

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

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# PHA Plans

5 Year Plan for Fiscal Years 2000 - 2004  
Annual Plan for Fiscal Year 2001

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

## PHA Plan Agency Identification

**PHA Name:** Housing and Redevelopment Authority In and For The City of  
Bloomington, Minnesota

**PHA Number:** MN152

**PHA Fiscal Year Beginning: (mm/yyyy)** 01/01/2001

### 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)  
Web site



**5-YEAR PLAN**  
**PHA FISCAL YEARS 2000 - 2004**

[24 CFR Part 903.5]

**A. Mission**

State the PHA's mission for serving the needs of low-income, very low income, and extremely low-income families in the PHA's jurisdiction. (select one of the choices below)

- The PHA's mission is: (state mission here)
- Provide housing for people not adequately served by market rate housing
  - Coordinate efforts to preserve existing neighborhoods
  - Promote development and redevelopment which enhances Bloomington

**B. Goals**

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

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

- PHA Goal: Expand the supply of assisted housing  
Objectives:
- Leverage private or other public funds to create additional housing opportunities:
  - Acquire or build units or developments (see Page 3 for details)
  - Other (list below)
- PHA Goal: Improve the quality of assisted housing  
Objectives:
- Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)

- PHA Goal: Increase assisted housing choices  
Objectives:  
 Conduct outreach efforts to potential voucher landlords  
 Increase voucher payment standards  
Other: (list below) – Provide escrow account to rental assistance clients which will enable them to purchase homes in the future

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

- PHA Goal: Provide an improved living environment  
Objectives:

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

- PHA Goal: Promote self-sufficiency and asset development of assisted households  
Objectives:  
 Increase the number and percentage of employed persons in assisted families:  
 Provide or attract supportive services to improve assistance recipients' employability:  
 Provide or attract supportive services to increase independence for the elderly or families with disabilities.  
 Other: (list below)  
Administer Family Self Sufficiency Program

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

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing  
Objectives:  
 Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:  
 Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:  
 Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:

Other: (list below)

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

**Summary of Objectives or Bench Marks for Providing Housing for People Not Adequately Served by Market Housing**

KEY RESULTS AREAS

	<b>Provide and promote additional low cost rental housing</b>
	■ Seniors
Total 150 units	- add new units and preserve existing facilities
130 households	- assist seniors to continue living in their own homes
Total 75 units	■ Small Family (2-4 persons)
Total of 50 units	■ Large Family (5 or more persons)
	Preserve existing facilities (Highland)
Total 30 units	■ Persons with special needs (“special needs” means transitional and permanent housing for people who are physically or mentally disabled, leaving abusive relationships, or single, low-wage earners)
	<b>Support home ownership</b>
Total 100 buyers	n Provide assistance for low income and moderate home buyers Encourage use of escrow accounts for public housing and Section 8 tenants.

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

[24 CFR Part 903.7]

**i. Annual Plan Type:**

Select which type of Annual Plan the PHA will submit.

**Standard Plan**

**Streamlined Plan:**

- High Performing PHA**
- Small Agency (<250 Public Housing Units)**
- Administering Section 8 Only**

**Troubled Agency Plan**

**ii. Executive Summary of the Annual PHA Plan**

[24 CFR Part 903.7 9 (r)]

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

**NOT REQUIRED**

**iii. Annual Plan Table of Contents**

[24 CFR Part 903.7 9 (r)]

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

**Table of Contents**

Page #

**Annual Plan**

- i. Executive Summary
- ii. Table of Contents
  - 1. Housing Needs
  - 2. Financial Resources
  - 3. Policies on Eligibility, Selection and Admissions
  - 4. Rent Determination Policies
  - 5. Operations and Management Policies
  - 6. Grievance Procedures
  - 7. Capital Improvement Needs
  - 8. Demolition and Disposition
  - 9. Designation of Housing
  - 10. Conversions of Public Housing

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

**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**
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

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

**Supporting Documents Available for Review**

Indicate which documents are available for public review by placing a mark in the "Applicable & On Display" column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

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

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Applicable Plan Component</b>
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the 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
x	Schedule of flat rents offered at each public housing development  x check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
N/A	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

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Applicable Plan Component</b>
X	Public housing grievance procedures <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
N/A	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
N/A	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
N/A	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
N/A	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
NONE	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
N/A	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component

## 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	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	N/A	5	5	2	4	2	2
Income >30% but <=50% of AMI	N/A	5	5	2	4	2	2
Income >50% but <80% of AMI	N/A	3	5	2	4	2	2
Elderly	N/A	4	4	2	4	2	2
Families with Disabilities	N/A						
Race/Ethnicity	N/A						
Race/Ethnicity	N/A						
Race/Ethnicity	N/A						
Race/Ethnicity	N/A						

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

- Consolidated Plan of the Jurisdiction/s  
Indicate year:
- U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset

- American Housing Survey data  
Indicate year:
- Other housing market study  
Indicate year: 1999 HRA Study
- Other sources: (list and indicate year of information)

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

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

<b>Housing Needs of Families on the Waiting List</b>			
Waiting list type: (select one)			
<input type="checkbox"/>	Section 8 tenant-based assistance		
<input checked="" type="checkbox"/>	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	114	100%	52
Extremely low income <=30% AMI	84	74%	40
Very low income (>30% but <=50% AMI)	30	26%	17
Low income (>50% but <80% AMI)	0	0	0
Families with children	113	99%	51
Elderly families	1	1%	1
Families with Disabilities	14	12%	6
Race/ white	20	18%	7
Race- black	84	74%	42
Race/- Asian	6	5%	1

Housing Needs of Families on the Waiting List			
Race/ Native American	4	3%	1
Ethnicity/Hispanic	6	5%	N/A
Ethnicity/ Non Hispanic	108	95%	N/A
Characteristics by Bedroom Size (Public Housing Only)			
1BR	0		
2 BR	0		
3 BR	114	100%	
4 BR	0		
5 BR	0		
5+ BR	0		
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? SINCE 5/00			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> <b>Section 8 tenant-based assistance</b>			
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	560	100%	100
Extremely low income <=30% AMI	444	79.29%	78

<b>Housing Needs of Families on the Waiting List</b>			
Very low income (>30% but <=50% AMI)	115	20.54%	22
Low income (>50% but <80% AMI)	1	.17	0
Families with children	369	65.89%	78
Elderly families	52	9.29	8
Families with Disabilities	156	27.86%	30
Race/ethnicity- white	235	41.96%	50
Race/ethnicity – black	290	51.79%	44
Race/ethnicity – Asian	24	4.29%	6
Race/ethnicity – Native American	11	01.96	0

### **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.

#### **(1) Strategies**

**Need: Shortage of affordable housing for all eligible populations**

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

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units

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

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

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

**Need: Specific Family Types: The Elderly**

**Strategy 1: Target available assistance to the elderly:**

Select all that apply

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

**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)  
Encourage new construction of units for disabled.

**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)  
Participate with Hennepin County Consortium to identify barriers to affordable housing. Conduct discrimination testing.

**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.

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY 2001 grants)</b>		
a) Public Housing Operating Fund	20494 (estimated)	
b) Public Housing Capital Fund	43,198 (estimated)	
c) HOPE VI Revitalization	0	
d) HOPE VI Demolition	0	
e) Annual Contributions for Section 8 Tenant-Based Assistance	2,650,000	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	0	
g) Resident Opportunity and Self-Sufficiency Grants	0	
h) Community Development Block Grant	0	
i) HOME	0	
Other Federal Grants (list below)		
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>	N/A	
<b>3. Public Housing Dwelling Rental Income</b>	61351	Public Housing Operations
<b>4. Other income (list below)</b>		
<b>5. Non-federal sources (list below)</b>		
<b>Total resources</b>		

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses

### **3. PHA Policies Governing Eligibility, Selection, and Admissions**

[24 CFR Part 903.7 9 (c)]

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

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

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

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

- When families are within a certain number of being offered a unit: (state number)  
Five
- When families are within a certain time of being offered a unit: (state time)
- 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) Credit

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)  
PHA Administrative Office during open times.

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

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

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

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

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

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

**(3) Assignment**

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

- One
- Two
- Three or More

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

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

**(4) Admissions Preferences**

a. Income targeting:

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

b. Transfer policies:

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

**Emergencies (as determined by HRA)**

Overhoused

Underhoused

Medical justification

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

Resident choice: (state circumstances below)

Other: (list below)

Safety

c. Preferences

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

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

Former Federal preferences:

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

Victims of domestic violence

Substandard housing

Homelessness

High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

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

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

Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

**(5) Occupancy**

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

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

Other source (list)

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

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

**(6) Deconcentration and Income Mixing**

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

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

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

- Adoption of site-based waiting lists
- If selected, list targeted developments below:

Employing waiting list “skipping” to achieve deconcentration of poverty or income mixing goals at targeted developments  
If selected, list targeted developments below:

Employing new admission preferences at targeted developments  
If selected, list targeted developments below:

Other (list policies and developments targeted below)

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)
- If owe money or unlawful detainer **but only with signed release by tenant.**

**(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)
- Tenants may be on Public Housing and Section 8 waiting lists at same time**
- 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)
- By phone during the period in which the HRA accepts applications.

**(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:

Automatic 120 days due to lack of qualified Housing

**(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**)

**Residency preference**

**Involuntary displacement by government**

**Disaster**

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)  
 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, work, or attend school 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 – **Must be verified by law enforcement in form acceptable to HRA**
- Other preference(s) (list below)

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

#### Lottery Process

#### Former Federal preferences

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

#### Other preferences (select all that apply)

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

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

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

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

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

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

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

#### **(5) Special Purpose Section 8 Assistance Programs**

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

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

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

- through published notices  
 Other (list below)  
 Not Applicable

### **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:

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

1.  Yes  No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?
2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

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

- For the earned income of a previously unemployed household member  
 For increases in earned income

- Fixed amount (other than general rent-setting policy)  
If yes, state amount/s and circumstances below:
- Fixed percentage (other than general rent-setting policy)  
If yes, state percentage/s and circumstances below:
- For household heads
- For other family members
- For transportation expenses
- 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)
- 95<sup>th</sup> percentile rents
- 75 percent of operating costs
- 100 percent of operating costs for general occupancy (family) developments

- Operating costs plus debt service
- The "rental value" of the unit
- Other (list below)

f. Rent re-determinations:

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

- Never
- At family option
- Any time the family experiences an income increase**
- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)\_\_\_\_\_
- Other (list below)  
Must report results in lowering rent.

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
- Exception 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)  
Results of annual rent survey.

## **(2) Minimum Rent**

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

- \$0

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

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

## **5. Operations and Management**

[24 CFR Part 903.7 9 (e)]

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

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

Describe the PHA's management structure and organization.

(select one)

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

### **B. HUD Programs Under PHA Management**

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

<b>Program Name</b>	<b>Units or Families Served at Year Beginning</b>	<b>Expected Turnover</b>
Public Housing	20	3
Section 8 Vouchers	199	30
Section 8 Certificates	(306)	70
Section 8 Mod Rehab		
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		


**C. Management and Maintenance Policies**

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

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

**6. PHA Grievance Procedures – Not Required To Complete**

[24 CFR Part 903.7 9 (f)]

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

**A. Public Housing**

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

If yes, list additions to federal requirements below:

- 2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)
  - PHA main administrative office
  - PHA development management offices
  - Other (list below)

**B. Section 8 Tenant-Based Assistance**

- 1.  Yes  No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing

procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

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

PHA main administrative office

Other (list below)

## **7. Capital Improvement Needs**

[24 CFR Part 903.79 (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) Attachment C

-or-

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

#### **(2) Optional 5-Year Action Plan**

Agencies are encouraged to include a 5-Year Action Plan covering capital work items. This statement can be completed by using the 5 Year Action Plan table provided in the table library at the end of the PHA Plan template **OR** by completing and attaching a properly updated HUD-52834.

a.  Yes  No: Is the PHA providing an optional 5-Year Action Plan for the Capital Fund? (if no, skip to sub-component 7B)

b. If yes to question a, select one:

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

-or-

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

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

Applicability of sub-component 7B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

Yes  No: a) Has the PHA received a HOPE VI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)  
b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

1. Development name:

2. Development (project) number:

3. Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
- Revitalization Plan submitted, pending approval
- Revitalization Plan approved
- Activities pursuant to an approved Revitalization Plan underway

Yes  No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?

If yes, list development name/s below:

Yes  No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?

If yes, list developments or activities below:  
 Lyndale Avenue Townhomes – 23 unit 6 public housing

Yes  No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?

