

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: Springfield Metropolitan Housing Authority

PHA Number: OH021

PHA Fiscal Year Beginning: 10/2000

Public Access to Information

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

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

Display Locations For PHA Plans and Supporting Documents

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

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

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

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

5-YEAR PLAN
PHA FISCAL YEARS 2000 - 2004

[24 CFR Part 903.5]

A. Mission

- X The PHA's mission is: To provide decent, safe and sanitary affordable housing and to promote among the residents we service Economic independent, pride in the Community, Self-Sufficiency, Self Worth, Upward Mobility and their participation in the economic and political system of the Springfield and Clark County.

B. Goals

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own, or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, **PHAS ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS.** (Quantifiable measures would include targets such as: numbers of families served or PHAS scores achieved.) PHAs should identify these measures in the spaces to the right of or below the stated objectives.

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

- X PHA Goal: Expand the supply of assisted housing
Objectives:
 - X Apply for additional rental vouchers: When available.
 - X Reduce public housing vacancies: By half over 3 years to 25 (<3%)
Leverage private or other public funds to create additional housing opportunities:
Acquire or build units or developments
Other (list below)

- X PHA Goal: Improve the quality of assisted housing
Objectives:
 - X Improve public housing management: (PHAS score) by 10% next year.
 - X Improve voucher management: (SEMAP score) by 5% next year.
 - X Increase customer satisfaction: All scores over 80% by next year.
 - X Concentrate on efforts to improve specific management functions: (unit turnaround (reduce to under 60 days next year), emergency work order follow-up (99% done within 24 hours next year versus 95% this year), economic self-sufficiency (develop programs and meet goals next year) and rent reasonableness databases in the Housing Voucher Program (populate complete database and utilize information)).
 - X Renovate or modernize public housing units:

- X Demolish or dispose of obsolete public housing: 5 per year.
Provide replacement public housing:
Provide replacement vouchers:
Other: (list below)

- X PHA Goal: Increase assisted housing choices
Objectives:
 - X Provide voucher mobility counseling: At each briefing session.
 - X Conduct outreach efforts to potential voucher landlords 3 times per year.
 - X Increase voucher payment standards by maintaining 110% of FMR
 - X Implement voucher homeownership program: Design program this year.
 - X Implement public housing or other homeownership programs: Design program this year.
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: Collect data & analyze; develop strategies this year. Implement next year.
 - X Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments: (Same as above).
 - X Implement public housing security improvements:
 - X Designate developments or buildings for particular resident groups (elderly, persons with disabilities) Renew existing designations after re-evaluating need.
Other: (list below)

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: Analyze and develop strategies this year. Implement next year. Provide or attract supportive services to improve assistance recipients' employability:
- X Provide or attract supportive services to increase independence for the elderly or families with disabilities: Document need and design strategies accordingly for this year. Implement next year.
Other: (list below)

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: Target advertisements to achieve fair housing goals.
Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
Other: (list below)

Other PHA Goals and Objectives: (list below)

- 1. Be proactive in avoiding potential litigation situations. Resolve existing cases this year and incur no additional cases.**

Annual PHA Plan
PHA Fiscal Year 2000

[24 CFR Part 903.7]

i. Annual Plan Type:

- X **Standard Plan: Focus on improving curb appeal. Monitor Maintenance Plan execution to ensure procedures for routine checks of developments Address curb appeal issues. Improve sites by resolving findings on physical inspections from REAC. Focuses on monitoring HA progress to Ensure achievements of goals are sustained and required reports are submitted on time. Focus on maintaining a 95% occupancy rate and 30-day unit turnaround rate, improving applicant screening and improve marketing efforts. Discretionary policies maybe implemented in the future.**

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 Springfield Metropolitan Housing Authority (SMHA) is presently recovering from two years of troubled status. Improving basic operations, infrastructure, and customer service are the highest priorities for the foreseeable future. Project-based management, a preventive maintenance program, and increased professionalism among the staff are to be implemented during the next year in order to provide higher levels of service to our residents and the community.

iii. Annual Plan Table of Contents

[24 CFR Part 903.79 (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:

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

Optional Attachments:

- X PHA Management Organizational Chart
- X FY 2000 Capital Fund Program 5 Year Action Plan
- X 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)
- 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.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
XX	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
XX	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
	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
XX	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
XX	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
XX	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and	Annual Plan: Eligibility, Selection, and Admissions

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	Assignment Plan [TSAP]	Policies
XX	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	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 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance</i> ; <i>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
	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
	Schedule of flat rents offered at each public housing development <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
XX	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
	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
	Public housing grievance procedures <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
XX	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
XX	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
XX	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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
XX	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	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
	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
XX	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
XX	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
XX	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
XX	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
XX	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Affordability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	2,882	5	5	5	N/A	5	N/A
Income >30% but <=50% of AMI	1,478	3	4	3	N/A	3	N/A
Income >50% but <80% of AMI	2,450	2	2	2	N/A	2	N/A
Elderly	1,062*	2	1	1	N/A	1	N/A
Families with Disabilities	33	5	5	5	5	5	N/A
White	5,280	1	N/A	N/A	N/A	N/A	N/A
Black	1,576	1	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity							
Race/Ethnicity							

*Information taken from page 31 & 32 of the Consolidated Plan and represents rental households only.

DNA= Does Not Apply

N/A= Not available

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

- Consolidated Plan of the Jurisdiction/s
Indicate year: 2000
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information)

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

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
XX Public Housing			
<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	303	100 %	
Extremely low income <=30% AMI	213	69 %	
Very low income (>30% but <=50% AMI)	90	30 %	
Low income (>50% but <80% AMI)	0	0 %	
Families with children	224	67 %	
Elderly families	18		
Families with Disabilities	33	15 %	
Race/ethnicity	177	65 %	
Race/ethnicity	125	34 %	
Race/ethnicity	1	1%	
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	80	26 %	

Housing Needs of Families on the Waiting List			
2 BR	180	59 %	
3 BR	35	11 %	
4 BR	6	2 %	
5 BR	2	1 %	
5+ BR	N/A	N/A	
Is the waiting list closed (select one)? XX 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.

Analyze market data collection during preparation of the PHA Plan to determine target markets. Improve advertising by placing advertisements in the newspaper, flyers and brochures. Restructure elderly designation. There doesn't seem to be the same need for elderly housing as there was 5 years ago. This process will involve the residents, staff and the Board of Commissioners. Improve curb appeal and customer service.

We have selected this strategy because the only way to properly market the units is by having available what the community needs. Advertising the units is the only way to inform the community of what we have to offer. Curb appeal is the first thing that attracts a person to your property. Once we have housed a resident the only way to keep them happy is by providing good customer service.

(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
- X Reduce turnover time for vacated public housing units
- X Reduce time to renovate public housing units

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

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

Select all that apply

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing
- Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- Other: (list below)

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

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

Select all that apply

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

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

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

Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

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

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

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

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

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

(2) Reasons for Selecting Strategies

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

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

2. Statement of Financial Resources

[24 CFR Part 903.7 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.

**Financial Resources:
Planned Sources and Uses**

Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2000 grants)		
a) Public Housing Operating Fund	1,104,271	
b) Public Housing Capital Fund	1,552,673	
c) HOPE VI Revitalization	0	
d) HOPE VI Demolition	0	
e) Annual Contributions for Section 8 Tenant-Based Assistance	4,125,422	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	195,580	
g) Resident Opportunity and Self-Sufficiency Grants		
h) Community Development Block Grant	0	
i) HOME	0	
Other Federal Grants (list below)	0	
2. Prior Year Federal Grants (unobligated funds only) (list below)		
708 Unobligated as of 11/14/2000	557,552	
3. Public Housing Dwelling Rental Income	1,474,910	
4. Other income (list below)		
4. Non-federal sources (list below)		
Total resources	9,010,408	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

See ACOP pg 2 – 25

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: (30 days)
 Other: (describe)

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

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

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

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

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

(2)Waiting List Organization

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

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

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

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

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

1. How many site-based waiting lists will the PHA operate in the coming year? 0-1

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

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

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

- PHA main administrative office
- All PHA development management offices
- Management offices at developments with site-based waiting lists
- At the development to which they would like to apply
- Other (list below)
Springfield Urban League – Partner agency for services.

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- One
- Two
- Three or More

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

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

(4) Admissions Preferences

a. Income targeting:

- X 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)

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

c. Preferences

1. X Yes No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection **(5) Occupancy**)
2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

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

Other preferences: (select below)

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

1. Any family whose child has lead poisoning at 20 mg/kg levels.
2. Families with employment income who pay more than 40% of their income for rent and utilities.
3. Women recovering from drug or alcohol addictions who have successfully completed a rehabilitation program and need to be reunited with their children.

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

1 Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- 2 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

- X Other preference(s) (list below)
Same as above.

4. Relationship of preferences to income targeting requirements:

- The PHA applies preferences within income tiers
X 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)

- X The PHA-resident lease
X The PHA's Admissions and (Continued) Occupancy policy
X 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)

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

(6) Deconcentration and Income Mixing

- a. Yes X 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?

Note: SMHA data systems were not capable of collecting data on this basis until October, 2000. Data collection has begun and analysis of the data would indicate which strategies will be most effective in achieving deconcentration.

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

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

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

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

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

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

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

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

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

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

B. Section 8

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

(1) Eligibility

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

(2) Waiting List Organization

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

- PHA main administrative office
 Other (list below)

(3) Search Time

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

If yes, state circumstances below: Documented difficulty in locating a suitable unit.

(4) Admissions Preferences

- a. Income targeting

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

- b. Preferences

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

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

Former Federal preferences

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in your jurisdiction

- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below) Families who are working and paying more than 40% of their income for rent and utilities. Women who are recovering from drug and alcohol abuse who have successfully completed a drug or alcohol rehabilitation program.

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

1 Date and Time

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 2 Victims of domestic violence
- Substandard housing
- 2 Homelessness
- 2 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)

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

(5) Special Purpose Section 8 Assistance Programs

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

- X The Section 8 Administrative Plan
X 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?

- X 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 Attached

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:

Existing ceiling rents are used to set fixed rents.

Minimum Rent

Rent Phase In (see attached)

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

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)

Yes for all developments

Yes but only for some developments

No

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

For all developments

For all general occupancy developments (not elderly or disabled or elderly only)

For specified general occupancy developments

For certain parts of developments; e.g., the high-rise portion

For certain size units; e.g., larger bedroom sizes

Other (list below)

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

Market comparability study

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

f. Rent re-determinations:

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

- Never
- At family option
- 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) \$100.00 monthly aggregate.
- Other (list below)

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)

Ceiling Rents

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

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

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

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

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

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

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

- Annually
- Other (list below)

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

- Success rates of assisted families
- Rent burdens of assisted families
- Other (list below)

(2) Minimum Rent

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

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

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

5. Operations and Management

[24 CFR Part 903.79 (e)]

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

A. PHA Management Structure

Describe the PHA’s management structure and organization.

(select one)

- An organization chart showing the PHA’s management structure and organization is attached.
- A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning 1999	Expected Turnover
Public Housing	859	25%
Section 8 Vouchers	149	20%
Section 8 Certificates	766	20%

Section 8 Mod Rehab		
Special Purpose Section 8 Certificates/Vouchers (list individually)	Shelter Care Plus – 10 McKinney/HOME – 9 New Costruction – 30	
Public Housing Drug Elimination Program (PHDEP)	859	
Family Self Sufficiency		
Other Federal Programs(list individually)		

C. Management and Maintenance Policies

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

1. Personnel Policy
2. Procurement Policy
3. Admissions Continuing Occupancy Plan
4. Investment Policy
5. Fixed Asset Policy
6. Maintenance Procedural Manual
7. Rent Collection Policy
8. Grievance Policy
9. HUD Handbooks
 - a. 7420.3 Section 8 Housing Assistance Payments Program
 - b. 7485.3G Comprehensive Grant Program Guidebook
 - c. 7460.8 Procurement Handbook for PIH
 - d. 7465.1 Public Housing Occupancy Handbook

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing

1. Yes X 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)
- X PHA main administrative office
 - X PHA development management offices
 - Other (list below)

B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)
- X PHA main administrative office
 - Other (list below)

7. Capital Improvement Needs

[24 CFR Part 903.79 (g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name) 3

-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. X 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) 3

-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)

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: Lincoln Park

- Yes No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year? Not anticipated.
If yes, list developments or activities below: Public-private partnerships are under serious consideration at this time.

- 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:

There is a potential for de minimus (5 units or less per year) demolition or disposition of public housing units based on non-viability. This is being framed as a strategic issue for the Board of Commissioners and no action is expected in FY 2001.

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

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

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

2. Activity Description

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

Demolition/Disposition Activity Description
1a. Development name: 1b. Development (project) number:
2. Activity type: 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: (DD/MM/YY)
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. X 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

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

Designation of Public Housing Activity Description	
1a. Development name: Cole Manor	
1b. Development (project) number: OH 16P021-002	
2. Designation type:	
<input checked="" type="checkbox"/> Occupancy by only the elderly X <input type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities	
3. Application status (select one)	
<input checked="" type="checkbox"/> Approved; included in the PHA’s Designation Plan X <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application	
4. Date this designation approved, submitted, or planned for submission: <u>(9/7/1996)</u>	
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: 150	
7. Coverage of action (select one)	
<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development	

Designation of Public Housing Activity Description	
1a. Development name:	Grayhill Homes
1b. Development (project) number:	OH 16P021-003
2. Designation type:	Occupancy by only the elderly <input checked="" type="checkbox"/> X Occupancy by families with disabilities Occupancy by only elderly families and families with disabilities
3. Application status (select one)	Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> X Submitted, pending approval Planned application
4. Date this designation approved, submitted, or planned for submission:	<u>(9/7/1996)</u>
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:	105
7. Coverage of action (select one)	Part of the development <input checked="" type="checkbox"/> X Total development

Designation of Public Housing Activity Description	
1a. Development name:	Hugh Taylor Apartments
1b. Development (project) number:	OH 16P021-005
2. Designation type:	Occupancy by only the elderly <input checked="" type="checkbox"/> X Occupancy by families with disabilities Occupancy by only elderly families and families with disabilities
3. Application status (select one)	Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> X Submitted, pending approval Planned application
4. Date this designation approved, submitted, or planned for submission:	<u>(9/7/1996)</u>
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:	105
7. Coverage of action (select one)	Part of the development <input checked="" type="checkbox"/> X Total development

Designation of Public Housing Activity Description	
1a. Development name:	Robert C. Henry Homes
1b. Development (project) number:	OH 16P021-008
2. Designation type:	Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities Occupancy by only elderly families and families with disabilities
3. Application status (select one)	Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval Planned application
4. Date this designation approved, submitted, or planned for submission:	<u>(9/7/1996)</u>
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:	50
7. Coverage of action (select one)	Part of the development <input checked="" type="checkbox"/> Total development

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

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

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

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

2. Activity Description

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

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

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

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

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

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

2. Activity Description

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

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name:	
1b. Development (project) number:	
2. Federal Program authority:	
	<input type="checkbox"/> HOPE I
	<input type="checkbox"/> 5(h)
	<input type="checkbox"/> Turnkey III
	<input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one)	
	<input type="checkbox"/> Approved; included in the PHA’s Homeownership Plan/Program
	<input type="checkbox"/> Submitted, pending approval

<input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY)
5. Number of units affected:
6. Coverage of action: (select one)
<input type="checkbox"/> Part of the development
<input type="checkbox"/> Total development

B. Section 8 Tenant Based Assistance

1. X 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

- X 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)

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

b. PHA-established eligibility criteria

- Yes X 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: Still under consideration. There may be may additional eligibility criteria after public input.

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (l)]

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

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

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

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

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

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

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

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

(select all that apply)

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

b. Economic and Social self-sufficiency programs

X 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)
<i>Family Self Sufficiency</i>	<i>89</i>	<i>Specific criteria</i>	<i>PHA main office</i>	<i>Section 8</i>

(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		
Section 8	89	39 September 30, 2000

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

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

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.79 (m)]

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

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

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)
- X High incidence of violent and/or drug-related crime in some or all of the PHA's developments

- X 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
- X Observed lower-level crime, vandalism and/or graffiti
- X People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- Other (describe below)

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

- X Safety and security survey of residents
- X 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
- X Resident reports
- X PHA employee reports
- X Police reports
- X Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- Other (describe below)

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

Lincoln Park, Woodford

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

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

- X Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- Crime Prevention Through Environmental Design
- X 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)

Lincoln Park, Woodford

C. Coordination between PHA and the police

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

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

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

Lincoln Park, Woodford

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.

- X Yes No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- X Yes No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?
- X Yes No: This PHDEP Plan is an Attachment. (Attachment Filename: ___)

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

Appendix XIX of A.C.O.P. attached in the Index

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. X 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. X Yes No: Was the most recent fiscal audit submitted to HUD? FY 1998
3. X Yes No: Were there any findings as the result of that audit?
4. X Yes No: If there were any findings, do any remain unresolved?
If yes, how many unresolved findings remain? 7
5. Yes X No: Have responses to any unresolved findings been submitted to HUD?
If not, when are they due (state below)? January 31, 2001

17. PHA Asset Management

[24 CFR Part 903.79 (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. X Yes No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?
2. What types of asset management activities will the PHA undertake? (select all that apply)
 - Not applicable
 - Private management
 - X Development-based accounting
 - X Comprehensive stock assessment
 - Other: (list below)
3. Yes X No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24 CFR Part 903.79 (r)] RAB Members: David Downing, Phyllis Palmer, and Jan Ayers.

A. Resident Advisory Board Recommendations

1. X 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)

X Provided below:

Residents seem most concerned about pets now being allowed in public housing. The backlog of capital needs is also of great concern (too many promises for too long with nothing happening). Elevators are a constant source of irritation for resident living in those buildings. The general state of maintenance and groundskeeping needs to be improved.

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

X Considered comments, but determined that no changes to the PHA Plan were necessary. r.e. Pet Policy

X The PHA changed portions of the PHA Plan in response to comments
List changes below:

Capital Grant reflects concerns of residents regarding improvements. Elevator modernization is a top priority. Raising skill level of maintenance staff is a high priority and additional laborers who do custodial work and groundskeeping have been hired.

Other: (list below)

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

1. Yes X 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. X 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)

X Candidates were nominated by resident and assisted family organizations

Candidates could be nominated by any adult recipient of PHA assistance

Self-nomination: Candidates registered with the PHA and requested a place on ballot

Other: (describe)

b. Eligible candidates: (select one)

- Any recipient of PHA assistance
- Any head of household receiving PHA assistance
- Any adult recipient of PHA assistance
Any adult member of a resident or assisted family organization
- X Other (list) Any duly-elected resident council officer.

c. Eligible voters: (select all that apply)

- All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
Representatives of all PHA resident and assisted family organizations
- X Other (list) Any duly-elected resident council officer.

Other Comments:

Currently there aren't any vacancies on the SMHA Board. The first opportunity we have to fulfill this requirement will not occur until July 2001. We will encourage Mayor Warren Copeland (City Commission) to appoint a resident to fill this vacancy with a resident.

Attached is a list of the SMHA Board Members and their term appointments.

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: City of Springfield, Ohio.
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)
 - X 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.
 - X The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
 - X 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) Working cooperatively with SMHA to further common goals.

D. Other Information Required by HUD

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

Attachments

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

- Attachment 1: Admissions and Continued Occupancy Policy
- Attachment 2: Administrative Plan
- Attachment 3: Capital Plan, CGP Annual Statement/Performance Evaluation Reports, and Five Year Action Plan
- Attachment 4: Operating Budget
- Attachment 5: Public Housing Drug Elimination Program Plan (PHDEP)
- Attachment 6: PHA Management Organizational Chart
- Attachment 7: Last MOA Report Prior to Termination of Troubled Status
- Attachment 8: Certifications and Approvals

PHA Plan Table Library

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

Annual Statement

Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number FFY of Grant Approval: (MM/YYYY)

Original Annual Statement

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

Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

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

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)

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

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Total estimated cost over next 5 years				

SPRINGFIELD (OH) METROPOLITAN HOUSING AUTHORITY

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

_____ August 22, 2000 _____

Adopted

Note:

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

The ACOP also includes the regulatory “One-Strike “ provisions for admissions to Public Housing and applicable sections of Title V of H.R. 4194, the Quality Housing and Work Responsibility Act.

