

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

PHA Plans

5 Year Plan for Fiscal Years 2000 - 2004

Annual Plan for the PHA Fiscal Year 10/1/2001 through
9/30/2002

**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 Authority of the City of Wheeling

PHA Number: WV003

PHA Fiscal Year Beginning: (mm/yyyy) 10/2001

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)

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

A. Mission

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

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The PHA's mission is: The Wheeling Housing Authority is committed to building stronger neighborhoods by providing quality housing options and professional services for eligible residents of Ohio County in partnership with the greater community.

B. Goals

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

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

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers: 150 Vouchers by 9/30/2003
 - Reduce public housing vacancies: 2% per year through 9/30/2005
 - Leverage private or other public funds to create additional housing opportunities: \$500,000 per year, beginning 10/1/2001 through 9/30/2005
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score) to 90% by 9/30/2001
 - Improve voucher management: (SEMAP score) 100% by 9/30/2003
 - Increase customer satisfaction: 90% by 9/30/2002
 - Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)

- Renovate or modernize public housing units: 420 by 9/30/2005
- Demolish or dispose of obsolete public housing: 326 by 9/30/2005
- Provide replacement public housing: 100 by 9/30/2005
- Provide replacement vouchers: 150 by 9/30/2001
- Other: (list below)

- PHA Goal: Increase assisted housing choices
 - Objectives:
 - Provide voucher mobility counseling: By 9/30/2001
 - Conduct outreach efforts to potential voucher landlords: On-going through 9/30/2005
 - Increase voucher payment standards
 - Implement voucher homeownership program:
 - Implement public housing or other homeownership programs: 9/30/2003
 - Implement public housing site-based waiting lists: 9/30/2001
 - Convert public housing to vouchers:
 - Other: (list below)

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

- PHA Goal: Provide an improved living environment
 - Objectives:
 - Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments: 9/30/2004
 - Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
 - Implement public housing security improvements: 9/30/2001
 - Designate developments or buildings for particular resident groups (elderly, persons with disabilities) 9/30/2001 – Renewal for Garden Park Terrace (WV3-7) and Riverview Towers (WV 3-5)
 - Other: (list below)

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: 50% by 9/30/2004

- Provide or attract supportive services to improve assistance recipients' employability: 15 new MOUs/MOAs by 9/30/2004
- Provide or attract supportive services to increase independence for the elderly or families with disabilities. 5 new MOUs/MOAs by 9/30/2004
- Other: (list below)

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

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing
Objectives:
 - Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability: Work with the Human Rights Commission and the NAACP to increase outreach – on-going through 9/30/2004
 - 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: At least 5% of newly constructed units will be handicap accessible and at least 10% will be visitable.
 - Other: (list below)

Other PHA Goals and Objectives: (list below)

- PHA Goal : To increase the number of individuals applying to public housing and reduce vacancies in our developments.
 - Increase marketing efforts and outreach to low income individuals to decrease vacancies by 2% each year – on-going through 9/30/2005.

Annual PHA Plan
PHA Fiscal Year 2001
[24 CFR Part 903.7]

i. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

Standard Plan

Streamlined Plan:

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

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

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

The Wheeling Housing Authority Board of Commissioners and the staff have worked to create a comprehensive annual plan for the upcoming fiscal year. Many of the changes have evolved out of the Quality Housing and Work Responsibility Act of 1998 and the Housing Authority's receipt of a HOPE VI Revitalization Grant in 1999. The plan addresses the need for increased affordable housing, as well as drug prevention and training initiatives, to assist the low-income residents of Ohio County. We anticipate positive results while implementing this annual plan in fiscal year 2002.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

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

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Attachments

Indicate which attachments are provided by selecting all that apply. Provide the attachment’s name (A, B, etc.) in the space to the left of the name of the attachment. Note: If the attachment is provided as a **SEPARATE** file submission from the PHA Plans file, provide the file name in parentheses in the space to the right of the title.

Required Attachments:

- Admissions Policy for Deconcentration **WV003a02**
(Scanned copy of Resolution – Actual Policy is in ACOP)
- FY 2001 Capital Fund Program Annual Statement **WV003b02**
- Comments of Resident Advisory Board or Boards – There were no comments – this attachment is a scanned copy of their signed statement to that effect.
WV003f02
- Community Service Administration **WV003i02**
- Pet Policy **WV003j02**
- Resident Advisory Board Membership/ Selection **WV003l02**
- Progress in Meeting 5-Year Goals **WV003m02**
- Resident Membership of the PHA Governing Board **WV003n02**
- Assessment of Demographic Changes in PH Developments with Site Based
WV003o02
- Waiting Lists
- 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 **WV003c02**
- FY 2001 Capital Fund Program 5-Year Action Plan **WV003d02**
- Public Housing Drug Elimination Program (PHDEP) Plan **WV003e02**
- Other (List below, providing each attachment name)
Admissions and Continued Occupancy Policy **WV003g02**

Supporting Documents Available for Review

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

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	A & O Policy	
X	Schedule of flat rents offered at each public housing development <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
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
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <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
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
X	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
X	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
X	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	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
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
X	Other supporting documents (optional) (list individually; use as many lines as necessary)	Annual Plan: Operations and Management
X	Follow-Up Plan	Annual Plan: Attachments

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	1,748	5	5	5	5	3	5
Income >30% but <=50% of AMI	1,149	5	5	5	5	3	5
Income >50% but <80% of AMI	2,685	5	5	5	5	3	5
Elderly	9,618	5	5	5	5	3	5
Families with Disabilities	3,325	5	5	5	5	3	5
Race/Ethnicity (White)*	48,791	5	5	5	5	3	5
Race/Ethnicity (Black)*	1,684	5	5	5	5	3	5
Race/Ethnicity	31	5	5	5	5	3	5

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford- ability	Supply	Quality	Access- ibility	Size	Loca- tion
(American Indian/Eskimo/ Aleut.)*							

Race/Ethnicity (Asian/Pacific Islander)*	330	5	5	5	5	3	5
Other Race*	35	5	5	5	5	3	5

* Denotes that information is based on individuals in the jurisdiction, instead of number of families.

The City of Wheeling, Ohio County, West Virginia, has completed their 2000-2004 Consolidated Plan.

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

- Consolidated Plan of the Jurisdiction/s
Indicate year: 2000-2004
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset – American Fact Finder - Demographics
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information)

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

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input 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	397		200
Extremely low income <=30% AMI	130	33%	
Very low income (>30% but <=50% AMI)	267	67%	
Low income (>50% but <80% AMI)	0	0	
Families with children	258	65%	
Elderly families	36	9%	
Families with Disabilities	99	25%	
Race/ethnicity (White)	305	76%	
Race/ethnicity (African American)	90	23%	
Race/ethnicity (American Indian/Native Alaskan)	0	0	
Race/ethnicity (Asian/Pacific Islander)	2	1%	

Housing Needs of Families on the Waiting List

Characteristics by Bedroom Size (Public Housing Only)			
1BR	N/A	N/A	N/A
2 BR	N/A	N/A	N/A
3 BR	N/A	N/A	N/A
4 BR	N/A	N/A	N/A
5 BR	N/A	N/A	N/A
5+ BR	N/A	N/A	N/A
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes: How long has it been closed (# of months)? Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

Housing Needs of Families on the Waiting List

Waiting list type: (select one)

- Section 8 tenant-based assistance
 Public Housing
 Combined Section 8 and Public Housing
 Public Housing Site-Based or sub-jurisdictional waiting list (optional)
 If used, identify which development/subjurisdiction:

	# of families	% of total families	Annual Turnover
Waiting list total	29		50
Extremely low income <=30% AMI	20	69%	
Very low income (>30% but <=50% AMI)	9	31%	
Low income (>50% but <80% AMI)	0	0	
Families with children	13	45%	
Elderly families	16	55%	
Families with Disabilities	3	10%	
Race/ethnicity (White)	20	69%	
Race/ethnicity (African American)	9	31%	
Race/ethnicity (American Indian/Native Alaskan)	0	0	
Race/ethnicity (Asian/Pacific Islander)	0	0%	

Housing Needs of Families on the Waiting List			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	16		
2 BR	11		
3 BR	2		
4 BR	0		
5 BR	0		
5+ BR	0		
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

C. Strategy for Addressing Needs

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

(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)
- Develop a plan to improve resident compliance and educate families for private rental.

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)
Continue designation of Garden Park Terrace (WV 3-7) and Riverview Towers (WV 3-5) as public housing for the elderly.

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)
Continue designation of Booker T. Washington Plaza (WV 3-10) and Luau Manor (WV 3-6) as public housing for elderly or disabled families.

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units

- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Other: (list below)

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

(2) Reasons for Selecting Strategies

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

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

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2001 grants)		
a) Public Housing Operating Fund	\$1,674,228.00	PH Operations
b) Public Housing Capital Fund	\$1,410,086.00	PH Capital Improvements
c) HOPE VI Revitalization	\$17,124,895.00	
d) HOPE VI Demolition	\$0.00	

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$1,361,097.00	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	\$222,842.00	
g) Resident Opportunity and Self-Sufficiency Grant (1999)	\$100,000	
h) Resident Opportunity and Self-Sufficiency Grant (2000)	\$190,000.00	
i) Community Development Block Grant	\$0.00	N/A
j) HOME	\$0.00	N/A
Other Federal Grants (list below)		
Weed and Seed (DOJ-EOWS)	\$225,000.00	Supportive Services
2. Prior Year Federal Grants (unobligated funds only) (list below)		
CGP-708 – FY - 1999	\$600,544.22	
3. Public Housing Dwelling Rental Income	\$1,024,112.80	PH Operations
4. Other income (list below)		
Interest on General Fund Investments	\$91,369.00	PH Operations
Misc. Income	\$49,560.00	PH Operations
5. Non-federal sources (list below)		
WV DHHR Grant	\$94,000.00	Supportive Services
Total resources	\$24,167,734.021	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

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

(1) Eligibility

- a. When does the PHA verify eligibility for admission to public housing? (select all that apply)
- When families are within a certain number of being offered a unit: (state number)
 - When families are within a certain time of being offered a unit: (state time)
 - Other: (describe) When family's name reaches the top of the site based waiting list.
- 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) Outstanding debts owed to WHA or any other Housing Authority.
- 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): Outside agencies have been provided with Eligibility Applications for their clients who are in need of housing.
- Other: Applications are mailed to interested applicants.

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? 5
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? 5
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): Outside agencies have been provided with Eligibility Applications for their clients who are in need of housing.
 - Other: Applications are mailed to interested applicants.

(3) Assignment

- a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)
 - One
 - Two
 - Three or More
- b. Yes No: Is this policy consistent across all waiting list types?
- c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

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

b. Transfer policies:

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

- Emergencies
 Overhoused
 Underhoused
 Medical justification
 Administrative reasons determined by the PHA (e.g., to permit modernization work)
 Resident choice: (state circumstances below)
 Other: (list below) Transfers due to HOPE VI Relocation will have first priority. We will alternate between waiting list families and non-HOPE VI transfer requests at the rate of two (2) waiting list families to every one (1) transfer. Position on transfer list is determined by the above priorities of emergencies, overhoused, underhoused, medical justification, and administrative reasons.

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 – for the newly developed HOPE VI units only.
- 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): Any admission mandated by court order.

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

1 Date and Time

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 1 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
- 1 Those enrolled currently in educational, training, or upward mobility programs – for the newly developed HOPE VI units only.
- 1 Households that contribute to meeting income goals (broad range of incomes)
- 1 Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- 1 Other preference(s) (list below): Any admission mandated by Court Order.

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: Does the PHA have any general occupancy (family) public housing developments covered by the deconcentration rule? If no, this section is complete. If yes, continue to the next question.

b. Yes No: Do any of these covered developments have average incomes above or below 85% to 115% of the average incomes of all such developments? If no, this section is complete.

If yes, list these developments as follows:

Deconcentration Policy for Covered Developments			
Development Name:	Number of Units	Explanation (if any) [see step 4 at §903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at §903.2(c)(1)(v)]

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): Name(s) and address(es) of previous and/or current landlord(s).

(2) Waiting List Organization

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

- PHA main administrative office
- Other (list below): All PHA development site management offices.
- Other: Applications are mailed to interested applicants.
- Other: Various outside agencies have eligibility applications for their clients.

(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:

- Extenuating circumstances such as hospitalization or family emergency.
- Family has made an effort to locate a unit throughout the initial sixty-day period.
- Family was prevented from finding a unit due to disability accessibility requirements or large size (requiring three or more bedrooms) unit requirement.

(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? Residents relocating from the Grandview Manor and Lincoln Homes complexes due to HOPE VI are provided with a preference over families on the regular waiting list. (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

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

Former Federal preferences

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

Other preferences (select all that apply)

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

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.

- HOPE VI Relocation Residents
- Date and Time

Former Federal preferences

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- 1 Other preference(s) (list below) Residents who are being relocated due to the Grandview Manor and Lincoln Homes HOPE VI project.

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)
- Date and time of application
- Drawing (lottery) or other random choice technique
5. If the PHA plans to employ preferences for “residents who live and/or work in the jurisdiction” (select one)
- This preference has previously been reviewed and approved by HUD
- The PHA requests approval for this preference through this PHA Plan
6. Relationship of preferences to income targeting requirements: (select one)
- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

- a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)
- The Section 8 Administrative Plan
- Briefing sessions and written materials
- Other (list below)
- b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?
- Through published notices
- Other (list below)

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

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

(1) Income Based Rent Policies

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

- a. Use of discretionary policies: (select one)

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

---or---

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

b. Minimum Rent

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

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

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

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

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) Deduction for child support and alimony paid.

e. Ceiling rents

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

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

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

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

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

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

f. Rent re-determinations:

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

- Never
- At family option
- Any time the family experiences an income increase

- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) \$2,500.00 annually
- Other (list below)

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

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)
- The section 8 rent reasonableness study of comparable housing
- Survey of rents listed in local newspaper
- Survey of similar unassisted units in the neighborhood
- Other (list/describe below)

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

- a. What is the PHA's payment standard? (select the category that best describes your standard)
- At or above 90% but below 100% of FMR
- 100% of FMR
- Above 100% but at or below 110% of FMR
- Above 110% of FMR (if HUD approved; describe circumstances below)
- b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)
- FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
- The PHA has chosen to serve additional families by lowering the payment standard

- Reflects market or submarket
- Other (list below)

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

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

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

- Annually
- Other (list below)

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

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

(2) Minimum Rent

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

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

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

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

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

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

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

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

B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	464	58
Section 8 Vouchers	336	50
Section 8 Certificates	0	0
Section 8 Mod Rehab	14	5
Special Purpose Section 8 Certificates/Vouchers (list individually)	0	0
Public Housing Drug Elimination Program (PHDEP)	92	N/A
ROSS	100	N/A
Other Federal Programs(list individually) NONE		

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)
 - Admissions and Continued Occupancy Policy
 - Safety Policy
 - Preventative Maintenance Policy

- (2) Section 8 Management: (list below)
 - Administrative Plan

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing

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

If yes, list additions to federal requirements below:

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

B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

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

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name) **WV003b02**

-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) **WV003d02**

-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: Grandview Manor/Lincoln Homes
2. Development (project) number: WV 3-2/WV 3-3
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:
Grandview Manor (WV 3-2) and Lincoln Homes (WV 3-3)

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:
Grandview Manor (WV 3-2) and Lincoln Homes (WV 3-3)

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:
Grandview Manor (WV 3-2) and Lincoln Homes (WV 3-3)

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

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

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

2. Activity Description

Yes No: Has the PHA provided the activities description information in the **optional** Public Housing Asset Management Table? (If

“yes”, skip to component 9. If “No”, complete the Activity Description table below.)