If yes, list developments or activities below:

### **8. Demolition and Disposition – Not Applicable**

[24 CFR Part 903.7 9 (h)]

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

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

#### 2. Activity Description

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

<b>Demolition/Disposition Activity Description</b>	
1a. Development name:	
1b. Development (project) number:	
2. Activity type: Demolition <input type="checkbox"/>	
Disposition <input type="checkbox"/>	
3. Application status (select one)	
Approved <input type="checkbox"/>	
Submitted, pending approval <input type="checkbox"/>	
Planned application <input type="checkbox"/>	
4. Date application approved, submitted, or planned for submission: <u>(DD/MM/YY)</u>	

<p>5. Number of units affected:</p> <p>6. Coverage of action (select one)</p> <p><input type="checkbox"/> Part of the development</p> <p><input type="checkbox"/> Total development</p>
<p>7. Timeline for activity:</p> <p>a. Actual or projected start date of activity:</p> <p>b. Projected end date of activity:</p>

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

[24 CFR Part 903.7 9 (i)]

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

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

2. Activity Description

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

<b>Designation of Public Housing Activity Description</b>
<p>1a. Development name:</p> <p>1b. Development (project) number:</p>

<p>2. Designation type:</p> <p>Occupancy by only the elderly <input type="checkbox"/></p> <p>Occupancy by families with disabilities <input type="checkbox"/></p> <p>Occupancy by only elderly families and families with disabilities <input type="checkbox"/></p>
<p>3. Application status (select one)</p> <p>Approved; included in the PHA's Designation Plan <input type="checkbox"/></p> <p>Submitted, pending approval <input type="checkbox"/></p> <p>Planned application <input type="checkbox"/></p>
<p>4. Date this designation approved, submitted, or planned for submission: (DD/MM/YY)</p>
<p>5. If approved, will this designation constitute a (select one)</p> <p><input type="checkbox"/> New Designation Plan</p> <p><input type="checkbox"/> Revision of a previously-approved Designation Plan?</p>
<p>6. Number of units affected:</p> <p>7. Coverage of action (select one)</p> <p><input type="checkbox"/> Part of the development</p> <p><input type="checkbox"/> Total development</p>

## **10. Conversion of Public Housing to Tenant-Based Assistance – Not Applicable**

[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.

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

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

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

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

[24 CFR Part 903.7 9 (k)]

**A. Public Housing**

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

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

2. Activity Description

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

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

## B. Section 8 Tenant Based Assistance

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

### 2. Program Description:

#### a. Size of Program

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

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

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

#### b. PHA-established eligibility criteria

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

## **12. PHA Community Service and Self-sufficiency Programs – Not Required**

[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 entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

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

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

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

**B. Services and programs offered to residents and participants**

**(1) General**

a. Self-Sufficiency Policies

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

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

b. Economic and Social self-sufficiency programs

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



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

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

**D.**

D.

The HA will be in compliance with the Community Service Requirement in FY2001.

X The HA has notified the public housing residents to the new requirement.

X The public housing lease has been modified to include this provision of community service.

X The HA has created a link to local volunteer programs and is prepared to make referrals.

### **13. PHA Safety and Crime Prevention Measures – Not Required**

[24 CFR Part 903.7 9 (m)]

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

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

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

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

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

- Safety and security survey of residents
- Analysis of crime statistics over time for crimes committed “in and around” public housing authority
- Analysis of cost trends over time for repair of vandalism and removal of graffiti
- Resident reports
- PHA employee reports
- Police reports
- Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- Other (describe below)

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

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

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

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

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

**C. Coordination between PHA and the police**

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

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan

- Police provide crime data to housing authority staff for analysis and action
  - Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
  - Police regularly testify in and otherwise support eviction cases
  - Police regularly meet with the PHA management and residents
  - Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
  - Other activities (list below)
2. Which developments are most affected? (list below)

**D. Additional information as required by PHDEP/PHDEP Plan**

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

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

**14. RESERVED FOR PET POLICY**

[24 CFR Part 903.7 9 (n)]

**15. Civil Rights Certifications**

[24 CFR Part 903.7 9 (o)]

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

**16. Fiscal Audit**

[24 CFR Part 903.7 9 (p)]

- 1.  Yes  No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))? (If no, skip to component 17.)
- 2.  Yes  No: Was the most recent fiscal audit submitted to HUD?
- 3.  Yes  No: Were there any findings as the result of that audit?
- 4.  Yes  No: If there were any findings, do any remain unresolved? If yes, how many unresolved findings remain? \_\_\_\_

5.  Yes  No: Have responses to any unresolved findings been submitted to HUD?  
If not, when are they due (state below)?

## **17. PHA Asset Management – Not Required**

[24 CFR Part 903.7 9 (q)]

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

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

## **18. Other Information**

[24 CFR Part 903.7 9 (r)]

### **A. Resident Advisory Board Recommendations**

1.  Yes  No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?
2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
- Attached at Attachment (File name)
  - Provided below:**  
**Add displacement by disaster to waiting list preferences. Balance of policies deemed acceptable**

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

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

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

**List changes below:**

**Added displacement by disaster**

Other: (list below)

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

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

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

### 3. Description of Resident Election Process

a. Nomination of candidates for place on the ballot: (select all that apply)

- Candidates were nominated by resident and assisted family organizations
- Candidates could be nominated by any adult recipient of PHA assistance
- Self-nomination: Candidates registered with the PHA and requested a place on ballot
- Other: (describe)

b. Eligible candidates: (select one)

- Any recipient of PHA assistance
- Any head of household receiving PHA assistance
- Any adult recipient of PHA assistance
- Any adult member of a resident or assisted family organization
- Other (list)

c. Eligible voters: (select all that apply)

- All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
- Representatives of all PHA resident and assisted family organizations
- Other (list)

### **C. Statement of Consistency with the Consolidated Plan**

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

1. Consolidated Plan jurisdiction: Hennepin County
  
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
  - The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
  - The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
  - The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
  - Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
  
  - Other: (list below)
  
3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)  
CDBG and local dollars for affordable housing and rehabilitation.

### **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.

Section 8 Administrative Plan  
**Public Housing Occupancy Plan**

## 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 MN46P15250100 FFY of Grant Approval: (01/00)

REVISED 07/12/00

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	\$ 43,198
3	1408 Management Improvements	
4	1410 Administration	
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	
8	1440 Site Acquisition	
9	1450 Site Improvement	
10	1460 Dwelling Structures	
11	1465.1 Dwelling Equipment-Nonexpendable	
12	1470 Nondwelling Structures	
13	1475 Nondwelling Equipment	
14	1485 Demolition	
15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
17	1495.1 Relocation Costs	
18	1498 Mod Used for Development	
19	1502 Contingency	
20	<b>Amount of Annual Grant (Sum of lines 2-19)</b>	43,198
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	

**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)
<b>Total estimated cost over next 5 years</b>				



BLOOMINGTON HOUSING & REDEVELOPMENT AUTHORITY  
In and for the CITY OF BLOOMINGTON

ADMISSION  
AND CONTINUED OCCUPANCY POLICIES  
LOW RENT PUBLIC HOUSING

**August 2000**

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PART 1  
INTRODUCTIONS

This documents sets forth policies for the operation of the Housing and Redevelopment Authority's Public Housing units. These units are funded by the Department of Housing and Urban Development. Policies are generally updated annually to reflect policy changes or relevant changes in Federal regulations or policies. However changes in Federal regulations supercede may occur that supercede policies set forth in this document.

PART 2  
*DEFINITIONS*

1. Adjusted Income: Annual Income Less:

- A. \$480 for each Dependent;
- B. \$400 for any Elderly Family;

For any family that is not an elderly family but has a handicapped or disabled member other than the head-of-household or spouse/co-head, handicapped assistance expenses in excess of three (3) percent of Annual Income but this allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the handicapped or disabled person;

D. For any Elderly Family:

- 1. That has no handicap assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed three (3) percent of annual income;
- 2. That has handicap assistance expenses greater than or equal to three (3) percent of annual income, an allowance for handicapped assistance expenses computed as defined in Paragraph C, of this Section, plus an allowance for medical expenses that is equal to the family's medical expenses;
- 3. That has handicapped assistance expenses that are less than three (3) percent of annual income, an allowance for combined handicapped assistance expenses and medical expenses that is equal to the amount by which the sum of these expenses exceeds three (3) percent of annual income;

E. Child Care Expenses.

2. Annual Income:

A. Annual income is the anticipated total income from all sources received by the Family head and spouse/co-head (even if temporarily absent) and by each additional member of the Family, including all net income derived from assets, for the twelve (12) month period following the effective date of initial determination or reexamination of income, exclusive of certain types of income as defined in Paragraph C, of this Section.

B. Annual Income includes, but is not limited to:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
2. 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;
3. 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 allowances for depreciation is permitted only as defined in Paragraph (B)(2), of this Section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets in excess of \$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;
4. 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;
5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay, except as defined in Paragraph (C)(3), of this Section;
6. If the Welfare Assistance payment includes an amount specifically designated

for shelter and utilities that is subject to adjustment by the Welfare Assistance agency in accordance with the actual cost of shelter and utilities, the amount of Welfare Assistance income to be included as income shall consist of:

- (a) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
  - (b) The maximum amount the Welfare Assistance agency could in fact allow the Family for shelter and utilities. If the Family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage. If the Family's Welfare Assistance is reduced because of fraud or failure to participate in an economic self-sufficiency program or comply with work activities requirement, the amount calculated will not be based upon the reduced benefit, but the full grant amount possible if requirements were met.
- 7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions and gifts received from persons not residing in the dwelling; and
  - 8. All regular pay, special pay and allowances of a member of the Armed Forces, except as defined in Paragraph (C)(7), of this Policy.

C. Annual Income does not include the following:

- 1. Income from employment of children (including foster children) under the age of 18 years;
- 2. Payments received for the care of foster children;
- 3. 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, deferred periodic payments received in a lump sum from SSI and Social Security, except as defined in Paragraph (B)(5), of this Section;
- 4. Amounts received by the Family, that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- 5. Income of a Live-in Aide, as defined in #13 of this Section;
- 6. Amounts of scholarships funded under Title IV of the Higher Educational Act of

1965, including awards under the Federal Work Study Work Program or under the Bureau of Indian Affairs student assistance programs;

7. The special pay to a Family member in the Armed Forces who is exposed to hostile fire;
8.
  - (a) Amounts received under training programs funded by HUD;
  - (b) 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); or
  - (c) Amounts received by a participant 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;
9. Temporary, nonrecurring or sporadic income (including gifts);
10.
  10. 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 United States Housing Act of 1937;
11. Payments to volunteers under the Domestic Volunteer Services Act of 1973;
13. Payments received under the Alaska Native Claims Settlement Act;
13. Income derived from certain submarginal land of the United States that is held in trust for certain Indian Tribes;
14. Payments or allowances made under the Department of Health and Human Services, Low-Income Home Energy Assistance Program;
15. Payments received under programs funded in whole or in part under the Job Training Partnership Act (JTPA);
16. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians;
17. The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims or

from funds held in trust for an Indian Tribe by the Secretary of the Interior;

18. Payments received from programs funded under Title V of the Older Americans Act of 1965;
19. Payments received on or 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;
20. Payments received under the Maine Indian Claims Settlement Act of 1980;
21. The value of any child care provided or arranged (or any amounts received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990;
22. Any earned income tax credit.
23. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State, or local law during the exclusion period. For purposes of this exclusion the following definitions apply:
  - a. Comparable Federal, State or local law means a program providing employment training and supportive services that:
    - i. Is authorized by a Federal, State or local law:
    - ii. Is funded by the Federal, State or local government:
    - iii. Is operated or administered by a public agency; and
    - iv. Has as it objective to assist participants in acquiring employment skills.
  - b. Exclusion period means the period during which the family members participates in a program described in this section , plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act.  
If the family member is terminated from employment with good cause, the exclusion period shall end.

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

24. The incremental earnings due to employment during a cumulative 12 month period following date of the initial hire shall be excluded. This exclusion will not apply for any family who concurrently is eligible for another earned income disregard. Additionally, this exclusion is only available to the following families:

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

During the second cumulative 12 month period after the date of initial hire, 50% of the increased income shall be excluded from income.

The disallowance of increased income of any individual family member is limited to a lifetime 48 month period. It only applies for 12 months of the 100% exclusion and 12 months of the 50% exclusion.

- D. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period. Clients with a history of temporary employment will have income derived from temporary employment annualized for the purpose of calculating rent.

- 3. Child Care Expense: Amounts anticipated to be paid by the Family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to be gainfully employed or to further his/her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare, and, in the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of income received from such

employment.