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POLICY ON ADMISSIONS AND CONTINUED OCCUPANCY

I. GENERAL STATEMENT OF MISSION, NONDISCRIMINATION AND PRIVACY

It is the intent of the Springfield (OH) Metropolitan Housing Authority (hereinafter referred to as SMHA, the Public Housing Authority or the PHA) to provide safe, decent housing for lower income tenants and families which is conducive to healthful living. SMHA will not discriminate because of race, color, gender, sexual preference, religion, age, disability, national origin or familial status in the leasing, rental, or other disposition of housing or related facilities (including property) including any housing development(s) under its jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

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

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

It is also the policy of SMHA to guard the privacy of individuals in accordance with the Privacy Act of 1974, and to ensure the protection of individuals' records maintained by SMHA. Therefore, the Housing Authority shall not disclose any personal information (including, but not limited to information on any disability) contained in its records to any person or agency unless the individual about whom the information is requested gives written consent to such disclosure, required by Ohio law. This privacy policy in no way limits SMHA's ability to collect such information as it may need to determine eligibility, compute rent, or determine the applicant's suitability for tenancy.

SMHA is committed to identifying and eliminating situations which create barriers to equal housing for all. In accordance with the Americans with Disability Act and Section 504 of the Rehabilitation Act of 1973 as amended, SMHA will make such procedural, administrative, locational, or physical changes as

will reasonably accommodate persons with disability and which do not impose an unreasonable burden either administratively or financially on the Housing Authority.

II. ELIGIBILITY FOR ADMISSION

A. Eligibility Criteria

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

1. Those who qualify as a family, single person, elderly person, near-elderly person, displaced person or remaining adult member of a tenant family (See Appendix C-Glossary of Terms).
2. Those whose annual income at the time of admission does not exceed the income limits or guidelines as prescribed by HUD for federally-assisted housing. A copy of the most current income limits or guidelines shall be conspicuously posted at SMHA's offices.
3. Those whose members age 6 or older have been issued a Social Security Number (SSN) and have disclosed it to the satisfaction of SMHA. Where a SSN has not been assigned, certification to that effect must be executed.
4. Those whose members are U.S. Citizens or noncitizens who have eligible immigration status.
5. Those whose household composition is appropriate for the housing types and unit sizes available in SMHA developments in accordance with the occupancy standards outlined herein (For definition of housing type, see Appendix C - Glossary of Terms).
6. Those who do not maintain another residence in addition to a SMHA unit.
7. Those whose members have not committed fraud in connection with any Federal Housing Assistance program.
8. Those whose members have not been evicted from public housing, Indian Housing, Section 23, or any Section 8 program because of criminal and/or drug-related criminal activity for a three-year period beginning the date of the eviction (See Section II B).
9. Those who meet or exceed the tenant selection criteria outlined in this Policy.

10. Those who have been convicted of manufacturing or producing methamphetamine (commonly referred to as “speed”) on the premises of the public housing project are denied for life.

B. Ineligibility Because of Prior Eviction for Criminal and/or Drug-Related Criminal Activity

1. Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance. Pursuant to federal law, persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for admission to public housing at SMHA for a three-year period beginning on the date of such eviction.
2. Applicants are denied admission for life who have been convicted of manufacturing or producing methamphetamine (commonly referred to as “speed”) on the premises of the public housing project. Premises is defined as the building or complex in which the dwelling is located, including common areas and grounds.
3. SMHA may waive at its sole discretion this restriction except for number 2 above, if the applicant can demonstrate to the satisfaction of SMHA that:
 - a. the person successfully completed a rehabilitation program approved by SMHA, or
 - b. the circumstance(s) leading to the eviction no longer exists. For example, the person involved in drugs and responsible for the eviction is no longer part of the household; and
 - c. the person is committed to being drug-free and not participating in drug-related criminal activity as evidenced by executing an addendum imposing reasonable additional lease restrictions such as enrollment in a local drug rehabilitation approved by SMHA as may be deemed necessary by SMHA to guarantee the health, safety and welfare of other residents.

C. Screening Out Illegal Drug Users and Alcohol Abusers

1. SMHA will prohibit the admission to public housing of any person who SMHA determines is illegally using a controlled substance.

-
2. SMHA will also prohibit admitting any person to public housing in cases where SMHA determines that there is reasonable cause to believe that the person abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
 3. SMHA may at its sole discretion waive the policies prohibiting admission in these circumstances if the person demonstrates to the HA's satisfaction that:
 - the person is no longer engaging in illegal use of a controlled substance or abuse of alcohol, and
 - has successfully completed a supervised drug or alcohol rehabilitation program;
 - has otherwise been rehabilitated successfully; or
 - is participating in a supervised drug or alcohol rehabilitation program, as verified by an authority from such program.

D. Eligibility Restrictions Regarding Noncitizens

1. As required by HUD (24 CFR 5 subpart E), eligibility for assistance or continued assistance under a Section 214 program, such as public housing, is contingent upon a family's submission of documentation either declaring U.S. citizenship or eligible immigration status. SMHA will require both current tenants and applicants to submit the required citizenship or eligible immigration documentation for every household member in order to receive or continue to receive housing assistance. Documentation will be required of all new admissions at the time an application is processed by the Public Housing Authority. Any current tenant who has not already provided documentation will be required to document citizenship or immigration status at the next reexamination. It is necessary to provide this information only one time for each family member during continued occupancy at SMHA. Whenever a new family member is added, documentation must be provided before the new member can be added to the lease.
2. Proof of citizenship will take the following form:
 - a. For families claiming U.S. citizenship, each applicant or tenant family member will sign the citizenship declaration form and present appropriate documentation (such as U.S. passport, resident alien card, social security card, or other appropriate

documentation), which will become a permanent part of the tenant file. Adults will be required to sign on behalf of all children under the age of eighteen years.

- b. Noncitizens age 62 years or older who are current tenants or applicants will be required to sign a declaration of eligible immigration status and proof of age.
- c. Tenants and applicants who are noncitizens declaring eligible immigration status must:
 1. sign a declaration of eligible immigration status;
 2. provide the required U.S. Immigration and Naturalization Service documents, such as Alien Registration Receipt Card, Arrival/Departure Record, Temporary Resident Card, Immigration and Naturalization Service (INS) receipt in the event of any lost or missing cards listed above; and
 3. sign a verification consent form.

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

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

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

E. Special Eligibility Provisions Relating to Applicants Requiring a Live-In Aide

Some applicants and tenants who would not otherwise be able to fully discharge the responsibilities of tenancy may be able to do so with the assistance of a live-in aide residing in the unit. When an applicant or tenant can provide documentation to the satisfaction of the Public Housing Authority that a live-in aide is required and available, the following provisions shall apply:

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

F. Tenant Selection Criteria

1. The applicant household must meet or exceed the Tenant Selection Criteria established by SMHA to protect the rights and needs of the public housing communities for a decent, safe and livable environment. It is necessary to deny admission to public housing to those applicants whose habits and practices may be expected to have a detrimental effect on the tenants, the environment of the development or financial stability of the property. SMHA provides a decent home and suitable living environment and fosters economic and social diversity in the tenant body as a whole. Selection will be made in such a manner as:
 - a. For every fiscal year, SMHA shall reserve a percentage of its new admissions for families whose incomes do not exceed thirty percent of the

area median income. The goal for public housing shall be forty percent of new admissions. In reaching the new admissions goals, the PHA is required to avoid concentrating very low income families in projects.

b. To maintain a tenant body in each project composed of families with a broad range of income and rent paying ability which is generally representative of the range of incomes of low income families in the PHA's area of operation as defined by state law.

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

3. Documentation. The following information related to an applicant's potential future habits or practices will be used to determine if the applicant meets SMHA's selection criteria:
 - a. The applicant's acceptable past performance in meeting financial obligations, especially rent and utilities. Positive or neutral references from the current landlord and prior landlords from the past five years (or longer if needed to get a minimum of two prior landlords) and neutral or better credit reports, together may constitute adequate evidence that the applicant household meets this criteria.

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

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

b. The applicant, members of the applicant household, guests or visitors do not have a record of disturbance of neighbors or destruction of property. Acceptable landlord references, personal references and police and court record reports showing that no household member, guest or visitor engages in these types of activities, together may constitute adequate evidence that the household meets this criteria.

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

d. The applicant or any member of the applicant household does not have a record (arrest, conviction or otherwise) of criminal activity or drug-related criminal activity on the part of any household member which would adversely affect the health, safety or right to peaceful enjoyment of others. This includes but is not limited to crimes of physical violence and violence to property. Court and police record reports showing that no household member has a record of such activity may constitute adequate evidence that the household meets this criteria. A record of criminal and drug-related criminal activity shall be defined as:

1. One (1) conviction over the last twenty (20) years for any of the following:
 - a. murder;
 - b. rape;
 - c. child molestation.

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2. One (1) conviction over the last ten (10) years for any of the following:
 - a. illegal manufacture, sale, or distribution of a controlled substance;
 - b. any act of violence or threat of violence, including the possession of illegal firearms, and aggravated assaults;
 3. One (1) conviction over the last five (5) years for use or possession of a controlled substance.
 4. Two (2) or more arrests over the last three (3) years for any of the above.
- e . The applicant or any member of the applicant household is not a former tenant of a public housing authority, or a former participant in a Section 8 program who had a record of lease violations or whose tenancy was terminated by the Public Housing Authority or private landlord. No previous tenant may be readmitted unless all previous amounts owed have been paid to the public housing authority; but payment of such debt does not necessarily entitle an applicant to eligibility under this section unless SMHA has explicitly agreed in writing to grant eligibility upon payment of amounts due. Such agreement must be clear and unequivocal on its face.
- f. There is no reasonable cause to believe that any member of the applicant household has exhibited a pattern of illegal use of a controlled substance or a pattern of abuse of alcohol which interfered with the health, safety, or right to peaceful enjoyment of the premises by other residents. Acceptable landlord references, personal references and court and police record reports showing that no household member has exhibited these patterns may constitute adequate evidence that the household meets this criteria.

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

- has successfully completed a supervised drug or alcohol rehabilitation program;
- has otherwise been rehabilitated successfully; or
- is participating in a supervised drug or alcohol rehabilitation program.

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- g. The applicant is willing to accept and comply with the terms of the lease agreement and other related documents. Acceptable landlord references and a satisfactory or better home visit rating constitute adequate evidence that the household meets this test.
 - h. The applicant has lived responsibly on his/her own or has the maturity necessary to do so. Indicators of maturity may include, but are not limited to: the applicant's school attendance record, handling of finances (such as bill payment) and holding a job or other community responsibility (such as volunteer work).
 - i. The applicant has not misrepresented or falsified any information related to eligibility, preference status, selection criteria or income and has provided all information requested and required by SMHA. If at any time during the tenant selection process it is determined that the household has provided information which is false or misleading, or has failed to supply SMHA with any information or documentation required, the applicant household will be considered to have failed this criteria.
 - j. There is no evidence relating to previous habits or practices which indicate that the applicant or any member of the applicant household would likely have a detrimental effect on the public housing community if admitted.
4. Verification Procedures. SMHA may use the following procedures to verify if the applicant meets the tenant selection criteria:
- a. *References from Landlords and Prior Landlords.* SMHA will obtain references from current and prior landlords for the past five years (or longer if needed to get a minimum of two prior landlords), if any, and places great importance on the information obtained from these references as prior landlords have relationships with prospective tenants that are similar to the relationship to be established with SMHA.

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

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- b. *Home Visits.* SMHA staff will perform a home visit for applicants for whom landlord references of acceptable credibility and quality are not available. The purpose of the Home Visit is to obtain information to be used in determining whether the applicant household meets certain of SMHA's tenant selection criteria and will consider the following:
- i. Condition of entrance ways, halls and yards.
 - ii. Cleanliness in each room used by the household, including rooms shared with other households, if applicable.
 - iii. General care of furniture, appliances, fixtures, windows, doors and cabinets.
 - iv. Evidence of destruction of property.
 - v. Evidence of unauthorized occupants.
 - vi. Evidence of criminal activity.
 - vii. Conditions inconsistent with the information supplied in any application or other document submitted by the household.
- Applicants will be given at least two days' advance verbal notice of the home visit. If the results of the home visit indicate tenant-caused health or safety hazards, tenant-caused damages, or housekeeping practices leading to infestation by pests or other tenant-caused conditions or practices which would diminish the applicant's ability to meet SMHA's lease obligations, the applicant household will be considered to have failed SMHA's tenant selection criteria.
- c. *Police and Court Records Check.* SMHA will obtain or have the applicant obtain police and court records for all adult members of the applicant family for evidence of behavior which is relevant to the tenant selection criteria outlined herein.
- d. *Credit Reports.* SMHA may obtain credit reports on all adult family members to determine the household's history of meeting financial obligations, especially rent and utilities. Lack of credit history will not, in itself, cause an applicant to fail this criteria.
5. *Sources of Information.* Sources of information that SMHA may use include but are not limited to:

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- a. Members of the applicant household.
 - b. Present and prior landlords or housing providers.
 - c. Home visits.
 - d. Present and former neighbors.
 - e. Present and former employers.
 - f. Personal and professional references.
 - g. Credit bureaus.
 - h. Landlord Record services, where applicable.
 - i. Social workers, school officials, drug and alcohol treatment centers, clinics, health care providers and clergy, guidance counselors and school officials.
 - j. Police, sheriff and law enforcement agency or departments, parole officers and court records.
 - k. Department of Economic Security, Internal Revenue Service.
6. SMHA staff will be the final judge of what constitutes adequate and credible information. If there are sufficient doubts with respect to the veracity, credibility, or reliability of any information received, SMHA retains the right to pursue alternative sources of information until satisfied that the information received is the best available.
 7. In the event that SMHA receives adverse and unfavorable information regarding an applicant household, consideration will be given to the time, nature and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct and that certain undesirable behavior will not be repeated. In making this consideration, SMHA shall consider all relevant circumstances including but not limited to:
 - a. the severity of the potentially disqualifying behavior or conduct;

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- b. the amount of time which has elapsed since the occurrence of such behavior or conduct;
 - c. the degree of danger, if any, to the health, safety, and security of others or to the security of the property of others or to the physical conditions of the housing development and its common areas if the behavior or conduct recurred;
 - d. the likelihood that the behavior or conduct in the future will be substantially improved.
8. Applicants who fail any of the tenant selection criteria will be sent a Notice of Rejection. These applicants will be considered ineligible for housing at SMHA and will be removed from the waiting list. After the one year period, these applicants may reapply for housing, subject to all conditions outlined herein. See Appendix B for Informal Review Procedures.
 9. The Housing Authority shall maintain a record of all applicants determined ineligible as a result of the failure to meet its Tenant Selection Criteria with an indication of the specific reason(s) for the determination of ineligibility.

III. APPLICATION FOR ADMISSION

A. Application Intake

SMHA will accept applications for admission to SMHA housing only during publicly announced time periods during which all interested persons may apply for admission to SMHA housing. When the number of applicants who can be served within a reasonable period of time is reached, the waiting list(s) may be closed by unit size and/or housing type. Notice of opening and closing of the waiting list(s) shall be made in a newspaper of general circulation and may be announced by other suitable means. When the waiting lists for one or more unit sizes or housing type are to be reopened, the Public Housing Authority will clearly state in the public announcement the procedure to be employed to determine the position of each applicant on the waiting list.

B. Criteria for Placement on Waiting List

An applicant will be assigned to the appropriate waiting list(s) according to the date and time that the formal, fully-completed application was initially received, the size and type of unit required, housing type requested, and preferences claimed and/or verified. The applicant will be notified of the assigned application number and how to check his/her status on the waiting list(s).

C. Organization of the Waiting List

Applicants will be assigned to the waiting list(s) based on the date and time of application, housing type requested, preference claimed and/or verified, unit size.

For mixed population developments and for the one bedroom units located in general occupancy properties family classifications will be prioritized on the wait lists as follows:

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|--------------|--|
| Priority #1: | Elderly and/or Disabled Persons and Families |
| Priority #2: | Near Elderly Persons and Families |
| Priority #3: | Single Persons |

In no instance will a single person be housed before any qualified elderly, disabled, or near-elderly applicant regardless of the date and time of the application or preference.

D. Maintaining an Active List

The pool of active applicants will be kept current by requiring each applicant to inform the Housing Authority at least once annually of continued interest. SMHA will send an update letter to the applicant to the most recent address provided by the applicant, requiring the applicant to submit a form indicating continued interest and any updated information, such as change of address or household information within ten (10) days. If the applicant fails to respond within that time frame the application record will be so documented and, the applicant's name will be removed from the waiting list.

E. Responsibility to Report Changes

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

F. Removal from the Waiting List

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

G. Record Keeping

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

H. Eligibility Determinations

Applicants will be placed on the waiting list based on information provided on the preliminary application form.

1. *Preliminary Application Form*: SMHA shall utilize a preliminary application form (pre-application). The purpose of the pre-application is to permit SMHA to assess family eligibility or ineligibility and to determine placement on the wait list. Duplicate pre-applications, including applications from a segment of an applicant household, will not be accepted. Ineligible applicants or incomplete applications from applicants will not be placed on the waiting list. Preferences will not be verified until the applicant has been invited in for final eligibility determination.
2. If an applicant is determined to be ineligible for placement on the waiting list based on the information provided in the pre-application, the SMHA will notify the applicant in writing,

state the reasons, and inform the applicant of his/her right to an informal review in accordance with Appendix B.

3. *Final Eligibility Determination:* When staff estimate that a unit will become available for applicants within the next several months, applicants in wait list order will be invited to attend an interview and submit an application for final eligibility for housing, after which the formal verification process and resident selection process will commence.
4. *Verification and Final Eligibility Determination:* Each applicant household shall be required to provide all information, documents and authorizations necessary to enable SMHA to verify the applicant's qualification for preference status, income eligibility, household composition and conformance to the Housing Authority's Tenant Selection Criteria.
 - a. The qualification for preference(s) must exist at the time the preference(s) is verified regardless of the length of time an applicant has been on the wait list because the preference is based upon current status. If the applicant fails to qualify for the preference claimed, his/her placement on the waiting list will be modified to reflect the current preference(s) and the application will be treated accordingly.
 - b. Information may be required for any or all household members. Verification shall be from third party sources whenever possible. However, the applicant shall not be penalized either by denial of admission or by unreasonable delay of placement solely because third party sources have failed to respond to requests for information.
 - c. Verifications received electronically directly from the source shall be considered third party written verification.
 - d. Third party verification forms shall not be hand-carried by a family member under any circumstances.
 - e. When the applicant and SMHA have made all reasonable efforts to obtain information and the third party source has failed to respond, SMHA shall proceed with verification as follows:
 - Review of documents by staff provided by the applicant and/or acquired by the Housing Authority. Copies shall be obtained whenever possible and placed in the applicant file.

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- Certification by family member. A notarized statement as to the facts and circumstances is required.
 - f. Verifications may not be more than 90 days old at the time of admission and must become a permanent part of the applicant file.
 - g. Each applicant household shall have an interview with a member of the management staff. Every member of the applicant household should be present at the office visit unless there are extenuating circumstances.
6. SMHA shall require the applicant to:
- Sign all forms necessary to determine eligibility and suitability;
 - Provide verification of income, assets, exclusions and deductions from income;
 - Provide verification of family size, age and relationship;
 - Disclose the Social Security Numbers of all family members 6 years of age and older
 - Provide citizenship information;
- Provide the names and addresses of the applicant's current and previous landlords for the past five years (or longer if needed to get a minimum of two prior landlords);
- Provide any other information SMHA determines is necessary to determine eligibility for housing at SMHA.
7. All verifications and documentation received by SMHA for use in the determination of eligibility for housing at SMHA will be analyzed by staff and a determination made with respect to:
- Eligibility of the applicant family based on the requirements outlined in Section A of this Policy.