Demolition/Disposition Activity Description	
1a. Development name:	Grandview Manor/Lincoln Homes
1b. Development (project) number:	WV 3-2/WV 3-3
2. Activity type:	Demolition <input checked="" type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one)	Approved <input checked="" type="checkbox"/> As a component of our awarded 1999 HOPE VI Application Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission:	<u>(08/31/99)</u>
5. Number of units affected:	326
6. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: 12/01/2000 b. Projected end date of activity: 11/30/2004

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.

Designation of Public Housing Activity Description
1a. Development name: Garden Park Terrace/Riverview Towers 1b. Development (project) number: WV 3-7/WV3-5
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA’s Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission: <u>(12/05/96)</u>
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan? (Extension of previously approved Designation Plan which was approved on 12/05/96.)
6. Number of units affected: 278 7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

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

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

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

2. Activity Description

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

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

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

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

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

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

2. Activity Description

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

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: 1b. Development (project) number:
2. Federal Program authority: <input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) – similar now that 5(h) has been eliminated by QHWRA <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 – as a component of our 1999 HOPE VI award
4. Date Homeownership Plan/Program approved, submitted, or planned for submission:
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

[24 CFR Part 903.7 9 (l)]

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

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

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

If yes, what was the date that agreement was signed? 10/01/99

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

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

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

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

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

b. Economic and Social self-sufficiency programs

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

Services and Programs

Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)
<i>Family Self-Sufficiency Program (Voluntary Program)</i>	<i>150</i>	<i>Open</i>	<i>Grandview Manor Building #1</i>	<i>PH and Section 8</i>
<i>Learning Independence From Employment (LIFE) Job Development Program</i>	<i>50</i>	<i>Open</i>	<i>Grandview Manor Building #1</i>	<i>PH and Section 8</i>
<i>Connections – Information & Referral</i>	<i>100</i>	<i>Open</i>	<i>ALL developments</i>	<i>PH and Section 8 residents</i>
<i>SMILE After-School Center</i>	<i>50</i>	<i>Open</i>	<i>Grandview Manor Building #1</i>	<i>Grandview Manor, Lincoln Homes, and Hil- Dar Youth</i>
<i>ROSS Program</i>	<i>100</i>	<i>Open</i>	<i>H# Rise</i>	<i>PH elderly/ disabled residents</i>

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2001 Estimate)	Actual Number of Participants (As of: 03/31/01)
Public Housing	0	66
Section 8	0	38

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

If no, list steps the PHA will take below:

C. Welfare Benefit Reductions

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

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

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937 – WV003i02 (Attachment)

13. PHA Safety and Crime Prevention Measures

[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 used to determine the need for PHA actions to improve safety of residents (select all that apply).

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

- PHA employee reports
- Police reports
- Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- Other (describe below) PHDEP-TA Report (FY 2001)

3. Which developments are most affected? (list below)
Grandview Manor and Lincoln Homes Developments (WV 3-2/WV 3-3)

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)

Grandview Manor and Lincoln Homes Developments (WV 3-2/WV 3-3)

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)

Grandview Manor and Lincoln Homes Developments (WV 3-2/WV 3-3)

Hil-Dar complex (WV 3-4)

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2001 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 2001 in this PHA Plan?
- Yes No: This PHDEP Plan is an Attachment. (Attachment Filename: **WV003e02**)

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)] – Attachment– WV003j02

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

[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) **WV003f02**
- Provided below:

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

- Considered comments, but determined that no changes to the PHA Plan were necessary.
- The PHA changed portions of the PHA Plan in response to comments
List changes below:
- Other: (list below) There were no comments submitted and a certification to that effect is included on WV003f02).

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: Wheeling, West Virginia
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)
- Impediments to affordable housing
 - Applies for Shelter Plus Care Vouchers

- Designation of elderly hi-rises
- Meeting needs of special population – Northwood collaborative with Booker T. Washington Plaza and Luau Manor
- HOPE VI

Other: (list below)

1. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)
The City of Wheeling administration has reviewed our plan and has incorporated the goals into their Consolidated Plan.

D. Other Information Required by HUD

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

19. Definition of “Substantial Deviation” and “Significant Amendment or Modification” [903.7r]

The following actions are defined as substantial deviation or significant amendment or modification:

- Any addition or deletions of Strategic Goals
- Any change with regard to demolition, disposition, designation, conversion, or homeownership activities.
- Additions of non-emergency work items (items not included in the current Annual Statement or Five-Year Action Plan) or change in use of replacement reserve funds.
- Changes to rent or admissions policies.

Exceptions will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements.

Notification of these changes will be made to the Board of Commissioners and to all residents. Residents will be notified through announcements at Resident Council Meetings and publication of Notices in the resident Newsletters, which are distributed monthly.

Attachments

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

Admissions Policy for Deconcentration	WV003a02
FY 2001 Capital Fund Program Annual Statement	WV003b02
PHA Management Organizational Chart	WV003c02
FY 2001 Capital Fund 5-Year Action Plan	WV003d02
Public Housing Drug Elimination Program (PHDEP) Plan	WV003e02
Comments of Resident Advisory Board	WV003f02
Admissions and Continued Occupancy Policy	WV003g02
Administrative Plan	WV003h02
Community Service Administration	WV003i02
Pet Policy	WV003j02
Section 8 Project Based Vouchers	WV003k02
Resident Advisory Board Membership/ Selection	WV003l02
Progress toward 5-Year Goals	WV003m02
Resident Membership of PHA Governing Board	WV003n02
Assessment of Demographic Changes in PH Site-based Waiting lists	WV003o02

Optional Public Housing Asset Management Table

See Technical Guidance for instructions on the use of this table, including information to be provided.

Public Housing Asset Management								
Development Identification		Activity Description						
Name, Number, and Location	Number and Type of units	Capital Fund Program Parts II and III <i>Component 7a</i>	Development Activities <i>Component 7b</i>	Demolition / disposition <i>Component 8</i>	Designated housing <i>Component 9</i>	Conversion <i>Component 10</i>	Home-ownership <i>Component 11a</i>	Other (describe) <i>Component 17</i>
<i>WV 3-2</i>	<i>295 Walk-up</i>	<i>Grandview Manor</i>	<i>HOPE VI</i>	<i>Demolition</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>WV 3-3</i>	<i>30 Rowhouses</i>	<i>Lincoln Homes</i>	<i>HOPE VI</i>	<i>Demolition</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>WV 3-4</i>	<i>92 Walk-up</i>	<i>Hil-Dar</i>	<i>N/A</i>	<i>N/A</i>	<i>Family</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>WV 3-5</i>	<i>100 Hi-Rise</i>	<i>Riverview Towers</i>	<i>N/A</i>	<i>N/A</i>	<i>Elderly</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>WV 3-6</i>	<i>105 Hi-Rise</i>	<i>Luau Manor</i>	<i>N/A</i>	<i>N/A</i>	<i>Elderly/ Disabled</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>WV 3-7</i>	<i>178 Hi-Rise</i>	<i>Garden Park Terrace</i>	<i>N/A</i>	<i>N/A</i>	<i>Elderly</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>WV 3-10</i>	<i>107 Hi-Rise</i>	<i>Booker T. Washington Plaza</i>	<i>N/A</i>	<i>N/A</i>	<i>Elderly/ Disabled</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
	<i>35</i>	<i>New Construction (Lease-to-Own)</i>	<i>HOPE VI</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>5H</i>	<i>N/A</i>
	<i>85</i>	<i>New Construction (Public Housing)</i>	<i>HOPE VI</i>	<i>N/A</i>	<i>Low Income</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

CAPITAL FUND PROGRAM TABLES START HERE

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: WHEELING HOUSING AUTHORITY		Grant Type and Number Capital Fund Program Grant No: 501-01 Replacement Housing Factor Grant No:			Federal FY of Grant: 2001
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	\$141,008.00			
3	1408 Management Improvements Soft Costs	\$47,775.00			
	Management Improvements Hard Costs	\$108,476.00			
4	1410 Administration	\$16,500.00			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$25,000.00			
8	1440 Site Acquisition				
9	1450 Site Improvement	\$202,377.00			
10	1460 Dwelling Structures	\$618,950.00			
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	1499 Development Activities	\$250,000.00			

**Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary**

PHA Name: WHEELING HOUSING AUTHORITY		Grant Type and Number Capital Fund Program Grant No: 501-01 Replacement Housing Factor Grant No:		Federal FY of Grant: 2001	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines.....)	\$1,410,086.00			
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance	\$42,000.00			
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs	\$50,000.00			
	Amount of line XX Related to Energy Conservation Measures	\$125,000.00			
	Collateralization Expenses or Debt Service				

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: WHEELING HOUSING AUTHORITY		Grant Type and Number Capital Fund Program Grant No: 501-01 Replacement Housing Factor Grant No:				Federal FY of Grant: 2001		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost	Status of Work
3-4	BATH ROOM FANS		1460	92	\$27,600.00			
3-4	NEW KITCHENS 1 STORY UNITS		1460	37	\$121,000.00			
3-4	CARPET		1460	1	\$15,000.00			
3-5	NEW ROOF & FLASHING, REMOVE PARAPET WALL & RE-CAP		1460	1	\$85,000.00			
3-5	CONVERSION APARTMENTS		1460	13	\$123,750.00			
3-5	SECURITY CAMERAS		1460	1	\$13,000.00			
3-6	NEW GENERATOR		1460	1	\$45,000.00			
3-6	RANGE & REFRIGERATOR REPLACEMENT (FA)		1460	105	\$78,000.00			
3-6	EXHAUST SYSTEM (FA)		1460	1	\$7,000.00			
3-7	BOILER REPLACEMENT		1460	1	\$75,500.00			
3-7	PARKING LOT EXTENTION		1450	1	\$119,470.00			
3-7	LOBBY PANEL		1460	1	\$4,000.00			
3-10	SECURITY CAMERAS		1460	1	\$10,100.00			
3-10	LOBBY PANEL		1460	1	\$7,000.00			
3-10	EXHAUST SYSTEM (FA)		1460	1	\$7,000.00			
3-10	FRENCH DRAINS/ RETAINING WALLS		1450	1	\$82,907.00			

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: WHEELING HOUSING AUTHORITY		Grant Type and Number Capital Fund Program No: 501-01 Replacement Housing Factor No:					Federal FY of Grant: 2001
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
WV 3-2	03/30/03			09/30/04			
WV 3-4	03/30/03			09/30/04			
WV 3-5	03/30/03			09/30/04			
WV 3-6	03/30/03			09/30/04			
WV 3-7	03/30/03			09/30/04			
WV 3-10	03/30/03			09/30/04			

**Annual Statement/Performance and Evaluation Report
Comprehensive Grant Program (CGP) Part I: Summary**

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

OMB Approval No. 2577-0157 (Exp. 7/31/99)

HA Name **Wheeling Housing Authority**

Comprehensive Grant Number
WV15-P003-708

FFY of Grant Approval
1999

Original Annual Statement Program Year Ending 2001 Revised for Disaster/Emergencies Revised Annual Statement/Revision Number _____ Performance & Evaluation Report for
 Final Performance & Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost (2)	
		Original	Revised (1)	Obligated	Expended
1	Total Non-CGP Funds	23,000.00	23,000.00	0.00	0.00
2	1406 Operations (May not exceed 10% of line 19)	0.00	0.00	0.00	0.00
3	1408 Management Improvements	262,711.00	234,132.38	234,132.38	210,064.28
4	1410 Administration	36,500.00	61,500.00	61,500.00	61,500.00
5	1411 Audit	0.00	0.00	0.00	0.00
6	1415 Liquidated Damages	0.00	0.00	0.00	0.00
7	1430 Fees and Costs	25,000.00	6,292.21	6,292.21	5,119.44
8	1440 Site Acquisition	0.00	0.00	0.00	0.00
9	1450 Site Improvement	3,500.00	3,500.00	3,500.00	3,500.00
10	1460 Dwelling Structures	612,559.00	634,845.41	634,845.41	506,966.82
11	1465.1 Dwelling Equipment - Nonexpendable	0.00	0.00	0.00	0.00
12	1470 Nondwelling Structures	0.00	0.00	0.00	0.00
13	1475 Nondwelling Equipment	0.00	0.00	0.00	0.00
14	1485 Demolition	0.00	0.00	0.00	0.00
15	1490 Replacement Reserve	0.00	0.00	0.00	0.00
16	1495.1 Relocation Costs	0.00	0.00	0.00	0.00
17	1498 Mod Used for Development	506,160.00	506,160.00	506,160.00	318,540.19

18	1502 Contingency (May not exceed 8% of line 19)	0.00	0.00	0.00	0.00
19	Amount of Annual Grant (Sum of lines 2-18)	1,446,430.00	1,446,430.00	1,446,430.00	1,105,690.73
20	Amount of line 19 Related LBP Activities	0.00	0.00	0.00	0.00
21	Amount of line 19 Related to Section 504 Compliance	0.00	0.00	0.00	0.00
22	Amount of line 19 Related to Security	201,711.00	201,711.00	201,711.00	148,333.73
23	Amount of line 19 Related to Energy Conservation Measures	0.00	0.00	0.00	0.00

Signature of Executive Director and Date

X

Signature of Public Housing Director/Office of Native American Programs Administrator and Date

X

1- To be completed for the Performance and evaluation report or a Revised Annual Statement

2- To be completed for the Performance and Evaluation Report.

