The following regulations which were found to be consistent with pertinent local public practice are established to cover the position of Executive Director and Maintenance Employees.*

**HOLIDAYS** *The following holidays shall be observed: When a holiday falls on a Saturday the preceding Friday will be observed. When a holiday falls on a Sunday, the following Monday will be observed.*

<p><i>New Years Day - January 1 Monday in September</i></p> <p><i>Martin Luther King Day – 3<sup>rd</sup> Mon., Jan. Mon., Nov.</i></p> <p><i>Presidents Day – 3<sup>rd</sup> Mon. Feb. 11<sup>th</sup></i></p> <p><i>Memorial Day – Last Mon. May Thurs. Nov.</i></p> <p><i>Independence Day – July 4<sup>th</sup> December 25</i></p>	<p><i>Labor Day – First</i></p> <p><i>Columbus Day – 2<sup>nd</sup></i></p> <p><i>Veterans Day – Nov.</i></p> <p><i>Thanksgiving Day – 4<sup>th</sup></i></p> <p><i>Christmas Day –</i></p>
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*Additional holiday time 12:00 noon on Good Friday and whenever Christmas Day falls on Tuesday, Wednesday, Thursday, or Friday, holiday time will be observed at 12 noon the preceding day.*

**VACATION LEAVE** *Vacation shall be set up on a fiscal year basis (April 1 – March 31). All permanent employees shall be granted vacation leave with pay as per the following schedule:*

	<u>Days off per calendar year</u>
1 <sup>st</sup> thru 5 <sup>th</sup> year	10 days
6 <sup>th</sup> year	11 days
7 <sup>th</sup> year	12 days
8 <sup>th</sup> year	13 days
9 <sup>th</sup> year	14 days
10 <sup>th</sup> thru 14 <sup>th</sup> year	15 days
15 <sup>th</sup> year and thereafter	20 days

Six months service equal one week vacation earned, other months the same ratio.

If an employee terminates his employment during the current fiscal year, a cash settlement will be made for the unused vacation based on his hourly earning rate during the month such termination is effective. Vacation may be built up to 22 days. Any days built up in excess of 22 days shall be lost.

Vacation must be taken at such time as approved by the Director.

**SICK LEAVE** Sick leave shall accumulate at the rate of one day per month to a maximum of 150 days. Unused sick leave time shall carry over and be credited to the employee year to year. No more than 3 days may be taken off in succession without written recommendations from the employee's doctor, should the Director or the Board of Commissioners require said recommendations. Sick leave time may be used for Dentist or Doctor appointments.

**ACCUMULATED TIME OFF** Necessary absences may be taken with Directors approval for such things as funerals or other miscellaneous calls. Said absences shall be made up prior to the approved absence unless the employee shall have such time coming be reason of extra work that the employee has completed.

**BEREAVEMENT LEAVE** A leave of absence with pay shall be granted to all employees in the event of a death in the employee's or spouse's family. Immediate family shall be defined as husband, wife, children, mother, father, brother, sister, grandparents, grandchild, mother-in-law, father-in-law, brother-in-law, or a ward of the immediate household. The time allowed depends upon travel, duties to perform in direct relation to the death, and arrangements necessary to conduct, but in no event to exceed three (3) working days. This leave shall not be deducted from the accumulative sick leave of the employee.

**LEAVE WITHOUT PAY** Absence without proper authorization or approval shall be considered leave without pay and may be considered sufficient cause for suspension or dismissal of the employee at the discretion of the Benson HRA.

**JURY LEAVE** Paid leave of absence shall be granted to all permanent employees for service on a jury, which per diem received therefore to be turned back to the HRA with the exception of the travel allowance paid to the employee by the courts. If an employee is excused from jury duty, he must report back to work immediately.

**DEFERRED SICK LEAVE** Employees who have accumulated 150 days of sick leave shall have one day of sick leave per month credited to a deferred sick leave account to be utilized by the employee in the event of an extended illness or injury. The deferred sick leave can only be used after the 150 days of regular sick leave have been depleted. The accumulative of 150 days of regular sick leave must be maintained before any sick leave can be credited to the deferred sick leave account. There shall be no severance pay credited to any deferred sick leave.

**SEVERENCE PAY** An employee who terminates employment in good standing with the Benson HRA, and who has been a permanent employee with the HRA, and who has been a permanent employee with the HRA for five or more successive years, shall be paid, as severance pay a portion of the employee's accumulated sick leave according to the following schedule:

5 thru	9 successive years	20%
10 thru	14 successive years	30%
15 thru	19 successive years	40%
20 thru	24 successive years	50%
25 thru	29 successive years	60%
30 or more	successive years	70%

The severance pay shall be computed at the current rate of pay.

If an employee, who has 10 years or more of service with the HRA, dies while still in the employment of the HRA, a death benefit equal to the severance pay schedule shall be paid to the employee's dependents. If there are no dependents, this payment shall be considered waived.

Employees terminating employment for any reason shall receive pay for any accrued vacation leave to their credit based on their current rate of pay.

## **HEALTH AND SAFETY**

Employees shall be provided safe, sanitary, and healthful working conditions. See Attachments ( Sexual Harassment Policy, Blood-Borne Diseases Policy, Drug-Free Workplace Policy, Ethics Policy, and Hazardous Materials Policy ).

Employees shall be covered by Workman's Compensation Insurance.

**SERVICE RECORDS** A service record shall be maintained for every employee and shall contain complete information pertinent to his employment and pay changes.

**BONUSES AND PRESENTS** Project cost shall not include the cost of any bonus payments or Christmas or other presents to employees, in cash or any other form.

## **BENEFITS**

Employees who work less than one-half time (20 hours per week ) will normally not be entitled to any benefits other than Social Security.

Employees who work one-half time (20 hours per week) or more, but less than full time, will be entitled to benefits such as health with the provision that the employer's share will be reduced commensurate with the percentage of time that the employee works. As an example, if full time employees have health insurance coverage which was paid one-half by the employer and one-half by the employee, a one-half time employee could be covered with the employer paying one-fourth and the employee paying three-fourths of the premium.

RETIREMENT PLAN - Anyone classified as a Permanent Employee may participate.

Plan Effective Date: April 1, 19987

Plan Anniversary: Each June 1

Permanent Employee: One who works for at least six months a year for at least  
20 hours per week

Waiting Period: Six months

Monthly Contributions:

8% of salary by HRA

5 ½ % of salary by Employee

Amount of Life Insurance: None

Allocation of Contributions:

0.00% to purchase Term Life Insurance

100% Invested as directed by employee

Expenses are deducted from these funds

Vesting Schedule:

	Less than 1 year:	50%
1 year but less than 2 years:		60%
2 years but less than 3 years:		70%
3 years but less than 4 years:		80%
4 years but less than 5 years:		90%
5 or more years:		100%

Past Service Benefits Do apply. An additional contribution shall be made by the Employer for each Employee becoming a participant on the Effective Date of this Plan to the extent that no such past service benefit has been granted under this or a prior plan. The aggregate contribution to be made under this provision shall be:

5% of monthly compensation on the effective date of the plan for each month of service prior to the Effective Date, subject to a maximum of 36 months.

## **MEDICAL INSURANCE**

The Benson HRA shall contribute up to 75% of an employee's family premium coverage; or 100% of single premium coverage. An exception will continue for the Executive Director and the 27 hour per week maintenance person until such a time 75% of the premium of their policies equal \$150 per month.