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- Housing type and unit size requirements.
 - Qualification of the applicant with respect to preferences claimed.
 - Qualification of the applicant family with respect to the Tenant Selection Criteria outlined in Section II E.
8. Applicants determined to be ineligible for housing at SMHA will be promptly notified and will receive a Notice of Ineligibility from the Housing Authority stating the basis for this determination. SMHA will provide such applicants with the opportunity for informal review of the decision in accordance with the HUD regulations and the procedure for informal review contained in Appendix B of this Policy.
 9. Applicants with disability who have been determined to be eligible but who fail the Tenant Selection Criteria will have their cases examined by SMHA to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the selection criteria outlined herein.
 10. *Changes in Preferences and/or Unit Size Determination:* If, during the final eligibility determination, or at any other time prior to placement, it is determined that the family qualification for certain preferences has changed and/or family composition has changed making the family eligible for a different size unit, the family's application shall be placed on the waiting list for the new unit size based on the original date of the family's pre-application.

IV. SELECTION FROM THE WAITING LIST

All otherwise eligible applicants will be assigned to the waiting list according to date and time of the pre-application, unit size and type required, housing type requested, and preference status as follows:

- A. Overview of Local Preferences
SMHA applicants who have met all of the eligibility requirements outlined in the previous sections of this Policy will be selected from the waiting list based upon local preferences.
- B. Local Preferences

1. Criteria: SMHA has established the following local preferences:

- a. Involuntarily Displaced. Applicants will be assigned a preference if they have been and continue to be displaced from their housing due to:
- Natural Disaster. The applicant, through no fault of his/her own or relatives or friends with whom the applicant has been living, has been displaced and is without housing due to a natural disaster such as earthquake, flood, or some other disaster declared and formally recognized disaster relief under laws.

Applicants who find permanent replacement housing before an offer of housing from SMHA will no longer be eligible for this preference.

- b. Applicants who are Veterans.
- c. Applicants who are working and are paying more than 40% of their income for rent and utilities.
- d. Families who have children under the age of seven and have elevated blood level conditions equal to or exceeding 20 micrograms per deciliter (ug/dl).
- e. Families who are homeless as defined by HUD guidelines.

Definition of Homeless

Any individual or family who:

- Lacks fixed, regular, and adequate nighttime residence; AND
- Has primary nighttime residence that is:
 1. A supervised public or privately operated shelter designated to provide temporary living accommodations, including welfare hotels, congregate shelters and transitional housing.
 2. An institution that provides temporary residence for individuals intended to be institutionalized (not incarcerated, i.e. jails and prisons).

3. A public or private place not designated or normally used as a regular sleeping place for humans.

e. Other Applicants. Applicants who do not qualify for any other type of local preference category will be considered an other applicant.

1. Verification. SMHA shall require all applicants to verify qualification of local preferences as follows:

a. Documented Employment Income for Six (6) Consecutive Months. SMHA will accept verifications from employer(s) which indicate that the applicant has been employed for six consecutive months. Only one lapse in employment status of a two week duration shall be accepted.

- Natural Disaster. The applicant must submit to the satisfaction of the SMHA, third party verification from local agencies, relief agencies, etc., of the disaster which details the nature and extent of the disaster and explicitly determines that the disaster was not caused by the negligence or intentional act of the applicant or any relative or friend with whom the applicant was living.

C. Offer of a Unit

1. A One Offer Plan will be used. When a housing unit becomes available for lease, it will be offered to the applicant with a preference and earliest application date for that housing type and bedroom size. If the applicant rejects the offer, the applicant's name will be taken off the waiting list for public housing and shall be required to reapply. If applicant is on the waiting list for the Section 8 Program or any other program administered by SMHA, refusal of a public housing unit will not affect placement on other lists. An applicant must respond to, and accept or reject the offer within three (3) business days from the date the offer is made. If an applicant does not respond within three (3) business days, the application shall be deemed withdrawn and the applicant shall be required to reapply.

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2. For purposes of this Policy, the applicant will not be considered to have been offered a unit if he/she provides clear evidence to the satisfaction of SMHA that one of the following circumstances apply:
 - a. The unit is not of the proper size and type according to the occupancy standards outlined on page 22, and the applicant would be able to reside there only temporarily.
 - b. The applicant is unable to move at the time of the offer because of serious and unusual, nonfinancial circumstances which are beyond the applicant's control, and the applicant presents clear evidence which substantiates this to the satisfaction of SMHA. Examples include but are not limited to:
 - A doctor verifies that the applicant has just undergone major surgery and needs a period to recuperate;
 - A court verifies that the applicant is serving on a jury which has been sequestered.
 - c. Accepting the offer would result in undue hardship to the applicant not related to consideration of race, creed, color, national origin or language, such as making employment or daycare facilities inaccessible, and the applicant presents clear evidence that substantiates this undue hardship to SMHA's satisfaction.
 3. If an applicant fails to keep a scheduled appointment to view a unit offered for occupancy or fails to respond to written correspondence from the Public Housing Authority within five (5) business days, for other than a justifiable reason as described in C 2 of this section, such failure shall result in removal from the waiting list. The person may reapply at a time that applications are being accepted.

V. UNIT SIZE AND OCCUPANCY STANDARDS

A. Appropriate Unit Size

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

<i>No. of Bedrooms</i>	<i>No. of Persons</i>	
	<i>Minimum</i>	<i>Maximum</i>
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

B. Factors in Dwelling Size Determination

Dwelling units will be assigned so that it will not be necessary for persons of different generations or opposite sex (other than married or cohabitating couples) to share a bedroom. Two children of the same sex may be required to share a bedroom regardless of age and children of the opposite sex may be required to share a bedroom if one child is under the age of six. Children shall generally not be required to share a bedroom with a parent; however, one very young child may share a bedroom with one parent if there are no larger units available for the family. SMHA will take into consideration households who share joint custody of any individual under the age of 18 at least 50% of the time and assign a bedroom as if the child was residing in the unit 100% of the time. Foster children shall also be considered in determining dwelling unit size. No unit assignments will be made which require use of the living room for sleeping.

C. Bedroom Size Determination for Single Pregnant Individuals

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

D. Reasonable Exceptions in Emergency Situations

The criteria and standards prescribed above apply to all families applying for housing at SMHA; however, reasonable exceptions to the standards listed above may be made in emergency situations, and in some cases, relationship, age, gender, health, or disability of family members may warrant assignment of a larger or smaller unit by SMHA staff or at the request of the applicant family. Written approval of such cases must be made by the Executive Director or his/her designee.

E. Requirements for Live-In Aide

Any applicant or tenant who requires a live-in aide, who will be responsible for the essential care and well-being of a family member on a daily basis will be assigned a bedroom to accommodate this aide, provided that the applicant or tenant can show documentation to support the fact that the live-in aide would not be living in the unit except to provide necessary supportive services. A live-in aide will not be listed on the lease and does not have rights to the unit for continued occupancy as a remaining member of a tenant family. A Live-In Aide agreement stating these requirements must be signed by the head of household and the Aide and shall become part of the lease agreement.

F. Handicap Accessible Units

Standards for accessible units shall be determined by SMHA according to Section 504 requirements. When an accessible unit becomes available, SMHA shall offer the unit in the following order:

1. To current SMHA tenants who have a disability or handicap who would benefit from the unit's accessible feature(s), but whose current unit does not have such features. If there is more than one current tenant requiring the accessibility features of the available unit, the family with the earliest written request for a transfer shall be selected for the unit.
2. To eligible and qualified households on the waiting list who have a disability or handicap who would benefit from the unit's accessibility features based upon local preference and the date and time of the application, despite the presence on the waiting list of households with preferences and/or earlier application dates who do not require the specific accessibility features of the available unit.

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3. To other eligible and qualified households on the waiting list without disabilities. In this case, the household must agree, in writing, to transfer to a non-accessible unit at the request of the Public Housing Authority.

VI. LEASE

A. Lease Execution

At admission, a Lease and Pet Agreement, if applicable, is to be entered into between the Housing Authority and each tenant family. The dwelling lease is to be kept current at all times and is to reflect rent being charged, and the conditions governing occupancy.

1. If, for any reason, any signer of the lease ceases to be a member of the tenant family or ceases to reside in the specified unit, the lease will be canceled, and a new lease and Pet Agreement, if applicable, will be executed and signed by a remaining member of the family who qualifies and is determined to be eligible for continued occupancy by SMHA.
2. If a tenant family transfers to a different unit operated by the Public Housing Authority at the sole discretion of SMHA, the existing lease must be canceled and a new lease and Pet Agreement, if applicable, executed by the head of household and co-head, if one exists, for the dwelling unit into which the family is to move.
3. If at any time during the life of the lease, a change in the tenant's status or SMHA needs results in the need for changing or amending any provision of the lease, or if the Public Housing Authority desires to waive any provisions with respect to the tenant, the SMHA at its sole discretion will have either:
 - The existing lease canceled and a new lease agreement executed; or
 - An appropriate amendment is prepared and made a part of the existing lease. Any new lease amendment is to be made a part of the permanent tenant file. A lease amendment is to be attached to the existing lease, and must be signed by both the tenant and a Public Housing Authority representative.
4. The only lease agreement recognized is the standard, formal, SMHA Board approved document.

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5. No verbal agreements or licenses for possession shall be recognized as binding to the SMHA.

B. Security Deposits

1. A security deposit equal to \$100.00 for all households will be required.
2. The security deposit is to be paid in full immediately upon execution of the lease and will be held on account by the Public Housing Authority in accordance with applicable state laws specifically as contained in Part 5321.16 of the Ohio Revised Code, as may be amended from time to time.
3. Upon termination of a tenancy, any tenant may notify SMHA in writing of such tenant's forwarding address. Within thirty days after termination of a tenancy, the Public Housing Authority shall deliver to the tenant or former tenant at such forwarding address either:
 - The full amount of the security deposit paid by such tenant plus accrued interest (as mentioned above); or
 - The balance of the security deposit paid by such tenant plus accrued interest, after deduction for any damages suffered because of the tenant's failure to comply with such tenant's obligations, together with a written statement itemizing the nature and amount of such damages.

C. Tenant Orientation

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

The Quality Housing and Work Responsibility Act of 1999 (QHWRA) effective October 1, 1999 with important exceptions, requires public housing residents to participate, for at least eight (8) hours a

month, in a community service or economic self-sufficiency program. This requirement invokes a provision requiring one (1) year public housing leases to be automatically renewable except for failure to comply with community service requirements.

The exemption list provided in the QHWRA includes adults who are 62 years of age or older, persons with disabilities, persons engaged in work activities (as defined by section 407(d) of the Social Security Act), and persons participating in a welfare to work program, or receiving assistance from and in compliance with a State program funded under part A, Title IV of the Social Security Act. (For purposes of the community service requirement, an adult is a person 18 years or older.)

D. Dwelling Unit Inspection Policy

1. Preoccupancy. Prior to occupancy, a SMHA representative and the tenant, or his/her representative, will inspect the premises. SMHA will furnish the tenant a written statement of the condition of the premises and the appliances provided in the dwelling unit where appropriate. The statement will be signed by a SMHA representative and the tenant, or representative, and a copy will be kept in the tenant's file.
2. Two Month. An inspection of the dwelling unit may be conducted two months after a tenant's move-in date to check needed maintenance, tenant housekeeping, and other lease compliance matters. SMHA will furnish the resident with a written statement of charges, if any, for repairs or removal of non-approved alterations to the apartment.
3. Annual. An inspection of each dwelling unit will be conducted on at least an annual basis to check needed maintenance, tenant housekeeping, and other lease compliance matters. SMHA will furnish the resident with a written statement of unit conditions and/or charges, if any, for repairs or removal of non-approved alterations to the apartment.
4. Move-Out. Immediately after a tenant moves out, a SMHA representative will inspect the dwelling unit. The tenant is encouraged to participate in the move-out inspection, but must contact the management office prior to move-out to schedule a joint inspection. A written statement of the unit condition, and the provided appliances will be signed by a SMHA representative.
 - A statement of repair/replacement charges for tenant caused damages and charges for cleaning of the unit and appliances, if necessary will be furnished to the tenant and deducted from his/her security deposit if remittance is not made to SMHA according to Ohio law.

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5. SMHA, in its sole discretion, may randomly and periodically inspect units, when it believes there are reasonable grounds for entering a unit.
 6. A copy of the move-in and/or move-out, two month and annual inspection reports will be kept in the tenant files.
 7. Preventive Maintenance (PM) forms will be kept in the unit maintenance file.

E. Rent, Ceiling Rents, Other Charges, and Rent Adjustments

1. Rent. Rent will be calculated using the method and income as determined by HUD regulations. SMHA reserves the right to formally adopt *Other Income Exclusions* as allowed by federal housing regulations. Beginning 10/1/99 the family will be notified of the monthly rent and the amount of the flat rent. The family shall elect, in writing, their choice.
2. Minimum/Base Rent. For its federal low-rent housing program, SMHA has established \$25 as its minimum total tenant payment.
3. Ceiling Rents/ Flat rents SMHA reserves the right pursuant to, and in compliance with, all HUD regulations to implement a ceiling rent, using the Fair Market Rents (FMRs) for the area or other permissible means in the best interest of SMHA. When developed, the ceiling rents will be at levels that are not less than the monthly cost to operate SMHA units.

The Housing Authority will provide appropriate notice to all residents affected by any ceiling rent policy adopted by the Board.

4. Utility Allowance. Any family living in a federally-assisted development whose allowance for tenant paid utilities exceeds the Total Tenant Payment will receive a payment from the Housing Authority equal to the amount by which the allowance exceeds the Total Tenant Payment.
5. Maintenance Charges. Schedules of charges for maintenance repairs and other services shall be publicly posted in a conspicuous place in the management offices and shall be furnished to applicants and tenants upon request. The Public Housing Authority will notify in writing tenants when such charges are assessed. These charges shall become due and payable on the first day of the month following the month in which the charge is assessed,

e.g., a charge assessed on October 10 is due and payable on December 1. A copy of all work orders for tenant damage are filed in the tenant file.

6. Excess Utility Charges. A schedule of charges for excess utilities shall be publicly posted in a conspicuous place in the complex office and shall be furnished to applicants and tenants upon request. The Public Housing Authority will notify tenants of these charges and they shall become due and payable on the first of the month after such notice has been given to the tenant.
7. Late Charges. A late charge of \$20 shall be assessed when rent or other charges are not paid on or before the end of the 5th business day of the month. These charges are due immediately.
8. Attorney, Sheriff and Court Fees Costs. All charges involving attorney, sheriff and court fees and costs shall be assessed when rent or other charges are not paid on or before the end of the 5th business day of the month. These charges are due immediately.

VII. REEXAMINATION OF INCOME, ADJUSTMENTS AND FAMILY COMPOSITION

A. Annual Reexamination Procedures

1. The income, allowances and family composition of each tenant household shall be reexamined at least once a year in accordance with an established reexamination schedule. Reexaminations determine the tenant's monthly rent, eligibility for continued occupancy and the required unit size. The Public Housing Authority follows all pertinent HUD regulations in its completion of reexaminations.
2. Between 120 days in advance of the scheduled annual reexamination effective date the head of the tenant household and spouse shall be notified by mail that they are required to participate in an interview, provide all specified information, and sign the required Certification forms, and the Authorization for Release of Information form.

In the event that a tenant household fails to keep the scheduled reexamination appointment, or fails to promptly submit all necessary paperwork, he/she will be sent a 30-day notice of termination of assistance.

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

Third party written verifications *will be obtained* whenever possible. When the SMHA and tenant household have made all reasonable efforts to obtain third party written verifications, documents obtained from the tenant and photocopied is an acceptable form of verification, when not prohibited by law. If photocopying is prohibited by law, Public Housing Authority staff will sign a statement confirming that the verification documents were viewed by recording the document source, date, time, amount, etc. Oral third party verifications are acceptable, if properly documented. When such documents cannot be photocopied or orally verified, SMHA will proceed with processing using the best other documentation and information available. All verifications will be maintained in the tenant's folder.

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

SMHA may not renew or extend the lease at the family's next regularly scheduled annual reexamination on or after October 1, 1999 if a household contains a nonexempt adult who has failed to comply with the community service requirement.

4. *Temporary Rent Determinations and Special Reexaminations.* When it is not possible to determine the anticipated annual income with any reasonable degree of accuracy at the time of admission or reexamination, a temporary determination of income and rent will be established, giving due consideration to the tenant's past income and other available information. An interim reexamination will be scheduled to take place within 30 days for most households, and within 90 days for households where annual income is zero or difficult to predict. The tenant is to be notified in writing of the date of the special reexamination.

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

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

5. Changes in Rent

- a . Increases in rent shall be effective on the scheduled reexamination effective date, with 30 days advance notice, provided the tenant has complied with all reporting requirements. When the tenant has failed to attend interviews or to provide required information, the Public Housing Authority may increase the rent retroactive to the reexamination effective date and the balance of such retroactive rent adjustment must be paid within fourteen (14) days of notification. Retroactive charges shall not be made when delays are solely the fault of SMHA.
- b. Decreases in rent shall take effect on the first of the month after the month in which the change was reported and verified.

B. Eligibility for Continuing Occupancy

At the time of the annual reexamination only those tenants meeting all of the following requirements will be considered eligible for continued occupancy:

- 1. Qualify as a family or the remaining member of a tenant family;
- 2. Have exhibited appropriate conduct since residing in public housing including:
 - Have not interfered with other tenants in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety or welfare;
 - Have not adversely affected the physical environment of the community;
 - Have not adversely affected the financial stability of the development;
 - Have not illegally used a controlled substance or engaged in drug-related criminal activities on or off the premises; and
 - Have not interfered with the health, safety, or right to peaceful enjoyment of the premises by other tenants because of the abuse of alcohol.

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3. Have abided by all terms and conditions of the lease and any other addenda to the lease.
 4. Have signed any required new or existing lease addenda.

SMHA will use any and all forms of documentation and verification at its disposal, including a police check, to determine eligibility for continued occupancy.

C. Interim Reexaminations

1. Reasons for Interims. Any of the changes listed below must be reported to Management within fourteen (14) days of their occurrence. Failure to report changes as required may result in a retroactive rent charge and/or eviction action against the tenant. Tenants must report the following:
 - Any change in household composition.
 - Any increase in household income due to a formerly unemployed household member becoming employed.
2. Tenants may report the following changes that would result in a decrease in the family's rent:
 - a. Decrease in income expected to last at least 30 days; and
 - b. Increase in allowances or deductions.
3. An interim recertification may also occur should it be found that the tenant has misrepresented the facts upon which the family's rent is based, so that the rent being paid is less than what should have been charged at the time of the initial determination or annual reexamination of income.
4. Effective Dates. For interim reexams, increases in rent shall become effective on the first day of the second month following the month the change was reported, provided the change was reported within fourteen days of its occurrence and the family complies with the verification requirements and completes the reexam. Decreases in rent shall take place on the first day of the month following the month in which the change is reported

and verified. The effective dates of changes that are not reported in a timely manner are covered in #5 below.

5. Errors/Omissions, Misrepresentations/Failure or Delay in Reporting Changes. (In the interest of brevity, the word "error" is used in this section to represent errors, omissions, misrepresentations, and failure to report changes.) If an error in rent is revealed at any time, proper adjustment will be made to correct the error as follows:

a. Errors which are the fault of the tenant:

- Increased rent shall be retroactive to the first day of the month following the date the change occurred.
- Decreased rent shall be effective on the first day of the month following the month the change was reported.

b. Errors not the fault of the tenant:

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

D. Changes in Household Composition

1. The tenant is required to report in writing any change in household composition within fourteen (14) days of the change.
2. A new born child, an adopted child under 10 years old, or a child under 10 years old for whom custody has been awarded by a court to the Head of the Household or the spouse may be added to a tenant's lease. No other new household member may be added to the tenant's lease unless and until that person has provided the required information to the Public Housing Authority and been determined eligible for admission according to the guidelines specified in Section II of this policy and a unit of the appropriate size is available. The Public Housing Authority has the right to deny admission to any person found to be ineligible.

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3. A tenant must provide documentation as required by SMHA when reporting that a family member has vacated the household. In the case of an income producing household member or any member which the SMHA has reasonable cause to believe has been involved in criminal activity or drug-related criminal activity, SMHA will require at least two documents verifying the new address of the departing family member or other evidence deemed acceptable by SMHA. Utility bills, a driver's license, an automobile registration, an employer's verification, or a lease or a rent receipt bearing the family member's name, new address and a date are examples of acceptable evidence. Court papers indicating that a family member has left the household such as a Petition for Dissolution of Marriage, a Petition for an Order of Protection from Abuse, or a Petition for Legal Separation may also be acceptable.
 4. A tenant eligible for a transfer to a larger or smaller unit as the result of approved changes in household composition may request a transfer and be placed on the master transfer list effective the date the transfer request is approved (see Section VIII). A tenant reporting a decrease in household size which changes the unit size for which the family is eligible will not be required to be placed on the transfer list until the effective date of the family's next annual reexamination.