Page 1 of 3

Facsimile form HUD-52837 (10/96) Handbook 7485.

Annual Statement/Performance and Evaluation
 Comprehensive Grant Program (CGP)**Part II: Supporting
 Pages**

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

OMB Approval No. 2577-0157 (Exp. 7/31/9

WV15-P003-70

Development Number/Name HA - Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Project/Work
				Original	Revised (1)	Funds Obligated (2)	Funds Expended (2)	
PHA Wide	Advertisement	1410.19		1,500.00	1,014.42	1,014.42	1,014.42	Completed
PHA Wide	Administration	1410.1		35,000.00	60,485.58	60,485.58	60,485.58	Completed
PHA Wide	A & E Fees	1430.1		25,000.00	6,292.21	6,292.21	5,119.44	
PHA Wide	MANAGEMENT IMPROVEMENTS:	1408						
	- Employment of Security Personnel for Drug Prevention in Public Housing			151,418.00	151,418.00	151,418.00	131,619.35	
	- Employment of Connections Personnel for Drug Prevention in Public Housing			50,293.00	16,714.38	16,714.38	16,714.38	Completed
	- Hire Consultant for New Housing Plan		1	20,000.00	0.00	0.00	0.00	
	- Resident Trainee Clerical Position		2	36,000.00	36,000.00	36,000.00	31,730.55	
	- Employee Training HQWRA		5	5,000.00	30,000.00	30,000.00	30,000.00	
PHA Wide	Mod Used for Development	1498		506,160.00	506,160.00	506,160.00	318,540.19	
WV-3-4	New Tile Floors Kitchen & Bath (FA)	1460	92 Units	18,400.00	18,357.74	18,357.74	18,357.74	Completed
WV-3-4	Porch Roofs	1460	12 Bldgs	156,000.00	67,160.00	67,160.00	67,160.00	Completed
WV-3-4	Parking Lot Revamp	1460	1	0.00	54,528.59	54,528.59	0.00	Year 2002

WV-3-4	Improve Exterior Lighting (FA)	1450	28 Bldgs	3,500.00	3,500.00	3,500.00	3,500.00	Completed
WV-3-5	Shower/Tub Doors (FA)	1460	100 Units	10,000.00	6,620.09	6,620.09	6,620.09	Completed
WV-3-5	New Closet Doors (FA)	1460	100 Units	13,000.00	23,055.63	23,055.63	23,055.63	Completed
WV-3-5	New Kitchen Cabinets (FA)	1460	100 Units	200,000.00	200,000.00	200,000.00	200,000.00	Completed
WV-3-5	Security Cameras	1460	1	0.00	0.00	0.00	0.00	Moved to 7
WV-3-6	New Closet Doors (FA)	1460	100 Units	16,400.00	31,826.19	31,826.19	31,826.19	Completed
WV-3-6	Extend Parking Lot	N/A	N/A	15,000.00*	15,000.00*	0.00	0.00	Completed

Signature of Executive Director and Date

X

Signature of Public Housing Director/Office of Native American Programs Administrator and Date

X

(1) To be completed for Performance and Evaluation Report or a Revised Annual Statement.
(2) To be completed for the Performance and Evaluation Report.
Handbook 7485.3

Annual Statement/Performance and Evaluation
 Comprehensive Grant Program (CGP)**Part II: Supporting
 Pages**

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

OMB Approval No. 2577-0157 (Exp. 7/31/9)

WV15-P003-70

Development Number/Name HA - Wide Activities	General Description of Major Work Categories	Development Account Number	Quantity	Total Estimated Cost		Total Actual Cost		Status of Project Work ()
				Original	Revised (1)	Funds Obligated (2)	Funds Expended (2)	
WV-3-6	New Security Panel (Entry	1460	1	3,500.00	2,368.00	2,368.00	2,368.00	Completed
WV-3-7	New Stoves (Electric)	1460	4	39,500.00	38,552.00	38,552.00	38,552.00	Completed
WV-3-7	Community Room Air Cleaners	1460	4	3,600.00	2,709.34	2,709.34	2,709.34	Completed
WV-3-7	Ventilation in Hallways	1460	9 Floors	50,000.00	73,350.00	73,350.00	0.00	Contract Si
WV-3-7	New Window Blinds (FA)	1460	60 Apts	8,069.00	6,690.00	6,690.00	6,690.00	Completed
WV-3-7	Security Cameras	1460	1	0.00	0.00	0.00	0.00	Moved to 7
WV-3-10	New Closet Doors (FA)	1460	300	39,000.00	54,079.69	54,079.69	54,079.69	Completed
WV-3-10	New Picnic Tables (FA)	N/A	N/A	2,000.00*	2,000.00*	0.00	0.00	Completed
WV-3-10	New Stoves	1460	107	26,750.00	26,108.00	26,108.00	26,108.00	Completed
WV-3-10	Elevator Upgrade	1460		28,340.00	29,440.14	29,440.14	29,440.14	Completed
WV-3-10	Gazebo	N/A	N/A	4,000.00*	4,000.00*	0.00	0.00	Completed
WV-3-10	New Lobby Furniture	N/A	N/A	1,500.00*	1,500.00*	0.00	0.00	Completed
WV-3-10	New Address Board w/Letters	N/A	N/A	500.00*	500.00*	0.00	0.00	Completed

Signature of Executive Director and Date

X

Signature of Public Housing Director/Office of Native American Programs Administrator and Date

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(2) To be completed for the Performance and Evaluation Report.
Handbook 7485.3

Page 3 of 3

Facsimile of form HUD-52837 (10/96) ref

CAPITAL FUND PROGRAM TABLES START HERE

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: Wheeling Housing Authority		Grant Type and Number Capital Fund Program Grant No: 501-00 Replacement Housing Factor Grant No:			Federal FY of Grant: 2000
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no: <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 9/01 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds	29,500.00	29,500.00	0.00	0.00
2	1406 Operations	138,188.40	138,188.40	138,188.00	12,665.75
3	1408 Management Improvements Soft Costs	235,800.00	211,300.00	151,300.00	28,455.66
	Management Improvements Hard Costs				
4	1410 Administration	16,500.00	41,000.00	16,500.00	14,994.48
5	1411 Audit	0.00	0.00	0.00	0.00
6	1415 Liquidated Damages	0.00	0.00	0.00	0.00
7	1430 Fees and Costs	20,000.00	33,318.00	20,000.00	17,342.18
8	1440 Site Acquisition	0.00	0.00	0.00	0.00
9	1450 Site Improvement	0.00	0.00	0.00	0.00
10	1460 Dwelling Structures	571,395.60	558,077.60	363,167.85	98,579.83
11	1465.1 Dwelling Equipment—Nonexpendable	0.00	0.00	0.00	0.00
12	1470 Nondwelling Structures	0.00	0.00	0.00	0.00
13	1475 Nondwelling Equipment	0.00	0.00	0.00	0.00
14	1485 Demolition	0.00	0.00	0.00	0.00
15	1490 Replacement Reserve	0.00	0.00	0.00	0.00
16	1492 Moving to Work Demonstration	0.00	0.00	0.00	0.00
17	1495.1 Relocation Costs	0.00	0.00	0.00	0.00
18	1499 Development Activities (1498 Funding)	400,000.00	400,000.00	0.00	0.00

**Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary**

PHA Name: Wheeling Housing Authority	Grant Type and Number Capital Fund Program Grant No: 501-00 Replacement Housing Factor Grant No:	Federal FY of Grant: 2000
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no:
 Performance and Evaluation Report for Period Ending: 9/01
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
19	1502 Contingency	0.00	0.00	0.00	0.00
	Amount of Annual Grant: (sum of lines.....)	1,381,884.00			
	Amount of line XX Related to LBP Activities	0.00			
	Amount of line XX Related to Section 504 compliance	0.00			
	Amount of line XX Related to Security –Soft Costs	190,000.00			
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures	391,145.60			
	Collateralization Expenses or Debt Service				

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Wheeling Housing Authority		Grant Type and Number Capital Fund Program Grant No: 501-00 Replacement Housing Factor Grant No:					Federal FY of Grant: 2000		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Original Budget Figures Submitted	Rev 1	Rev 2 (P&E)	Total Actual Cost		Status of Work
PHA Wide	Advertisement		1410.19	1,500.00	1,500.00				
PHA Wide	Administration		1410.1	15,000.00	39,500.00				
PHA Wide	A & E Fees		1430.1	20,000.00	33,318.00				K signed
PHA Wide	MANAGEMENT IMPROVEMENTS:		1408						
	Security Personnel for Drug Prevention			135,000.00	135,000.00				
	Employment of Connections Personnel for Drug Prevention			24,500.00	0.00				
	Resident Trainee Clerical			36,000.00	36,000.00				
	Employee Training HQWRA			5,000.00	5,000.00				
	Computer Upgrade			4,800.00	4,800.00				
	Marketing Position			30,500.00	30,500.00				
PHA Wide	Operations		1406	138,188.40	138,188.40				
WV-3-2	Mod used for Development (1499)			400,000.00	400,000.00				
WV-3-4	Window Replacement		1460	266,200.00	266,200.00				K signed
WV-3-4	Fence Repair/Replacement		N/A	5,000.00*	5,000.00*				
WV-3-4	Fan/Light Kitchen (FA)		N/A	6,000.00*	6,000.00*				
WV-3-5	Conversion 0-1-2 Bedrooms		1460	113,750.00	100,432.00				
WV-3-5	Entry Door (Automatic)		1460	7,000.00	3,924.00		3,924.00		PO
WV-3-5	Parking Lot Extension		1460	0.00	65,626.53				
WV-3-5	New Security Panel (Entry)		N/A	3,500.00*	3,500.00*				
WV-3-5	Security Cameras		1460	0.00	15,000.00				

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Wheeling Housing Authority		Grant Type and Number Capital Fund Program Grant No: 501-00 Replacement Housing Factor Grant No:					Federal FY of Grant: 2000		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Original Budget Figures Submitted	Rev 1	Rev 2 (P&E)	Total Actual Cost		Status of Work
WV-3-6	Patio Windows/Doors		1460	124,945.60	46,087.00				
WV-3-6	Entry Door (Automatic)		1460	9,000.00	5,912.35		5,912.35		PO
WV3-6	Main Floor Wallpaper/Paint		N/A	4,500.00*	4,500.00*				
WV-3-7	Paint Halls/Base (FA)		1460	26,500.00	26,500.00				
WV-3-7	Carpet Foyer/Over Ceramic		N/A	2,500.00*	2,500.00*				
WV-3-7	Entry Door (Automatic)		1460	7,000.00	3,898.50		3,898.50		PO
WV-3-7	Security Cameras		1460	0.00	15,000.00				
WV-3-7	New Tile & Base (Common Room (FA)		1460	7,500.00	3,534.00				
WV-3-10	Entry Door (Automatic)		1460	7,000.00	4,612.00		4,612.00		PO
WV-3-10	Lobby Carpet		N/A	5,000.00*	5,000.00*				
WV-3-10	New Base Lobby		1460	2,500.00	1,351.22		1,351.00		FA
WV3-10	Hall Blinds		N/A	3,000.00*	3,000.00*				

NOTES:

3-5 Entry Doors Balance 3,076.00
 3-6 Entry Doors Balance 3,087.65
 3-7 Entry Doors Balance 3,101.50
 3-7 Tile & Base Balance 3,966.00
 3-10 Entry Doors Balance 2,388.00
 3-10 Lobby Base Balance 1,148.78

Conversions:

Revised to 100,432.00 (balanced of 13,318 moved to A/E 1430)
 3-6 Patio Doors – revised to 46,087.00 (balance of 78,858.60 moved to parking lot)
 Total funds in parking lot line 95,626.53

Total: 16,767.93 (moved to parking lot)

Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name WHEELING HOUSING AUTHORITY		<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:			
Development Number/Name/HA- Wide	Year 1	Work Statement for Year 2 FFY Grant: PHA FY: 2002	Work Statement for Year 3 FFY Grant: PHA FY:2003	Work Statement for Year 4 FFY Grant: PHA FY:2004	Work Statement for Year 5 FFY Grant: PHA FY:2005
	Annual Statement				
Advertisement		\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
Administration		\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
A & E Fees		\$18,000.00	\$37,000.00	\$26,000.00	\$15,000.00
Management		\$149,751.00	\$149,751.00	\$149,751.00	\$149,751.00
Operations		\$141,008.00	\$141,008.00	\$141,008.00	\$141,008.00
1499		\$250,000.00	\$100,000.00	\$100,000.00	\$50,000.00
WV 3-4		\$209,100.00	\$283,060.00	\$206,827.00	\$79,000.00
WV 3-5		\$216,857.00	\$44,820.00	\$74,000.00	\$105,000.00
WV 3-6		\$92,000.00	\$333,947.00	\$198,000.00	\$80,000.00
WV 3-7		\$222,270.00	\$80,000.00	\$223,000.00	\$449,060.00
WV 3-10		\$94,600.00	\$224,000.00	\$275,000.00	\$324,767.00
Total CFP Funds (Est.)		\$1,410,086.00	\$1,410,086.00	\$1,410,086.00	\$1,410,086.00
Total Replacement Housing Factor Funds					

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year :2003 _____ FFY Grant: PHA FY:2002			Activities for Year: 2004 _____ FFY Grant: PHA FY:2003		
	Annual Statement	PHA Wide	Advertisement	\$1,500.00	PHA Wide	Advertisement
	PHA Wide	Administration	\$15,000.00	PHA Wide	Administration	\$15,000.00
	PHA Wide	A & E Fees	\$18,000.00	PHA Wide	A & E Fees	\$37,000.00
	PHA Wide	Management Improvements	\$149,751.00	PHA Wide	Management Improvements	\$149,751.00
	1406	Operations	\$141,008.00	1406	Operations	\$141,008.00
	1499	Development Activities	\$250,000.00	1499	Development Activities	\$100,000.00
	WV 3-4	Curbs & Stops/Sidewalks	\$15,000.00	WV 3-4	New Roofs	\$193,060.00
	WV 3-4	5 Year Tree Trimming	\$15,000.00	WV 3-4	Security Cameras	\$90,000.00
	WV 3-4	New Kitchen Cabinets	\$152,560.00			
	WV 3-4	Bi-fold Doors Laundry	\$26,540.00	WV 3-5	New Balcony Doors	\$10,820.00
	WV 3-5	Parking Lot Extension	\$69,000.00	WV 3-5	New Apartment Doors	\$34,000.00
	WV 3-5	Apartment Conversions	\$123,750.00	WV 3-6	Fire Tower Doors	\$18,947.00
	WV 3-5	Storage Room Locks	\$1,200.00	WV 3-6	New Kitchen Cabinets	\$200,000.00
	WV 3-5	Replace Fire Doors	\$22,907.00	WV 3-6	New Roof	\$45,000.00
	WV 3-6	Security Cameras	\$12,000.00	WV 3-6	New Boilers	\$70,000.00
	WV 3-6	New Smoke Detectors	\$80,000.00	WV 3-7	New Refrigerators	\$80,000.00
	WV 3-7	Outdoor Lighting	\$60,000.00			
	WV 3-7	New Generator	\$55,000.00	WV 3-10	New Roof	\$45,000.00
	WV 3-7	Security Cameras	\$17,270.00	WV 3-10	Vanities/Floors/Rail	\$85,000.00
	WV 3-7	New Smoke Detectors	\$90,000.00	WV 3-10	Fire Tower Doors	\$24,000.00
				WV 3-10	New Boilers	\$70,000.00
	WV 3-10	New Hall Doors	\$49,600.00			
	WV 3-10	New Generator	\$45,000.00			