4. Dependent: A member of the Family household (excluding foster children) other than the Family head or spouse/co-head, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a Full-time Student.
5. Disabled Person: A person 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)).
6. Displaced Person: A person displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under Federal disaster relief laws.
7. Drug Free Zone: Any public housing unit administered by HRA plus the area within 800 feet of the property's boundary, or one city block, whichever distance is greater, shall be free of selling, possessing, or possessing with intent to sell any illegal controlled substance. The courts will impose maximum sentencing penalties for unlawful controlled substance crimes committed within this defined zone. (Section 1. Minnesota Statutes 1990, section 152.01 subd. 19)
8. Elderly Family: A Family whose head or spouse/co-head (or sole member) is an Elderly, Disabled or Handicapped Person. It may include two (2) or more Elderly, Disabled or Handicapped Persons living together, or one or more of these persons living with one or more Live-in Aides.
9. Elderly Person: A person who is at least 62 years of age.
10. Family: A Family consists of; 1) a single person ; 2) two (2) or more persons who have a stable family-type relationship; b) an elderly family; or c) a displaced person.
11. Full-Time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.
12. Handicapped Assistance Expenses: Reasonable expenses that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled Family member and that are necessary to enable a Family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the Family nor reimbursed by an outside source.

13. Handicapped Person: A person having a physical or mental impairment that; (a) is expected to be of long-continued and indefinite duration; (b) substantially impedes his/her ability to live independently; and (c) is of such nature that such ability could be improved by more suitable housing conditions.
14. Live-In Aide: A person who resides with an elderly, disabled, or handicapped person(s) and who; (a) is determined by the HRA 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.
15. Lower Income Family: A Family whose Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families. HUD may establish income limits higher or lower on the basis of its finding that such variations are necessary because of prevailing levels of constructions costs or unusually high or low family incomes.
16. Medical Expenses: Those medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered any insurance.
17. Minimum Rent – Minimum rent shall be zero
18. Monthly Adjusted Income: One twelfth of Adjusted Income.
19. Monthly Income: One twelfth of Annual Income.
20. Near Elderly Family: A family whose head or spouse/co-head (or sole member) is at least 50 years of age and below the age of 62 years.
21. Net Family Assets: Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the Family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income as defined in Paragraph (B)(3), of this Section. Net Family Assets shall include the value of any assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or reexamination, as applicable, in excess of

the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

22. Public Housing Agency (PHA): Any State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development or operation of housing for lower income families.
23. Single Person: A person who lives alone or intends to live alone and who does not qualify as an elderly family or a displaced person or as the remaining member of a tenant Family.
24. Single Room Occupancy (SRO): A unit which contains no sanitary facilities or food preparation facilities, or which contains one but not both types of facilities and which is suitable for occupancy by a single eligible individual capable of independent living.
25. Tenant Rent: The amount payable monthly by the Family as rent to the HRA. Where all utilities (except telephone) and other essential housing services are supplied by the HRA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the HRA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the applicable Utility Allowance.
26. Total Tenant Payment: The monthly amount calculated as defined in Part 8, of this Policy.
27. Utility Allowance: If the cost of utilities (except telephone) for an assisted unit is not included in the Tenant Rent, but is the responsibility of the Family occupying the unit, an amount equal to the estimate made or approved by the HRA or HUD will be used in calculating rent. The estimated utility allowance amount is based upon the monthly cost of a reasonable consumption of such utilities by an energy-conservation household of modest circumstances.
28. Utility Reimbursement: The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the Family occupying the unit.
29. Very Low-Income Family: A Lower Income family whose Annual Income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.
30. Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

## PART 3

### *ELIGIBILITY REQUIREMENTS*

#### 1. Profile Requirements:

To be eligible for admission, an applicant must meet the following qualifications:

- A. Income Limits - To be financially eligible, the applicant family must meet the income limits as defined in Appendix A; and
- B. Family - A Family consists of; 1) single person, a) two or more persons who have a stable family-type relationship; b) an disabled, handicapped or elderly family; or c) a displaced person, as defined in Part 1 of this Policy; or
- C. Citizenship/Eligibility Status - Each member of the family must be a citizen, national, or a noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Action of 1980. (This includes adults and minors.)
- D. Social Security Number Documentation – All family members 6 years of age and older must provide a Social Security number or certify that they do not have one.

#### 2. Non-Economic Eligibility Criteria:

In determining eligibility, the following factors shall apply:

- A. Whether the conduct of the applicant in present or prior housing has been such that admission to the program would adversely affect the health, safety, or welfare of other residents, or the physical environment, or the financial stability of the project. A record of any of the following may be sufficient cause for the HRA to deny eligibility:
  - 1. An applicant's past performance in meeting financial obligations especially rent;
  - 2. A record of disturbance of neighbors, destruction of property, or unacceptable living or housekeeping habits;
  - 3. Involvement in criminal activity involving crimes of physical

violence to persons or property or a record of other criminal acts which would adversely affect the health, safety, or welfare of other residents.

4. Evidence of committed fraud in connection with any Federal housing program.
  5. A record of eviction from housing (taking into account date and circumstance).
  6. Denied for life – If any family member has been convicted of manufacturing or producing methamphetamine (speed) in a public housing development or in a Section 8 assisted property (project based and/or tenant based);
  7. Denied for life – Has a lifetime registration under a State sex offender registration program.
- B. In determining eligibility for admission, the HRA shall rely upon sources of information which may include, but not be limited to, the applicant (by means of interviews and/or home visits)HRA, Authority records, previous landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by particular circumstances.
- C. In the event of the receipt of unfavorable information with respect to an applicant, consideration shall 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 or financial prospects for example: evidence of rehabilitation; evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs and availability of such programs; evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.
3. The HRA must promptly notify any applicant determined ineligible for admission to a project of the basis for such determination, and must provide the applicant upon request, within a reasonable time after the determination is made, an opportunity for an informal hearing on such determination.

The applicant may request an informal hearing if he/she does not agree with the decision to deny admission to the program. The request must be written, directed to the HRA, signed and dated and received within ten working days from the date of the denial letter. The HRA will arrange for a hearing officer and advise the applicant of the time and date of the hearing. The hearing officer will be a person not involved in the decision to deny participation. After the hearing, the

decision will be made known within 10 working days of the hearing. Program Applicants are not eligible for the Participant's Grievance Procedures.

## PART 4

### *VERIFICATIONS*

1. As a condition of admission to, or continued occupancy of, any assisted unit under the public housing program, the HRA shall require the family head and other such family members as it designates to execute a HUD approved release and consent authorizing any depository or private source of income, or any Federal, state or local agency, to furnish or release to the HRA and to HUD such information as the HRA or HUD determines to be necessary. The HRA shall also require the family to submit directly documentation determined to be necessary. Information or documentation shall be determined to be necessary if it is required for purposes of determining or auditing a family's eligibility to receive housing assistance, for determining the family's adjusted income or tenant rent, for verifying related income, or for monitoring compliance with equal opportunity requirements. The use of disclosure of information obtained from a family or from another source pursuant to this release and consent shall be limited to purposes directly connected with administration of this part or applying for assistance.
2. Tenant files will contain documentation of all verifications.
3. All income and assets will be verified by third parties at the time of the reexamination. If a third party verification is not possible, then checking W-2 Forms, or check stubs, viewing checks in payment of pensions, social security, alimony, etc will be sufficient. All steps or investigations to insure accuracy of income and asset determinations will be made and will be documented in the files of the tenant. Social security amounts will be determined by adding COLA to the last verified amount.

## PART 5

## *TENANT SELECTION AND ASSIGNMENT POLICIES*

The Tenant Selection and Assignment Policies have been designed by the HRA to take into consideration the needs of individual families for low-income housing and the statutory purpose in developing and operating a socially and financially sound low-income housing program which provides a decent home and a suitable living environment and fosters economic and social diversity in the tenant body as a whole.

As required by HUD, the HRA will reserve at least 40% of its units for persons making less than 30% of the median income. This policy may be waived if the percentage of persons on the HRA Section 8 Rent Assistance Program exceed the percentage applicable for this program.

If the HRA has met the requirements stated in the previous paragraph the Authority, in order to attain a tenant population with a broad range of incomes representative of low-income families in the HRA's jurisdiction, will select tenants from the waiting list with rent paying ability sufficient for the HRA's housing program to maintain financial stability. Selection of persons below 30% of median will continue, even if the required percentages have been achieved, if their application is ranked higher than a household making more than 30%. If financial constraints require higher income admission, the HRA will take formal action prior to admitting lower ranked high income households.

### *In order to attain these goals:*

1. On an annual basis, the HRA will analyze the income levels of the families residing in public housing and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration policies to implement.
2. The HRA will not discriminate against any applicant because of race, color, religion, age, sex of household head, national origin, familial status, handicap or receipt of public assistance. The HRA will not automatically deny admission to a particular group or category of otherwise eligible applicants.
3. Each applicant will be assigned his/her appropriate place on a community-wide basis in sequence based upon date and time his/her application is received, suitable type or size of unit, and factors affecting preference or priority established by the Local HRA's regulations. At a given time, the applicant first on the waiting list shall be offered a suitable unit. If the applicant rejects the unit offered the applicant will go to the bottom of the appropriate category. When the applicant is again first on the list, they will again be offered a unit. If the applicant again rejects the unit offered, the Family will be removed from the waiting list. A Family that is on a Section 8 waiting list will not lose its place on that waiting list by applying for the HRA's public housing projects.

In carrying out the above plan, should the applicant present to the satisfaction of the Local HRA clear evidence that acceptance of a given offer of a suitable vacancy will result in undue hardship

not related to considerations of race, sex, religion, color, national origin or language, such as inaccessibility to source of employment, children's day care and the like, refusal of such an offer shall not be counted as one of the number of allowable refusals permitted an applicant however the applicant will be placed at the bottom of the appropriate category.

4. The HRA, in selecting eligible applicants to fill available units of suitable size, will give preference to applicants who are live or work in Bloomington.
5. Reassignment or transfers to other dwelling units shall be made without regard to race, color, national origin, religion, familial status, sex, age or handicap as follows:
  - A. Tenants shall not be transferred to a dwelling unit of equal size except for alleviating hardships as determined by the Executive Director or his/her designee;
  - B. Transfers shall be made to correct occupancy standards;
  - C. Transfers required to comply with occupancy standards shall take precedence over new admissions.
6. To preclude admission of applicants whose habits and practices reasonably may be expected to have a detrimental effect on the tenants or project environment the HRA will follow the requirements as defined in Part 2, (2)(B) of this Policy.

## PART 6

### *OCCUPANCY STANDARDS*

*Dwelling units will be assigned as follows:*

- A. No more than two (2) persons will be required to occupy a bedroom;
- B. Persons of different generations, persons of opposite sex, (other than spouse/co-heads) and unrelated adults will not be required to share a bedroom;
- C. A live-in care attendant who is not a member of the family will not be required to share a bedroom.

Following is the range of persons per bedroom:

<i>NUMBER OF BEDROOMS</i>	<i>NUMBER OF PERSONS</i>	
	<i>Minimum</i>	<i>Maximum</i>
3	3	6
4	4	8
5	5	10

If, because of a physical or mental handicap of a household member or a person associated with that household, a family may need a unit that is larger than the unit size suggested above. A physician must document such need in writing or other professional deemed acceptable to the HRA.

Such standards may be waived when a vacancy problem exists and it is necessary to achieve or maintain full occupancy by temporarily assigning a family to a larger size unit than is required. Such family may be transferred to the proper size unit as soon as one becomes available.

## PART 7

### *WAITING LIST*

1. One waiting list will be maintained for all low rent properties. The waiting list will consist of apparently eligible applicants, based on type and size of unit required, factors affecting preference, and date and time the application was received. Application forms will be completed to the extent that all factors of eligibility are included and the HRA can make a determination on the apparent eligibility status of the applicant.
2. Contact will be made annually with apparently eligible persons on the waiting list to keep a current list of persons actually remaining interested in, and apparently eligible for housing. Those persons not responding to this yearly inquiry will be removed from the waiting list.
3. The Waiting List will be maintained as defined in Part 4 and Part 5, of this Policy.

## PART 8

### *SCHEDULE OF RENTS*

The Total Tenant Payment shall be the highest of the following Income Based Rents, rounded to the nearest dollar:

- A. 30% of monthly adjusted income;
- B. 10% of monthly income; or
- C. If the family receives welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing cost, is specifically designated by such agency to meet the family's housing cost the monthly portion of such payments which is so designated. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

### **OR**

A Flat Rent, which is based on the Section 8 Exception Rates set by the Section 8 Program in Bloomington. A family has the choice of an income-based rent, or a flat rent. Families may switch from a flat rent to an income based rent due to hardship reasons. For families choosing the flat rent, the HA will reexamine the family's income at least once every three years.