E. Visitors

Tenants will be allowed to have visitors for a period of up to fourteen (14) cumulative days in any twelve month period, except in the case of a family member requiring care during illness or recuperation from illness or injury as certified by a physician. Visitor shall be defined as an individual who stays in a dwelling unit overnight. Each overnight stay shall be considered a day. Different visitors to a particular dwelling unit shall be restricted to this cumulative fourteen (14) day period. Written permission must be obtained from the Public Housing Authority for any deviation from the occupancy standards listed in this policy.

F. Adding New Family Member(s)

Before any other person will be allowed to move in with a tenant family, the Public Housing Authority must be notified, the additional person must meet the same screening and processing requirements which apply to all families who seek admission to SMHA housing, and SMHA shall approve the addition to the household in writing.

G. Minimum Rent Hardship Exemption

A. The PHA shall immediately grant an exemption from application of the minimum monthly rent to any family making a proper request in writing who is unable to pay because of financial hardship, which shall include:

(1) The family has lost eligibility for, or is awaiting an eligibility determination from a federal, state, or local assistance program, including a family that includes a member who is an alien lawfully admitted for permanent residence under the immigration and nationalization act who would be entitled to public benefits but for Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(2) The family would be evicted as a result of the implementation of the minimum rent (this exemption is only applicable for the initial implementation of a minimum rent or increase to the existing minimum rent).

(3) The income of the family has decreased because of changed circumstance, including loss of employment.

(4) A death in the family has occurred which affects the family circumstances.

(5) Other circumstances which may be decided by the PHA on a case by case basis.

All of the above must be proven by the Resident providing verifiable information in writing to the PHA prior to the rent becoming delinquent and before the lease is terminated by the PHA.

B. If a resident requests a hardship exemption (**prior to the rent being delinquent**) under this section, and the PHA reasonably determines the hardship to be of a temporary nature, (three months or less) exemption shall not be granted during a ninety day period beginning upon the making of the request for the exemption. A resident may not be evicted during the ninety-day period for non-payment of rent. In such a case, if the resident thereafter demonstrates that the financial hardship is of a long term basis, (over three months) the PHA shall retroactively exempt the resident from the applicability of the minimum rent requirement for such ninety day period. This Paragraph does not prohibit the PHA from taking eviction action for other violations of the lease.

VIII. UNIT TRANSFERS

A. Introduction

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1. Transfers of tenants from one unit to another will be approved solely in accordance with this Policy.
 2. Transfers shall be made without regard to race, creed, color, gender, familial status, disability or national origin.
 3. Tenants shall not be transferred to a dwelling unit of equal size except for transferring a non-handicapped family residing in a handicap-accessible unit or for alleviating hardships or other undesirable conditions as determined by the Executive Director or designee.
 4. Transfers will only be made where tenants are not delinquent in rent, have good housekeeping habits, have not caused damage to the current unit being occupied, and do not have long-standing charges remaining outstanding on their accounts, have not violated any tenant obligation.
 5. Transfer requests shall be placed on a master Transfer List in the order of the date the request is approved. All transfer requests shall be reviewed by the Executive Director or his/her designee. Separate transfer lists shall be maintained for each development; however, a master listing of all transfer requests shall also be maintained at the central office.
 6. With the exception of transfers related to modernization activity, or in the case of an emergency, a tenant family transferring from one apartment to another is responsible for any costs associated with moving to the new apartment.

B. Type of Transfers

The SMHA has three types of transfers: Emergency, Category 1, Administrative - Category 2, and Administrative - Category 3.

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

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2. *Administrative Transfers, Category 2*, include transfers within or between sites to alleviate verified medical problems of a serious nature, permit modernization of units, permit a family that requires a unit with accessible features to occupy such a unit, remove residents who are witnesses to crimes and may face reprisals (as documented by a law enforcement agency), or provide housing options to residents who are victims of hate crimes or extreme harassment. These transfers shall take priority over new admissions.
 - a. Requests for transfers under Category 2 will be made to the Site Manager. The Resident will provide the Site Manager with the necessary verification and/or documentation to substantiate the need for a transfer. Whenever feasible, transfers will be made within a resident's development. Transfers may also be initiated by SMHA.

 3. *Administrative Transfers, Category 3*, within or between sites may be made to correct occupancy standards (i.e., over/under housed conditions), or to address situations such as neighbor disputes that are not criminal but interfere with the peaceful enjoyment of the unit or common areas. These transfers will not automatically take priority over new admissions.
 - a. Category 3 administrative transfers will be processed with new admissions using a ratio of one transfer for every five new admissions. This ratio is discretionary and will be reviewed at least annually to determine its effects on the vacancy rate. Based on recommendations from staff, the Executive Director may authorize a change in this ratio or suspend the processing of this type of transfer.
 - b. Transfers to correct occupancy standards may be recommended at time of re-examination or interim redetermination. This is the only method used to determine over/under-housed status.
 - c. Residents in an over/under housed status will be advised within 30 days of the annual or interim reexamination that a transfer is recommended and that the family has been placed on the transfer list.
 - d. When a head of a household, originally housed in a bedroom by him/herself, has a child, that child shall remain in the parent's bedroom until it is two (2) years of age. After age 2, a Category 3 administrative transfer may be recommended.

C. Unit Offers

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1. A tenant that has received a formal transfer offer is given five (5) calendar days to accept the offer and sign a Dwelling Lease for the new unit. Thereafter, the tenant is given an additional seven (7) calendar days to move personal belongings. If the transfer has not been completed and keys to the former unit returned after seven (7) calendar days, per diem rent for the former unit will be charged in addition to rent for the new unit until the keys are returned to the appropriate SMHA office.
 2. If the tenant refuses a unit offer, the tenant's lease may be terminated in accordance with the lease, or at SMHA's discretion, the tenant can be placed at the bottom of the transfer list as of the date of refusal and the tenant will so be notified in writing. During the entire proceedings, the tenant will be advised of his/her rights under the Grievance Procedure.

D. Extended Family

Members of an extended family living in a SMHA unit may not be separated into two dwelling units through a transfer application. Specific family members may apply for a separate unit using the application procedures described in this Policy. Members of such family will receive no preference on the standard waiting list as a result of occupancy in a SMHA unit.

E. Revision of Suspension of Transfer Policy

The Public Housing Authority reserves the right to revise or suspend its Transfer Policy because of efforts to decrease vacancies or any other management initiative. Transfers during such times will be treated on a case-by-case basis solely at the discretion of the Executive Director.

IX. TERMINATIONS

A. Termination Notices

1. The tenant must give a written notice to the Public Housing Authority of at least 30 days of intent to terminate the lease.
2. If the Public Housing Authority terminates the lease, written notice must be given to an adult member of the household, in accordance with the Ohio Revised Code and in accordance with federal guidelines, as follows:

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- When the health or safety of other tenants or employees of the Housing Authority is threatened, including any drug-related criminal activity on or off the premises. Appropriate notice shall be given of SMHA's intention to terminate the lease based on a case-by-case analysis. A reasonable time considering the seriousness of the situation (but not less than three (3) calendar days) when the health or safety of other Tenants or Housing Authority's employees is threatened.
 - In the case of failure to pay rent that includes all payments due under the lease, notice of SMHA's intention to terminate the lease in fourteen (14) days unless all amounts due under the lease have been paid before that date.
 - In all other cases, notice of SMHA's intention to terminate the lease at least thirty (30) days.
3. Notice of termination to the tenant shall state reasons for the termination and shall inform the tenant of the right to make such reply as tenant may wish. The notice shall also inform the tenant of the right to examine, prior to hearing or trial, and copy at tenant's expense, Public Housing Authority documents directly relevant to the termination. The notice shall inform the tenant of the right to request a hearing in accordance with Public Housing Authority's Grievance Procedures (if the Grievance Procedure is applicable to the dispute involved).

B. Reasons for Termination

The Public Housing Authority may not terminate or refuse to renew the lease except for violations of the terms of the lease including, but not limited to:

1. The failure to pay rent or other payments when due.
2. Repeated late payment, which shall be defined as failure to pay the amount of rent or other charges due by 5:00 PM on the 5th business day of the month or before the end of the next successive business day if the fifth day of the month falls on a Saturday, Sunday or legal holiday, are considered delinquent and shall be assessed a \$20 late fee. Three such late payments within a twelve-month period shall constitute repeated late payment.
3. Failure to pay electric, gas or heating bills when Tenant is responsible for paying such bills directly to the supplier of utilities.

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4. Misrepresentation of family income, assets, or composition at the time of admission or anytime thereafter.
 5. Failure to supply, in a timely fashion, any certification, release, information or documentation on family income, assets or composition needed to process annual re-examinations or interim re-determinations.
 6. Damage to the unit, creation of physical hazards in the apartment, common areas, grounds or parking area of the Housing Authority's property.
 7. Behavior and/or activity by Tenant, household member, guest or visitors which disturbs other residents' peaceful enjoyment of their apartments; and/or is not conducive to maintaining all Public Housing Authority projects in decent, safe and sanitary conditions.
 8. Criminal activity by Tenant, household member, guest or visitor including criminal activity that threatens the health, safety, or right to peaceful enjoyment of the MHA's housing premises by other residents or employees, or any drug-related criminal activity on or off the premises.
 9. Alcohol and/or controlled substance abuse that the Public Housing Authority determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
 10. The presence of illegal weapons or illegal drugs in the tenant's unit.
 11. Any fire on the Public Housing Authority premises caused by actions or neglect by the tenant, household members, guests or visitors.
 12. Uninhabitable apartment conditions caused by the tenant, household member, guests or visitors' actions or neglect.
 13. Refusal of an offer of a new lease.
 14. Failure to accept a transfer when currently resident in a unit that is too large or too small for the family based on the Public Housing Authority's Occupancy Standards or to accommodate an administrative need of the Public Housing Authority including but not limited to the disposition, demolition or modernization of the tenant's apartment.

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15. Abandonment of the unit.
 16. Any other violations of any terms of the lease agreement.

C. Written Records

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

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

D. Abandonment of the Unit

The Public Housing Authority will comply with Ohio State Law, including requirements for posting and mailing notices of intent to declare a unit abandoned, taking possession of the unit, and the timing and method of disposal of items left in the abandoned unit.

1. If occupants abandon the apartment which may be evidenced by occupants removal of substantially all of their possessions or have been absent from their apartment for fourteen consecutive days and either (a) fail to pay for two months or (b) make an express statement that occupants do not intend to occupy the apartment after a specific date, SMHA may send the notices to each occupant at his last-known address, stating that:
 - Reason to believe that the occupant has abandoned the dwelling unit;

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- Intent to reenter and take possession of the dwelling unit unless the occupant contacts SMHA within two days of receipt of the notice;
 - If the occupant does not contact SMHA, the Public Housing Authority intends to remove and dispose of any possessions and personal effects remaining in the premises and to re-rent the premises.
2. If the notices are returned as undeliverable, or the occupant fails to contact SMHA within two days of the receipt of the notice, the Public Housing Authority may reenter and take possession of the dwelling unit, at which time any rental agreement or lease still in effect shall be deemed to be terminated.

X. POSTING REQUIREMENTS/REVISIONS

A. Posting Requirements

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

B. Revisions

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

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

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

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

XII. MISREPRESENTATION

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

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

XIII. GRIEVANCE PROCEDURE

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

Each tenant and tenant organization shall be given a copy of the Grievance Procedure and it is incorporated into this Policy on Admissions and Continued Occupancy and the lease by reference.

XIV. SMHA'S PET POLICY

SMHA's Pet Policy establishes the rules and guidelines by which residents may keep domesticated pets in its dwelling units and is incorporated by reference into this Policy.

Each tenant requesting permission to own and keep a pet shall be provided a copy of the Policy and be required to sign a Pet Agreement at initial occupancy or at the time of initial request for a pet and every year at reexamination time.

XV. RELOCATION

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

XVI. DECONCENTRATION RULE

1. Objective: The objective of the Deconcentration Rule for Public Housing units is to ensure that families are housed in a manner that will prevent a concentration of poverty families and/or a concentration of higher income families in any one development. The specific objective of the Public Housing Authority is to house no less than 40 percent of its Public Housing inventory with families that have income at or below 30% of the area median Income (“extremely low-income families”) by Public Housing development. Also the Public Housing Authority will take actions to insure that no individual development has a concentration of higher income families in one or more of the developments. To insure that the Public Housing Authority does not concentrate families with higher income levels, it is the goal of the Public Housing Authority not to house more than 60% of its units in any one development with families whose income exceeds 30% of the area median income. The Public Housing Authority will track the status of family income, by development, on a monthly basis by utilizing income reports generated by the Public Housing Authority’s computer system.

2. Actions: To Accomplish the deconcentration goals, the Public Housing Authority will take the following actions:

1 A. At the beginning of each Public Housing Authority fiscal year, the Public Housing Authority will establish a goal for housing 40% of its new admissions with families whose incomes are at or below the area median income. The annual goal will be calculated

by taking 40% of the total number of move-ins from the
previous Public Housing Authority fiscal year.

B. To accomplish the goals of:

(1) Public Housing not less than 40% of its public
housing inventory on an annual basis with families
that have incomes at or below 30% of area median,
and

(2) Not housing families with incomes that exceed 30%
of the area median income in developments that
have 60% or more of the total household living
in the development with incomes that
exceed 30% of the area median income, the Public
Housing Authority's Tenant Selection
and Assignment Plan, which is a part of this
policy, provides for skipping families on
the waiting list to accomplish these goals.

XVII. CLOSING OF FILES AND PURGING INACTIVE FILES

The PHA will purge inactive files, after they have
been closed for a period of three years, with the
exception of troubled cases, or cases involving a
household containing a minor with a reported
elevated blood-lead level.

During the term of tenancy and for three years
thereafter the PHA will keep the resident files. In
addition, the PHA will keep for at least three years
the following records:

- Records with racial, ethnic, gender and disability status data for applicants and residents.
- The application from each ineligible family and the notice that the applicant is ineligible.
- HUD required reports and other HUD required files.
- Lead based paint inspection reports as required.

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- Unit inspection reports.
 - Account and other records supporting the PHA and financial statements.
 - Other records which may be specified by HUD.

The PHA shall retain all data for current residents for audit purposes. No information shall be removed which may affect an accurate audit.

XVIII. PROGRAM MANAGEMENT PLAN - Organization Plan

Reference the PHA's adopted personnel policy for the organization plan of the PHA.

XIX. ADDITIONAL PHA POLICIES AND CHARGES

Additional policies and charges are attached to the end of this document and are incorporated as if fully set out herein. These policies and charges may be changed from time to time, or amended, and such changes or amendments shall be substituted in this document so as to keep this policy current. All items substituted in this document shall be kept by the PHA in a separate file for historical and research purposes.

APPENDICES

APPENDIX A
PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY
UTILITY ALLOWANCES

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

(Applicants Only)

I. Applicability

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

II. Procedures

- A. The Public Housing Authority shall give an applicant prompt written notice of a decision denying assistance to the applicant, including a decision of ineligibility for housing, ineligibility for any of the selection preferences adopted by SMHA, or removal from or denying placement on the waiting list. The notice shall also state that the applicant may request in writing an informal review of the decision, and shall describe how to obtain the informal review.
- B. The applicant must submit a written request, which meets all criteria outlined herein, for an informal review within thirty (30) days of notification of the decision denying assistance.

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- C. If the request does not meet the criteria outlined herein or if the applicant's request is not submitted within ten (10) days or in any other way fails to comply with requirements, the request will be denied and the applicant will be promptly notified in writing.
 - D. If the request meets the criteria, an informal review will be scheduled within thirty (30) days of the request.
 - E. The informal review shall be conducted by any person or persons designated by the Executive Director, other than a person who made or approved the decision under review or a subordinate of such person.
 - F. The applicant shall be given an opportunity to present written or oral objections to the Public Housing Authority's decision.
 - G. The Public Housing Authority shall promptly notify the applicant in writing of the final decision after the informal review, including a brief statement of the reasons for the final decision.

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

ADJUSTED INCOME

Adjusted Income is Annual Income (as defined in this Appendix) minus the following allowances:

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

Note: The head, co-head, spouse, foster child or live-in aide are never counted as dependents.
2. \$400 for each family whose head or spouse is at least 62 years of age, or disabled.
3. Reasonable child care expenses to enable a family member to work, seek employment, or further his/her education. Child care expenses to enable a family member to work may not exceed the income earned.
4. For a family that is not an Elderly Family but does have a disabled member other than head or spouse, Disability Assistance Expenses in excess of three percent of annual income to enable a family member to be employed.
5. For an Elderly Family:
 - a. That has no Disability Assistance Expenses, an allowance for Medical Expenses equal to the amount by which the Medical Expenses exceed three percent of Annual Income.
 - b. That has Disability Assistance Expenses greater than or equal to three percent of Annual Income, an Allowance for Disability Assistance Expenses computed in accordance with paragraph 4 above, plus an Allowance for Medical Expenses that is equal to the Family's Medical Expenses.
 - c. That has Disability Assistance Expenses that are less than three percent of Annual Income, an Allowance for combined Disability Assistance Expenses and Medical Expenses that is equal to the amount by which the sum of the expenses exceeds three percent of Annual Income.

ALLOWANCE FOR DEPENDENTS

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

ADULT

A person, 18 years of age or older, or an emancipated minor whom the members of the family have routinely look to as the head of the family, and who is legally competent to sign a binding agreement.

ALLOWANCE FOR DISABILITY ASSISTANCE EXPENSES

The amount of Disability Assistance Expense in excess of three (3) percent of annual income which enables a family member (including the handicapped or disabled person) to work. The allowance may not exceed the annual income earned by the family member who is enabled to work. Disability assistance expenses include costs for care attendants and auxiliary apparatus (e.g., wheelchairs, adaptations to vehicles, special equipment) if directly related to permitting the handicapped person or other family members to work.

ALLOWANCE FOR MEDICAL EXPENSES

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

ANNUAL INCOME

1. Annual income is the anticipated total income from all sources received by the family head and spouse (even if temporarily absent) and by each additional member of the family living in the subject unit, including all net income derived from assets for the 12-month period following the effective date of initial determination or re-examination of income, exclusive of income that is temporarily non-recurring or sporadic. Annual income includes, but is not limited to:
 - a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;

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- b. The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the Family.
 - c. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. All allowance for depreciation is permitted only as authorized in paragraph 1b of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets exceeds \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate, as determined by HUD or state regulations as applicable.
 - d. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amount for the delayed start of a periodic payment (except as provided in 2 n below).
 - e. Payments in lieu of earnings such as unemployment and disability compensation, worker's compensation and severance pay.
 - f. Periodic and determinable allowances, such as alimony and child support payments and regular contributions, lottery winnings, or gifts received from persons not residing in the dwelling.
 - g. All regular pay, special pay allowances of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family or spouse (but see 2 g below).

2. Income Exclusions

Annual income does not include the following:

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- a. Income from employment of children (including foster children) under the age of 18 years;
 - b. Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the tenant family, who are unable to live alone);
 - c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in 1e above);
 - d. Amounts received by the Family that are specifically for, or in reimbursement of, the cost of Medical Expenses for any Family member;
 - e. Income of a live-in aide as defined in 24 CFR 5.403;
 - f. The full amount of student financial assistance paid directly to the student or to the educational institution;
 - g. The special pay to a Family member serving in the Armed Forces who is exposed to hostile fire;
 - h.
 - (i) Amounts received under training programs funded by HUD;
 - (ii) Amounts received by a disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (iii) Amounts received by a tenant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program; or
 - (iv) A resident service stipend: this is a modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for SMHA, on a part-time basis, that enhances the quality of life in public housing. This may include, but is not limited to fire patrol, hall monitoring, lawn maintenance and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time; or
 - (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with the local government) and training of a family member as resident management staff. Amounts

excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.