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year :_2005____ FFY Grant: PHA FY: 2004			Activities for Year: 2006____ FFY Grant: PHA FY: 2005		
Annual Statement	PHA Wide	Advertisement	\$1,500.00	PHA Wide	Advertisement	\$1,500.00
	PHA Wide	Administration	\$15,000.00	PHA Wide	Administration	\$15,000.00
	PHA Wide	A & E Fees	\$26,000.00	PHA Wide	A & E Fees	\$15,000.00
	PHA Wide	Management Improvements	\$149,751.00	PHA Wide	Management Improvements	\$149,751.00
	1406	Operations	\$141,008.00	1406	Operations	\$141,008.00
	1499	Development Activities	\$100,000.00	1499	Development Activities	\$50,000.00
	WV 3-4	New HVAC	\$25,880.00	WV 3-4	Parking Lot	\$40,000.00
	WV 3-4	New Siding	\$160,947.00	WV 3-4	New Stoves	\$39,000.00
	WV 3-4	Garage Door Enlarge	\$20,000.00			
	WV 3-5	New Fence/Sidewalks	\$23,000.00			
	WV 3-5	New Vanities/ Floors	\$51,000.00	WV 3-5	New Stoves/ Frig	\$60,000.00
	WV 3-6	New Make-up Air	\$40,000.00	WV 3-5	Security Cameras	\$45,000.00
	WV 3-6	New Vanities/ Floors	\$65,000.00			
	WV 3-6	New Hall Doors	\$36,000.00	WV 3-6	Paint Building	\$80,000.00
	WV 3-6	Security Cameras	\$12,000.00	WV 3-7	Fire Tower Doors	\$64,060.00
	WV 3-6	New Carpet	\$45,000.00	WV 3-7	New Windows	\$165,000.00
	WV 3-7	New Hall Carpet	\$68,000.00	WV 3-7	Bathroom Renovations	\$160,000.00
	WV 3-7	New Roof	\$55,000.00	WV 3-7	New Hall Doors	\$60,000.00
	WV 3-7	Nurse Station Bedroom	\$100,000.00	WV 3-10	New Smoke Detectors	\$86,820.00
	WV 3-10	New Carpet	\$45,000.00	WV 3-10	Bathroom Renovation	\$100,000.00
	WV 3-10	New Kitchen Cabinets	\$230,000.00	WV 3-10	New Windows	\$55,000.00
				WV 3-10	Paint Building	\$82,947.00

CAPITAL FUND PROGRAM TABLES START HERE

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary

PHA Name: WHEELING HOUSING AUTHORITY	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: WV15R00350101	Federal FY of Grant: 2001
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X Original Annual Statement Reserve for Disasters/ Emergencies Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs				
	Management Improvements Hard Costs				
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	1499 Development Activities	\$36,806.00			
19	1502 Contingency				

Public Housing Drug Elimination Program Plan

Note: THIS PHDEP Plan template (HUD 50075-PHDEP Plan) is to be completed in accordance with Instructions located in applicable PIH Notices.

Annual PHDEP Plan Table of Contents:

1. General Information/History
2. PHDEP Plan Goals/Budget
3. Milestones
4. Certifications

Section 1: General Information/History

A. Amount of PHDEP Grant \$222,842.00

B. Eligibility type (Indicate with an "x") N1 _____ N2 _____ R X

C. FFY in which funding is requested 2001

D. Executive Summary of Annual PHDEP Plan

The Wheeling Housing Authority's Public Housing Drug Elimination Program utilizes a comprehensive prevention and interdiction strategy to improve the Grandview Manor, Lincoln Homes, and Hil-Dar communities. This is accomplished through Security Services, information and referral to social services, educational and recreational enrichment activities for youth, and coordinated job training and development for adults. Our strategy is to provide a safe and secure environment in the public housing developments, as well as to provide prevention programs that will enhance the quality of life of the residents in the targeted developments. We will have less crime in our developments, as compared to the surrounding neighborhoods.

E. Target Areas

Complete the following table by indicating each PHDEP Target Area (development or site where activities will be conducted), the total number of units in each PHDEP Target Area, and the total number of individuals expected to participate in PHDEP sponsored activities in each Target Area.

PHDEP Target Areas (Name of development(s) or site)	Total # of Units within the PHDEP Target Area(s)	Total Population to be Served within the PHDEP Target Area(s)
Grandview Manor (WV - 3-2)	295	311
Lincoln Homes (WV 3-3)	30	5
Hil-Dar (WV 3-4)	92	218

F. Duration of Program

Indicate the duration (number of months funds will be required) of the PHDEP Program proposed under this Plan (place an "x" to indicate the length of program by # of months. For "Other", identify the # of months).

6 Months _____ **12 Months** _____ **18 Months** X **24 Months** _____ **Other** _____

G. PHDEP Program History

Indicate each FY that funding has been received under the PHDEP Program (place an “x” by each applicable Year) and provide amount of funding received. If previously funded programs have not been closed out at the time of this submission, indicate the fund balance and anticipated completion date. For grant extensions received, place “GE” in column or “W” for waivers.

Fiscal Year of Funding	PHDEP Funding Received	Grant #	Fund Balance as of Date of this Submission	Grant Extensions or Waivers	Anticipated Completion Date
FY 1995	\$279,761.00	WV15DEP0030195	\$0.00	Yes	9/30/96
FY 1996	\$280,474.00	WV15DEP0030196	\$0.00	Yes	3/31/98
FY 1997	\$280,800.00	WV15DEP0030197	\$630.29	N/A	12/29/98
FY1998	\$280,800.00	WV15DEP0030198	\$0.00	N/A	12/31/99
FY 1999	\$199,486.00	WV15DEP0030199	\$0.00	N/A	12/31/00

Section 2: PHDEP Plan Goals and Budget

A. PHDEP Plan Summary

The Wheeling Housing Authority’s Public Housing Drug Elimination Program utilizes a comprehensive prevention and interdiction strategy to improve the Grandview Manor, Lincoln Homes, and Hil-Dar communities. This is accomplished through Security Services, information and referral to social services, educational and recreational enrichment activities for youth, and coordinated job training and development for adults. Our strategy is to provide a safe and secure environment in the public housing developments, as well as to provide prevention programs that will enhance the quality of life of the residents in the targeted developments. We will have less crime in our developments, as compared to the surrounding neighborhoods.

B. PHDEP Budget Summary

Enter the total amount of PHDEP funding allocated to each line item.

FY 2001 PHDEP Budget Summary	
Budget Line Item	Total Funding
9110 - Reimbursement of Law Enforcement	\$40,000
9120 - Security Personnel	\$0.00
9130 - Employment of Investigators	\$0.00
9140 - Voluntary Tenant Patrol	\$0.00
9150 - Physical Improvements	\$0.00
9160 - Drug Prevention	\$182,842
9170 - Drug Intervention	\$0.00
9180 - Drug Treatment	\$0.00
9190 - Other Program Costs	\$0.00
TOTAL PHDEP FUNDING	\$222,842

C. PHDEP Plan Goals and Activities

In the tables below, provide information on the PHDEP strategy summarized above by budget line item. Each goal and objective should be numbered sequentially for each budget line item (where applicable). Use as many rows as necessary to list proposed activities (additional rows may be inserted in the tables). PHAs are not required to provide information in shaded boxes. Information provided must be concise—not to exceed two sentences in any column. Tables for line items in which the PHA has no planned goals or activities may be deleted.

9110 - Reimbursement of Law Enforcement						Total PHDEP Funding: \$40,000.00	
Goal(s)		To improve the feeling of safety and security among residents to at least 80 percent feeling safe in their neighborhood.					
Objectives		Security Patrol Program					
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount/Source)	Performance Indicators
1. Security Patrols			10/01/01	03/31/03	\$40,000	\$175,000	Semi-Annual comparison of Part I & II crimes.
2. N/A							
3. N/A							

9120 - Security Personnel						Total PHDEP Funding: \$	
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount/Source)	Performance Indicators
1.							
2.							
3.							

9130 - Employment of Investigators						Total PHDEP Funding: \$	
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount/Source)	Performance Indicators
1.							
2.							
3.							

9140 - Voluntary Tenant Patrol						Total PHDEP Funding: \$	
---------------------------------------	--	--	--	--	--	--------------------------------	--

Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9150 - Physical Improvements					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9160 - Drug Prevention					Total PHDEP Funding: \$182,842.00		
Goal(s)	To improve the feeling of safety and security among residents to at least 80 percent feeling safe in their neighborhood.						
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.Youth Education, and Recreation Program (Tutoring, Enrichment, and cultural activities for youth.)	50	Youth in target developments ages 5 through 18.	10/01/01	03/31/03	\$108,344	\$0.00	Average of 20 children participating daily at each site. 10 teenage children participate in the Teen Activities Program.
2.Employability Skills, Life Skills Training, Computer training and youth employment assistance.	20	Teenagers (ages 13 through 18) and adults at target developments.	10/01/01	03/31/03	\$55,150	\$0.00	10 youth and 10 adults participating and obtaining meaningful employment.
3.Resident Training Program – Office Assistants.	3	Adult residents	10/01/01	03/31/03	\$19,348	\$20,171.54	3 residents will be trained, for a maximum of two years, in office skills. WHA will assist in job placement upon completion of program.

9170 - Drug Intervention					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9180 - Drug Treatment					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9190 - Other Program Costs					Total PHDEP Funds: \$		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

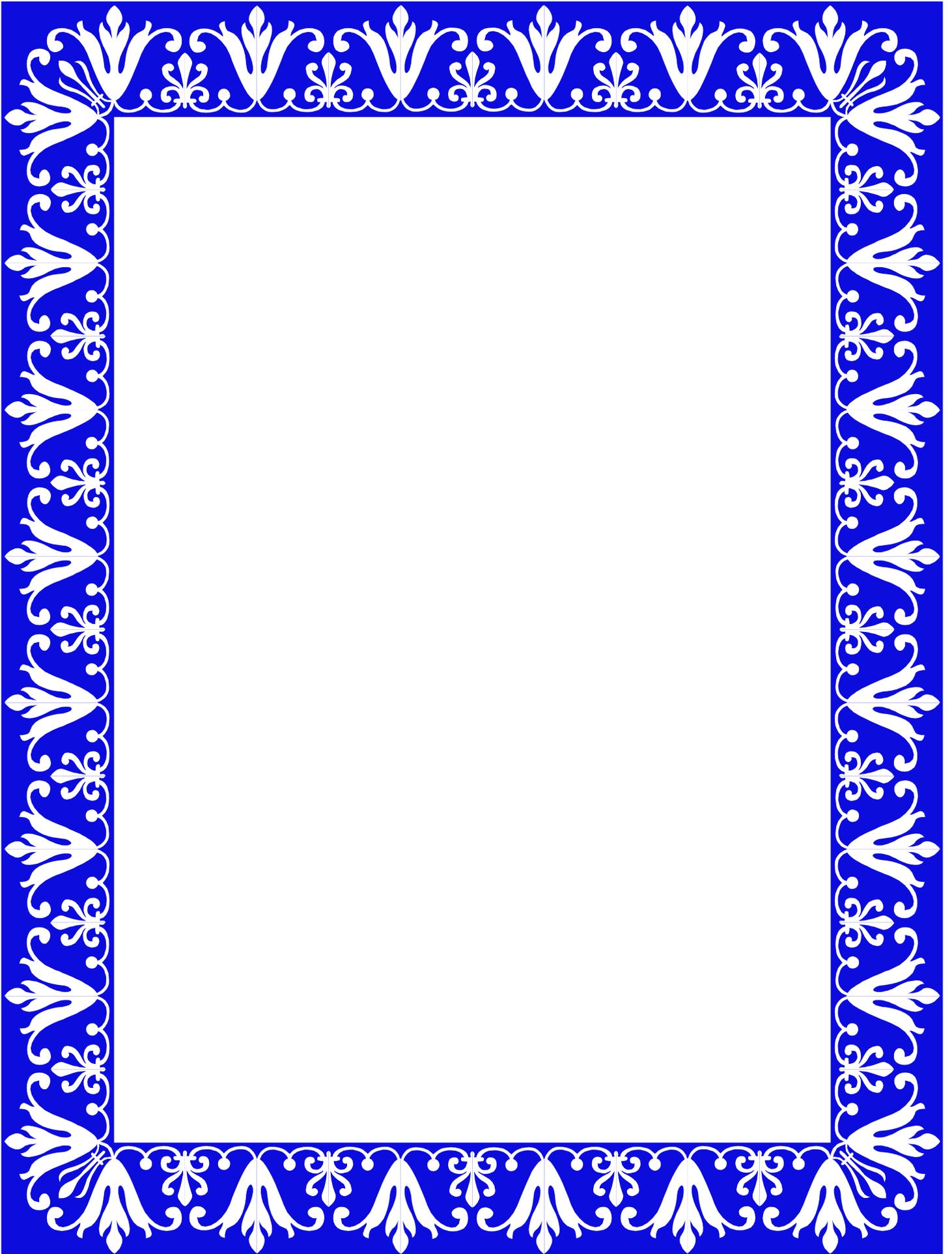
Section 3: Expenditure/Obligation Milestones

Indicate by Budget Line Item and the Proposed Activity (based on the information contained in Section 2 PHDEP Plan Budget and Goals), the % of funds that will be expended (at least 25% of the total grant award) and obligated (at least 50% of the total grant award) within 12 months of grant execution.