Rent is due on the first day of each month. If not paid on the fifth of the month a \$20.00 late fee will be assessed. If for any reason tenant's rent will be delayed beyond the fifth, tenant must contact HRA with an explanation. If landlord agrees to an extension, a written agreement will be signed by the tenant indicating the date on which the tenant will make full payment of the rent including the late fee. A charge of \$20.00 will also be assessed for checks returned for non-sufficient funds or account closed.

Failure to pay rent by noon on the 5th day without prior HRA notification will result in a Notice of Termination to be issued to the tenant on the 5th day demanding payment in full or the surrender of the premises.

## PART 9

### *ADDITIONAL CHARGES*

1. *Security Deposit:*

Each Tenant is required to pay a security deposit in an amount determined by the HRA. Such payments must be made prior to occupancy, unless other arrangements are made with the management. The security deposit will be held until the tenant moves out and will be returned within twenty-one (21) days with interest if the following conditions are met:

- A. There is not unpaid rent or other charges for which the tenant is liable;
- B. The apartment and all equipment are left reasonably clean and all trash and debris has been removed by the tenant;
- C. There is no breakage or damage which is not due to normal wear; and
- D. All keys issued to the tenant are turned into the Management Office when the tenant vacates the apartment.

The security deposit may not be used during occupancy to pay charges. Interest on the security deposit must be returned to the tenant and can not be applied toward unpaid rent or other charges. The amount of Security Deposit required is defined in Appendix B.

2. *Excess Utility Consumption:*

Where the utilities are included in the contract rent the HRA will charge each tenant for utility usage in excess of necessary amounts. These charges will be determined either individual check metering where the HRA will charge for actual usage in excess of the established necessary amounts.

3. *Sales and Service Charges:*

The HA will charge the tenant for any damage to a dwelling unit, appliances, and /or grounds, which are beyond normal wear and tear or are due to abuse or neglect by the tenant or the tenant's guest. There are also charges for certain equipment and services such as grass cutting.

## PART 10

### *LEASING*

1. Prior to admission a lease shall be signed and dated by the family head and spouse/co-head, and all persons 18 and over, and by the HRA. Full names of all members of the household will be listed on the lease.
2. The lease is to be current at all times and must be compatible with HRA Policies as well as state and Federal law.

The allowable length of stay for guests is less than 15 days during a one-year period unless the HRA has sent prior approval in writing. Mail may not be accepted for anyone not listed on the lease per Section I of the current lease.

3. Notices of Rent Adjustments will be issued to amend the dwelling lease. This procedure provides formal acknowledgment of the rent change and documents that appropriate notice has been provided to tenants who incur rent increases.

Documentation will be included in the tenant file to support proper notice.

4. Schedules of special charges for services, repairs and utilities, and rules and regulations which are required to be incorporated in the lease by reference shall be publicly posted in a conspicuous manner in the HRA office and shall be furnished to applicants and tenants on request. The Resident Handbook will be given to tenants upon signing the lease. (See Appendix D) Such schedules, rules and regulations may be modified from time to time, provided that at least thirty day written notice is given, 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 prior to the proposed modifications becoming effective.

A copy of such notice shall be:

- A. Delivered directly or mailed to each tenant; or
  - B. Posted in the HRA office.
5. Any modifications of the lease, other than a rent adjustment, must be accomplished by a written rider to the lease signed by both parties.

## PART 11

### *REEXAMINATION OF TENANT ELIGIBILITY AND RENTAL ADJUSTMENTS*

1. The HRA must reexamine income and composition of all tenant families at least once every twelve (12) months and determine whether the family's unit size and rent amount is still appropriate.
2. The HRA will require a written application from each family, signed by the head of the family and the spouse/co-head which will set forth in adequate detail all data and information necessary to enable the HRA to determine; (1) the rent to be charged; and (2) the size of the apartment required.

Verifications will be required as defined in Part 4, of this Policy.

3. Once rent is established, such rental rate shall remain in effect until the next annual reexamination, special reexamination or an interim rent adjustment for an unanticipated change in income or family composition. All income changes must be reported. Anytime any of the following circumstances occur rent and income will be reviewed and rent adjusted as defined in Part 8, of this Policy:
  - A. A decrease in Family Income which would lower the rent as defined in Part 8, of this Policy;
  - B. A change in Family composition which would increase/decrease the rent as defined in Part 8, of this Policy.
4. Increases in rent resulting from reexaminations reviews are to be effective the first of the second month following the change.
5. If, upon reexamination, it is found that the size or composition of a family or household has changed so that the apartment occupied by the family contains a number of rooms less or greater than necessary to provide decent, safe and sanitary accommodations as described in the Occupancy Standards in Part 6, Management shall give notice of at least thirty (30) days to the tenant that the tenant will be required to move to another unit, or the HRA will issue a Section 8 Voucher.
6. In the event it is found that a tenant has misrepresented to Management the facts upon which his/her rent is based, so that the rent paid is less than should have been charged, the increase in rent shall be made retroactive to the date the change should have been made. If management determines that tenant has gained admission or remained in occupancy in the HRA's project

through tenant's willful misrepresentation of income or assets, Management shall notify the tenant that the tenant has thirty (30) days to find other housing and vacate the leased premises. Tenants will be required to repay amounts owed the HRA.

7. The HRA will not increase the annual income of an eligible family as a result of increased income due to employment during the 12 month period beginning on the date on which the employment commences. After the initial 12 month period the increase in the amount of rent may not be greater than 50% of the rent increase for the next 12 months. (See PART 2, no. 24)

## PART 12

### *LEASE TERMINATIONS*

1. The tenant may terminate the lease by providing the HRA with two month's plus one day written notice as defined in the lease agreement.
2. The lease may be terminated by the HRA at any time by giving written notice for good cause such as, but not limited to, nonpayment of rent or other charges including due under the Lease, or repeated chronic late payment of rent; failure to pay tenant paid utilities; failure to provide timely and accurate statements of income, assets, expenses and family composition at Admission, Interim, Special or Annual Rent Recertification; failing to meet community service requirements, assignment or subleasing of the premises or providing accommodation for boarders or lodgers; use of the premises for purposes other than solely as a dwelling unit for the Tenant and the Tenant's household as identified in the Lease, or permitting its use for any other purpose; any criminal activity that threatens the health, safety or right to peaceful enjoyment of public housing premises by other residents or employees of the HRA; any drug-related criminal activity on or off such premises; failure to abide by necessary and reasonable rules made by the Landlord for the benefit and well being of the housing project and the Tenants, Tenant may not engage in any activity, criminal or otherwise, that threatens the health, safety, or right to peaceful enjoyment of the premises by other tenants or employees of the landlord. Tenant may not engage in criminal activity any time. PUBLIC HOUSING IS A DRUG FREE ZONE. Such activity is cause for lease termination and eviction even without conviction or arrest. Also including, but not limited to those established in the Resident Handbook (Appendix D); failure to abide by applicable building and housing codes materially affecting health or safety; failure to dispose of garbage, waste and rubbish in a safe and sanitary manner; failure to use electrical, plumbing, sanitary, heating, ventilating, air conditioning and other equipment, including elevators, in a safe manner; acts of destruction, defacement or removal of any part of the premises, or failure to cause guests to refrain from such acts; failure to pay reasonable charges (other than normal wear and tear) for the repair of damages to the premises, project buildings, facilities or common areas; for complaints received due to loud parties, for police calls to property due to disturbances, any activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or neighbors; any drug-related criminal activity on or near such premises, or other good cause.

If the HRA proposes to terminate the Lease, written notice of the proposed termination will be given as follows:

- A. At least fourteen (14) days prior to termination in the case of failure to pay rent;
  - B. A reasonable time based on the urgency of the situation in the case of; a creation or maintenance of a threat to health or safety of other Tenants or Landlord's employees,
  - C. At least thirty (30) days prior to termination in all other cases.
3. Notice of termination to tenant shall state reasons for the termination, shall inform the tenant of his/her right to make such reply as he may wish and of his right to request a hearing as defined in Part 14, of this Policy.

Upon the death of the Tenant, or if there is more than one Tenant, upon the death of all Tenants, either the landlord or the personal representative of the Tenant's estate may terminate this Lease upon at least one month plus one day written notice, to be effective on the last day of a calendar month. If full notice is not given, the Tenant's estate shall be liable for rent to the end of the notice period or to the date the unit is re-rented, whichever date comes first. The termination of the Lease under this section does not release the Tenant's estate from liability either for payment of rent or other amounts necessary to restore the premises to their condition at the beginning of the Tenant's occupancy, normal wear and tear excepted.

4. Grievances or appeals concerning the obligations of the tenant or the HRA under the provisions of the Lease shall be processed and resolved as defined in Part 14, of this Policy, which is in effect at the time such grievance or appeal arises. The HRA is not required to provide for a grievance hearing when the tenant owes any outstanding rent or other charges to the HRA unless the grievance concerns the amount of such rent or charges and such amount is placed in escrow as required by the Grievance Procedure of the HRA.

PART 13  
IN-HOME BUSINESS IN HRA-OWNED HOME

No resident shall establish a business that is based out of the HRA-owned home without written consent by the HRA. The request must be submitted in writing and provide the following information:

- Name under which business will be operated, if applicable.
- Employees, if any.
- Hours of operation.
- General description of activity.

If the business is daycare:

1. The State or County must license the daycare provider.
2. The tenant pays any costs associated with obtaining the license.
3. The home must be restored to the move-in condition if any alterations are made.
4. The daycare provider must be insured.
5. The HRA must be named in the insurance policy as not held responsible for any problems arising during the course of the business.
6. Verification of income will be made from the resident's income tax form.
7. Proper permits will be obtained as required by the Bloomington Code.

Other types of businesses:

1. Any alterations necessary to the home must be approved in writing by the HRA.
2. Any business equipment needed must be installed properly by licensed workers.
3. If the business does not continue for any reason, the tenant will restore home to its move-in condition at their expense.
4. The business must not create excessive wear and tear on the home.
5. The business must not create a nuisance to the surrounding neighbors.
6. The business must be insured with the HRA named in the policy as not held responsible for any problems arising during the course of the business.
7. Verification of income will be made from the resident's income tax form.
8. Proper permits will be obtained as required by the Bloomington Code.

## PART 14

### GRIEVANCE PROCEDURES

#### 1. Definitions:

- A. A "Grievance" is any dispute which a tenant may have with respect to HRA action or failure to act in accordance with the individual tenant's lease or HRA regulations which adversely affect the individual tenant's rights, duties, welfare or status.
- B. A "Complainant" is any tenant whose grievance is presented to the HRA or at the project management office informally or as part of the informal hearing process.
- C. A "Tenant" is the adult person(s) (other than live-in aide) who resides in the unit, and who executed the Lease with the HRA as lessee of the dwelling unit, or, if no such person now resides in the unit, one who resides in the unit, and who is the remaining head-of-household of the tenant family residing in the dwelling unit.
- D. A "Hearing Officer or Panel" shall mean an impartial, disinterested person or persons selected to hear grievances and render a decision.
- E. The "Elements of Due Process" shall mean an eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required:
  - 1. Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction;
  - 2. Right of the tenant to be represented by counsel;
  - 3. Opportunity for the tenant to refute the evidence presented by the HRA including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have;
  - 4. A decision on the merits.

#### 2. Grievance Procedure:

##### A. Informal Grievance Procedures:

- 1. Any grievance shall be presented in writing, signed and dated by the Complainant to the HRA office. The grievance must be presented within a reasonable time, not in excess of the first working day after the tenth (10th) day

after receiving notice from the HRA of action or failure to act which is the basis of the grievance. It may be simply stated, but shall specify; (a) the particular ground(s) upon which it is based; (b) the action requested; and (c) the name, address and telephone number of Complainant and similar information about his/her representative, if any.

2. A meeting will be held after receipt of the grievance the purpose of this initial contact is to discuss and hopefully resolve grievances without the necessity of a formal hearing.
3. Within ten (10) working days, a summary of this discussion will be given to the Complainant by a HRA representative, one copy to be filed in the HRA's tenant file.
4. The summary will include; names of participants date of the meeting, nature of the proposed disposition, and specific reasons therefore; and shall specify steps by which a formal hearing can be obtained if the complainant is not satisfied.
5. After exhausting procedures outlined above, if the Complainant is dissatisfied with the proposed disposition of the grievance, he/she is entitled to a hearing before a Hearing Officer or Panel. He/she shall submit a written request for a hearing within ten (10) working days of delivery of the above-mentioned summary of the informal proceedings.
6. If the Complainant does not request a hearing within ten (10) working days, he/she waives his/her right to a hearing, and the HRA's proposed disposition of the grievance will become final. Failure to request a hearing shall in no way constitute a waiver of the Complainant's right to contest the HRA's disposition of his/her grievance in an appropriate judicial hearing.