- i. Temporary, nonrecurring or sporadic income (including gifts);
- j. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- k. For federal-assisted housing, earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse).
- l. Adoption assistance payments in excess of \$480.00 per adopted child;
- m. The earnings and benefits to any family member resulting from the participation in a program providing employment training and supportive services in accordance with the Family Support Act of 1988, section 22 of the 1937 Act (42 U.S.C. 1437 t), or any comparable Federal, state or local law during the exclusion period;
For the purposes of this paragraph, the following definitions apply:
 - (i) Comparable Federal State or local law means a program providing employment training and supportive services that (1) is authorized by a Federal, State or local law; (2) is funded by the Federal, State or local government, (3) is operated or administered by a public agency; (4) has as its objective to assist participants in acquiring employment skills.
 - (ii) Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.
 - (iii) Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
- n. Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump-sum amount or in prospective monthly amounts;
- o. 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;

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- p. Amounts paid by a State Agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
- q. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the 1937 Act. The following is a list of incomes that qualify for that exclusion:
- (i) The value of the allotment provided to an eligible household under Food Stamp Act of 1977;
 - (ii) Payments to volunteers under the Domestic Volunteer Service Act of 1973 (employment through VISTA, Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions);
 - (iii) Payments received under Alaska Native Claims Settlement Act;
 - (iv) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes;
 - (v) Payments or allowances made under department of Health and Human Services' Low-Income Energy Assistance Program;
 - (vi) Payments received under programs funded in whole or in part under the Job Training Partnership Act;
 - (vii) Income derived from the disposition of funds of Grant River Band of Ottawa Indians;
 - (viii) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Grant of Claims or from funds held in trust for an Indian tribe by the Secretary of Interior;
 - (ix) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the BIA student assistance programs. These are made available to cover the cost of tuition, fees, books, equipment, materials, supplies, transportation and miscellaneous personal expenses of a student or an educational institution;
 - (x) Payments received from programs funded under Title V of the Older Americans Act of 1965;
 - (xi) Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, MDL No. 381 (E.D.N.Y.);
 - (xii) Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-426, 94 Stat. 1785).

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- (xiii) The value of any childcare provided or reimbursed for under the Child Care and Development Block Grant Act of 1990.
 - (xiv) Earned income tax credit.

3. SMHA has additional deductions or adjustments to the Annual Income of tenants:

SMHA has adopted an income exclusion as an incentive for public housing residents who begin working. This income exclusion allows the resident to have no rent increase due to the additional income derived from an unemployed household member who becomes employed for six months from verification of the job. The resident must report the change of income within fourteen (14) days from the date of hire.

- 4. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for shorter periods may be annualized, subject to redetermination at the end of the shorter period.
- 5. Any family receiving the reparation payments referred to in paragraph 2 j of this section that has been requested to repay assistance under this chapter as a result of receipt of such payments shall not be required to make further repayments on or after April 23, 1993.

APPLICANT

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

APPLICATION FOR ADMISSION

The written form that is signed and dated by all adult members of the family and which includes information the Public Housing Authority needs to determine whether the family can be admitted. The format for this basic information will be developed by the Public Housing Authority and must be fully completed, and deemed completed by SMHA, to be accepted as a formal application for housing at SMHA.

ASSETS

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

CHILD CARE EXPENSES

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

CITIZEN

A citizen or national of the United States.

DEPENDENT

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

DISABLED PERSON

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

Section 223 of the Social Security Act defines disability as:

"(a) the inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or (b) in the case of an individual who has attained the age of 55 and is blind, the inability by reason of such blindness to engage in substantial gainful activity requiring the skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time."

Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) defines a developmental disability as:

"severe chronic disability that (a) is attributable to a mental or physical impairment or combination of mental and physical impairments; (b) is manifested before the person attains age twenty-two; (c) is likely to continue indefinitely; (d) results in

substantial functional limitations in three or more of the following areas of major life activity: (1) self-care, (2) receptive and responsive language, (3) learning, (4) mobility, (5) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and (e) reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment or other services which are of lifelong extended duration and are individually planned and coordinated."

DISPLACED FAMILY/PERSON

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

ELDERLY FAMILY

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

ELDERLY PERSON

A person who is at least 62 years of age.

ELIGIBLE IMMIGRATION STATUS

Documentation and verification of eligible status as defined by HUD.

EVICTION

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

EXTREMELY LOW INCOME FAMILY

A family whose annual income does not exceed 30 percent of the median income for the area as determined by HUD.

FAMILY

Family includes but is not limited to:

- a. A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);
- b. An elderly family;
- c. A near-elderly family;
- d. A disabled family;
- e. A displaced family;
- f. The remaining member of a tenant family; and
- g. A single person who is not an elderly or displaced person, or a person with disability, or the remaining member of a tenant family.

Note: HUD has a housing assistance limitation for single persons. A single person who is not an elderly or displaced person, or person with disabilities, or the remaining member of a tenant family may not be provided (for public housing and other project-based assistance) a housing unit with two or more bedrooms.

- h. A group of persons that is two or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence to the satisfaction of SMHA of a stable family relationship.

Federally-Assisted Family Housing (i.e., General Occupancy): This type of housing is available to all applicant families who meet the eligibility requirement specified herein.

Federally-Assisted Elderly Housing (i.e., Mixed Population): This type of housing is available to applicant families who are elderly, disabled, near elderly, or a single person and meet the eligibility requirements specified herein.

HUD

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

INS

U.S. Immigration and Naturalization Service.

LEASE

The written, formal, SMHA Board approval document outlining the agreement between SMHA and an eligible family for the leasing of a Public Housing unit.

LIVE-IN-AIDE

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

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

A Live-in-Aide does not qualify as the remaining member of a tenant family. The income of a Live-in-Aide is not included as income to the tenant family. **A Live-in-Aide must be approved, in advance, by the SMHA and meet eligibility requirements for public housing occupancy**

LOCAL PREFERENCE

A preference established by SMHA for use in selecting among applicants.

LOWER INCOME FAMILY

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

LUMP SUM BENEFIT

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

MEDICAL EXPENSES

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

MINIMUM RENT

Families assisted under the Public Housing Program pay a monthly “minimum rent” of not more than \$50.00 per month. The PHA has the discretion to establish the “minimum rent” from \$0 to \$50.00. The minimum rent established by this PHA is \$25.

MINOR

A person less than eighteen years of age.

MIXED FAMILY

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

NATIONAL

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

NEAR-ELDERLY FAMILY

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

NEAR-ELDERLY PERSON

A person who is at least 50 years of age (or 55 years of age for state elderly housing) but below the age of 62, who may be a person with a disability.

REMAINING MEMBER OF A TENANT FAMILY

A member of the tenant family who is listed on the lease who continues to live in a public housing dwelling unit after all other family members have vacated.

SECURITY DEPOSIT

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

SINGLE PERSON

A person who lives alone or intends to live alone who does not qualify as elderly, disabled, or handicapped or as a remaining adult member of a tenant family. A single person is not eligible to participate in any state housing program.

TENANT RENT

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

TOTAL TENANT PAYMENT

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

TRANSFER

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

UNDERHOUSED

A tenant family with an insufficient number of bedrooms for the number of persons in the family, according to the standard set forth in Section V of this Policy.

UTILITIES

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

UTILITY ALLOWANCE

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

VERY LOW INCOME FAMILY

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

APPENDIX D
PUBLIC HOUSING INCOME LIMITS

Statement of Operating Receipts & Disbursements
Springfield Metropolitan Housing Authority
For the 5th month period ended February 29, 2000
Budget Revision - Receipts & Disbursements

	Annual Budget	YTD Actual Feb. 2000	Projected Actual	Projected Variance
Rental Income	1,489,870	119,427	\$286,624	(\$1,203,246)
Interest Income	1,000	1,598	\$25,000	\$24,000
Other Income*	60,000	8,381	\$20,116	(\$39,884)
Total Receipts	1,550,870	129,406	\$331,740	(\$1,219,130)
Administrative Salaries	403,750	18,482	\$332,000	\$71,750
Legal	40,000	9,117	\$50,000	(\$10,000)
Staff Training	7,000	3,738	\$7,000	\$0
Travel	8,000	398	\$8,000	\$0
Accounting & Auditing Fees	3,820	290	\$24,000	(\$20,180)
Sundry - Other	78,780	14,360	\$132,000	(\$53,220)
Total Admin. Expense	541,350	46,386	\$553,000	(\$11,650)
Salaries	14,600	5,398	\$21,000	(\$6,400)
Recreation, Publications & Other	3,000	1,347	\$4,000	(\$1,000)
Contract Costs, Training, Other	0	0	\$0	\$0
Tenant Services	17,600	6,745	\$25,000	(\$7,400)
Water	175,160	22,847	\$182,000	(\$6,840)
Electricity	285,190	25,375	\$283,000	\$2,190
Gas	120,480	4,610	\$150,000	(\$29,520)
Labor	0	0	\$0	\$0
Other Utilities (Sewerage)	0	0	\$0	\$0
Total Utilities	580,830	52,833	\$615,000	(\$34,170)
Maintenance Labor	566,470	26,878	\$560,000	\$6,470
Maintenance Materials	138,740	15,221	\$138,740	\$0
Contract Costs	82,776	24,615	\$225,000	(\$142,224)
Waste Collection	122,144	0	\$68,700	\$53,444
Total Maintenance	910,130	66,715	\$992,440	(\$82,310)
Labor	0	0	\$3,162	(\$3,162)
Materials	0	0	\$0	\$0
Contract Costs	0	0	\$4,000	(\$4,000)
Protective Services	0	0	\$7,162	(\$7,162)
Insurance	111,500	0	\$106,200	\$5,300
Payments in Lieu of Taxes	90,900	7,500	\$22,200	\$68,700
Terminal Leave Payments	5,000	0	\$8,735	(\$3,735)

Statement of Operating Receipts & Disbursements
Springfield Metropolitan Housing Authority
For the 5th month period ended February 29, 2000
Budget Revision - Receipts & Disbursements

	Annual Budget	YTD Actual Feb. 2000	Projected Actual	Projected Variance
Employee Benefit Contributions	460,690	15,212	\$36,509	\$424,181
Collection Losses	40,000	0	\$40,000	\$0
Other	0	0	\$500	(\$500)
Total General Expense	708,090	22,712	\$214,144	\$493,946
Extraordinary Maintenance	0	0	\$0	\$0
Casualty Losses	0	0	\$0	\$0
Replacement of Nonexpendable Equip	0	0	\$0	\$0
Property Betterments & Additions	5,000	0	\$0	\$5,000
Nonroutine/Capital Expense	5,000	0	0	5,000
Total Operating Expense	<u>2,763,001</u>	<u>195,390</u>	<u>2,406,746</u>	<u>\$356,255</u>
Residual/(Deficit) Before HUD Subsidy	(1,212,131)	(65,984)	(2,075,006)	(862,876)
Operating Subsidy	1,104,271	1,011,680	\$2,428,027	(\$1,323,756)
Subtotal - Residual Receipts	<u>(107,860)</u>	<u>945,696</u>	<u>353,021</u>	<u>460,880</u>
Prior Year Adjustments	105,121	0	\$0	
Residual Receipts (Deficit)	<u>(2,739)</u>	<u>945,696</u>	<u>353,021</u>	

Springfield Metropolitan Housing Authority
Summary of Activity for the month of November, 2000
By Funding Source

Public Housing	Annual Budget	Monthly Budget	Nov. 2000 2001 FY	Monthly Variance in \$ Nov. 2000	Monthly Variance in % Nov. 2000	YTD Budget Variance in \$	YTD Actual -	YTD \$ Variance	YTD % Variance
Total Revenues	1,611,000	134,250	123,675	(10,575)	-8%	268,500	253,081	(15,419)	-6%
Total Operating Expenses	2,962,612	246,884	176,671	70,214	28%	493,769	336,858	(156,910)	32%
Residual/(Deficit) Before HUD Subsidy	(1,351,612)	(112,634)	(52,995)	(59,639)	-36%	(225,269)	(83,777)	(141,492)	
Operating Subsidy	1,133,294	91,450	94,440			91450	91450		
Sub-total Residual Revenue	(218,318)	(21,184)	41,445			(133,819)	7,673		
Prior Year Adjustments		0	0			0	0		
Residual Revenue (Deficit)	(218,318)	(21,184)	41,445			(133,819)	7,673		

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Grant Programs	Total Budget	Total Obligated	Expended Through Nov. 2000	Expended in Nov. 2000	Available
Drug Elimination Grant	\$195,527	\$0	\$97,033	\$0	\$98,494
Comprehensive Grant Program	#REF!	\$1,407,162	\$782,752	\$35,580	\$1,486,218
Organization & Agency Plan	\$165,000	\$64,349	\$94,029	\$0	\$6,622
Computer Upgrade	\$200,000	\$50,013	\$128,121	\$0	\$21,866
Total	#REF!	\$1,521,524	\$1,101,935	\$35,580	\$1,613,200

Section 8	Certificates	Vouchers	Crossgates	Total	
Units Under Lease	577	374	32	983	
	Hap Payments	Revenue	Expenses	Inc/ Dec to Oper. Reserve	Operating Reserves Estimated
Nov. 2000	305,388	39,580	28,472	11,108	

SPRINGFIELD (OH) METROPOLITAN HOUSING AUTHORITY

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

_____ August 22, 2000 _____

Adopted

Note:

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

The ACOP also includes the regulatory “One-Strike “ provisions for admissions to Public Housing and applicable sections of Title V of H.R. 4194, the Quality Housing and Work Responsibility Act.

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POLICY ON ADMISSIONS AND CONTINUED OCCUPANCY

I. GENERAL STATEMENT OF MISSION, NONDISCRIMINATION AND PRIVACY

It is the intent of the Springfield (OH) Metropolitan Housing Authority (hereinafter referred to as SMHA, the Public Housing Authority or the PHA) to provide safe, decent housing for lower income tenants and families which is conducive to healthful living. SMHA will not discriminate because of race, color, gender, sexual preference, religion, age, disability, national origin or familial status in the leasing, rental, or other disposition of housing or related facilities (including property) including any housing development(s) under its jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

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

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

It is also the policy of SMHA to guard the privacy of individuals in accordance with the Privacy Act of 1974, and to ensure the protection of individuals' records maintained by SMHA. Therefore, the Housing Authority shall not disclose any personal information (including, but not limited to information on any disability) contained in its records to any person or agency unless the individual about whom the information is requested gives written consent to such disclosure, required by Ohio law. This privacy policy in no way limits SMHA's ability to collect such information as it may need to determine eligibility, compute rent, or determine the applicant's suitability for tenancy.

SMHA is committed to identifying and eliminating situations which create barriers to equal housing for all. In accordance with the Americans with Disability Act and Section 504 of the Rehabilitation Act of 1973 as amended, SMHA will make such procedural, administrative, locational, or physical changes as

will reasonably accommodate persons with disability and which do not impose an unreasonable burden either administratively or financially on the Housing Authority.

II. ELIGIBILITY FOR ADMISSION

A. Eligibility Criteria

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

1. Those who qualify as a family, single person, elderly person, near-elderly person, displaced person or remaining adult member of a tenant family (See Appendix C-Glossary of Terms).
2. Those whose annual income at the time of admission does not exceed the income limits or guidelines as prescribed by HUD for federally-assisted housing. A copy of the most current income limits or guidelines shall be conspicuously posted at SMHA's offices.
3. Those whose members age 6 or older have been issued a Social Security Number (SSN) and have disclosed it to the satisfaction of SMHA. Where a SSN has not been assigned, certification to that effect must be executed.
4. Those whose members are U.S. Citizens or noncitizens who have eligible immigration status.
5. Those whose household composition is appropriate for the housing types and unit sizes available in SMHA developments in accordance with the occupancy standards outlined herein (For definition of housing type, see Appendix C - Glossary of Terms).
6. Those who do not maintain another residence in addition to a SMHA unit.
7. Those whose members have not committed fraud in connection with any Federal Housing Assistance program.
8. Those whose members have not been evicted from public housing, Indian Housing, Section 23, or any Section 8 program because of criminal and/or drug-related criminal activity for a three-year period beginning the date of the eviction (See Section II B).
9. Those who meet or exceed the tenant selection criteria outlined in this Policy.

10. Those who have been convicted of manufacturing or producing methamphetamine (commonly referred to as “speed”) on the premises of the public housing project are denied for life.

B. Ineligibility Because of Prior Eviction for Criminal and/or Drug-Related Criminal Activity

1. Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance. Pursuant to federal law, persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for admission to public housing at SMHA for a three-year period beginning on the date of such eviction.
2. Applicants are denied admission for life who have been convicted of manufacturing or producing methamphetamine (commonly referred to as “speed”) on the premises of the public housing project. Premises is defined as the building or complex in which the dwelling is located, including common areas and grounds.
3. SMHA may waive at its sole discretion this restriction except for number 2 above, if the applicant can demonstrate to the satisfaction of SMHA that:
 - a. the person successfully completed a rehabilitation program approved by SMHA, or
 - b. the circumstance(s) leading to the eviction no longer exists. For example, the person involved in drugs and responsible for the eviction is no longer part of the household; and
 - c. the person is committed to being drug-free and not participating in drug-related criminal activity as evidenced by executing an addendum imposing reasonable additional lease restrictions such as enrollment in a local drug rehabilitation approved by SMHA as may be deemed necessary by SMHA to guarantee the health, safety and welfare of other residents.

C. Screening Out Illegal Drug Users and Alcohol Abusers

1. SMHA will prohibit the admission to public housing of any person who SMHA determines is illegally using a controlled substance.

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2. SMHA will also prohibit admitting any person to public housing in cases where SMHA determines that there is reasonable cause to believe that the person abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
 3. SMHA may at its sole discretion waive the policies prohibiting admission in these circumstances if the person demonstrates to the HA's satisfaction that:
 - the person is no longer engaging in illegal use of a controlled substance or abuse of alcohol, and
 - has successfully completed a supervised drug or alcohol rehabilitation program;
 - has otherwise been rehabilitated successfully; or
 - is participating in a supervised drug or alcohol rehabilitation program, as verified by an authority from such program.

D. Eligibility Restrictions Regarding Noncitizens

1. As required by HUD (24 CFR 5 subpart E), eligibility for assistance or continued assistance under a Section 214 program, such as public housing, is contingent upon a family's submission of documentation either declaring U.S. citizenship or eligible immigration status. SMHA will require both current tenants and applicants to submit the required citizenship or eligible immigration documentation for every household member in order to receive or continue to receive housing assistance. Documentation will be required of all new admissions at the time an application is processed by the Public Housing Authority. Any current tenant who has not already provided documentation will be required to document citizenship or immigration status at the next reexamination. It is necessary to provide this information only one time for each family member during continued occupancy at SMHA. Whenever a new family member is added, documentation must be provided before the new member can be added to the lease.
2. Proof of citizenship will take the following form:
 - a. For families claiming U.S. citizenship, each applicant or tenant family member will sign the citizenship declaration form and present appropriate documentation (such as U.S. passport, resident alien card, social security card, or other appropriate

documentation), which will become a permanent part of the tenant file. Adults will be required to sign on behalf of all children under the age of eighteen years.

- b. Noncitizens age 62 years or older who are current tenants or applicants will be required to sign a declaration of eligible immigration status and proof of age.
- c. Tenants and applicants who are noncitizens declaring eligible immigration status must:
 1. sign a declaration of eligible immigration status;
 2. provide the required U.S. Immigration and Naturalization Service documents, such as Alien Registration Receipt Card, Arrival/Departure Record, Temporary Resident Card, Immigration and Naturalization Service (INS) receipt in the event of any lost or missing cards listed above; and
 3. sign a verification consent form.

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

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

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

E. Special Eligibility Provisions Relating to Applicants Requiring a Live-In Aide

Some applicants and tenants who would not otherwise be able to fully discharge the responsibilities of tenancy may be able to do so with the assistance of a live-in aide residing in the unit. When an applicant or tenant can provide documentation to the satisfaction of the Public Housing Authority that a live-in aide is required and available, the following provisions shall apply:

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

F. Tenant Selection Criteria

1. The applicant household must meet or exceed the Tenant Selection Criteria established by SMHA to protect the rights and needs of the public housing communities for a decent, safe and livable environment. It is necessary to deny admission to public housing to those applicants whose habits and practices may be expected to have a detrimental effect on the tenants, the environment of the development or financial stability of the property. SMHA provides a decent home and suitable living environment and fosters economic and social diversity in the tenant body as a whole. Selection will be made in such a manner as:
 - a. For every fiscal year, SMHA shall reserve a percentage of its new admissions for families whose incomes do not exceed thirty percent of the

area median income. The goal for public housing shall be forty percent of new admissions. In reaching the new admissions goals, the PHA is required to avoid concentrating very low income families in projects.

b. To maintain a tenant body in each project composed of families with a broad range of income and rent paying ability which is generally representative of the range of incomes of low income families in the PHA's area of operation as defined by state law.