Budget Line Item #	25% Expenditure of Total Grant Funds By Activity #	Total PHDEP Funding Expended (sum of the activities)	50% Obligation of Total Grant Funds by Activity #	Total PHDEP Funding Obligated (sum of the activities)
<i>e.g Budget Line Item # 9120</i>	<i>Activities 1, 3</i>		<i>Activity 2</i>	
9110	Activity 1	\$20,000	Activity 1	\$20,000
9120				
9130				
9140				
9150				
9160	Activities 1, 2 & 3	\$41,976	Activities 1, 2 & 3	\$82,952
9170				
9180				
9190				
TOTAL		\$61,976		\$102,952

Section 4: Certifications

A comprehensive certification of compliance with respect to the PHDEP Plan submission is included in the “PHA Certifications of Compliance with the PHA Plan and Related Regulations.”



**HOUSING AUTHORITY
OF THE
CITY OF WHEELING**



**PUBLIC HOUSING PROGRAM
ADMISSIONS AND CONTINUED
OCCUPANCY POLICY**

Board Approved: June 7, 2000

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WHEELING HOUSING AUTHORITY MISSION STATEMENT

The Wheeling Housing Authority is committed to building stronger neighborhoods by providing quality housing options and professional services for eligible residents of Ohio County in partnership with the greater community.

SHARED PRINCIPLES & VALUES

About WHA:

The Wheeling Housing Authority is a public agency chartered by the State of West Virginia, funded in part through the United States Department of Housing and Urban Development to provide subsidized housing for eligible citizens of Ohio, Marshall and Belmont Counties.

WHA's Commitment:

We, as a public agency, with the support of our Board of Commissioners and a commitment from all staff, have a shared responsibility to provide results-oriented quality work and services for our customers.

Building Stronger Neighborhoods through Community Partnerships:

WHA, together with our residents, local government, community agencies, and the citizens of Ohio County, is committed to developing community partnerships to maintain and improve neighborhood standards.

Quality Housing Options:

WHA is committed to and responsible for providing attractive, safe, and affordable housing options/services for all eligible families, elderly, and individuals with special needs, in a professional and caring manner.

Professional Services:

- **We recognize that we exist to provide housing and supportive services for our residents**
- **We recognize and accept that a public sector service as basic as housing requires a special degree of accountability given the trust placed in us.**
- **We are committed to the principles of fair housing and equal opportunity for all.**
- **Respect for the dignity of our clients is the foundation for all that we do.**
- **We will seek to offer relevant, cost-effective, courteous and helpful services.**
- **The City of Wheeling and other community agencies and contractors are essential partners with WHA staff in assisting residents to achieve self-sufficiency.**
- **The loyalty of our clients and public support for our organization will only be earned and maintained if we provide quality professional services.**
- **WHA is an organization in which leadership, teamwork and respect for the individual are valued, and employees take pride in what they do.**
- **We will maintain the highest ethical standards in conducting our business.**

Residents:

- **We are chartered to serve residents of Ohio, Marshall and Belmont Counties who meet established eligibility guidelines.**
- **Our primary purpose is to be a responsive provider of housing services while always recognizing the dignity of our clients. We recognize that families and individuals, whether elderly, young or disabled, need our housing services due to limited resources.**
- **We believe that residents deserve no less than our best efforts given the public trust placed in the WHA.**
- **We are in a people business and understand the public nature of our business.**
- **We are dedicated to helping our residents to help themselves - providing assistance while encouraging responsibility, self-sufficiency and good citizenship.**

Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Low Income Public Housing Program was created by the U.S. Housing Act of 1937, and is funded by the Department of Housing and Urban Development (HUD).

Administration of the Public Housing Program and the functions and responsibilities of the Wheeling Housing Authority (WHA or HA) staff shall be in compliance with WHA's Personnel Policy, this Admissions and Continued Occupancy Policy, and HUD's Public Housing Regulations, Handbooks, and Notices, where applicable, as well as all federal, State, and local laws, including Fair Housing Laws and regulations.

Changes in applicable federal law or regulations shall supersede provisions in conflict with this policy.

A. LOCAL OBJECTIVES

This Admissions and Continued Occupancy Plan for the Public Housing Program of WHA has been designed to adhere to WHA's Mission Statement and achieve the following objectives:

1. To provide improved living conditions for very low and low income families while maintaining their rent payments at an affordable level.
2. To operate a socially and financially sound public housing agency that provides drug-free, decent, safe, and sanitary housing with a suitable living environment for tenants and their families.
3. To avoid concentrations of economically and socially deprived families in any one or all of the HA's public housing developments.
4. To lawfully deny the admission of applicants, for the continued occupancy of residents, whose habits and practices reasonably may be expected to adversely affect the health, safety, comfort, or welfare of other residents or the physical environment of the neighborhood or create a danger to WHA employees.
5. To attempt to house a tenant body in each development that is composed of families with a broad range of incomes and rent-paying abilities that is representative of the range of incomes of low-income families in the WHA's jurisdiction.
6. To promote upward mobility opportunities for families who desire to achieve self-sufficiency.
7. To facilitate the judicious management of the WHA inventory and the efficient management of the WHA staff.
8. To ensure compliance with Title VI of the Civil Rights Act of 1964 and all other applicable Federal laws and regulations so that the admissions and continued occupancy are without regard to race, color, religion, creed, sex, national origin, handicap, or familial status.

B. PURPOSE OF THE POLICY

The purpose of this Admissions and Continued Occupancy Policy (ACOP) is to establish guidelines which comply with all Federal, state, and local requirements and the rules and regulations for applicants, current residents, and WHA staff to follow concerning eligibility for admissions and continued occupancy.

These policies and procedures for admissions and continued occupancy are binding upon applicants, residents, and the WHA.

C. FAIR HOUSING POLICY and STATEMENT OF NON-DISCRIMINATION

It is the policy of the WHA to comply fully with all Federal, state, and local laws relating to Civil Rights, including Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern), any applicable State laws or local ordinances, and any legislation protecting individual rights of tenants, applicants, or staff that may subsequently be enacted.

The WHA shall not discriminate because of race, color, sex, religion, familial status, disability, or national origin in leasing, rental, or other disposition of housing or related facilities, including land that is part of any project or projects under the WHA's jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

Posters and housing information are displayed in locations throughout the WHA's offices in such a manner as to be easily readable from a wheelchair.

The WHA's main office, located at 11 Community Street, Wheeling, West Virginia, and its developments (list available at the main office), are accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TDD/TDY telephone number (304) 242-4494.

The WHA shall not, on account of race, color, sex, religion, familial status, disability, national origin, or any other designation protected under State or Federal law:

1. Deny to any family the opportunity to apply for housing, or deny to any qualified applicant the opportunity to lease housing suitable to its needs;
2. Provide housing that is different from that provided to others (other than to provide handicapped accessibility or reasonable accommodation);
3. Subject a person to segregation or disparate treatment;

4. Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
5. Treat a person differently in determining eligibility or other requirements for admission; or
6. Deny a person access to the same level of services.

The WHA shall not automatically deny admission to a particular group or category of otherwise qualified applicants (e.g., families with children born to unmarried parents, elderly families with pets).

D. SERVICE POLICY/ACCOMMODATIONS

It is the policy of WHA to be service-oriented in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to the families within our jurisdiction, in all situations described in this ACOP (such as when a family initiates contact with the WHA, when the WHA initiates contact with a family, and when the WHA schedules or reschedules appointments of any kind).

The WHA's policies and practices are designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notices on WHA forms and letters to all families, and all requests will be verified so that the WHA can properly accommodate the need presented by the disability.

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

All WHA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

All requests for accommodation or modification of a unit must be made in writing and will be verified with a reliable, knowledgeable professional. The WHA will make a determination and respond to the request in writing within twenty (20) working days as to whether or not the modification/accommodation can and will be made. If the modification/accommodation is to be made by the WHA, the WHA response shall also include the estimated time frame for completion of the modification/accommodation. If the modification or accommodation authorized by WHA is to be made at the expense of the resident, work may not proceed until the WHA has approved the work plan (including time frame, modification/construction drawings, materials, approach/methodology) and the work provider/contractor. The resident may request that the WHA make, or contract for, modifications/accommodations providing that the WHA agrees to be responsible for the work, and the resident agrees to pay WHA for the work.

Payment shall be in accordance with an agreement which must be executed between the WHA and the resident prior to initiating the work. The agreement must specify the work to be done, the time frame, the cost, and any provision for modification of the agreement in the event a change order becomes necessary. *The WHA is not obligated to execute such agreement or accept responsibility for the work and may reject such resident request if the workload of the WHA is prohibitive.*

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide information, but only with the written permission of the person with the disability. WHA utilizes organizations that provide assistance for hearing- and sight-impaired person when needed.

All WHA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

A list of any known available units (accessible or otherwise) will be provided upon request.

E. BILINGUAL ASSISTANCE

The WHA will provide a bilingual interpreter on a case-by-case basis as needed to assist non-English speaking families who speak Spanish. Other language interpreters shall be available as needed when practicable and possible.

In determining whether it is feasible to translate documents into other languages, the WHA considers the following factors:

1. Number of non-English speaking applicants and participants whom speak another language.
2. Evaluation of the need for translation by the bilingual staff and by agencies that work with non-English speaking clients.
3. The availability of organizations to translate documents, letters, and forms for non-English speaking families.
4. The cost of translation into another language.

Currently, a review of the ethnic make-up of the community at-large and the population currently assisted by WHA, it has been determined that it is not necessary to employ bilingual staff. Translating is provided on a case-by-case basis, as needed.

F. FAMILY OUTREACH

The WHA will publicize and disseminate information to make known the availability of housing units and housing-related services for very low income families. When the WHA's waiting list is open, the WHA will publicize the availability and nature of housing assistance for very low income families in newspapers of general circulation such as the Wheeling News-Register, the Intelligencer, and the Green Tab. The WHA will utilize the broadcast media, including local

radio and television stations and will place public service announcements when practicable and possible.

In addition, the WHA will distribute fact sheets and applications to various social service agencies serving low income residents, including the Salvation Army, the Department of Health and Human Resources, the Wheeling YWCA Women's Shelter, the Wheeling Veteran's Center, Northwood Health Systems, and Catholic Charities Neighborhood Center.

The WHA will communicate the status of housing available to other service providers in the community whenever possible, advise them of housing eligibility factors and guidelines in order that they can make proper referrals for those who seek housing.

G. PRIVACY RIGHTS

Applicants and participants, and all adults in their households, are required to sign the form HUD-9886, "Authorization for Release of Information and Privacy Act Notice." This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD will release family information.

Any and all information which would lead one to determine the nature and/or severity of a person's disability will be kept confidential and will not be released except when necessary in cases where an accommodation is under consideration. All reasonable accommodation requests shall be reviewed by the Executive Director, who shall either authorize or deny the request. If a request is denied, the Public Housing Manager shall notify the resident of the denial in writing within ten (10) days of the review and will state the reason for the denial. The resident may then, at his/her option, submit a revised request for consideration.

The WHA's practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicant and participant files will be stored in a secure location which is only accessible by authorized staff.

When removed from the secured file storage area, the file sign out card/system shall be used.

The staff person signing for a resident files is responsible for its security. Files will never be left unattended or placed in common areas accessible to the public.

WHA staff will not discuss family information contained in files in an inappropriate manner or with any unauthorized or inappropriate person. Inappropriate discussion of family information or improper disclosure of family information by staff will result in severe disciplinary action.

H. EQUAL EMPLOYMENT OPPORTUNITY

The WHA practices affirmative action in hiring, promotion, and conditions of employment. Position vacancies are advertised in the Wheeling News-Register and the Intelligencer. In the absence of appropriate minority and local publications, appropriate minority organizations are

contacted, such as the NAACP and Human Rights Commission. The WHA's recruitment practices apply aggressive outreach to such community-based racial and ethnic groups so that the composition and culture of the staff reflects the composition and culture of the community to the extent possible. All WHA job postings will display the affirmative action/equal employment opportunity logo and slogan prominently.

I. POSTING OF REQUIRED INFORMATION

The WHA will maintain a bulletin board in a conspicuous area of the lobby which will contain:

1. Admissions and Continued Occupancy Policy (ACOP).
2. Status of application taking.
3. Directory of the WHA's housing sites including names, addresses of offices, number of units by bedroom size, accessible or adaptable units, and office hours of each facility.
4. Income limits for admission.
5. Current schedule of routine maintenance charges.
6. A copy of the lease (including all attachments not listed here separately).
7. Current Utility Schedule.
8. The WHA's grievance procedures.
9. A Fair Housing poster
10. An Equal Opportunity in Employment poster.
11. Statement of non-discrimination.
12. Discrimination reporting information
13. Current resident notices.
14. Security and pet deposit charges.
15. Information on current rent ranges or income targeting policies in use.
16. The availability of any Federal ranking and/or local preferences in use.

J. TERMINOLOGY

The WHA is referred to as WHA, HA, or Housing Authority interchangeably throughout this document.

"family" is used interchangeably with "Applicant," "Resident," "Tenant," or "Participant" and refers to Public Housing Program participants occupying Public Housing units.

"Tenant" is used interchangeably with "Family."

"Landlord" means the WHA, who is the Public Housing Program administrator and the owner/landlord of the WHA Public Housing units.

"Disability" is used where "handicap" was formerly used.

"Non-citizen Rule" refers to the regulation effective June 19, 1995, re-stated in the Quality Housing and Work Responsibility Act of 1998, restricting Federally funded housing assistance to

U.S. citizens and eligible immigrants.

See Glossary for other terminology/definitions.

Chapter 2

ELIGIBILITY FOR ADMISSION

INTRODUCTION

This chapter defines both HUD's and the WHA's criteria for admission and denial of admission to the program. The policy of WHA is to strive for objectivity and consistency in applying these criteria to evaluate the qualifications of families who apply. The WHA staff will review all information provided by the family carefully and without regard to factors other than those defined in this chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information if needed, and to receive an explanation of the basis for any decision made by the WHA pertaining to their eligibility.

A. GENERAL POLICY ON SCREENING FOR SUITABILITY

It is the policy of the WHA to deny admission to applicants whose habits and practices may reasonably be expected to have a detrimental effect on the operations of the development or neighborhood or on the quality of life for its residents.

As a part of the final eligibility determination, the WHA will screen each applicant household to assess their suitability as renters.