3. Procedures to Obtain a Hearing:

A. Informal Prerequisite:

1. All grievances shall be personally presented either orally or in writing pursuant to the informal procedure as defined in Section 2(A)(1) above, as a prerequisite to a formal hearing. If the Complainant shall show good cause why he/she failed to proceed as defined in Section 2(A)(1) above, to the Hearing Officer or Panel, the Hearing Officer or Panel may waive the provisions of this subsection.
2. If the Complainant does not request a hearing within the time period allowed in Section 2(A)(5) above, he/she waives his/her right to the hearing, and proposed disposition of the grievance will become final. This shall not, however,

constitute a waiver of the Complainant's right thereafter to contest disposition of his/her grievance in an appropriate judicial proceeding.

B. Escrow Deposit:

1. Before a hearing is scheduled in any grievance involving an amount of rent the HRA claims is due, the Complainant shall pay to the HRA all rent due and payable as of the month preceding the month in which the act or failure to act took place.
2. The Complainant shall thereafter deposit the same amount of the monthly rent in an escrow account monthly until the complaint is resolved by decision of the Hearing Officer or Panel.
3. The requirements as defined in Section 3(B)(1) and (2) above, may be waived by the HRA in extraordinary circumstances.
4. Unless so waived, failure to make the aforementioned payments shall result in termination of the grievance procedure.
5. Failure to make such payments shall not constitute a waiver of any right the Complainant may have to contest the HRA's disposition of his/her grievance in any appropriate judicial proceeding.

4. Selection of a Hearing Officer or Panel:

The Hearing Officer shall be an impartial, disinterested person(s) appointed by the HRA, other than a person who made or approved the HRA action under review or a subordinate of such person.

5. Scheduling:

- A. Upon Complainant's compliance with Section 3(A) and (B) above, a hearing shall be scheduled by the Hearing Officer or Panel promptly for a time and place reasonably convenient to both the Complainant and the HRA.
- B. A written notification specifying the time, place, and the procedures governing the hearing shall be delivered to the Complainant and the appropriate HRA official.

6. Expedited Grievance Procedure

In the case of a grievance conducted under the expedited grievance procedure, the informal hearing is bypassed.

An expedited grievance procedure concerning termination of tenancy or eviction that involves:

Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of premises of other residents or employees of HRA;

Any drug related criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of the HRA.

The expedited procedure includes scheduling the formal hearing within 5 days and an expedited decision to be given within five days of the hearing.

7. Procedures Governing the Hearing:

- A. The hearing shall be held before a Hearing Officer or Panel as appropriate.
- B. The Complainant shall be afforded a fair hearing providing the basic safeguard of due process which shall include:
  - 1. The opportunity to examine before the grievance hearing and at the expense of the Complainant, to copy all documents, records and regulations of the HRA that are directly relevant to the hearing. If the HRA does not make the document available for examination upon request by the Complainant, the HRA will not rely on such document at the grievance hearing;
  - 2. The right to a private hearing unless the Complainant requests a public hearing;
  - 3. The right to be represented by counsel or other person chosen as his/her representative, and to have such person make statements on the tenant's behalf;
  - 4. The right to present evidence and arguments in support of his/her complaint, to controvert evidence relied on by the HRA or project management, and to confront and cross-examine all witnesses on whose testimony or information the HRA or project management relies; and
  - 5. A decision based solely and exclusively upon the facts presented at the hearing.
- C. If the Hearing Officer or Panel determines that the issue has been previously decided in another proceeding they may render a decision without proceeding with the hearing.
- D. If the Complainant or HRA fail to appear at the scheduled hearing, the Hearing Officer or Panel may make a determination to postpone the hearing for not to exceed five (5) working days, or make a determination that the party has waived his/her right to a hearing. Both parties will be notified of the determination provided that such a

determination in no way waives the Complainant's right to appropriate judicial proceedings.

E. At the hearing, the Complainant must first make a showing of an entitlement of the relief sought and thereafter the HRA must sustain the burden of justifying the Authority actions or failure to act against which the complaint is directed.

F. The hearing shall be conducted by the Hearing Officer or Panel in such a way to be:

1. *Informal* - Oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings;

2. *Orderly* - The Hearing Officer or Panel shall require that the HRA, Complainant, counsel and other participants and spectators conduct themselves in an orderly fashion. Failure to comply with the directions of the Hearing Officer or Panel to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate.

G. The Complainant or HRA may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.

H. The HRA will provide reasonable accommodations for person with disabilities to participate in the hearing.

1. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants.

2. If the tenant is visually impaired, any notice, which is required under this procedure, will be in an accessible format.

8. *Decision of the Hearing Officer or Panel:*

A. Within ten (10) working days following the hearing, the Hearing Officer or Panel shall give the Complainant and HRA a written decision including reasons therefore. The HRA will file one copy in the tenant file and maintain another copy with names and identifying references deleted for a prospective Complainant, his/her representative or Hearing Officer or Panel.

B. The decision of the Hearing Officer or Panel shall be binding on the HRA which shall

take all actions necessary to comply with the decision

unless the HRA Board of Commissioners determine, within a reasonable time, and or notifies the Complainant that:

1. The grievance does not concern HRA action or failure to act in accordance with or involving the Complainant's Lease on HRA regulations which adversely affect the Complainant's rights, duties, welfare or status.
  2. The decision of the Hearing Officer or Panel is contrary to applicable Federal, State or local law, HUD regulations or requirements of the Annual Contributions Contract between HUD and the HRA.
- C. A decision by the Hearing Officer or Panel or Housing Commissioners in favor of the HRA or which denies the relief requested by the Complainant in whole or part shall not constitute a waiver of, nor affect in any manner whatever, the rights the Complainant may have to a new trial or judicial review in any proceedings, which may thereafter be brought in the matter.

9. HRA Eviction Actions:

A notice to vacate which is required by State or local law may be combined with or run concurrently with a notice of lease termination. The tenancy shall not terminate (even if any notice to vacate under State or local law has expired) until the grievance process has been completed (so long as the hearing was requested in a timely manner).

## *PET POLICY*

1. This policy does not apply to animals that are used to assist persons with disabilities.
2. Residents must have the prior approval of the HRA before moving a pet into their unit. The HRA will allow only domesticated, small, caged rodents, caged birds and fish in public housing units. Any reptiles, other than aquarium turtles, are not permitted as pets.
3. Only one (1) pet per unit is allowed.
4. Pet registration with the HRA is required. Pet owners must identify at least one local emergency contact who will care for the pet in the event the owner is unable to do so.
5. If it is determined by the HRA that a pet owner is no longer capable of properly caring for a pet, the HRA may require the pet be removed from the owner's immediate possession.
6. Pet owners must observe all pertinent ordinances as related to pets.
7. The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas.

## PART 16

### *COMMUNITY SERVICE REQUIREMENT*

1. Public housing residents are required to contribute eight hours per month in community service or participate in a self-sufficiency program. Those exempted from the work requirement are:
  - A. Anyone 62 and older;
  - B. Anyone who is blind or disabled, or a primary caregiver of such person;
  - C. Anyone who is employed;
    1. Employment status will be determined by verifying earned income by quarter of work. The term quarter of work means:
      - a. a calendar quarter in which such individual received earned income of not less than \$50.00 (Sec. 607 (2) C (d))

(1)).

- D. Anyone engaged in a work program as part of the state's welfare reform efforts.
  - E. Anyone attending school or vocational training.
2. Thirty days prior to renewal of the lease, the housing HRA must make a determination if the resident has complied with the work requirement. Renewal of the lease may be denied if a resident has not complied with the community work requirement. Due process will be provided to residents when the HRA enforces this provision.
  3. The HRA will coordinate with social service agencies, local schools and programs to help identify volunteer community service positions.

## PART 16

### *RECEIPT OF A NOTICE FROM HUD CONCERNING INCOME*

1. If a public housing resident receives a letter or notice from HUD concerning the amount or verification of family income, the letter shall be brought to the person responsible for income verification within ten (10) days of receipt by the resident.
2. The HRA shall reconcile any difference between the amount reported by the resident and the amount listed in the HUD communication.
3. After the reconciliation is complete, the HRA shall adjust the resident's rent beginning at the start of the next month. In addition, if the resident had not previously reported the proper income the HRA, at its sole discretion, shall do one of the following:
  - A. Immediately collect the back rent due to the agency;
  - B. Establish a repayment plan for the resident to pay the sum due to the agency;
  - C. Terminate the lease and evict for failure to report income; or Terminate the lease, evict for failure to report income, and collect the back rent due to the HRA.

**APPENDIX A**

*INCOME LIMITS FOR OCCUPANCY*

<i>NUMBER IN FAMILY</i>	<i>INCOME LIMIT</i>
1	\$23,000
2	\$ 26,3000
3	\$ 29,550
4	\$ 32,850
5	\$ 35,5000
6	\$ 38,1000
7	\$ 40,750
8+	\$ 43,350

## **APPENDIX B**

### *SECURITY DEPOSIT*

Each tenant is required to pay a security deposit that will be determined by the HRA. Such payment must be made prior to occupancy. The security deposit will be held until the tenant moves out and will be returned with interest within 21 days of move-out provided:

1. There is no unpaid rent or other charges owed by the tenant;
2. The vacated unit and all equipment are left reasonably clean and all trash and debris have been removed by the tenant;
3. There is no breakage or damage which is not the result of normal wear;
4. All keys issued to the tenant are turned in to the management office when the tenant vacates the unit;
5. The tenant provides the HRA with a forwarding address.
6. The security deposit may not be used to pay charges during occupancy.

The amount of security deposit is the greater of \$250, or the amount equal to one month's gross rent not to exceed \$450.

The security deposit and pet deposit will not exceed \$450

## APPENDIX C

### UTILITY ALLOWANCES

<i>UTILITY TYPE</i>	<i>1 BEDROOM</i>	<i>2 BEDROOM</i>	<i>3 BEDROOM</i>	<i>4 BEDROOM</i>	<i>5 BEDROOM</i>
<i>HEAT</i>	<i>\$ N/A`</i>	<i>\$ N/A</i>	<i>60</i>	<i>\$ N/A</i>	<i>\$ N/A</i>
<i>COOKING FUEL</i>	<i>\$ N/A</i>	<i>\$ N/A</i>	<i>6</i>	<i>\$ N/A</i>	<i>\$ N/A</i>
<i>ELECTRIC</i>	<i>\$ N/A</i>	<i>\$ N/A</i>	<i>45</i>	<i>\$ N/A</i>	<i>\$ N/A</i>
<i>HOT WATER</i>	<i>\$ N/A</i>	<i>\$ N/A</i>	<i>11</i>	<i>\$ N/A</i>	<i>\$ N/A</i>
<i>SEWER</i>	<i>\$ N/A</i>	<i>\$ N/A</i>	<i>N/A</i>	<i>\$ N/A</i>	<i>\$ N/A</i>
<i>TRASH REMOVAL</i>	<i>\$ N/A</i>	<i>\$ N/A</i>	<i>N/A</i>	<i>\$ N/A</i>	<i>\$ N/A</i>
<i>OTHER</i>	<i>\$ N/A</i>	<i>\$ N/A</i>	<i>N/a</i>	<i>\$ N/A</i>	<i>\$ N/A</i>
<i>TOTALS*</i>	<i>\$ N/A</i>	<i>\$ N/A</i>	<i>122.00</i>	<i>\$ N/A</i>	<i>\$ N/A</i>
<i>*Subtract from tenant rent to arrive at total tenant payment.</i>					

The utility allowance schedule is based on utility consumption of major appliances such as heating furnace, hot water heater, range and refrigerator. The electricity allowance also includes consumption for minor electric appliance such as toasters and can openers.

Tenants may supply and use other major appliances with HRA approval (e.g. air conditioners, freezers), but the tenant pays the utility cost of these appliances.