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

3. Documentation. The following information related to an applicant's potential future habits or practices will be used to determine if the applicant meets SMHA's selection criteria:
 - a. The applicant's acceptable past performance in meeting financial obligations, especially rent and utilities. Positive or neutral references from the current landlord and prior landlords from the past five years (or longer if needed to get a minimum of two prior landlords) and neutral or better credit reports, together may constitute adequate evidence that the applicant household meets this criteria.

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

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

b. The applicant, members of the applicant household, guests or visitors do not have a record of disturbance of neighbors or destruction of property. Acceptable landlord references, personal references and police and court record reports showing that no household member, guest or visitor engages in these types of activities, together may constitute adequate evidence that the household meets this criteria.

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

d. The applicant or any member of the applicant household does not have a record (arrest, conviction or otherwise) of criminal activity or drug-related criminal activity on the part of any household member which would adversely affect the health, safety or right to peaceful enjoyment of others. This includes but is not limited to crimes of physical violence and violence to property. Court and police record reports showing that no household member has a record of such activity may constitute adequate evidence that the household meets this criteria. A record of criminal and drug-related criminal activity shall be defined as:

1. One (1) conviction over the last twenty (20) years for any of the following:
 - a. murder;
 - b. rape;
 - c. child molestation.

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2. One (1) conviction over the last ten (10) years for any of the following:
 - a. illegal manufacture, sale, or distribution of a controlled substance;
 - b. any act of violence or threat of violence, including the possession of illegal firearms, and aggravated assaults;
 3. One (1) conviction over the last five (5) years for use or possession of a controlled substance.
 4. Two (2) or more arrests over the last three (3) years for any of the above.
- e . The applicant or any member of the applicant household is not a former tenant of a public housing authority, or a former participant in a Section 8 program who had a record of lease violations or whose tenancy was terminated by the Public Housing Authority or private landlord. No previous tenant may be readmitted unless all previous amounts owed have been paid to the public housing authority; but payment of such debt does not necessarily entitle an applicant to eligibility under this section unless SMHA has explicitly agreed in writing to grant eligibility upon payment of amounts due. Such agreement must be clear and unequivocal on its face.
- f. There is no reasonable cause to believe that any member of the applicant household has exhibited a pattern of illegal use of a controlled substance or a pattern of abuse of alcohol which interfered with the health, safety, or right to peaceful enjoyment of the premises by other residents. Acceptable landlord references, personal references and court and police record reports showing that no household member has exhibited these patterns may constitute adequate evidence that the household meets this criteria.

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

- has successfully completed a supervised drug or alcohol rehabilitation program;
- has otherwise been rehabilitated successfully; or
- is participating in a supervised drug or alcohol rehabilitation program.

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- g. The applicant is willing to accept and comply with the terms of the lease agreement and other related documents. Acceptable landlord references and a satisfactory or better home visit rating constitute adequate evidence that the household meets this test.
 - h. The applicant has lived responsibly on his/her own or has the maturity necessary to do so. Indicators of maturity may include, but are not limited to: the applicant's school attendance record, handling of finances (such as bill payment) and holding a job or other community responsibility (such as volunteer work).
 - i. The applicant has not misrepresented or falsified any information related to eligibility, preference status, selection criteria or income and has provided all information requested and required by SMHA. If at any time during the tenant selection process it is determined that the household has provided information which is false or misleading, or has failed to supply SMHA with any information or documentation required, the applicant household will be considered to have failed this criteria.
 - j. There is no evidence relating to previous habits or practices which indicate that the applicant or any member of the applicant household would likely have a detrimental effect on the public housing community if admitted.
4. Verification Procedures. SMHA may use the following procedures to verify if the applicant meets the tenant selection criteria:
- a. *References from Landlords and Prior Landlords.* SMHA will obtain references from current and prior landlords for the past five years (or longer if needed to get a minimum of two prior landlords), if any, and places great importance on the information obtained from these references as prior landlords have relationships with prospective tenants that are similar to the relationship to be established with SMHA.

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

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- b. *Home Visits.* SMHA staff will perform a home visit for applicants for whom landlord references of acceptable credibility and quality are not available. The purpose of the Home Visit is to obtain information to be used in determining whether the applicant household meets certain of SMHA's tenant selection criteria and will consider the following:
- i. Condition of entrance ways, halls and yards.
 - ii. Cleanliness in each room used by the household, including rooms shared with other households, if applicable.
 - iii. General care of furniture, appliances, fixtures, windows, doors and cabinets.
 - iv. Evidence of destruction of property.
 - v. Evidence of unauthorized occupants.
 - vi. Evidence of criminal activity.
 - vii. Conditions inconsistent with the information supplied in any application or other document submitted by the household.
- Applicants will be given at least two days' advance verbal notice of the home visit. If the results of the home visit indicate tenant-caused health or safety hazards, tenant-caused damages, or housekeeping practices leading to infestation by pests or other tenant-caused conditions or practices which would diminish the applicant's ability to meet SMHA's lease obligations, the applicant household will be considered to have failed SMHA's tenant selection criteria.
- c. *Police and Court Records Check.* SMHA will obtain or have the applicant obtain police and court records for all adult members of the applicant family for evidence of behavior which is relevant to the tenant selection criteria outlined herein.
- d. *Credit Reports.* SMHA may obtain credit reports on all adult family members to determine the household's history of meeting financial obligations, especially rent and utilities. Lack of credit history will not, in itself, cause an applicant to fail this criteria.
5. *Sources of Information.* Sources of information that SMHA may use include but are not limited to:

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- a. Members of the applicant household.
 - b. Present and prior landlords or housing providers.
 - c. Home visits.
 - d. Present and former neighbors.
 - e. Present and former employers.
 - f. Personal and professional references.
 - g. Credit bureaus.
 - h. Landlord Record services, where applicable.
 - i. Social workers, school officials, drug and alcohol treatment centers, clinics, health care providers and clergy, guidance counselors and school officials.
 - j. Police, sheriff and law enforcement agency or departments, parole officers and court records.
 - k. Department of Economic Security, Internal Revenue Service.
6. SMHA staff will be the final judge of what constitutes adequate and credible information. If there are sufficient doubts with respect to the veracity, credibility, or reliability of any information received, SMHA retains the right to pursue alternative sources of information until satisfied that the information received is the best available.
 7. In the event that SMHA receives adverse and unfavorable information regarding an applicant household, consideration will be given to the time, nature and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct and that certain undesirable behavior will not be repeated. In making this consideration, SMHA shall consider all relevant circumstances including but not limited to:
 - a. the severity of the potentially disqualifying behavior or conduct;

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- b. the amount of time which has elapsed since the occurrence of such behavior or conduct;
 - c. the degree of danger, if any, to the health, safety, and security of others or to the security of the property of others or to the physical conditions of the housing development and its common areas if the behavior or conduct recurred;
 - d. the likelihood that the behavior or conduct in the future will be substantially improved.
8. Applicants who fail any of the tenant selection criteria will be sent a Notice of Rejection. These applicants will be considered ineligible for housing at SMHA and will be removed from the waiting list. After the one year period, these applicants may reapply for housing, subject to all conditions outlined herein. See Appendix B for Informal Review Procedures.
 9. The Housing Authority shall maintain a record of all applicants determined ineligible as a result of the failure to meet its Tenant Selection Criteria with an indication of the specific reason(s) for the determination of ineligibility.

III. APPLICATION FOR ADMISSION

A. Application Intake

SMHA will accept applications for admission to SMHA housing only during publicly announced time periods during which all interested persons may apply for admission to SMHA housing. When the number of applicants who can be served within a reasonable period of time is reached, the waiting list(s) may be closed by unit size and/or housing type. Notice of opening and closing of the waiting list(s) shall be made in a newspaper of general circulation and may be announced by other suitable means. When the waiting lists for one or more unit sizes or housing type are to be reopened, the Public Housing Authority will clearly state in the public announcement the procedure to be employed to determine the position of each applicant on the waiting list.

B. Criteria for Placement on Waiting List

An applicant will be assigned to the appropriate waiting list(s) according to the date and time that the formal, fully-completed application was initially received, the size and type of unit required, housing type requested, and preferences claimed and/or verified. The applicant will be notified of the assigned application number and how to check his/her status on the waiting list(s).

C. Organization of the Waiting List

Applicants will be assigned to the waiting list(s) based on the date and time of application, housing type requested, preference claimed and/or verified, unit size.

For mixed population developments and for the one bedroom units located in general occupancy properties family classifications will be prioritized on the wait lists as follows:

- | | |
|--------------|--|
| Priority #1: | Elderly and/or Disabled Persons and Families |
| Priority #2: | Near Elderly Persons and Families |
| Priority #3: | Single Persons |

In no instance will a single person be housed before any qualified elderly, disabled, or near-elderly applicant regardless of the date and time of the application or preference.

D. Maintaining an Active List

The pool of active applicants will be kept current by requiring each applicant to inform the Housing Authority at least once annually of continued interest. SMHA will send an update letter to the applicant to the most recent address provided by the applicant, requiring the applicant to submit a form indicating continued interest and any updated information, such as change of address or household information within ten (10) days. If the applicant fails to respond within that time frame the application record will be so documented and, the applicant's name will be removed from the waiting list.

E. Responsibility to Report Changes

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

F. Removal from the Waiting List

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

G. Record Keeping

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

H. Eligibility Determinations

Applicants will be placed on the waiting list based on information provided on the preliminary application form.

1. *Preliminary Application Form*: SMHA shall utilize a preliminary application form (pre-application). The purpose of the pre-application is to permit SMHA to assess family eligibility or ineligibility and to determine placement on the wait list. Duplicate pre-applications, including applications from a segment of an applicant household, will not be accepted. Ineligible applicants or incomplete applications from applicants will not be placed on the waiting list. Preferences will not be verified until the applicant has been invited in for final eligibility determination.
2. If an applicant is determined to be ineligible for placement on the waiting list based on the information provided in the pre-application, the SMHA will notify the applicant in writing,

state the reasons, and inform the applicant of his/her right to an informal review in accordance with Appendix B.

3. *Final Eligibility Determination:* When staff estimate that a unit will become available for applicants within the next several months, applicants in wait list order will be invited to attend an interview and submit an application for final eligibility for housing, after which the formal verification process and resident selection process will commence.
4. *Verification and Final Eligibility Determination:* Each applicant household shall be required to provide all information, documents and authorizations necessary to enable SMHA to verify the applicant's qualification for preference status, income eligibility, household composition and conformance to the Housing Authority's Tenant Selection Criteria.
 - a. The qualification for preference(s) must exist at the time the preference(s) is verified regardless of the length of time an applicant has been on the wait list because the preference is based upon current status. If the applicant fails to qualify for the preference claimed, his/her placement on the waiting list will be modified to reflect the current preference(s) and the application will be treated accordingly.
 - b. Information may be required for any or all household members. Verification shall be from third party sources whenever possible. However, the applicant shall not be penalized either by denial of admission or by unreasonable delay of placement solely because third party sources have failed to respond to requests for information.
 - c. Verifications received electronically directly from the source shall be considered third party written verification.
 - d. Third party verification forms shall not be hand-carried by a family member under any circumstances.
 - e. When the applicant and SMHA have made all reasonable efforts to obtain information and the third party source has failed to respond, SMHA shall proceed with verification as follows:
 - Review of documents by staff provided by the applicant and/or acquired by the Housing Authority. Copies shall be obtained whenever possible and placed in the applicant file.

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- Certification by family member. A notarized statement as to the facts and circumstances is required.
 - f. Verifications may not be more than 90 days old at the time of admission and must become a permanent part of the applicant file.
 - g. Each applicant household shall have an interview with a member of the management staff. Every member of the applicant household should be present at the office visit unless there are extenuating circumstances.
6. SMHA shall require the applicant to:
- Sign all forms necessary to determine eligibility and suitability;
 - Provide verification of income, assets, exclusions and deductions from income;
 - Provide verification of family size, age and relationship;
 - Disclose the Social Security Numbers of all family members 6 years of age and older
 - Provide citizenship information;
- Provide the names and addresses of the applicant's current and previous landlords for the past five years (or longer if needed to get a minimum of two prior landlords);
- Provide any other information SMHA determines is necessary to determine eligibility for housing at SMHA.
7. All verifications and documentation received by SMHA for use in the determination of eligibility for housing at SMHA will be analyzed by staff and a determination made with respect to:
- Eligibility of the applicant family based on the requirements outlined in Section A of this Policy.

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- Housing type and unit size requirements.
 - Qualification of the applicant with respect to preferences claimed.
 - Qualification of the applicant family with respect to the Tenant Selection Criteria outlined in Section II E.
8. Applicants determined to be ineligible for housing at SMHA will be promptly notified and will receive a Notice of Ineligibility from the Housing Authority stating the basis for this determination. SMHA will provide such applicants with the opportunity for informal review of the decision in accordance with the HUD regulations and the procedure for informal review contained in Appendix B of this Policy.
 9. Applicants with disability who have been determined to be eligible but who fail the Tenant Selection Criteria will have their cases examined by SMHA to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the selection criteria outlined herein.
 10. Changes in Preferences and/or Unit Size Determination: If, during the final eligibility determination, or at any other time prior to placement, it is determined that the family qualification for certain preferences has changed and/or family composition has changed making the family eligible for a different size unit, the family's application shall be placed on the waiting list for the new unit size based on the original date of the family's pre-application.

IV. SELECTION FROM THE WAITING LIST

All otherwise eligible applicants will be assigned to the waiting list according to date and time of the pre-application, unit size and type required, housing type requested, and preference status as follows:

- A. Overview of Local Preferences
SMHA applicants who have met all of the eligibility requirements outlined in the previous sections of this Policy will be selected from the waiting list based upon local preferences.
- B. Local Preferences

1. Criteria: SMHA has established the following local preferences:

- a. Involuntarily Displaced. Applicants will be assigned a preference if they have been and continue to be displaced from their housing due to:
- Natural Disaster. The applicant, through no fault of his/her own or relatives or friends with whom the applicant has been living, has been displaced and is without housing due to a natural disaster such as earthquake, flood, or some other disaster declared and formally recognized disaster relief under laws.

Applicants who find permanent replacement housing before an offer of housing from SMHA will no longer be eligible for this preference.

- b. Applicants who are Veterans.
- c. Applicants who are working and are paying more than 40% of their income for rent and utilities.
- d. Families who have children under the age of seven and have elevated blood level conditions equal to or exceeding 20 micrograms per deciliter (ug/dl).
- e. Families who are homeless as defined by HUD guidelines.

Definition of Homeless

Any individual or family who:

- Lacks fixed, regular, and adequate nighttime residence; AND
- Has primary nighttime residence that is:
 1. A supervised public or privately operated shelter designated to provide temporary living accommodations, including welfare hotels, congregate shelters and transitional housing.
 2. An institution that provides temporary residence for individuals intended to be institutionalized (not incarcerated, i.e. jails and prisons).

3. A public or private place not designated or normally used as a regular sleeping place for humans.

e. Other Applicants. Applicants who do not qualify for any other type of local preference category will be considered an other applicant.

1. Verification. SMHA shall require all applicants to verify qualification of local preferences as follows:

a. Documented Employment Income for Six (6) Consecutive Months. SMHA will accept verifications from employer(s) which indicate that the applicant has been employed for six consecutive months. Only one lapse in employment status of a two week duration shall be accepted.

- Natural Disaster. The applicant must submit to the satisfaction of the SMHA, third party verification from local agencies, relief agencies, etc., of the disaster which details the nature and extent of the disaster and explicitly determines that the disaster was not caused by the negligence or intentional act of the applicant or any relative or friend with whom the applicant was living.

C. Offer of a Unit

1. A One Offer Plan will be used. When a housing unit becomes available for lease, it will be offered to the applicant with a preference and earliest application date for that housing type and bedroom size. If the applicant rejects the offer, the applicant's name will be taken off the waiting list for public housing and shall be required to reapply. If applicant is on the waiting list for the Section 8 Program or any other program administered by SMHA, refusal of a public housing unit will not affect placement on other lists. An applicant must respond to, and accept or reject the offer within three (3) business days from the date the offer is made. If an applicant does not respond within three (3) business days, the application shall be deemed withdrawn and the applicant shall be required to reapply.

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2. For purposes of this Policy, the applicant will not be considered to have been offered a unit if he/she provides clear evidence to the satisfaction of SMHA that one of the following circumstances apply:
 - a. The unit is not of the proper size and type according to the occupancy standards outlined on page 22, and the applicant would be able to reside there only temporarily.
 - b. The applicant is unable to move at the time of the offer because of serious and unusual, nonfinancial circumstances which are beyond the applicant's control, and the applicant presents clear evidence which substantiates this to the satisfaction of SMHA. Examples include but are not limited to:
 - A doctor verifies that the applicant has just undergone major surgery and needs a period to recuperate;
 - A court verifies that the applicant is serving on a jury which has been sequestered.
 - c. Accepting the offer would result in undue hardship to the applicant not related to consideration of race, creed, color, national origin or language, such as making employment or daycare facilities inaccessible, and the applicant presents clear evidence that substantiates this undue hardship to SMHA's satisfaction.
 3. If an applicant fails to keep a scheduled appointment to view a unit offered for occupancy or fails to respond to written correspondence from the Public Housing Authority within five (5) business days, for other than a justifiable reason as described in C 2 of this section, such failure shall result in removal from the waiting list. The person may reapply at a time that applications are being accepted.

V. UNIT SIZE AND OCCUPANCY STANDARDS

A. Appropriate Unit Size

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

<i>No. of Bedrooms</i>	<i>No. of Persons</i>	
	<i>Minimum</i>	<i>Maximum</i>
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

B. Factors in Dwelling Size Determination

Dwelling units will be assigned so that it will not be necessary for persons of different generations or opposite sex (other than married or cohabitating couples) to share a bedroom. Two children of the same sex may be required to share a bedroom regardless of age and children of the opposite sex may be required to share a bedroom if one child is under the age of six. Children shall generally not be required to share a bedroom with a parent; however, one very young child may share a bedroom with one parent if there are no larger units available for the family. SMHA will take into consideration households who share joint custody of any individual under the age of 18 at least 50% of the time and assign a bedroom as if the child was residing in the unit 100% of the time. Foster children shall also be considered in determining dwelling unit size. No unit assignments will be made which require use of the living room for sleeping.

C. Bedroom Size Determination for Single Pregnant Individuals

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

D. Reasonable Exceptions in Emergency Situations

The criteria and standards prescribed above apply to all families applying for housing at SMHA; however, reasonable exceptions to the standards listed above may be made in emergency situations, and in some cases, relationship, age, gender, health, or disability of family members may warrant assignment of a larger or smaller unit by SMHA staff or at the request of the applicant family. Written approval of such cases must be made by the Executive Director or his/her designee.

E. Requirements for Live-In Aide

Any applicant or tenant who requires a live-in aide, who will be responsible for the essential care and well-being of a family member on a daily basis will be assigned a bedroom to accommodate this aide, provided that the applicant or tenant can show documentation to support the fact that the live-in aide would not be living in the unit except to provide necessary supportive services. A live-in aide will not be listed on the lease and does not have rights to the unit for continued occupancy as a remaining member of a tenant family. A Live-In Aide agreement stating these requirements must be signed by the head of household and the Aide and shall become part of the lease agreement.

F. Handicap Accessible Units

Standards for accessible units shall be determined by SMHA according to Section 504 requirements. When an accessible unit becomes available, SMHA shall offer the unit in the following order:

1. To current SMHA tenants who have a disability or handicap who would benefit from the unit's accessible feature(s), but whose current unit does not have such features. If there is more than one current tenant requiring the accessibility features of the available unit, the family with the earliest written request for a transfer shall be selected for the unit.
2. To eligible and qualified households on the waiting list who have a disability or handicap who would benefit from the unit's accessibility features based upon local preference and the date and time of the application, despite the presence on the waiting list of households with preferences and/or earlier application dates who do not require the specific accessibility features of the available unit.