Factors to be considered in the screening are housekeeping habits, rent paying habits and credit records, prior history as a tenant, police/criminal records, and the ability of the applicant to maintain the responsibilities of tenancy.

In determining qualifications for tenancy, an authorized representative of the WHA shall consider and document any pertinent information relating to 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.

The WHA shall rely upon sources of information which may include, but not be limited to, Housing Authority records, personal interviews with the applicant or tenant, home visits, interviews with previous landlords, employers, family social workers, parole officers, clinics, physicians, the police department, and a review of police/criminal/court records.

The following shall be questioned/investigated and considered:

1. Criminal Activity - includes the activities listed in the definition of criminal activity in this chapter.

2. Pattern of Violent Behavior - includes evidence of repeated acts of violence on the part of an individual or a pattern of conduct constituting a danger to peaceful occupancy of neighbors.
3. Initiating Threats - or behaving in a manner indicating an intent to assault employees or other tenants.
4. Abandonment of a Public Housing Unit - without advising WHA officials so that staff may secure the unit and protect its property from vandalism.
5. Non-payment of Rightful Obligations - including rent and/or utilities and other charges owed the WHA (or any other HA).
6. Intentionally Falsifying an Application for Leasing - including uttering or otherwise providing false information about family income and size, using an alias on the application for housing, or making any other material false statement or omission intended to mislead.
7. Record of Serious Disturbances of Neighbors, Destruction of Property, or Other Disruptive or Dangerous Behavior - consists of patterns of behavior which endanger the life, safety, or welfare of other persons by physical violence, gross negligence, or irresponsibility which damage the equipment or premises in which the applicant resides, which are seriously disturbing to neighbors, or which disrupts the sound family and community life indicating the applicant's inability to adapt to living in a multi-family setting. Includes judicial termination of tenancy in previous housing on the grounds of nuisance or objectionable conduct or frequent loud parties which have resulted in serious disturbances of neighbors.
8. Grossly Unsanitary or Hazardous Housekeeping - includes the creation of a fire hazard through acts such as hoarding rags, papers, or other materials; severe damages to premises and equipment (if it is established that the family is responsible for the condition); seriously affecting neighbors by causing infestation, foul odors, depositing garbage in halls; or serious neglect of the premises. This category does not include families whose housekeeping is found to be superficially unclean or due to lack of orderliness, where such conditions do not create a problem for neighbors.
9. Destruction of Property - in previous rentals.
10. Whether Applicant or Tenant is Capable of Maintaining the Responsibilities of Tenancy - in the case of applicants for admission, the person's present living arrangements and a statement obtained from the applicant's physician or social worker will be among factors considered in making this determination. (The availability of a live-in attendant will be considered in making this determination.)

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.

B. QUALIFICATION FOR ADMISSION

It is the WHA's policy to admit qualified applicants only. An applicant family is qualified only if the family:

1. Meets the definition of family as defined in Section C of this chapter;
2. Meets the Non-citizen Rule requirements (contains at least one citizen or eligible immigrant, per 24CFR, Part 5);
3. Has an annual income at the time of admission that does not exceed the applicable income limits for occupancy established by HUD and posted separately in the WHA offices;

***Note:** The low income limits as defined by HUD are applicable only to new admissions to properties with a date of full availability prior to October 1, 1981.*

The very low income limits as defined by HUD are applicable to new admissions to properties with a date of availability after October 1, 1981.

4. Provides a Social Security Number for all family members;
5. Meets or exceeds the Tenant Selection and Suitability Criteria set forth in this policy (including attendance and successful completion of any WHA required pre-occupancy orientation);
6. Is not currently adequately housed in a WHA dwelling unit or on the Transfer List*

*When approved for a move in accordance with WHA Transfer Policy due to emergency conditions or extenuating circumstances including, but not limited to, severe harassment, hate crimes, and witness protection as authorized by the WHA's Executive Director, transfers are approved and facilitated immediately upon unit availability.

C. FAMILY COMPOSITION

The applicant must meet the definition of "Family" in this section. A family may be a single person or a group of persons.

Definition of Family

“Family” is defined as a single person or two or more persons who intend to share residency in a regular, stable family-type relationship whose income and resources are available to meet the family’s needs and who intend to continue living together as a family including, but not limited to,

- A family with or without children,
- An elderly family,
- A disabled family,
- A displaced family,
- The remaining member of a tenant family who is otherwise eligible,
- A single person who is not elderly, displaced, or a person with disabilities,
- Two or more elderly or disabled persons living together or one or more elderly or disabled persons living with one or more live-in aides in a family,
- Two or more near-elderly persons living together or two or more near-elderly persons living with one or more live-in aides.

The temporary absence of a child from the home due to placement in foster care will not be considered in determining the family composition and family size.

Head of Household

The adult member of the household who is designated by the family as head, who is wholly or partly responsible for paying the rent, and who has the legal capacity to enter into a lease under State or local law shall be recognized as the Head of Household.

Minors who have been emancipated under State law will have adult status.

Spouse of Head

The term “spouse” includes only the legal husband or wife of the head of household. For proper application of the Non-citizen Rule and other regulations, the definition of spouse, more specifically, is: the legal marriage partner who, in order to legally dissolve the relationship, would have to be divorced. The term “spouse” *does not* apply to boyfriends, girlfriends, significant others, or co-heads.

Live-in Attendants

A family may include a live-in aide provided that such live-in aide:

1. Is determined by the WHA to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities,
2. Is not obligated for the support of the person(s), and

3. Would not be living in the unit except to provide care for the person(s).

A live-in aide is not considered to be an assisted family member and has no rights or benefits under the program:

1. Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.
2. Live-in aides are subject to Non-citizen Rule requirements as WHA policy, not as Federal regulation.
3. Live-in aides may not be considered as a remaining member of the tenant family.

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements in the live-in aide definition described above.

Family member(s) of a live-in attendant may also reside in the unit, providing that doing so does not increase the subsidy by the cost of an additional bedroom and that the presence of the family member(s) does not overcrowd the unit.

A live-in aide may only reside in the unit with the approval of WHA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker. The verification provider must certify that a live-in aide is needed for the care of the family member who is elderly (62 or older), near elderly (55-61, per WHA policy), or disabled (per applicable HUD definition of disabled).

Verification must include the hours the care will be provided.

The WHA has the right to disapprove a request for a live-in aide based on the "Other Criteria for Eligibility" described in this chapter.

D. MANDATORY SOCIAL SECURITY NUMBERS

Families are required to provide verification of Social Security Numbers for all family members prior to admission. This requirement also applies to persons joining the family after admission to the program.

Failure to furnish verification of Social Security Numbers is grounds for denial of admission or termination of tenancy.

E. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS

In order to receive assistance, a family member must be a U.S. citizen or an eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

Mixed Families. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed." Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination.

No Eligible Members. Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-Citizen Students. Defined by HUD in the non-citizen regulations, are not eligible for assistance. No family containing a non-citizen student family member is eligible for assistance. However, if the non-citizen student moves from the household, the family may then be determined eligible for assistance, so long as it is otherwise eligible.

E. APPLICANT SELECTION CRITERIA

All applicants will be processed in accordance with HUD's regulations (24 CFR, Part 960) and sound management practices. Applicants will be required to demonstrate ability to comply with essential provisions of the lease as summarized below.

1. Ability to Comply with Essential Lease Provisions

All applicants must demonstrate through an assessment of current and past behavior the ability:

- a. to pay rent and other charges as required by the lease in a timely manner,
- b. to care for and avoid damaging the unit and common areas,
- c. to use facilities, appliances, and equipment in a reasonable way,
- d. to create no health or safety hazards and to report maintenance needs in a timely manner,
- e. not to interfere with the rights and peaceful enjoyment of others and to avoid damaging the property of others,
- f. not to engage in criminal activity that threatens the health, safety, or right to peaceful enjoyment of other residents or staff and not to engage in drug-related criminal activity on or near WHA premises,
- g. to refrain from abusing alcohol and controlled substances as required by the lease and WHA "One Strike" policy and to comply with all other lease terms, rules, and program requirements of HUD and the WHA, and
- h. to comply with local health and safety codes.

2. Denial of Admission for Previous Debt

Previous outstanding debts to WHA (or any housing authority) resulting from previous participation in a public housing or Section 8 program, **must be paid in full prior to admission**, however, if a repayment agreement is in place and the applicant (former tenant) has been making consistent, timely payments to the Authority to clear the debt, (with no delinquent payments), the applicant's name may be placed on the waiting list. If the debt to the Authority has been paid off by the applicant by the time the applicant's name reaches the top of the waiting list, the applicant may be housed. If not, the applicant's name must remain on the list until the debt is paid in full. At that time, the applicant may be considered for occupancy.

*The WHA reserves the right, in the case of extreme hardship, to amend the Repayment Agreement or provide a conditional waiver of this section, allowing an applicant who has a non-delinquent repayment agreement in place to be housed. Full documentation of the hardship/determination is required. **In no case will the debt be forgiven.***

3. Denial of Admission for Drug-Related and/or Other Criminal Activity

To be determined eligible, the family must not engage in drug-related or other criminal activity including violent criminal activity by any Family member. No member of the applicant's family may have engaged in drug related or violent criminal activity within the past five (5) years.

The WHA will not be obligated to ferret out information concerning a family's criminal activities as a part of the processing of an application for assistance. *Initial* screening will be limited to routine criminal history inquiries of the family and any other information provided to the WHA regarding this matter.

If, either as a result of the standardized inquiry or the receipt of a verifiable referral or report, there is indication that the family or any family member is engaged in drug-related criminal activity or violent criminal activity, the WHA will conduct a closer inquiry to determine whether the family should be denied admission.

As part of the standardized process, the WHA will check criminal history for all adults in the household to determine whether any member of the family has engaged in violent or drug-related criminal activity. The conviction of a minor family member, tried as an adult for a violent or drug-related crime, shall bear the same weight as for any other adult family member, and the family may be denied admission.

a. Permanent Denial Of Admission

1. Admission will be denied to any person who has been convicted of manufacturing/producing methamphetamine ("speed").
2. Admission will be denied to any person who is subject to a lifetime

registration requirement under a State sex offender's registration program.

b. Ineligibility for Five Years if Evicted for Drug-related Activity

1. Drug-related criminal activity is the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.
2. Drug-related criminal activity means *on or off* the premises, not *just on or near* the premises.

Persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for admission to public housing for a five-year period beginning on the date of such eviction.

The WHA will waive this requirement if:

1. The person enrolls in and demonstrates successful completion of a rehabilitation program approved by the WHA; and/or
2. the circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is permanently barred from the unit and is no longer an occupant; AND
3. WHA determines that continued occupancy by the family will not, in any way, interfere with the peaceful enjoyment of the premises by other residents.

c. Screening Out Illegal Drug Users and Alcohol Abusers

If the WHA determines that there is reasonable cause to believe that an applicant or family member is illegally using a controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents, admission to the Public Housing Program will be denied. This includes any case where the WHA determines that there is a *pattern* or illegal use of a controlled substance or *pattern* of alcohol abuse.

The WHA will consider the use of a controlled substance or alcohol to be a pattern if there is more than one incident during the previous 12 months.

The WHA may waive this policy if:

1. The person demonstrates to the WHA's satisfaction that the person is no

longer engaging in the illegal use of a controlled substance or abuse of alcohol, and

2. has successfully completed a supervised drug or alcohol rehabilitation program,
3. has otherwise been rehabilitated successfully, or
4. is participating in a supervised drug or alcohol rehabilitation program,
AND
5. the WHA has determined the family's occupancy will not interfere with the peaceful enjoyment of the premises by the other residents.

Completion of any Rehabilitation Program followed by subsequent arrests/use will not be considered in any way "successful completion" of a rehabilitation program.

d. Other Criminal Activity

1. No family member has committed, in the past five years, or has a history of criminal activity involving crimes of actual or threatened violence to persons or property or a history of other criminal acts, conduct, or behavior which would adversely affect the health, safety, or welfare of other residents.
2. No family member may have engaged in or threatened abusive or violent behavior toward any WHA personnel.
3. No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

e. Confidentiality of Criminal Records

The WHA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

f. Disclosure of Criminal Records to Family

Before the WHA takes any adverse action based on a criminal conviction record, the applicant or tenant will be provided with a copy of the criminal record and an opportunity to dispute the record. Applicants will be provided an opportunity to dispute the record at an informal hearing. Tenants may contest such records at the court hearing in the case of evictions.

4. Ability to Meet WHA's Admission Criteria

Suitable screening resources include, but are not limited to:

- a. Previous WHA records
- b. Personal interviews with applicant and family members
- c. Interviews with current or previous landlords, employers, credit bureaus, social workers, parole officers
- d. Police records
- e. Home visits

The WHA's examination of relevant information pertaining to past and current habits or practices will include, but is not limited to, an assessment of:

- a. The applicant's past performance in meeting financial obligations, especially rent.
- b. A record of disturbance of neighbors (disturbances well documented and sufficient to warrant a police call), destruction of property, or living or housekeeping habits at present or prior residences which may adversely affect the health, safety, or welfare of other tenants or neighbors.
- c. Any history of criminal activity on the part of any applicant family member involving crimes of physical violence to persons or property and other criminal acts including drug-related criminal activity.
- d. A record of eviction from housing or involuntary termination from residential programs, taking into account the date and circumstances.
- e. An applicant's ability and willingness to comply with the terms of the WHA's lease.
- f. The ability and willingness of an applicant to comply with the essential lease requirements will be verified and documented by the WHA. The information to be considered in the screening process shall be reasonably related to assessing the conduct of the applicant and other family members listed on the application in present and prior housing.
- g. The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected not to:
 1. Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare. [24CFR 960.205(b)]

2. Adversely affect the physical environment or financial stability of the project. [24CFR 960.205(b)]
 3. Violate the terms and conditions of the lease. [24CFR 8.3]
 4. Require services from WHA staff that would alter the fundamental nature of the WHA's program. [24CFR 8.3]
- h. The WHA will conduct a detailed interview of all applicants. The interview form will contain questions designed to evaluate the qualifications of applicants to meet the essential requirements of tenancy. Answers will be subject to third party verification.
 - i. The WHA will complete a rental history check on all applicants. Applicants who have not established a rental history (three consecutive prior landlords or a minimum of three years with current or most recent landlord) must provide three letters of character reference.
 - j. The WHA will complete a criminal background check on all adult members of the applicant's household and any member for which criminal records are available.
 - k. The WHA may complete a home visit on all applicants at their current dwelling unit. Housekeeping inspections are part of the home visit. Other lease compliance criteria will also be checks, such as evidence of destruction of property, unauthorized occupants, evidence of criminal activity, conditions inconsistent with information provided by the applicant. Home visits are mandatory if the WHA receives unsatisfactory references for an applicant that are disputed by the applicant.
 - l. Applicants are required to attend and successfully complete any preoccupancy orientation that is required by WHA.
 - m. An applicant's intentional misrepresentation of any information related to eligibility, award of preference for admission, housing history, allowances, family composition, or rent will result in denial of admission.
 - n. Applicants must be able to demonstrate the ability and willingness to comply with the terms of the lease, either alone or with assistance which they can demonstrate that they have or will have at the time of admission (24CFR 8.2 Definition: Qualified Individual with Handicaps). The availability of assistance is subject to verification by the WHA.