### EXCESS UTILITY CHARGES

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

<i>ITEM</i>	<i>AMOUNT PAID IN ADDITION TO RENT BY TENANT</i>
<i>Water</i>	<i>in excess of \$52.00 per 2 month cycle</i>

BLOOMINGTON HOUSING & REDEVELOPMENT AUTHORITY  
in and for the CITY OF BLOOMINGTON

ADMISSION

AND CONTINUED OCCUPANCY POLICIES

LOW RENT PUBLIC HOUSING

**January, 2000**

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PART 1  
INTRODUCTIONS

This documents sets forth policies for the operation of the Housing and Redevelopment Authority's Public Housing units. These unit are funded by the Department of Housing and Urban Development. Policies are generally updated annually to reflect policy changes or relevent changes in Federal regulations or policies. However changes in Federal regulations supercede may occur that supercede policies set forth in this document.

PART 2  
*DEFINITIONS*

1. Adjusted Income: Annual Income Less:

- A. \$480 for each Dependent;
- B. \$400 for any Elderly Family;

For any family that is not an elderly family but has a handicapped or disabled member other than the head-of-household or spouse/co-head, handicapped assistance expenses in excess of three (3) percent of Annual Income but this allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the handicapped or disabled person;

D. For any Elderly Family:

- 1. That has no handicap assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed three (3) percent of annual income;
- 2. That has handicap assistance expenses greater than or equal to three (3) percent of annual income, an allowance for handicapped assistance expenses computed as defined in Paragraph C, of this Section, plus an allowance for medical expenses that is equal to the family's medical expenses;
- 3. That has handicapped assistance expenses that are less than three (3) percent of annual income, an allowance for combined handicapped assistance expenses and medical expenses that is equal to the amount by which the sum of these expenses exceeds three (3) percent of annual income;

E. Child Care Expenses.

2. Annual Income:

- A. Annual income is the anticipated total income from all sources received by the Family head and spouse/co-head (even if temporarily absent) and by each additional member of the Family, including all net income derived from assets, for the twelve (12) month period following the effective date of initial determination or reexamination of income, exclusive of certain types of income as defined in Paragraph C, of this Section.
- B. Annual Income includes, but is not limited to:
1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
  2. 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;
  3. 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 allowances for depreciation is permitted only as defined in Paragraph (B)(2), of this Section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets in excess of \$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;
  4. The full amount of periodic payments received from, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts;
  5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay, except as defined in Paragraph (C)(3), of this Section;
  6. If the Welfare Assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the Welfare Assistance

agency in accordance with the actual cost of shelter and utilities, the amount of Welfare Assistance income to be included as income shall consist of:

- (a) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
  - (b) The maximum amount the Welfare Assistance agency could in fact allow the Family for shelter and utilities. If the Family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage;
7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions and gifts received from persons not residing in the dwelling; and
  8. All regular pay, special pay and allowances of a member of the Armed Forces, except as defined in Paragraph (C)(7), of this Policy.

C. Annual Income does not include the following:

1. Income from employment of children (including foster children) under the age of 18 years;
2. Payments received for the care of foster children;
3. 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, deferred periodic payments received in a lump sum from SSI and Social Security, except as defined in Paragraph (B)(5), of this Section;
4. Amounts received by the Family, that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
5. Income of a Live-in Aide, as defined in #13 of this Section;
6. Amounts of scholarships funded under Title IV of the Higher Educational Act of 1965, including awards under the Federal Work Study Work Program or under the Bureau of Indian Affairs student assistance programs;
7. The special pay to a Family member in the Armed Forces who is exposed to hostile fire;

8.
  - (a) Amounts received under training programs funded by HUD;
  - (b) 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); or
  - (c) Amounts received by a participant 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;
9. Temporary, nonrecurring or sporadic income (including gifts);
10. 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 United States Housing Act of 1937;
12. Payments to volunteers under the Domestic Volunteer Services Act of 1973;
13. Payments received under the Alaska Native Claims Settlement Act;
14. Income derived from certain submarginal land of the United States that is held in trust for certain Indian Tribes;
15. Payments or allowances made under the Department of Health and Human Services, Low-Income Home Energy Assistance Program;
16. Payments received under programs funded in whole or in part under the Job Training Partnership Act (JTPA);
17. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians;
18. The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims or from funds held in trust for an Indian Tribe by the Secretary of the Interior;

19. Payments received from programs funded under Title V of the Older Americans Act of 1965;
  20. Payments received on or 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;
  21. Payments received under the Maine Indian Claims Settlement Act of 1980;
  22. The value of any child care provided or arranged (or any amounts received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990;
  23. Any earned income tax credit.
- D. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period. Clients with a history of temporary employment will have income derived from temporary employment annualized for the purpose of calculating rent.
3. Child Care Expense: Amounts anticipated to be paid by the Family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to be gainfully employed or to further his/her education and only to the extent such amounts are not reimbursed. 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.
  4. Dependent: A member of the Family household (excluding foster children) other than the Family head or spouse/co-head, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a Full-time Student.
  5. Disabled Person: A person 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)).
  6. Displaced Person: A person displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under Federal disaster relief laws.

7. Elderly Family: A Family whose head or spouse/co-head (or sole member) is an Elderly, Disabled or Handicapped Person. It may include two (2) or more Elderly, Disabled or Handicapped Persons living together, or one or more of these persons living with one or more Live-in Aides.
8. Elderly Person: A person who is at least 62 years of age.
9. Family: A Family consists of; a) two (2) or more persons who have a stable family-type relationship; b) an elderly family; or c) a displaced person.
10. Full-Time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.
11. Handicapped Assistance Expenses: Reasonable expenses that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled Family member and that are necessary to enable a Family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the Family nor reimbursed by an outside source.
12. Handicapped Person: A person having a physical or mental impairment that; (a) is expected to be of long-continued and indefinite duration; (b) substantially impedes his/her ability to live independently; and (c) is of such nature that such ability could be improved by more suitable housing conditions.
13. Live-In Aide: A person who resides with an elderly, disabled, or handicapped person(s) and who; (a) is determined by the HRA 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.
14. Lower Income Family: A Family whose Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families. HUD may establish income limits higher or lower on the basis of its finding that such variations are necessary because of prevailing levels of constructions costs or unusually high or low family incomes.
15. Medical Expenses: Those medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered any insurance.

Minimum Rent – Minimum rent shall be zero

Monthly Adjusted Income: One twelfth of Adjusted Income.

17. Monthly Income: One twelfth of Annual Income.
18. Near Elderly Family: A family whose head or spouse/co-head (or sole member) is at least 50 years of age and below the age of 62 years.
19. Net Family Assets: Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the Family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income as defined in Paragraph (B)(3), of this Section. Net Family Assets shall include the value of any assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.
20. Public Housing Agency (PHA): Any State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development or operation of housing for lower income families.
21. Single Person: A person who lives alone or intends to live alone and who does not qualify as an elderly family or a displaced person or as the remaining member of a tenant Family.
22. Single Room Occupancy (SRO): A unit which contains no sanitary facilities or food preparation facilities, or which contains one but not both types of facilities and which is suitable for occupancy by a single eligible individual capable of independent living.
23. Tenant Rent: The amount payable monthly by the Family as rent to the HRA. Where all utilities (except telephone) and other essential housing services are supplied by the HRA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the HRA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the applicable Utility Allowance.
24. Total Tenant Payment: The monthly amount calculated as defined in Part 8, of this Policy.

25. Utility Allowance: If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the Tenant Rent but is the responsibility of the Family occupying the unit, an amount equal to the estimate made or approved by the HRA or HUD, as defined in Appendix C, of this Policy, of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservation household of modest circumstances consistent with the requirements of a safe, sanitary and healthful living environment.
26. Utility Reimbursement: The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the Family occupying the unit.
27. Very Low-Income Family: A Lower Income family whose Annual Income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.
28. Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

### PART 3

#### *ELIGIBILITY REQUIREMENTS*

##### 1. Profile Requirements:

To be eligible for admission, an applicant must meet the following qualifications:

- A. Income Limits - To be financially eligible, the applicant family must meet the income limits as defined in Appendix A; and
- B. Family - A Family consists of; a) two or more persons who have a stable family-type relationship; b) an disabled, handicapped or elderly family; or c) a displaced person, as defined in Part 1 of this Policy; or
- C. Single Person - A person who lives alone or intends to live alone and who does not qualify as an elderly family or a displaced person or as the remaining member of a tenant Family.

##### 2. Non-Economic Eligibility Criteria:

In determining eligibility, the following factors shall apply:

- A. Whether the conduct of the applicant in present or prior housing has been such that admission to the program would adversely affect the health, safety, or welfare of other

residents, or the physical environment, or the financial stability of the project. A record of any of the following may be sufficient cause for the Authority to deny eligibility:

1. an applicant's past performance in meeting financial obligations especially rent;
2. a record of disturbance of neighbors, destruction of property, or unacceptable living or housekeeping habits;
3. a history of criminal activity involving crimes of physical violence to persons or property or a record of other criminal acts which would adversely affect the health, safety, or welfare of other residents.

B. In determining eligibility for admission, the Authority shall rely upon sources of information which may include, but not be limited to, the applicant (by means of interviews and/or home visits), Authority records, previous landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by particular circumstances.

C. In the event of the receipt of unfavorable information with respect to an applicant, consideration shall 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 or financial prospects for example: evidence of rehabilitation; evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs and availability of such programs; evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.

3. The HRA must promptly notify any applicant determined ineligible for admission to a project of the basis for such determination, and must provide the applicant upon request, within a reasonable time after the determination is made, an opportunity for an informal hearing on such determination.

The applicant may request an informal hearing if he/she does not agree with the decision to deny admission to the program. The request must be written, directed to the HRA, signed and dated and received within ten working days from the date of the denial letter. The HRA will arrange for a hearing officer and advise the applicant of the time and date of the hearing. The hearing officer will be a person not involved in the decision to deny participation. After the hearing, the decision will be made known within 10 working days of the hearing. Program Applicants are not eligible for the Participant's Grievance Procedures.

#### PART 4

## VERIFICATIONS

As a condition of admission to, or continued occupancy of, any assisted unit under the public housing program, the HRA shall require the family head and other such family members as it designates to execute a HUD approved release and consent authorizing any depository or private source of income, or any Federal, state or local agency, to furnish or release to the HRA and to HUD such information as the HRA or HUD determines to be necessary. The HRA shall also require the family to submit directly documentation determined to be necessary. Information or documentation shall be determined to be necessary if it is required for purposes of determining or auditing a family's eligibility to receive housing assistance, for determining the family's adjusted income or tenant rent, for verifying related income, or for monitoring compliance with equal opportunity requirements. The use of disclosure of information obtained from a family or from another source pursuant to this release and consent shall be limited to purposes directly connected with administration of this part or applying for assistance.

Tenant files will contain documentation of all verifications.

## PART 5

### *TENANT SELECTION AND ASSIGNMENT POLICIES*

The Tenant Selection and Assignment Policies have been designed by the Authority to take into consideration the needs of individual families for low-income housing and the statutory purpose in developing and operating a socially and financially sound low-income housing program which provides a decent home and a suitable living environment and fosters economic and social diversity in the tenant body as a whole.

As required by HUD, the HRA will reserve at least 40% of its units for persons making less than 30% of the median income. This policy may be waived if the percentage of persons on the HRA Section 8 Rent Assistance Program exceed the percentage applicable for this program.

If the HRA has met the requirements stated in the previous paragraph the Authority, in order to attain a tenant population with a broad range of incomes representative of low-income families in the Authority's jurisdiction, will select tenants from the waiting list with rent paying ability sufficient for the Authority's housing program to maintain financial stability. **Selection of persons below 30% of median will continue, even if the required percentages have been achieved, if their application is ranked higher than a household making more than 30%. If financial constraints require higher income admission, the HRA will take formal action prior to admitting lower ranked high income households.**

*In order to attain these goals:*

1. The Authority will, on an annual basis, compare the actual distribution of incomes of all tenant families in residence in the HRA's projects with the distribution of incomes of all low-income families in the HRA's area of jurisdiction, and determine the average rent required to meet the average operating costs of the project.
2. The Authority will not discriminate against any applicant because of race, color, religion, age, sex of household head, national origin, familial status, handicap or receipt of public assistance. The Authority will not automatically deny admission to a particular group or category of otherwise eligible applicants.
3. Each applicant will be assigned his/her appropriate place on a community-wide basis in sequence based upon date and time his/her application is received, suitable type or size of unit, and factors affecting preference or priority established by the Local Authority's regulations. At a given time, the applicant first on the waiting list shall be offered a suitable unit. If the applicant rejects the unit offered the applicant will go to the bottom of the appropriate category. When the applicant is again first on the list, they will again be offered a unit. If the applicant again rejects the unit offered, the Family will be removed from the waiting list. A Family that is on a Section 8 waiting list will not lose its place on that waiting list by applying for the HRA's public housing projects.