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3. To other eligible and qualified households on the waiting list without disabilities. In this case, the household must agree, in writing, to transfer to a non-accessible unit at the request of the Public Housing Authority.

VI. LEASE

A. Lease Execution

At admission, a Lease and Pet Agreement, if applicable, is to be entered into between the Housing Authority and each tenant family. The dwelling lease is to be kept current at all times and is to reflect rent being charged, and the conditions governing occupancy.

1. If, for any reason, any signer of the lease ceases to be a member of the tenant family or ceases to reside in the specified unit, the lease will be canceled, and a new lease and Pet Agreement, if applicable, will be executed and signed by a remaining member of the family who qualifies and is determined to be eligible for continued occupancy by SMHA.
2. If a tenant family transfers to a different unit operated by the Public Housing Authority at the sole discretion of SMHA, the existing lease must be canceled and a new lease and Pet Agreement, if applicable, executed by the head of household and co-head, if one exists, for the dwelling unit into which the family is to move.
3. If at any time during the life of the lease, a change in the tenant's status or SMHA needs results in the need for changing or amending any provision of the lease, or if the Public Housing Authority desires to waive any provisions with respect to the tenant, the SMHA at its sole discretion will have either:
 - The existing lease canceled and a new lease agreement executed; or
 - An appropriate amendment is prepared and made a part of the existing lease. Any new lease amendment is to be made a part of the permanent tenant file. A lease amendment is to be attached to the existing lease, and must be signed by both the tenant and a Public Housing Authority representative.
4. The only lease agreement recognized is the standard, formal, SMHA Board approved document.

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5. No verbal agreements or licenses for possession shall be recognized as binding to the SMHA.

B. Security Deposits

1. A security deposit equal to \$100.00 for all households will be required.
2. The security deposit is to be paid in full immediately upon execution of the lease and will be held on account by the Public Housing Authority in accordance with applicable state laws specifically as contained in Part 5321.16 of the Ohio Revised Code, as may be amended from time to time.
3. Upon termination of a tenancy, any tenant may notify SMHA in writing of such tenant's forwarding address. Within thirty days after termination of a tenancy, the Public Housing Authority shall deliver to the tenant or former tenant at such forwarding address either:
 - The full amount of the security deposit paid by such tenant plus accrued interest (as mentioned above); or
 - The balance of the security deposit paid by such tenant plus accrued interest, after deduction for any damages suffered because of the tenant's failure to comply with such tenant's obligations, together with a written statement itemizing the nature and amount of such damages.

C. Tenant Orientation

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

The Quality Housing and Work Responsibility Act of 1999 (QHWRA) effective October 1, 1999 with important exceptions, requires public housing residents to participate, for at least eight (8) hours a

month, in a community service or economic self-sufficiency program. This requirement invokes a provision requiring one (1) year public housing leases to be automatically renewable except for failure to comply with community service requirements.

The exemption list provided in the QHWRA includes adults who are 62 years of age or older, persons with disabilities, persons engaged in work activities (as defined by section 407(d) of the Social Security Act), and persons participating in a welfare to work program, or receiving assistance from and in compliance with a State program funded under part A, Title IV of the Social Security Act. (For purposes of the community service requirement, an adult is a person 18 years or older.)

D. Dwelling Unit Inspection Policy

1. Preoccupancy. Prior to occupancy, a SMHA representative and the tenant, or his/her representative, will inspect the premises. SMHA will furnish the tenant a written statement of the condition of the premises and the appliances provided in the dwelling unit where appropriate. The statement will be signed by a SMHA representative and the tenant, or representative, and a copy will be kept in the tenant's file.
2. Two Month. An inspection of the dwelling unit may be conducted two months after a tenant's move-in date to check needed maintenance, tenant housekeeping, and other lease compliance matters. SMHA will furnish the resident with a written statement of charges, if any, for repairs or removal of non-approved alterations to the apartment.
3. Annual. An inspection of each dwelling unit will be conducted on at least an annual basis to check needed maintenance, tenant housekeeping, and other lease compliance matters. SMHA will furnish the resident with a written statement of unit conditions and/or charges, if any, for repairs or removal of non-approved alterations to the apartment.
4. Move-Out. Immediately after a tenant moves out, a SMHA representative will inspect the dwelling unit. The tenant is encouraged to participate in the move-out inspection, but must contact the management office prior to move-out to schedule a joint inspection. A written statement of the unit condition, and the provided appliances will be signed by a SMHA representative.
 - A statement of repair/replacement charges for tenant caused damages and charges for cleaning of the unit and appliances, if necessary will be furnished to the tenant and deducted from his/her security deposit if remittance is not made to SMHA according to Ohio law.

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5. SMHA, in its sole discretion, may randomly and periodically inspect units, when it believes there are reasonable grounds for entering a unit.
 6. A copy of the move-in and/or move-out, two month and annual inspection reports will be kept in the tenant files.
 7. Preventive Maintenance (PM) forms will be kept in the unit maintenance file.

E. Rent, Ceiling Rents, Other Charges, and Rent Adjustments

1. Rent. Rent will be calculated using the method and income as determined by HUD regulations. SMHA reserves the right to formally adopt *Other Income Exclusions* as allowed by federal housing regulations. Beginning 10/1/99 the family will be notified of the monthly rent and the amount of the flat rent. The family shall elect, in writing, their choice.
2. Minimum/Base Rent. For its federal low-rent housing program, SMHA has established \$25 as its minimum total tenant payment.
3. Ceiling Rents/ Flat rents SMHA reserves the right pursuant to, and in compliance with, all HUD regulations to implement a ceiling rent, using the Fair Market Rents (FMRs) for the area or other permissible means in the best interest of SMHA. When developed, the ceiling rents will be at levels that are not less than the monthly cost to operate SMHA units.

The Housing Authority will provide appropriate notice to all residents affected by any ceiling rent policy adopted by the Board.

4. Utility Allowance. Any family living in a federally-assisted development whose allowance for tenant paid utilities exceeds the Total Tenant Payment will receive a payment from the Housing Authority equal to the amount by which the allowance exceeds the Total Tenant Payment.
5. Maintenance Charges. Schedules of charges for maintenance repairs and other services shall be publicly posted in a conspicuous place in the management offices and shall be furnished to applicants and tenants upon request. The Public Housing Authority will notify in writing tenants when such charges are assessed. These charges shall become due and payable on the first day of the month following the month in which the charge is assessed,

e.g., a charge assessed on October 10 is due and payable on December 1. A copy of all work orders for tenant damage are filed in the tenant file.

6. Excess Utility Charges. A schedule of charges for excess utilities shall be publicly posted in a conspicuous place in the complex office and shall be furnished to applicants and tenants upon request. The Public Housing Authority will notify tenants of these charges and they shall become due and payable on the first of the month after such notice has been given to the tenant.
7. Late Charges. A late charge of \$20 shall be assessed when rent or other charges are not paid on or before the end of the 5th business day of the month. These charges are due immediately.
8. Attorney, Sheriff and Court Fees Costs. All charges involving attorney, sheriff and court fees and costs shall be assessed when rent or other charges are not paid on or before the end of the 5th business day of the month. These charges are due immediately.

VII. REEXAMINATION OF INCOME, ADJUSTMENTS AND FAMILY COMPOSITION

A. Annual Reexamination Procedures

1. The income, allowances and family composition of each tenant household shall be reexamined at least once a year in accordance with an established reexamination schedule. Reexaminations determine the tenant's monthly rent, eligibility for continued occupancy and the required unit size. The Public Housing Authority follows all pertinent HUD regulations in its completion of reexaminations.
2. Between 120 days in advance of the scheduled annual reexamination effective date the head of the tenant household and spouse shall be notified by mail that they are required to participate in an interview, provide all specified information, and sign the required Certification forms, and the Authorization for Release of Information form.

In the event that a tenant household fails to keep the scheduled reexamination appointment, or fails to promptly submit all necessary paperwork, he/she will be sent a 30-day notice of termination of assistance.

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

Third party written verifications *will be obtained* whenever possible. When the SMHA and tenant household have made all reasonable efforts to obtain third party written verifications, documents obtained from the tenant and photocopied is an acceptable form of verification, when not prohibited by law. If photocopying is prohibited by law, Public Housing Authority staff will sign a statement confirming that the verification documents were viewed by recording the document source, date, time, amount, etc. Oral third party verifications are acceptable, if properly documented. When such documents cannot be photocopied or orally verified, SMHA will proceed with processing using the best other documentation and information available. All verifications will be maintained in the tenant's folder.

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

SMHA may not renew or extend the lease at the family's next regularly scheduled annual reexamination on or after October 1, 1999 if a household contains a nonexempt adult who has failed to comply with the community service requirement.

4. *Temporary Rent Determinations and Special Reexaminations.* When it is not possible to determine the anticipated annual income with any reasonable degree of accuracy at the time of admission or reexamination, a temporary determination of income and rent will be established, giving due consideration to the tenant's past income and other available information. An interim reexamination will be scheduled to take place within 30 days for most households, and within 90 days for households where annual income is zero or difficult to predict. The tenant is to be notified in writing of the date of the special reexamination.

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

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

5. Changes in Rent

- a . Increases in rent shall be effective on the scheduled reexamination effective date, with 30 days advance notice, provided the tenant has complied with all reporting requirements. When the tenant has failed to attend interviews or to provide required information, the Public Housing Authority may increase the rent retroactive to the reexamination effective date and the balance of such retroactive rent adjustment must be paid within fourteen (14) days of notification. Retroactive charges shall not be made when delays are solely the fault of SMHA.
- b. Decreases in rent shall take effect on the first of the month after the month in which the change was reported and verified.

B. Eligibility for Continuing Occupancy

At the time of the annual reexamination only those tenants meeting all of the following requirements will be considered eligible for continued occupancy:

- 1. Qualify as a family or the remaining member of a tenant family;
- 2. Have exhibited appropriate conduct since residing in public housing including:
 - Have not interfered with other tenants in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety or welfare;
 - Have not adversely affected the physical environment of the community;
 - Have not adversely affected the financial stability of the development;
 - Have not illegally used a controlled substance or engaged in drug-related criminal activities on or off the premises; and
 - Have not interfered with the health, safety, or right to peaceful enjoyment of the premises by other tenants because of the abuse of alcohol.

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3. Have abided by all terms and conditions of the lease and any other addenda to the lease.
 4. Have signed any required new or existing lease addenda.

SMHA will use any and all forms of documentation and verification at its disposal, including a police check, to determine eligibility for continued occupancy.

C. Interim Reexaminations

1. Reasons for Interims. Any of the changes listed below must be reported to Management within fourteen (14) days of their occurrence. Failure to report changes as required may result in a retroactive rent charge and/or eviction action against the tenant. Tenants must report the following:
 - Any change in household composition.
 - Any increase in household income due to a formerly unemployed household member becoming employed.
2. Tenants may report the following changes that would result in a decrease in the family's rent:
 - a. Decrease in income expected to last at least 30 days; and
 - b. Increase in allowances or deductions.
3. An interim recertification may also occur should it be found that the tenant has misrepresented the facts upon which the family's rent is based, so that the rent being paid is less than what should have been charged at the time of the initial determination or annual reexamination of income.
4. Effective Dates. For interim reexams, increases in rent shall become effective on the first day of the second month following the month the change was reported, provided the change was reported within fourteen days of its occurrence and the family complies with the verification requirements and completes the reexam. Decreases in rent shall take place on the first day of the month following the month in which the change is reported

and verified. The effective dates of changes that are not reported in a timely manner are covered in #5 below.

5. Errors/Omissions, Misrepresentations/Failure or Delay in Reporting Changes. (In the interest of brevity, the word "error" is used in this section to represent errors, omissions, misrepresentations, and failure to report changes.) If an error in rent is revealed at any time, proper adjustment will be made to correct the error as follows:

a. Errors which are the fault of the tenant:

- Increased rent shall be retroactive to the first day of the month following the date the change occurred.
- Decreased rent shall be effective on the first day of the month following the month the change was reported.

b. Errors not the fault of the tenant:

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

D. Changes in Household Composition

1. The tenant is required to report in writing any change in household composition within fourteen (14) days of the change.
2. A new born child, an adopted child under 10 years old, or a child under 10 years old for whom custody has been awarded by a court to the Head of the Household or the spouse may be added to a tenant's lease. No other new household member may be added to the tenant's lease unless and until that person has provided the required information to the Public Housing Authority and been determined eligible for admission according to the guidelines specified in Section II of this policy and a unit of the appropriate size is available. The Public Housing Authority has the right to deny admission to any person found to be ineligible.

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3. A tenant must provide documentation as required by SMHA when reporting that a family member has vacated the household. In the case of an income producing household member or any member which the SMHA has reasonable cause to believe has been involved in criminal activity or drug-related criminal activity, SMHA will require at least two documents verifying the new address of the departing family member or other evidence deemed acceptable by SMHA. Utility bills, a driver's license, an automobile registration, an employer's verification, or a lease or a rent receipt bearing the family member's name, new address and a date are examples of acceptable evidence. Court papers indicating that a family member has left the household such as a Petition for Dissolution of Marriage, a Petition for an Order of Protection from Abuse, or a Petition for Legal Separation may also be acceptable.
 4. A tenant eligible for a transfer to a larger or smaller unit as the result of approved changes in household composition may request a transfer and be placed on the master transfer list effective the date the transfer request is approved (see Section VIII). A tenant reporting a decrease in household size which changes the unit size for which the family is eligible will not be required to be placed on the transfer list until the effective date of the family's next annual reexamination.

E. Visitors

Tenants will be allowed to have visitors for a period of up to fourteen (14) cumulative days in any twelve month period, except in the case of a family member requiring care during illness or recuperation from illness or injury as certified by a physician. Visitor shall be defined as an individual who stays in a dwelling unit overnight. Each overnight stay shall be considered a day. Different visitors to a particular dwelling unit shall be restricted to this cumulative fourteen (14) day period. Written permission must be obtained from the Public Housing Authority for any deviation from the occupancy standards listed in this policy.

F. Adding New Family Member(s)

Before any other person will be allowed to move in with a tenant family, the Public Housing Authority must be notified, the additional person must meet the same screening and processing requirements which apply to all families who seek admission to SMHA housing, and SMHA shall approve the addition to the household in writing.

G. Minimum Rent Hardship Exemption

A. The PHA shall immediately grant an exemption from application of the minimum monthly rent to any family making a proper request in writing who is unable to pay because of financial hardship, which shall include:

(1) The family has lost eligibility for, or is awaiting an eligibility determination from a federal, state, or local assistance program, including a family that includes a member who is an alien lawfully admitted for permanent residence under the immigration and nationalization act who would be entitled to public benefits but for Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(2) The family would be evicted as a result of the implementation of the minimum rent (this exemption is only applicable for the initial implementation of a minimum rent or increase to the existing minimum rent).

(3) The income of the family has decreased because of changed circumstance, including loss of employment.

(4) A death in the family has occurred which affects the family circumstances.

(5) Other circumstances which may be decided by the PHA on a case by case basis.

All of the above must be proven by the Resident providing verifiable information in writing to the PHA prior to the rent becoming delinquent and before the lease is terminated by the PHA.

B. If a resident requests a hardship exemption (**prior to the rent being delinquent**) under this section, and the PHA reasonably determines the hardship to be of a temporary nature, (three months or less) exemption shall not be granted during a ninety day period beginning upon the making of the request for the exemption. A resident may not be evicted during the ninety-day period for non-payment of rent. In such a case, if the resident thereafter demonstrates that the financial hardship is of a long term basis, (over three months) the PHA shall retroactively exempt the resident from the applicability of the minimum rent requirement for such ninety day period. This Paragraph does not prohibit the PHA from taking eviction action for other violations of the lease.

VIII. UNIT TRANSFERS

A. Introduction

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1. Transfers of tenants from one unit to another will be approved solely in accordance with this Policy.
 2. Transfers shall be made without regard to race, creed, color, gender, familial status, disability or national origin.
 3. Tenants shall not be transferred to a dwelling unit of equal size except for transferring a non-handicapped family residing in a handicap-accessible unit or for alleviating hardships or other undesirable conditions as determined by the Executive Director or designee.
 4. Transfers will only be made where tenants are not delinquent in rent, have good housekeeping habits, have not caused damage to the current unit being occupied, and do not have long-standing charges remaining outstanding on their accounts, have not violated any tenant obligation.
 5. Transfer requests shall be placed on a master Transfer List in the order of the date the request is approved. All transfer requests shall be reviewed by the Executive Director or his/her designee. Separate transfer lists shall be maintained for each development; however, a master listing of all transfer requests shall also be maintained at the central office.
 6. With the exception of transfers related to modernization activity, or in the case of an emergency, a tenant family transferring from one apartment to another is responsible for any costs associated with moving to the new apartment.

B. Type of Transfers

The SMHA has three types of transfers: Emergency, Category 1, Administrative - Category 2, and Administrative - Category 3.

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

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2. *Administrative Transfers, Category 2*, include transfers within or between sites to alleviate verified medical problems of a serious nature, permit modernization of units, permit a family that requires a unit with accessible features to occupy such a unit, remove residents who are witnesses to crimes and may face reprisals (as documented by a law enforcement agency), or provide housing options to residents who are victims of hate crimes or extreme harassment. These transfers shall take priority over new admissions.
 - a. Requests for transfers under Category 2 will be made to the Site Manager. The Resident will provide the Site Manager with the necessary verification and/or documentation to substantiate the need for a transfer. Whenever feasible, transfers will be made within a resident's development. Transfers may also be initiated by SMHA.

 3. *Administrative Transfers, Category 3*, within or between sites may be made to correct occupancy standards (i.e., over/under housed conditions), or to address situations such as neighbor disputes that are not criminal but interfere with the peaceful enjoyment of the unit or common areas. These transfers will not automatically take priority over new admissions.
 - a. Category 3 administrative transfers will be processed with new admissions using a ratio of one transfer for every five new admissions. This ratio is discretionary and will be reviewed at least annually to determine its effects on the vacancy rate. Based on recommendations from staff, the Executive Director may authorize a change in this ratio or suspend the processing of this type of transfer.
 - b. Transfers to correct occupancy standards may be recommended at time of re-examination or interim redetermination. This is the only method used to determine over/under-housed status.
 - c. Residents in an over/under housed status will be advised within 30 days of the annual or interim reexamination that a transfer is recommended and that the family has been placed on the transfer list.
 - d. When a head of a household, originally housed in a bedroom by him/herself, has a child, that child shall remain in the parent's bedroom until it is two (2) years of age. After age 2, a Category 3 administrative transfer may be recommended.

C. Unit Offers

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1. A tenant that has received a formal transfer offer is given five (5) calendar days to accept the offer and sign a Dwelling Lease for the new unit. Thereafter, the tenant is given an additional seven (7) calendar days to move personal belongings. If the transfer has not been completed and keys to the former unit returned after seven (7) calendar days, per diem rent for the former unit will be charged in addition to rent for the new unit until the keys are returned to the appropriate SMHA office.
 2. If the tenant refuses a unit offer, the tenant's lease may be terminated in accordance with the lease, or at SMHA's discretion, the tenant can be placed at the bottom of the transfer list as of the date of refusal and the tenant will so be notified in writing. During the entire proceedings, the tenant will be advised of his/her rights under the Grievance Procedure.

D. Extended Family

Members of an extended family living in a SMHA unit may not be separated into two dwelling units through a transfer application. Specific family members may apply for a separate unit using the application procedures described in this Policy. Members of such family will receive no preference on the standard waiting list as a result of occupancy in a SMHA unit.

E. Revision of Suspension of Transfer Policy

The Public Housing Authority reserves the right to revise or suspend its Transfer Policy because of efforts to decrease vacancies or any other management initiative. Transfers during such times will be treated on a case-by-case basis solely at the discretion of the Executive Director.