The WHA's minimum age for admission as head of household is 18 (unless directed by court order), to avoid entering into leases which would not be valid or enforceable under applicable law.

Prohibited Criteria for Denial of Admission: Applicants will NOT be rejected because they:

- Have no income,
- Are not employed,
- Do not participate in a job training program,
- Will not apply for various welfare or benefit programs,
- Have children,
- Have children born out of wedlock,
- Are on welfare,
- Are students.

5. Rent Paying Habits

The WHA will examine any Housing Authority records from prior tenancy. Written reference from the applicant's current landlord is required, and WHA may request written references from the three most recent consecutive former landlords or the most current landlord, if housed for the past three years by the same landlord.

If the present rental history information reveals that, absent extenuating circumstances beyond the applicant's control, the applicant was chronically late with rent payments or was evicted at any time during the past three years for nonpayment of rent, the applicant will be deemed ineligible for occupancy (inability to meet selection criteria).

Applicants will not be considered to have a poor credit history if they were occasionally late paying rent in the past (fewer than 3 times per year and paid within 15 days of the due date), were delinquent in rent because they were withholding rent due to substandard housing conditions in a manner consistent with local ordinance, or had a poor rent paying history clearly related to a rent excessive relative to their income (using more than 50 percent of their gross income as a guide), and responsible efforts were made to resolve the nonpayment problem.

Where past rent paying ability cannot be documented, the WHA will check credit and will check with the utility company(s) to determine whether the family has been current and timely on their payments.

6. Screening Applicants Who Claim Mitigating Circumstances

Mitigating circumstances are facts relating to the applicant's record of unsuitable rental history or behavior which, when verified, would indicate both (1) the reason for

the unsuitable rental history and/or behavior, and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control and the applicant's prospect for lease compliance is an acceptable one, justifying admission.

- a. If unfavorable information is received about an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. In order to be factored into the WHA's screening assessment of the applicant, mitigating circumstances must be verifiable.
- b. If the mitigating circumstances claimed by the applicant relate to a change in disability, medical condition, or course of treatment, the WHA shall have the right to make a determination based on the verified information on hand or to refer such information to persons who are qualified and knowledgeable to evaluate the evidence and to verify the mitigating circumstance. The WHA shall also have the right to request further information reasonably needed to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation.
- c. Examples of mitigating circumstances might include:
 1. Evidence of successful rehabilitation,
 2. Evidence of the applicant family's participation in social service or other appropriate counseling service,
 3. Evidence of successful and sustained modification of previous disqualifying behavior.
- d. Consideration of mitigating circumstances does not guarantee that the applicant will qualify for admission. The WHA also will consider:
 1. The applicant's ability to substantiate, through verification, the claim of mitigating circumstances and his/her prospects for improved future behavior, and
 2. The applicant's overall performance with respect to all the screening requirements, and
 3. The nature and seriousness of any criminal activity, especially drug related or violent criminal activity, that appears in the applicant's record.

7. Qualified and Unqualified Applicants

- a. Information, which has been verified by the WHA, will be analyzed and a determination will be made with respect to:
 1. The eligibility of the applicant as a *family*
 2. The eligibility of the applicant with respect to income limits for admission,
 3. The eligibility of the applicant with respect to citizenship or eligible immigration *status*,
 4. Preference category (if any) to which the family is entitled.
- b. Assistance to a family may not be delayed, denied, or terminated on the basis of the family's ineligible immigration status unless and until the family completes all the verification and appeals processes to which they are entitled under both INS and WHA procedures, except for a pending WHA hearing.
- c. The WHA will make every effort to accurately estimate an approximate date of occupancy. However, the date given by the WHA does not mean that applicants should expect to be housed by that date. The availability of a suitable unit to offer a family is contingent upon factors not directly controlled by the WHA, such as turnover rates and market demands as they affect bedroom sizes and project location.
- d. Applicants who are determined to be unqualified for admission will be promptly notified with a Notice of Denial of Admission stating the reason for the denial. The WHA shall provide applicants an opportunity for an informal hearing.

8. Resident Participation in the Screening Process

It is the WHA's policy to encourage resident participation in the screening process. The WHA recognizes that screening is only part of the occupancy cycle and, for the WHA-resident partnership to be effective, work is required both before and after admission. Given this policy, the WHA, in conjunction with its resident leaders, promotes the following areas of involvement:

- a. Applicant Pre-occupancy Orientation. Attendance at pre-occupancy orientation may be a requirement of the screening process. The WHA and its residents will develop the agenda for this orientation to include such issues as rent, house rules, lease provisions, security, social services, and utilities. WHA public housing staff and/or resident council leaders/representatives will conduct the orientation.

- b. Resident Post-occupancy Follow-up. To provide post move-in follow-up for new residents. The agenda for the follow-up shall be developed by WHA and its residents (through their leadership/meetings/surveys) and conducted by WHA staff and/or resident council leaders/representatives. The agenda, however, will include, but not be limited to, a review of rent paying, house rules, supervision of children, and offer information on participation in resident council boards and activities.

Chapter 3

APPLYING FOR ADMISSION

INTRODUCTION

The policy of the WHA is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply and are treated in a fair and consistent manner.

This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the WHA will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Policy.

A. HOW TO APPLY

Families who wish to apply for any of the WHA's programs must complete and submit a written application form during a period when applications are being accepted. Applications will be made available in an accessible format upon request from a person with a disability.

Families who wish to apply for any of the WHA's programs must complete and submit a written application form during a period when applicants are being accepted. Applications will be accepted at the Main office, any complex site, or through the mail. Applications will be made in an accessible format upon request from a person with a disability.

Individuals who have a physical impairment that would prevent them from making application in person may call the WHA to make special arrangements to complete their application.

The application process will involve two phases:

1. The first phase is the "initial" application and preliminary review for admission. This first phase is to determine the family's eligibility for and placement on the waiting list.

The application will be dated, time-stamped, and forwarded to the WHA's tenant selection staff to be processed.

2. The second phase is the final determination of eligibility for admission. This phase takes place when the family reaches the top of the waiting list. At this time, WHA verifies application and file information is correct and current and determines if HUD and WHA eligibility factors have been met in order to determine the family's eligibility for an offer of a suitable unit.

B. INITIAL APPLICATION PROCEDURES

The application form must be personally completed by the applicant whenever possible. To

provide specific accommodation to persons with disabilities, an application may be completed with a staff person over the telephone. Applications will be mailed to the applicant if requested, and if requested and practicable, will be mailed in an accessible format.

The application will contain questions designed to obtain the following information:

- Names of adult members and age of all members
- Gender and relationship of all members
- Street address and phone/message numbers
- Mailing address (if P.O. Box or other permanent address)
- Amount(s) and source(s) of income received by household members
- Information regarding disabilities related to program requirements
- Information related to qualification for preferences, if any
- Social Security Numbers
- Race/ethnicity
- Drug related or violent criminal activity
- Request for reasonable accommodation needed to fully utilize program and services
- Previous address
- Names and addresses of current and previous landlords
- Emergency contact person and address
- Previous participation in HUD programs
- Willingness and ability to comply with the lease terms

Duplicate applications, including applications from a segment of an applicant household, will not be accepted.

Some information on the application will not be verified until the applicant has been selected for eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified. If, upon verification, it is found that any information, no matter how true at the present, was false at the time provided initially, the application shall be deemed invalid and the family's name removed from the waiting list. The applicant will be required to reapply if future program participation is desired.

Applicants are required to inform the WHA in writing within ten (10) days of the date of any change in family composition, income, and address, as well as any changes in their Preference status. Applicants are also required to respond to requests from the WHA to update information on their application or to determine their continued interest in assistance.

Failure to provide information or to respond to mailings will result in the applicant being removed from the waiting list. See Chapter 13 on complaints and appeals.

C. NOTIFICATION OF APPLICANT STATUS

The family will be notified in writing by WHA within 14 days whether or not they appear to be eligible. If it appears the family is eligible (in the preliminary phase), the notice will contain the family's **approximate** waiting time on the list for a suitable unit and that the **estimated** time is

simply the WHA's best estimate and may be longer or shorter depending on factors that are beyond the control of the WHA (such as turnover and preference determination). The notification of the approximate wait time is not in any way a promise of housing at the end of the waiting period or at any time.

This written notification of preliminary eligibility will be mailed to the applicant by first class mail (or distributed to the applicant in the manner requested as a specific accommodation). If the family is determined to be ineligible based on the information provided in the application, the written notice shall state the reason(s) for ineligibility and inform the family of their right to an informal hearing. Persons with disabilities may request to have an advocate attend the informal hearing as an accommodation. See Chapter 13 on complaints and appeals.

D. COMPLETION OF THE APPLICATION PROCESS

The WHA utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify the information that has been provided by the family, and to ensure that the application/information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other WHA services or programs which may be available.

All adult family members must attend the interview and sign the housing application.

Exceptions may be made for students attending school out of state or for members for whom attendance would be a hardship.

If the head of household cannot attend the interview, the spouse may attend to complete the application and certify for the family. The head of household, however, will be required to attend an interview within three (3) days to review the information and to certify by signature that all of the information is complete and accurate

If an applicant fails to appear for their interview without prior approval of the WHA, their application will be denied unless they can provide acceptable documentation to the WHA that an emergency prevented them from calling.

Reasonable accommodation will be made for persons with a disability who requires an advocate or accessible offices. A designee will be allowed to provide some information, but only with permission of the person with a disability.

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal hearing. See Chapter 14 on complaints and appeals.

All adult members must sign form HUD-9886, "Release of Information," the application, the application form and all supplemental forms required by the WHA, the declarations and consents

related to citizenship/immigration status and any other documents required by the WHA. Applicants will be required to sign specific verification forms for information not covered by the form HUD-9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and release as required by the WHA.

Information provided by the applicant will be verified, including information related to family composition, income, allowances and deductions, assets, eligible immigration status, full time student status, and other factors related to preferences, eligibility, and rent calculation.

If the WHA determines at or after the interview that additional information or document(s) are needed, the WHA will request the document(s) or information in writing. The family will be given five (5) days to supply the information.

If the information is not supplied in this time period and additional time has not been given in writing by the WHA, the WHA will provide the family a notification of denial for assistance. See Chapter 13 on complaints and appeals.

E. PROCESSING OF APPLICATIONS BY WHA

As families approach the top of the waiting list, the following items will be verified to determine qualification for admission into the WHA Public Housing Program:

1. Family composition and type (elderly/non-elderly)
2. Annual income
3. Assets and asset income
4. Allowance information
5. All preference claims
6. Social Security Numbers of all family members
7. Information used in applicant screening
8. Citizenship or eligible immigration status
9. Willingness and ability to comply with lease provisions (including any applicable mandatory Community Service Requirements)

F. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is completed, the WHA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the WHA, and tenant suitability will be determined (See Chapter 2 on Eligibility for Admission).

Because HUD can make changes in rules or regulations and family circumstances may have changed during the review process that affects an applicant's eligibility, it is necessary to make final eligibility determination.

Again, the household is not actually eligible for a unit offer until this final determination has been made, even though they may have been preliminarily determined eligible and may have

been listed on the waiting list.

Chapter 4

ESTABLISHING PREFERENCES AND MANAGING THE WAITING LIST

INTRODUCTION

It is the WHA's objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

It is the WHA's objective to ensure that the families are placed in the proper order on the site based waiting lists requested by the family so that the offer of a unit is not delayed to any family unnecessarily, or made to any family prematurely. This chapter explains the policies for the management of each site based waiting list.

This chapter defines the eligibility criteria for preferences and explains the WHA's system for applying them.

By maintaining an accurate waiting list for each site, the WHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner.

The order of all applicants in the pool will be based upon date and time of application.

A. MANAGEMENT OF EACH SITE BASED WAITING LIST

The WHA will administer each of its site-based waiting lists as required by 24 CFR. Each waiting list will be maintained in accordance with the following:

1. The date of application and relevant information will be kept permanently on file.
2. All applications in the pool will be maintained in order of date and time of application.

1. Opening and Closing the Waiting Lists

The WHA, at its discretion, may restrict application intake, suspend application intake, and close one or more site based waiting lists. The WHA may open or close a particular list by preference category when necessary and applicable.

The decision to close a particular site based list will be based on the number of applications available for the particular size and type of unit and the ability of the WHA to house an applicant in an appropriate unit within the specified site(s) within a three (3) year time frame.

When a particular site based waiting list is opened, the WHA will advertise the location(s) and program(s) for which applications are being accepted, through public notice in the local newspaper and any available minority publications and media entities.

The information made public will contain:

- The dates, times, and locations where families may apply.
- The programs and site(s) for which applications will be taken.
- A brief description of the program.
- A statement that Section 8 participants must submit a separate application if they want to apply for Public Housing (and cross-listing was not previously available).
- Limitations, if any, on who may apply.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the WHA address and telephone number, how to submit an application, information on eligibility requirements, and the availability of preferences.

Upon request from a person with a disability, additional time (generally 14 days) will be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

2. When Application Taking is Suspended

During the period that a particular site based waiting list is closed, no applications for that site will be accepted.

The WHA **will not** maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same manner as opening the waiting list.

The WHA will update (purge) each site-based waiting list at least annually by removing the names of those families who have been on the list for more than one year, and are no longer interested, no longer qualify for housing, or cannot be reached by mail or telephone. At the time of initial application, the WHA will advise families (through application instructions/information) of their responsibility to notify the WHA within ten (10) days of the change if they have a change of address or phone number.

At least annually, the WHA will notify each applicant on each of the site-based waiting

lists, of availabilities at other sites that meet the requirements of size and type of unit for their household. Their application will also be purged from a particular site list if they are no longer interested, no longer qualify for housing, or cannot be reached by mail or telephone.