In carrying out the above plan, should the applicant present to the satisfaction of the Local Authority clear evidence that acceptance of a given offer of a suitable vacancy will result in undue hardship not related to considerations of race, sex, religion, color, national origin or language, such as inaccessibility to source of employment, children's day care and the like, refusal of such an offer shall not be counted as one of the number of allowable refusals permitted an applicant however the applicant will be placed at the bottom of the appropriate category.

4. **The Authority in selecting eligible applicants to fill available units of suitable size will give preference to applicants who are live or work in Bloomington. In order to assure that everyone on the waiting list is invited to make application the Bloomington preference the current wait list will be exhausted before person from a new waiting list are invited to apply.**
5. Reassignment or transfers to other dwelling units shall be made without regard to race, color, national origin, religion, familial status, sex, age or handicap as follows:
  - A. Tenants shall not be transferred to a dwelling unit of equal size except for alleviating hardships as determined by the Executive Director or his/her designee;
  - B. Transfers shall be made to correct occupancy standards;

- C. Transfers required to comply with occupancy standards shall take precedence over new admissions.
6. To preclude admission of applicants whose habits and practices reasonably may be expected to have a detrimental effect on the tenants or project environment the Housing Authority will follow the requirements as defined in Part 2, (2)(B) of this Policy.

PART 6

*OCCUPANCY STANDARDS*

*Dwelling units will be assigned as follows:*

- A. No more than two (2) persons will be required to occupy a bedroom;
- B. Persons of different generations, persons of opposite sex, (other than spouse/co-heads) and unrelated adults will not be required to share a bedroom;
- C. A live-in care attendant who is not a member of the family will not be required to share a bedroom.

*Following is the range of persons per bedroom:*

<i>NUMBER OF BEDROOMS</i>	<i>NUMBER OF PERSONS</i>	
	<i>Minimum</i>	<i>Maximum</i>
3	3	6
4	4	8
5	5	10

If, because of a physical or mental handicap of a household member or a person associated with that household, a family may need a unit that is larger than the unit size suggested above. Such need must be documented in writing by a physician or other professional deemed acceptable to the HRA.

Such standards may be waived when a vacancy problem exists and it is necessary to achieve or maintain full occupancy by temporarily assigning a family to a larger size unit than is required. Such family may be transferred to the proper size unit as soon as one becomes available.

## PART 7

### *WAITING LIST*

1. One waiting list will be maintained for all low rent properties. The waiting list will consist of apparently eligible applicants, based on type and size of unit required, factors affecting preference, and date and time the application was received. Application forms will be completed to the extent that all factors of eligibility are included and a determination can be made by the Authority on the apparent eligibility status of the applicant.
2. Contact will be made annually with apparently eligible persons on the waiting list to keep a current list of persons actually remaining interested in, and apparently eligible for housing. Those persons not responding to this yearly inquiry will be removed from the waiting list.
3. The Waiting List will be maintained as defined in Part 4 and Part 5, of this Policy.

## PART 8

### *SCHEDULE OF RENTS*

The Total Tenant Payment shall be the highest of the following, rounded to the nearest dollar:

- A. 30% of monthly adjusted income;
- B. 10% of monthly income; or
- C. If the family receives welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing cost, is specifically designated by such agency to meet the family's housing cost the monthly portion of such payments which is so designated. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

Rent is due on the first day of each month. If not paid on the fifth of the month a \$20.00 late fee will be assessed. If for any reason tenant's rent will be delayed beyond the fifth, tenant must contact HRA with an explanation. If landlord agrees to an extension, a written agreement will be signed by the tenant indicating the date on which the tenant will make full payment of the rent including the late fee. A charge of \$20.00 will also be assessed for checks returned for non-sufficient funds or account closed.

Failure to pay rent by noon on the 5th day without prior HRA notification will result in a Notice of Termination to be issued to the tenant on the 5th day demanding payment in full or the surrender of the premises.

## PART 9

### *ADDITIONAL CHARGES*

1. *Security Deposit:*

Each Tenant is required to pay a security deposit in an amount determined by the Authority. Such payments must be made prior to occupancy, unless other arrangements are made with the management. The security deposit will be held until the tenant moves out and will be returned within twenty-one (21) days with interest if the following conditions are met:

- A. There is not unpaid rent or other charges for which the tenant is liable;
- B. The apartment and all equipment are left reasonably clean and all trash and debris has been removed by the tenant;
- C. There is no breakage or damage which is not due to normal wear; and
- D. All keys issued to the tenant are turned into the Management Office when the tenant vacates the apartment.

The security deposit may not be used during occupancy to pay charges. Interest on the security deposit must be returned to the tenant and can not be applied toward unpaid rent or other charges. The amount of Security Deposit required is defined in Appendix B.

2. *Excess Utility Consumption:*

Where the utilities are included in the contract rent as defined in Appendix C, the Authority will charge each tenant for utility usage in excess of necessary amounts. These charges will be determined either by a Schedule of Charges for use of Tenant-Supplied Major Appliances as defined in Appendix C, or by individual check metering where the Authority will charge for actual usage in excess of the established necessary amounts.

PART 10

*LEASING*

1. Prior to admission a lease shall be signed and dated by the family head and spouse/co-head, and all persons 18 and over, and by the Authority. Full names of all members of the household will be listed on the lease.
2. The lease is to be current at all times and must be compatible with Authority Policies as well as state and Federal law.

The allowable length of stay for guests is less than 15 days during a one-year period unless prior approval has been sent in writing by the landlord. Mail may not be accepted for anyone not listed on the lease per Section I of the current lease.

3. Notices of Rent Adjustments will be issued to amend the dwelling lease. This procedure provides formal acknowledgment of the rent change and documents that appropriate notice has been provided to tenants who incur rent increases.

Documentation will be included in the tenant file to support proper notice.

4. Schedules of special charges for services, repairs and utilities, and rules and regulations which are required to be incorporated in the lease by reference shall be publicly posted in a conspicuous manner in the HRA office and shall be furnished to applicants and tenants on request. The Resident Handbook will be given to tenants upon signing the lease. (See Appendix D) Such schedules, rules and regulations may be modified from time to time, provided that at least thirty day written notice is given, 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 prior to the proposed modifications becoming effective.

A copy of such notice shall be:

- A. Delivered directly or mailed to each tenant; or
  - B. Posted in the HRA office.
5. Any modifications of the lease must be accomplished by a written rider to the lease signed by both parties.

## PART 11

### *REEXAMINATION OF TENANT ELIGIBILITY AND RENTAL ADJUSTMENTS*

1. The HRA must reexamine income and composition of all tenant families at least once every twelve (12) months and determine whether the family's unit size is still appropriate.
2. The Authority will require a written application from each family, signed by the head of the family and the spouse/co-head which will set forth in adequate detail all data and information necessary to enable the Authority to determine; (1) the rent to be charged; and (2) the size of the apartment required.

Verifications will be followed as defined in Part 3, of this Policy.

3. Once rent is established, such rental rate shall remain in effect until the next annual reexamination, special reexamination or an interim rent adjustment for an unanticipated change in income or family composition. All income changes must be reported. Anytime any of the following circumstances occur rent and income will be reviewed and rent adjusted as defined in Part 8, of this Policy:
  - A. A decrease in Family Income which would lower the rent as defined in Part 8, of this Policy;
  - B. A change in Family composition which would increase/decrease the rent as defined in Part 8, of this Policy.
4. Increases in rent resulting from reexaminations reviews are to be effective the first of the second month following the change.
5. If, upon reexamination, it is found that the size or composition of a family or household has changed so that the apartment occupied by the family contains a number of rooms less or greater than necessary to provide decent, safe and sanitary accommodations as described in the Occupancy Standards in Part 6, Management shall give notice of at least thirty (30) days to the tenant that the tenant will be required to move to another unit, or the HRA will issue a Section 8 Certificate or Voucher.
6. In the event it is found that a tenant has misrepresented to Management the facts upon which his/her rent is based, so that the rent paid is less than should have been charged, the increase in rent shall be made retroactive to the date the change should have been made. If management determines that tenant has gained admission or remained in occupancy in the Housing Authority's project through tenant's willful misrepresentation of income or assets, Management

shall notify the tenant that the tenant has thirty (30) days to find other housing and vacate the leased premises. Tenants will be required to repay amounts owed the HRA.

7. The HRA will not increase the annual income of an eligible family as a result of increased income due to employment during the 12 month period beginning on the date on which the employment commences. After the initial 12 month period the increase in the amount of rent may not be greater than 50% of the rent increase for the next 12 months.

## PART 12

### *LEASE TERMINATIONS*

1. The tenant may terminate the lease by providing the Authority with two month's plus one day written notice as defined in the lease agreement.
2. The lease may be terminated by the Authority at any time by giving written notice for good cause such as, but not limited to, nonpayment of rent or other charges including due under the Lease, or repeated chronic late payment of rent; failure to pay tenant paid utilities; failure to provide timely and accurate statements of income, assets, expenses and family composition at Admission, Interim, Special or Annual Rent Recertification; assignment or subleasing of the premises or providing accommodation for boarders or lodgers; use of the premises for purposes other than solely as a dwelling unit for the Tenant and the Tenant's household as identified in the Lease, or permitting its use for any other purpose; any misdemeanor or felony activity that threatens the health, safety or right to peaceful enjoyment of public housing premises by other residents or employees of the HRA; any drug-related criminal activity on or off such premises; failure to abide by necessary and reasonable rules made by the Landlord for the benefit and well being of the housing project and the Tenants, Tenant may not engage in any activity, criminal or otherwise, that threatens the health, safety, or right to peaceful enjoyment of the premises by other tenants or employees of the landlord. Tenant may not engage in criminal activity any any time. Such activity is cause for lease termination and eviction even without conviction or arrest. Also including, but not limited to those established in the Resident Handbook (Appendix D); failure to abide by applicable building and housing codes materially affecting health or safety; failure to dispose of garbage, waste and rubbish in a safe and sanitary manner; failure to use electrical, plumbing, sanitary, heating, ventilating, air conditioning and other equipment, including elevators, in a safe manner; acts of destruction, defacement or removal of any part of the premises, or failure to cause guests to refrain from such acts; failure to pay reasonable charges (other than normal wear and tear) for the repair of damages to the premises, project buildings, facilities or common areas; for complaints received due to loud parties, for police calls to property due to disturbances, any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents; any drug-related criminal activity on or near such premises, or other good cause.

If the HRA proposes to terminate the Lease, written notice of the proposed termination will be given as follows:

- A. At least fourteen (14) days prior to termination in the case of failure to pay rent;
  - B. A reasonable time based on the urgency of the situation in the case of; a creation or maintenance of a threat to health or safety of other Tenants or Landlord's employees,
  - C. At least thirty (30) days prior to termination in all other cases.
3. Notice of termination to tenant shall state reasons for the termination, shall inform the tenant of his/her right to make such reply as he may wish and of his right to request a hearing as defined in Part 14, of this Policy.

Upon the death of the Tenant, or if there is more than one Tenant, upon the death of all Tenants, either the landlord or the personal representative of the Tenant's estate may terminate this Lease upon at least one month plus one day written notice, to be effective on the last day of a calendar month. If full notice is not given, the Tenant's estate shall be liable for rent to the end of the notice period or to the date the unit is re-rented, whichever date comes first. The termination of the Lease under this section does not release the Tenant's estate from liability either for payment of rent or other amounts necessary to restore the premises to their condition at the beginning of the Tenant's occupancy, normal wear and tear excepted.

4. Grievances or appeals concerning the obligations of the tenant or the Authority under the provisions of the Lease shall be processed and resolved as defined in Part 14, of this Policy, which is in effect at the time such grievance or appeal arises. The Authority is not required to provide for a grievance hearing when the tenant owes any outstanding rent or other charges to the Authority unless the grievance concerns the amount of such rent or charges and such amount is placed in escrow as required by the Grievance Procedure of the Authority.

### PART 13 IN-HOME BUSINESS IN HRA-OWNED HOME

No resident shall establish a business that is based out of the HRA-owned home without written consent by the HRA. The request must be submitted in writing and provide the following information:

- Name under which business will be operated, if applicable.
- Employees, if any.
- Hours of operation.
- General description of activity.

If the business is daycare:

1. The daycare provider must be licensed by the State or County.

2. Any costs associated with obtaining the license are paid by the tenant.
3. The home must be restored to the move-in condition if any alterations are made.
4. The daycare provider must be insured.
5. The HRA must be named in the insurance policy as not held responsible for any problems arising during the course of the business.
6. Verification of income will be made from the resident's income tax form.
7. Proper permits will be obtained as required by the Bloomington Code.