IX. TERMINATIONS

A. Termination Notices

1. The tenant must give a written notice to the Public Housing Authority of at least 30 days of intent to terminate the lease.
2. If the Public Housing Authority terminates the lease, written notice must be given to an adult member of the household, in accordance with the Ohio Revised Code and in accordance with federal guidelines, as follows:

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- When the health or safety of other tenants or employees of the Housing Authority is threatened, including any drug-related criminal activity on or off the premises. Appropriate notice shall be given of SMHA's intention to terminate the lease based on a case-by-case analysis. A reasonable time considering the seriousness of the situation (but not less than three (3) calendar days) when the health or safety of other Tenants or Housing Authority's employees is threatened.
 - In the case of failure to pay rent that includes all payments due under the lease, notice of SMHA's intention to terminate the lease in fourteen (14) days unless all amounts due under the lease have been paid before that date.
 - In all other cases, notice of SMHA's intention to terminate the lease at least thirty (30) days.
3. Notice of termination to the tenant shall state reasons for the termination and shall inform the tenant of the right to make such reply as tenant may wish. The notice shall also inform the tenant of the right to examine, prior to hearing or trial, and copy at tenant's expense, Public Housing Authority documents directly relevant to the termination. The notice shall inform the tenant of the right to request a hearing in accordance with Public Housing Authority's Grievance Procedures (if the Grievance Procedure is applicable to the dispute involved).

B. Reasons for Termination

The Public Housing Authority may not terminate or refuse to renew the lease except for violations of the terms of the lease including, but not limited to:

1. The failure to pay rent or other payments when due.
2. Repeated late payment, which shall be defined as failure to pay the amount of rent or other charges due by 5:00 PM on the 5th business day of the month or before the end of the next successive business day if the fifth day of the month falls on a Saturday, Sunday or legal holiday, are considered delinquent and shall be assessed a \$20 late fee. Three such late payments within a twelve-month period shall constitute repeated late payment.
3. Failure to pay electric, gas or heating bills when Tenant is responsible for paying such bills directly to the supplier of utilities.

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4. Misrepresentation of family income, assets, or composition at the time of admission or anytime thereafter.
 5. Failure to supply, in a timely fashion, any certification, release, information or documentation on family income, assets or composition needed to process annual re-examinations or interim re-determinations.
 6. Damage to the unit, creation of physical hazards in the apartment, common areas, grounds or parking area of the Housing Authority's property.
 7. Behavior and/or activity by Tenant, household member, guest or visitors which disturbs other residents' peaceful enjoyment of their apartments; and/or is not conducive to maintaining all Public Housing Authority projects in decent, safe and sanitary conditions.
 8. Criminal activity by Tenant, household member, guest or visitor including criminal activity that threatens the health, safety, or right to peaceful enjoyment of the MHA's housing premises by other residents or employees, or any drug-related criminal activity on or off the premises.
 9. Alcohol and/or controlled substance abuse that the Public Housing Authority determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
 10. The presence of illegal weapons or illegal drugs in the tenant's unit.
 11. Any fire on the Public Housing Authority premises caused by actions or neglect by the tenant, household members, guests or visitors.
 12. Uninhabitable apartment conditions caused by the tenant, household member, guests or visitors' actions or neglect.
 13. Refusal of an offer of a new lease.
 14. Failure to accept a transfer when currently resident in a unit that is too large or too small for the family based on the Public Housing Authority's Occupancy Standards or to accommodate an administrative need of the Public Housing Authority including but not limited to the disposition, demolition or modernization of the tenant's apartment.

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15. Abandonment of the unit.
 16. Any other violations of any terms of the lease agreement.

C. Written Records

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

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

D. Abandonment of the Unit

The Public Housing Authority will comply with Ohio State Law, including requirements for posting and mailing notices of intent to declare a unit abandoned, taking possession of the unit, and the timing and method of disposal of items left in the abandoned unit.

1. If occupants abandon the apartment which may be evidenced by occupants removal of substantially all of their possessions or have been absent from their apartment for fourteen consecutive days and either (a) fail to pay for two months or (b) make an express statement that occupants do not intend to occupy the apartment after a specific date, SMHA may send the notices to each occupant at his last-known address, stating that:
 - Reason to believe that the occupant has abandoned the dwelling unit;

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- Intent to reenter and take possession of the dwelling unit unless the occupant contacts SMHA within two days of receipt of the notice;
 - If the occupant does not contact SMHA, the Public Housing Authority intends to remove and dispose of any possessions and personal effects remaining in the premises and to re-rent the premises.
2. If the notices are returned as undeliverable, or the occupant fails to contact SMHA within two days of the receipt of the notice, the Public Housing Authority may reenter and take possession of the dwelling unit, at which time any rental agreement or lease still in effect shall be deemed to be terminated.

X. POSTING REQUIREMENTS/REVISIONS

A. Posting Requirements

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

B. Revisions

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

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

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

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

XII. MISREPRESENTATION

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

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

XIII. GRIEVANCE PROCEDURE

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

Each tenant and tenant organization shall be given a copy of the Grievance Procedure and it is incorporated into this Policy on Admissions and Continued Occupancy and the lease by reference.

XIV. SMHA'S PET POLICY

SMHA's Pet Policy establishes the rules and guidelines by which residents may keep domesticated pets in its dwelling units and is incorporated by reference into this Policy.

Each tenant requesting permission to own and keep a pet shall be provided a copy of the Policy and be required to sign a Pet Agreement at initial occupancy or at the time of initial request for a pet and every year at reexamination time.

XV. RELOCATION

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

XVI. DECONCENTRATION RULE

1. Objective: The objective of the Deconcentration Rule for Public Housing units is to ensure that families are housed in a manner that will prevent a concentration of poverty families and/or a concentration of higher income families in any one development. The specific objective of the Public Housing Authority is to house no less than 40 percent of its Public Housing inventory with families that have income at or below 30% of the area median Income (“extremely low-income families”) by Public Housing development. Also the Public Housing Authority will take actions to insure that no individual development has a concentration of higher income families in one or more of the developments. To insure that the Public Housing Authority does not concentrate families with higher income levels, it is the goal of the Public Housing Authority not to house more than 60% of its units in any one development with families whose income exceeds 30% of the area median income. The Public Housing Authority will track the status of family income, by development, on a monthly basis by utilizing income reports generated by the Public Housing Authority’s computer system.

2. Actions: To Accomplish the deconcentration goals, the Public Housing Authority will take the following actions:

1 A. At the beginning of each Public Housing Authority fiscal year, the Public Housing Authority will establish a goal for housing 40% of its new admissions with families whose incomes are at or below the area median income. The annual goal will be calculated

by taking 40% of the total number of move-ins from the
previous Public Housing Authority fiscal year.

B. To accomplish the goals of:

(1) Public Housing not less than 40% of its public
housing inventory on an annual basis with families
that have incomes at or below 30% of area median,
and

(2) Not housing families with incomes that exceed 30%
of the area median income in developments that
have 60% or more of the total household living
in the development with incomes that
exceed 30% of the area median income, the Public
Housing Authority's Tenant Selection
and Assignment Plan, which is a part of this
policy, provides for skipping families on
the waiting list to accomplish these goals.

XVII. CLOSING OF FILES AND PURGING INACTIVE FILES

The PHA will purge inactive files, after they have
been closed for a period of three years, with the
exception of troubled cases, or cases involving a
household containing a minor with a reported
elevated blood-lead level.

During the term of tenancy and for three years
thereafter the PHA will keep the resident files. In
addition, the PHA will keep for at least three years
the following records:

- Records with racial, ethnic, gender and disability status data for applicants and residents.
- The application from each ineligible family and the notice that the applicant is ineligible.
- HUD required reports and other HUD required files.
- Lead based paint inspection reports as required.

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- Unit inspection reports.
 - Account and other records supporting the PHA and financial statements.
 - Other records which may be specified by HUD.

The PHA shall retain all data for current residents for audit purposes. No information shall be removed which may affect an accurate audit.

XVIII. PROGRAM MANAGEMENT PLAN - Organization Plan

Reference the PHA's adopted personnel policy for the organization plan of the PHA.

XIX. ADDITIONAL PHA POLICIES AND CHARGES

Additional policies and charges are attached to the end of this document and are incorporated as if fully set out herein. These policies and charges may be changed from time to time, or amended, and such changes or amendments shall be substituted in this document so as to keep this policy current. All items substituted in this document shall be kept by the PHA in a separate file for historical and research purposes.

APPENDICES

APPENDIX A
PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY
UTILITY ALLOWANCES

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

(Applicants Only)

I. Applicability

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

II. Procedures

- A. The Public Housing Authority shall give an applicant prompt written notice of a decision denying assistance to the applicant, including a decision of ineligibility for housing, ineligibility for any of the selection preferences adopted by SMHA, or removal from or denying placement on the waiting list. The notice shall also state that the applicant may request in writing an informal review of the decision, and shall describe how to obtain the informal review.
- B. The applicant must submit a written request, which meets all criteria outlined herein, for an informal review within thirty (30) days of notification of the decision denying assistance.

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- C. If the request does not meet the criteria outlined herein or if the applicant's request is not submitted within ten (10) days or in any other way fails to comply with requirements, the request will be denied and the applicant will be promptly notified in writing.
 - D. If the request meets the criteria, an informal review will be scheduled within thirty (30) days of the request.
 - E. The informal review shall be conducted by any person or persons designated by the Executive Director, other than a person who made or approved the decision under review or a subordinate of such person.
 - F. The applicant shall be given an opportunity to present written or oral objections to the Public Housing Authority's decision.
 - G. The Public Housing Authority shall promptly notify the applicant in writing of the final decision after the informal review, including a brief statement of the reasons for the final decision.

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

ADJUSTED INCOME

Adjusted Income is Annual Income (as defined in this Appendix) minus the following allowances:

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

Note: The head, co-head, spouse, foster child or live-in aide are never counted as dependents.
2. \$400 for each family whose head or spouse is at least 62 years of age, or disabled.
3. Reasonable child care expenses to enable a family member to work, seek employment, or further his/her education. Child care expenses to enable a family member to work may not exceed the income earned.
4. For a family that is not an Elderly Family but does have a disabled member other than head or spouse, Disability Assistance Expenses in excess of three percent of annual income to enable a family member to be employed.
5. For an Elderly Family:
 - a. That has no Disability Assistance Expenses, an allowance for Medical Expenses equal to the amount by which the Medical Expenses exceed three percent of Annual Income.
 - b. That has Disability Assistance Expenses greater than or equal to three percent of Annual Income, an Allowance for Disability Assistance Expenses computed in accordance with paragraph 4 above, plus an Allowance for Medical Expenses that is equal to the Family's Medical Expenses.
 - c. That has Disability Assistance Expenses that are less than three percent of Annual Income, an Allowance for combined Disability Assistance Expenses and Medical Expenses that is equal to the amount by which the sum of the expenses exceeds three percent of Annual Income.

ALLOWANCE FOR DEPENDENTS

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

ADULT

A person, 18 years of age or older, or an emancipated minor whom the members of the family have routinely look to as the head of the family, and who is legally competent to sign a binding agreement.

ALLOWANCE FOR DISABILITY ASSISTANCE EXPENSES

The amount of Disability Assistance Expense in excess of three (3) percent of annual income which enables a family member (including the handicapped or disabled person) to work. The allowance may not exceed the annual income earned by the family member who is enabled to work. Disability assistance expenses include costs for care attendants and auxiliary apparatus (e.g., wheelchairs, adaptations to vehicles, special equipment) if directly related to permitting the handicapped person or other family members to work.

ALLOWANCE FOR MEDICAL EXPENSES

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

ANNUAL INCOME

1. Annual income is the anticipated total income from all sources received by the family head and spouse (even if temporarily absent) and by each additional member of the family living in the subject unit, including all net income derived from assets for the 12-month period following the effective date of initial determination or re-examination of income, exclusive of income that is temporarily non-recurring or sporadic. Annual income includes, but is not limited to:
 - a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;

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- b. The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the Family.
 - c. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. All allowance for depreciation is permitted only as authorized in paragraph 1b of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets exceeds \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate, as determined by HUD or state regulations as applicable.
 - d. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amount for the delayed start of a periodic payment (except as provided in 2 n below).
 - e. Payments in lieu of earnings such as unemployment and disability compensation, worker's compensation and severance pay.
 - f. Periodic and determinable allowances, such as alimony and child support payments and regular contributions, lottery winnings, or gifts received from persons not residing in the dwelling.
 - g. All regular pay, special pay allowances of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family or spouse (but see 2 g below).

2. Income Exclusions

Annual income does not include the following:

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- a. Income from employment of children (including foster children) under the age of 18 years;
 - b. Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the tenant family, who are unable to live alone);
 - c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in 1e above);
 - d. Amounts received by the Family that are specifically for, or in reimbursement of, the cost of Medical Expenses for any Family member;
 - e. Income of a live-in aide as defined in 24 CFR 5.403;
 - f. The full amount of student financial assistance paid directly to the student or to the educational institution;
 - g. The special pay to a Family member serving in the Armed Forces who is exposed to hostile fire;
 - h.
 - (i) Amounts received under training programs funded by HUD;
 - (ii) Amounts received by a disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (iii) Amounts received by a tenant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program; or
 - (iv) A resident service stipend: this is a modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for SMHA, on a part-time basis, that enhances the quality of life in public housing. This may include, but is not limited to fire patrol, hall monitoring, lawn maintenance and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time; or
 - (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with the local government) and training of a family member as resident management staff. Amounts

excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.

- i. Temporary, nonrecurring or sporadic income (including gifts);
- j. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- k. For federal-assisted housing, earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse).
- l. Adoption assistance payments in excess of \$480.00 per adopted child;
- m. The earnings and benefits to any family member resulting from the participation in a program providing employment training and supportive services in accordance with the Family Support Act of 1988, section 22 of the 1937 Act (42 U.S.C. 1437 t), or any comparable Federal, state or local law during the exclusion period;
For the purposes of this paragraph, the following definitions apply:
 - (i) Comparable Federal State or local law means a program providing employment training and supportive services that (1) is authorized by a Federal, State or local law; (2) is funded by the Federal, State or local government, (3) is operated or administered by a public agency; (4) has as its objective to assist participants in acquiring employment skills.
 - (ii) Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.
 - (iii) Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
- n. Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump-sum amount or in prospective monthly amounts;
- o. 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;

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- p. Amounts paid by a State Agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
- q. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the 1937 Act. The following is a list of incomes that qualify for that exclusion:
- (i) The value of the allotment provided to an eligible household under Food Stamp Act of 1977;
 - (ii) Payments to volunteers under the Domestic Volunteer Service Act of 1973 (employment through VISTA, Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions);
 - (iii) Payments received under Alaska Native Claims Settlement Act;
 - (iv) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes;
 - (v) Payments or allowances made under department of Health and Human Services' Low-Income Energy Assistance Program;
 - (vi) Payments received under programs funded in whole or in part under the Job Training Partnership Act;
 - (vii) Income derived from the disposition of funds of Grant River Band of Ottawa Indians;
 - (viii) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Grant of Claims or from funds held in trust for an Indian tribe by the Secretary of Interior;
 - (ix) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the BIA student assistance programs. These are made available to cover the cost of tuition, fees, books, equipment, materials, supplies, transportation and miscellaneous personal expenses of a student or an educational institution;
 - (x) Payments received from programs funded under Title V of the Older Americans Act of 1965;
 - (xi) Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, MDL No. 381 (E.D.N.Y.);
 - (xii) Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-426, 94 Stat. 1785).

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- (xiii) The value of any childcare provided or reimbursed for under the Child Care and Development Block Grant Act of 1990.
 - (xiv) Earned income tax credit.

3. SMHA has additional deductions or adjustments to the Annual Income of tenants:

SMHA has adopted an income exclusion as an incentive for public housing residents who begin working. This income exclusion allows the resident to have no rent increase due to the additional income derived from an unemployed household member who becomes employed for six months from verification of the job. The resident must report the change of income within fourteen (14) days from the date of hire.

- 4. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for shorter periods may be annualized, subject to redetermination at the end of the shorter period.
- 5. Any family receiving the reparation payments referred to in paragraph 2 j of this section that has been requested to repay assistance under this chapter as a result of receipt of such payments shall not be required to make further repayments on or after April 23, 1993.

APPLICANT

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

APPLICATION FOR ADMISSION

The written form that is signed and dated by all adult members of the family and which includes information the Public Housing Authority needs to determine whether the family can be admitted. The format for this basic information will be developed by the Public Housing Authority and must be fully completed, and deemed completed by SMHA, to be accepted as a formal application for housing at SMHA.

ASSETS

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

CHILD CARE EXPENSES

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

CITIZEN

A citizen or national of the United States.

DEPENDENT

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

DISABLED PERSON

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

Section 223 of the Social Security Act defines disability as:

"(a) the inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or (b) in the case of an individual who has attained the age of 55 and is blind, the inability by reason of such blindness to engage in substantial gainful activity requiring the skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time."

Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) defines a developmental disability as:

"severe chronic disability that (a) is attributable to a mental or physical impairment or combination of mental and physical impairments; (b) is manifested before the person attains age twenty-two; (c) is likely to continue indefinitely; (d) results in

substantial functional limitations in three or more of the following areas of major life activity: (1) self-care, (2) receptive and responsive language, (3) learning, (4) mobility, (5) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and (e) reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment or other services which are of lifelong extended duration and are individually planned and coordinated."

DISPLACED FAMILY/PERSON

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

ELDERLY FAMILY

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

ELDERLY PERSON

A person who is at least 62 years of age.

ELIGIBLE IMMIGRATION STATUS

Documentation and verification of eligible status as defined by HUD.

EVICTION

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

EXTREMELY LOW INCOME FAMILY

A family whose annual income does not exceed 30 percent of the median income for the area as determined by HUD.

FAMILY

Family includes but is not limited to:

- a. A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);
- b. An elderly family;
- c. A near-elderly family;
- d. A disabled family;
- e. A displaced family;
- f. The remaining member of a tenant family; and
- g. A single person who is not an elderly or displaced person, or a person with disability, or the remaining member of a tenant family.

Note: HUD has a housing assistance limitation for single persons. A single person who is not an elderly or displaced person, or person with disabilities, or the remaining member of a tenant family may not be provided (for public housing and other project-based assistance) a housing unit with two or more bedrooms.

- h. A group of persons that is two or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence to the satisfaction of SMHA of a stable family relationship.

Federally-Assisted Family Housing (i.e., General Occupancy): This type of housing is available to all applicant families who meet the eligibility requirement specified herein.

Federally-Assisted Elderly Housing (i.e., Mixed Population): This type of housing is available to applicant families who are elderly, disabled, near elderly, or a single person and meet the eligibility requirements specified herein.

HUD

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

INS

U.S. Immigration and Naturalization Service.

LEASE

The written, formal, SMHA Board approval document outlining the agreement between SMHA and an eligible family for the leasing of a Public Housing unit.

LIVE-IN-AIDE

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

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

A Live-in-Aide does not qualify as the remaining member of a tenant family. The income of a Live-in-Aide is not included as income to the tenant family. **A Live-in-Aide must be approved, in advance, by the SMHA and meet eligibility requirements for public housing occupancy**

LOCAL PREFERENCE

A preference established by SMHA for use in selecting among applicants.

LOWER INCOME FAMILY

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

LUMP SUM BENEFIT

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

MEDICAL EXPENSES

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

MINIMUM RENT

Families assisted under the Public Housing Program pay a monthly “minimum rent” of not more than \$50.00 per month. The PHA has the discretion to establish the “minimum rent” from \$0 to \$50.00. The minimum rent established by this PHA is \$25.

MINOR

A person less than eighteen years of age.

MIXED FAMILY

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

NATIONAL

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

NEAR-ELDERLY FAMILY

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

NEAR-ELDERLY PERSON

A person who is at least 50 years of age (or 55 years of age for state elderly housing) but below the age of 62, who may be a person with a disability.

REMAINING MEMBER OF A TENANT FAMILY

A member of the tenant family who is listed on the lease who continues to live in a public housing dwelling unit after all other family members have vacated.

SECURITY DEPOSIT

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

SINGLE PERSON

A person who lives alone or intends to live alone who does not qualify as elderly, disabled, or handicapped or as a remaining adult member of a tenant family. A single person is not eligible to participate in any state housing program.

TENANT RENT

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

TOTAL TENANT PAYMENT

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

TRANSFER

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

UNDERHOUSED

A tenant family with an insufficient number of bedrooms for the number of persons in the family, according to the standard set forth in Section V of this Policy.

UTILITIES

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

UTILITY ALLOWANCE

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

VERY LOW INCOME FAMILY

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

APPENDIX D
PUBLIC HOUSING INCOME LIMITS