Other types of businesses:

1. Any alterations necessary to the home must be approved in writing by the HRA.
2. Any business equipment needed must be installed properly by licensed workers.
3. If the business does not continue for any reason, the tenant will restore home to its move-in condition at their expense.
4. The business must not create excessive wear and tear on the home.
5. The business must not create a nuisance to the surrounding neighbors.
6. The business must be insured with the HRA named in the policy as not held responsible for any problems arising during the course of the business.
7. Verification of income will be made from the resident's income tax form.
8. Proper permits will be obtained as required by the Bloomington Code.

## PART 14

### *GRIEVANCE PROCEDURES*

1. Definitions:

- A. A "Grievance" is any dispute which a tenant may have with respect to Housing Authority action or failure to act in accordance with the individual tenant's lease or Housing Authority regulations which adversely affect the individual tenant's rights, duties, welfare or status.
- B. A "Complainant" is any tenant whose grievance is presented to the Housing Authority or at the project management office informally or as part of the informal hearing process.
- C. A "Tenant" is the adult person(s) (other than live-in aide) who resides in the unit, and who executed the Lease with the Housing Authority as lessee of the dwelling unit, or, if no such person now resides in the unit, one who resides in the unit, and who is the remaining head-of-household of the tenant family residing in the dwelling unit.

- D. A "Hearing Officer or Panel" shall mean an impartial, disinterested person or persons selected to hear grievances and render a decision.
  
- E. The "Elements of Due Process" shall mean an eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required:
  - 1. Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction;
  - 2. Right of the tenant to be represented by counsel;
  - 3. Opportunity for the tenant to refute the evidence presented by the Housing Authority including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have;
  - 4. A decision on the merits.

2. Grievance Procedure:

A. Informal Grievance Procedures:

- 1. Any grievance shall be presented in writing, signed and dated by the Complainant to the Housing Authority office. The grievance must be presented within a reasonable time, not in excess of the first working day after the tenth (10th) day after receiving notice from the HRA of action or failure to act which is the basis of the grievance. It may be simply stated, but shall specify; (a) the particular ground(s) upon which it is based; (b) the action requested; and (c) the name, address and telephone number of Complainant and similar information about his/her representative, if any.
- 2. A meeting will be held after receipt of the grievance the purpose of this initial contact is to discuss and hopefully resolve grievances without the necessity of a formal hearing.
- 3. Within ten (10) working days, a summary of this discussion will be given to the Complainant by a Housing Authority representative, one copy to be filed in the Housing Authority's tenant file.
- 4. The summary will include; names of participants, date of the meeting, nature of the proposed disposition, and specific reasons therefore; and shall specify steps by which a formal hearing can be obtained if the complainant is not satisfied.

5. After exhausting procedures outlined above, if the Complainant is dissatisfied with the proposed disposition of the grievance, he/she is entitled to a hearing before a Hearing Officer or Panel. He/she shall submit a written request for a hearing within ten (10) working days of delivery of the above-mentioned summary of the informal proceedings.
6. If the Complainant does not request a hearing within ten (10) working days, he/she waives his/her right to a hearing, and the Housing Authority's proposed disposition of the grievance will become final. Failure to request a hearing shall in no way constitute a waiver of the Complainant's right to contest the Housing Authority's disposition of his/her grievance in an appropriate judicial hearing.

3. Procedures to Obtain a Hearing:

A. Informal Prerequisite:

1. All grievances shall be personally presented either orally or in writing pursuant to the informal procedure as defined in Section 2(A)(1) above, as a prerequisite to a formal hearing. If the Complainant shall show good cause why he/she failed to proceed as defined in Section 2(A)(1) above, to the Hearing Officer or Panel, the provisions of this subsection may be waived by the Hearing Officer or Panel.
2. If the Complainant does not request a hearing within the time period allowed in Section 2(A)(5) above, he/she waives his/her right to the hearing, and proposed disposition of the grievance will become final. This shall not, however, constitute a waiver of the Complainant's right thereafter to contest disposition of his/her grievance in an appropriate judicial proceeding.

B. Escrow Deposit:

1. Before a hearing is scheduled in any grievance involving an amount of rent the Housing Authority claims is due, the Complainant shall pay to the Housing Authority all rent due and payable as of the month preceding the month in which the act or failure to act took place.
2. The Complainant shall thereafter deposit the same amount of the monthly rent in an escrow account monthly until the complaint is resolved by decision of the Hearing Official or Panel.
3. The requirements as defined in Section 3(B)(1) and (2) above, may be waived by the Housing Authority in extraordinary circumstances.

4. Unless so waived, failure to make the aforementioned payments shall result in termination of the grievance procedure.
5. Failure to make such payments shall not constitute a waiver of any right the Complainant may have to contest the Housing Authority's disposition of his/her grievance in any appropriate judicial proceeding.

4. Selection of a Hearing Officer or Panel:

The Hearing Officer shall be an impartial, disinterested person(s) appointed by the Housing Authority, other than a person who made or approved the Housing Authority action under review or a subordinate of such person.

5. Scheduling:

- A. Upon Complainant's compliance with Section 3(A) and (B) above, a hearing shall be scheduled by the Hearing Officer or Panel promptly for a time and place reasonably convenient to both the Complainant and the Housing Authority.
- B. A written notification specifying the time, place, and the procedures governing the hearing shall be delivered to the Complainant and the appropriate Housing Authority official.

6. Expedited Grievance Procedure

7. :

In the case of a grievance conducted under the expedited grievance procedure, the informal hearing is bypassed.

An expedited grievance procedure concerning termination of tenancy or eviction that involves:

Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of premises of other residents or employees of HRA;

Any drug related criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of the HRA.

The expedited procedure includes scheduling the formal hearing within 5 days and an expedited decision to be given within five days of the hearing.

7. Procedures Governing the Hearing:

- A. The hearing shall be held before a Hearing Officer or Panel as appropriate.

- B. The Complainant shall be afforded a fair hearing providing the basic safeguard of due process which shall include:
1. The opportunity to examine before the grievance hearing and at the expense of the Complainant, to copy all documents, records and regulations of the Housing Authority that are directly relevant to the hearing. If the Housing Authority does not make the document available for examination upon request by the Complainant, the Housing Authority will not rely on such document at the grievance hearing;
  2. The right to a private hearing unless the Complainant requests a public hearing;
  3. The right to be represented by counsel or other person chosen as his/her representative, and to have such person make statements on the tenant's behalf;
  4. The right to present evidence and arguments in support of his/her complaint, to controvert evidence relied on by the Housing Authority or project management, and to confront and cross-examine all witnesses on whose testimony or information the Housing authority or project management relies; and
  5. A decision based solely and exclusively upon the facts presented at the hearing.
- C. If the Hearing Officer or Panel determines that the issue has been previously decided in another proceeding they may render a decision without proceeding with the hearing.
- D. If the Complainant or Housing Authority fail to appear at the scheduled hearing, the Hearing Officer or Panel may make a determination to postpone the hearing for not to exceed five (5) working days, or make a determination that the party has waived his/her right to a hearing. Both parties will be notified of the determination provided that such a determination in no way waives the Complainant's right to appropriate judicial proceedings.
- E. At the hearing, the Complainant must first make a showing of an entitlement of the relief sought and thereafter the Housing Authority must sustain the burden of justifying the Authority actions or failure to act against which the complaint is directed.
- F. The hearing shall be conducted by the Hearing Officer or Panel in such a way to be:
1. *Informal* - Oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings;

2. Orderly - The Hearing Officer or Panel shall require that the Housing Authority, Complainant, counsel and other participants and spectators conduct themselves in an orderly fashion. Failure to comply with the directions of the Hearing Officer or Panel to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate.
- G. The Complainant or Housing Authority may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.
  - H. The Housing Authority will provide reasonable accommodations for person with disabilities to participate in the hearing.
    1. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants.
    2. If the tenant is visually impaired, any notice which is required under this procedure will be in an accessible format.
8. Decision of the Hearing Officer or Panel:
- A. Within ten (10) working days following the hearing, the Hearing Officer or Panel shall give the Complainant and Housing Authority a written decision including reasons therefore. The Housing Authority will file one copy in the tenant file and maintain another copy with names and identifying references deleted for a prospective Complainant, his/her representative, or Hearing Officer or Panel.
  - B. The decision of the Hearing Officer or Panel shall be binding on the Housing Authority which shall take all actions necessary to comply with the decision  
  
unless the Housing Authority Board of Commissioners determine, within a reasonable time, and or notifies the Complainant that:
    1. The grievance does not concern Housing Authority action or failure to act in accordance with or involving the Complainant's Lease on Housing Authority regulations which adversely affect the Complainant's rights, duties, welfare or status.
    2. The decision of the Hearing Officer or Panel is contrary to applicable Federal, State or local law, HUD regulations or requirements of the Annual Contributions Contract between HUD and the Housing Authority.

C. A decision by the Hearing Officer or Panel or Housing Commissioners in favor of the Housing Authority or which denies the relief requested by the Complainant in whole or part shall not constitute a waiver of, nor affect in any manner whatever, the rights the Complainant may have to a new trial or judicial review in any proceedings, which may thereafter be brought in the matter.

9. Housing Authority Eviction Actions:

A notice to vacate which is required by State or local law may be combined with or run concurrently with a notice of lease termination. The tenancy shall not terminate (even if any notice to vacate under State or local law has expired) until the grievance process has been completed (so long as the hearing was requested in a timely manner).

APPENDIX A

*INCOME LIMITS FOR OCCUPANCY*

*{Insert your HUD approved Income Limits here}*

<i>NUMBER IN FAMILY</i>	<i>INCOME LIMIT</i>
1	\$19,100
2	\$ 21,850
3	\$ 24,550
4	\$ 27,300
5	\$ 29,500
6	\$ 31,650
7	\$ 33,850
8+	\$ 36,050

## APPENDIX B

### *SECURITY DEPOSIT*

Each tenant is required to pay a security deposit that will be determined by the Authority. Such payment must be made prior to occupancy. The security deposit will be held until the tenant moves out and will be returned with interest within 21 days of move-out provided:

1. There is no unpaid rent or other charges owed by the tenant;
2. The vacated unit and all equipment are left reasonably clean and all trash and debris have been removed by the tenant;
3. There is no breakage or damage which is not the result of normal wear;
4. All keys issued to the tenant are turned in to the management office when the tenant vacates the unit;
5. The tenant provides the Authority with a forwarding address.
6. The security deposit may not be used to pay charges during occupancy.

The amount of security deposit is the greater of \$250, or the amount equal to one month's gross rent not to exceed \$450.

In the case of handicapped or elderly families only, an additional \$200 will be paid for a pet deposit if a pet is necessary. The security deposit and pet deposit will not exceed \$450. The pet deposit is to be used upon termination toward the cost of repairing any damages to the dwelling unit caused by a pet.

## APPENDIX C

### UTILITY ALLOWANCES

*{Applies to Family Public Housing Projects Only}*

<i>UTILITY TYPE</i>	<i>1 BEDROOM</i>	<i>2 BEDROOM</i>	<i>3 BEDROOM</i>	<i>4 BEDROOM</i>	<i>5 BEDROOM</i>
<i>HEAT</i>	\$	\$	\$	\$	\$
<i>COOKING FUEL</i>	\$	\$	\$	\$	\$
<i>ELECTRIC</i>	\$	\$	\$	\$	\$
<i>HOT WATER</i>	\$	\$	\$	\$	\$
<i>SEWER</i>	\$	\$	\$	\$	\$
<i>TRASH REMOVAL</i>	\$	\$	\$	\$	\$
<i>OTHER</i>	\$	\$	\$	\$	\$
<i>TOTALS*</i>	\$	\$	\$	\$	\$
<i>*Subtract from tenant rent to arrive at total tenant payment.</i>					

The utility allowance schedule is based on utility consumption of major appliances such as heating furnace, hot water heater, range and refrigerator. The electricity allowance also includes consumption for minor electric appliance such as toasters and can openers.

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

### *EXCESS UTILITY CHARGES*

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

<i>ITEM</i>	<i>AMOUNT PAID IN ADDITION TO RENT BY TENANT</i>
<i>AIR CONDITIONER</i>	\$ <i>per month (June - August)</i>
<i>EXTRA REFRIGERATOR</i>	\$ <i>per month</i>
<i>FREEZER</i>	\$ <i>per month</i>
<i>HEADBOLT HEATER</i>	\$ <i>per month (December - March)</i>
<i>CABLE TELEVISION</i>	\$ <i>per month</i>
<i>OTHER:</i>	\$ <i>per month</i>