3. Reopening the List

If a particular site based waiting list is closed and the WHA decides to open that sites' waiting list, the WHA will publicly announce the opening as explained above.

4. Limits on Who May Apply

When a particular site based waiting list is open, depending upon the composition of the waiting list with regard to family types and incomes, to comply with Federal income targeting requirements and to better serve the needs of the community, at times the WHA may only accept applications from families in a specific income category.

5. Time of Selection

When appropriate units are available within a given site, families will be selected from that site's waiting list.

Based on the WHA's turnover and the availability of appropriate sized units, two or three families may be selected from the waiting list to form a final eligibility "pool." Selections from the pool will be based on that particular sites' waiting list sequence/completion of verification. When selection in exact order per date and time of application is not possible due to delay in verification, the file must be documented. No non-sequential selection may be made based on a delayed verification when due to a delay by the WHA in requiring the verification.

6. Changes Prior to Unit Offer

Changes that occur during the period between placement on a site(s) waiting list and an offer of a suitable unit may affect the family's eligibility or Total Tenant Payment. The family will be notified in writing of changes in their eligibility or level of benefits and offered their right to an informal hearing.

- a. Split Households: When a family on the waiting list splits into two otherwise eligible families due to a divorce or legal separation, and the new families both claim the same placement on the waiting list, and there is no court determination, the WHA will make the decision taking into consideration the following factors:
 - Which family member applied as Head of Household;
 - Which family member retains the children or any disabled or elderly members;

- Restrictions that were in place at the time the family applied;
- Role of domestic violence in the split;
- Recommendations of social service agencies or qualified professionals, such as children's protective services.

Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide the documentation, they may be denied placement on the waiting list for failure to supply information requested by the WHA.

- Multiple Families in Same Household: Families consisting of two families living together (such as a mother and father and a daughter with her own husband or children), applying as a family unit will be treated as one family unit.
- Joint Custody of Children: When both parents are on the waiting list and both want to claim the child(ren), the parent whose address is listed in the school records will be allowed to claim the school-age child(ren) as a dependent if physical custody is not 50/50. When physical custody is 50/50, both parents may claim the child(ren) and receive the related income exclusion, and consideration relative to unit size.

7. Cross-listing of Public Housing and Section 8

The WHA will maintain separate lists for each Public Housing site and opts not to merge the Public Housing waiting lists and the Section 8 waiting list.

However, an applicant can be on more than one Public Housing site based list with the provision that the site(s) is appropriate to the family type.

However, if the Section 8 waiting list is open when the applicant is placed on a Public Housing site based waiting list, the WHA shall offer to place the family on both lists. If the Public Housing site based waiting list is open at the time an applicant applies for Section 8, the WHA shall offer to place the family on the available public housing site based waiting list(s) with the provision that the site with openings is appropriate to the family type. Such cross listing is required by Federal regulations.

B. ORDER OF SELECTION and LOCAL PREFERENCE

Among applicants with equal status, each site's waiting list will be organized by date and time, within any local preference group. Currently, the only WHA local preference is Domestic Violence, documented by local law officials and/or shelter facilities designed to house battered individuals.

Final selection will be made by selecting the family who is most suited to the available unit after all screening, including mandatory income targeting, has been completed (as described in this chapter).

As a result of the WHA's HOPE VI grant, demolition of the Grandview Manor and Lincoln

Homes complexes will be taking place. Residents of these complexes may choose to relocate to other WHA Public Housing communities, including those with a waiting list. Residents required to relocate, due to HOPE VI demolition, will have priority over applicants on a particular site's waiting list.

C. FACTORS THAT AFFECT SELECTION OF APPLICANTS

Before applying its preference system, the WHA will first match the characteristics of a requested site(s) to an interested applicant of the site(s). Factors such as unit size, accessible features, or units in housing designated for the elderly or disabled, limit the admission of families to those characteristics matching the characteristics and features of the vacant unit available.

By matching unit and family characteristics and targeting objectives, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application, and ahead of other suitable families from other non-targeted income categories.

Selection of families for handicap accessible units:

1. When selecting a family for a unit with accessible features, the WHA will give a preference to families that include persons with disabilities who can benefit from the unit's features.
2. When selecting a family for a unit in housing designated for elderly families or housing designated for disabled families, the WHA will give a preference to elderly or disabled families as described later in this chapter.
3. When selecting a family for a unit in a mixed population housing (property houses both elderly and disabled families), the WHA will give preference to elderly families and disabled families as described later in this chapter.
4. When selecting a single person for a unit in a mixed-population housing site, elderly or disabled single persons have a preference over singles who are neither elderly nor disabled.

Any admission mandated by court order related to desegregation or Fair Housing and Equal Opportunity will take precedence. Other admissions required by court order will also take precedence. *If permitted by the court order, the WHA may offer the family a housing certificate or voucher at the Housing Authority's discretion.*

The WHA's system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations. When such matching is required or permitted by current law, the WHA will give preference to the families described below.

Units designated for the elderly: In accordance with the 1992 Housing Act, elderly families with a head, spouse, or sole member at least 62 years of age will receive a preference for admission to such units or buildings covered by a HUD-approved Allocation Plan.

This reference is to buildings or portions of buildings designated for the elderly by following the requirements of the 1992 Housing Act. Designation of housing for the elderly requires the preparation of an allocation plan. A public hearing must be held on the plan and the plan must be presented to HUD for review and approval.

1. When there are insufficient elderly families on the waiting list, near-elderly families (head or spouse ages 50-61) may receive a preference for this type of unit.
2. When there are insufficient elderly or near-elderly families and units are ready for leasing more than 60 days, all other family types are eligible for such units.
3. Families with members who require a unit with accessible features will receive preference for such units over families who do not require such features.

Units designed for the disabled: In accordance with the 1992 Housing Act, disabled families with a head, spouse, or sole member who qualifies as a person with disabilities as defined in 24CFR 945.105 will receive a preference for admission to units that are covered by a HUD-approved Allocation Plan.

Buildings can also be designated for disabled families by following the requirements of the 1992 Housing Act. This entails preparing an allocation plan noting which buildings (if any) will be set aside for the disabled and preparing a supportive services plan. HUD approval is required for both the allocation plan and the supportive service plan.

1. Families with members who require a unit with accessible features will receive preference for such units over families who do not require such features.

Mixed Population Units: In accordance with the 1992 Housing Act, elderly families whose head, spouse, or sole member is at least 62 years of age and disabled families whose head, spouse, or sole member is a person with disabilities, will receive equal preference for admission to such units. No limit will be established on the number of elderly or disabled families that may occupy a mixed population property.

A general occupancy/mixed population project is a property (or portion of a property) that was reserved for elderly at its inception and has retained that character or the WHA obtained HUD approval to give preference in tenant selection to elderly and disabled families. These projects were formerly known as elderly projects.

D. REMOVAL FROM WAITING LIST

If an applicant fails to respond to a mailing from the WHA or to comply with any part of the selection process, the applicant's name will be removed from the waiting list. An extension will be considered an accommodation if requested by a person with a disability. If a letter is returned by the Post Office without a forwarding address, the applicant's name will be removed without further notice, and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

The WHA may, at its discretion, on a case-by-case basis, determine whether or not extenuating circumstances exist warranting an exception and reinstatement. Exception requests must be made in writing and responded to in writing.

Chapter 5

OCCUPANCY GUIDELINES

INTRODUCTION

The Occupancy Guidelines are established by the WHA to ensure that units are occupied by families of the appropriate size and not overcrowded or under-utilized. This policy maintains the maximum usefulness of the units, while preserving them from excessive wear and tear. This Chapter explains the Occupancy Guidelines used to determine minimum and maximum unit sizes for various sized families when they are selected from a waiting list, when a family's size changes, or when a family requests an exception to the occupancy guidelines.

A. DETERMINING UNIT SIZE

The WHA does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom. The WHA's Occupancy Guideline standards for determining unit size shall be applied in a manner consistent with Fair Housing guidelines.

Reminder: The term "adult" as used in these policies, is defined as a person 18 years or older or a minor who has been emancipated under State law.

All guidelines in this section relate to the number of bedrooms in the unit. Dwelling units will be so assigned that:

1. Separate bedrooms should be allocated for persons of the opposite sex (other than adults who have a spousal relationship and children under 6).
2. Foster children will be included in determining unit size only if they will be in the unit for more than 12 months.
3. Live-in attendants will generally be provided a separate bedroom. However, *no additional bedrooms are provided for the attendant's family.*
4. Space may be provided for a child who is away at school but who lives with the family during school recesses.
5. Space will not be provided for a family member who will be absent most of the time, such as a member who is away in the military.
6. Adults of different generations will have separate bedrooms.
7. Single person families shall be allocated a studio (0 bedroom) unit whenever possible.

8. The living room will not be counted as a bedroom (except at the request of the family), when determining appropriate unit size.

OCCUPANCY GUIDELINES FOR DETERMINING UNIT SIZE

Unit Size	Persons in Household Minimum #	Persons in Household Maximum #
0 Bedroom	1	1
1 Bedroom	1	2
2 Bedrooms	2	4
3 Bedrooms	3	6
4 Bedrooms	4	8
5 Bedrooms	6	10
6 Bedrooms	8	12

B. CHANGES IN UNIT SIZE

The WHA will grant exceptions from the guidelines in cases where the family requests, the WHA determines the exceptions are justified by the relationship, age, sex, health, or disability of family members, or other individual circumstances and there is a vacant unit available. If an applicant requests a change in unit size, the following guidelines will apply:

1. Applicants may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to local codes). The family must agree to not request a transfer until their family composition changes.
2. The family may request to be placed on a larger bedroom size waiting list than indicated by the WHA's occupancy guidelines. The request must explain the need or justification for a larger bedroom size and must be verified by the WHA before the family is placed on the larger bedroom size list. Examples are:

Elderly persons or persons with disabilities who may require a live-in attendant. Persons who would ordinarily occupy one bedroom but cannot because of a verified medical or health reason, addition of a live-in aide, or need for medical equipment.

Requests based on health-related reasons must be verified by a licensed physician.

The members of the family residing in the unit must be approved by the WHA.

The family must obtain approval of any additional family member before the person occupies the unit except for additions by birth, adoption, or court-

awarded custody, in which case the family must inform the WHA within ten (10) days of the event.

The WHA will not generally assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage, or court-awarded custody.

In final determination of applicable unit size, the WHA will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms.

3. To avoid vacancies, the WHA may provide a family with a larger unit than the occupancy standards permit. The family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is a suitable smaller unit available. This requirement is a provision of the lease.

C. ACCESSIBLE UNITS

The WHA has units designed for persons with mobility, sight, and hearing impairments. These units were designed and constructed specifically to meet the needs of persons requiring the use of wheelchairs and persons requiring other modifications.

Preference for occupancy of these units will be given to families with disabled family members who require the modifications or facilities provided in the units.

D. FAMILY MOVES

When a change in the circumstances in a tenant family requires another unit size, the family's move depends upon the availability of a suitable size and type of unit. If the unit is not available at the time it is requested, the family will be placed on the Transfer List.

E. TRANSFER POLICY

There are times when a family either requires a larger or smaller unit or desires a different unit size or location. This section explains the circumstances under which a transfer will normally be approved.

All transfer requests must be submitted on a completed and signed WHA "Request For Unit Transfer" form, obtainable from the site manager. The site manager shall review the request and notify the family, in writing, within 14 days of placement or denial of placement, of the family's name of the transfer waiting list. If the request involves a transfer to a different development site, the manager must receive authorization from the Executive Director prior to actually scheduling the move.

The considerations and occupancy standards in "A" of this section should be used as a guide when determining whether and when the bedroom size or location of occupancy should be

changed. If an unusual situation occurs, which is not currently covered in this policy, the case will be taken to the Executive Director, who will review the situation, depending on the individual circumstances, the verification provided, and specifically, the recommendation of the public housing staff person working with the family's case/file, and render a decision.

The transfer list shall be divided into four (4) priority groups, and resident's names shall be listed by date and time of transfer request, within each group. If the need claimed cannot be verified, the name shall be removed from the list.

Group 1 (First Priority)

- Residents of Grandview Manor and Lincoln Homes wishing to relocate to another WHA Public Housing community as a result of HOPE VI demolition
- Domestic Violence
- Dire Medical Need (has licensed physician's statement that larger unit is required to house necessary/life-sustaining medical equipment/attendant)

Group 2 (Second Priority)

- Severe Overcrowding (exceeds maximum Occupancy Guidelines by 4 or more)
- Other Medical Need (has licensed physician's statement documenting the medical need for a larger unit [language of statement must include a statement as to how the "health and well-being" of the client will benefit him/her]. Physician must provide the written statement and simply stating "needs more space" or "wants more room" is not acceptable.)
- HA Emergency (WHA has determined that it is necessary that a certain family be transferred as soon as possible for the safety and/or well-being of the family and/or residents [file must be thoroughly documented and transfer approved by the Executive Director])

Group 3 (Third Priority)

- Overcrowding (exceeds maximum Occupancy Guidelines by 1 to 3 persons).

Group 4 (Low Priority)

- All Others (WHA has placed on list after determining it would be in the best interest of all residents affected [example: ongoing disputes with neighbor(s) over noise when one resident works nights and the other has numerous children at plan during the day])

The general policy shall be to alternate leasing between waiting list families and transfer requests at the rate of 2 wait list families to every 1 transfer with the exception of Grandview Manor and Lincoln Homes residents choosing to relocate to another WHA Public Housing community.

These residents will take priority over waiting list families and groups 2, 3, and 4 transfer requests. However, transfers are authorized based on unit availability, maintenance staff availability, condition of the move-out and move-in unit, and anticipated turn around time. Therefore, *it is entirely possible that the general rate will be exceeded (i.e., more than 2 wait list families to every 1 transfer), and the authority reserves the right to do so if needed to keep the vacancy rate low, and expend its resources wisely. Conversely, the HA may permit transfers at a higher ratio than the general policy when the Executive Director has determined it is in the best interest of the resident and the HA to do so and has authorized the site managers to proceed. The files must be adequately documented when any general policy deviation commences and when it ends.*

Residents must be mindful that this transfer policy is a good faith attempt to accommodate their needs and wishes while fulfilling the authority's obligation to maintain lease up and expend resources (including maintenance staff time) wisely. The alternative in force at many housing authorities is to disallow transfers altogether.

When a transfer is approved, the transferring family must pay for damage repair and cleaning of the unit they are vacating.

Chapter 6

DETERMINATION OF TOTAL TENANT PAYMENT

INTRODUCTION

The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This Chapter defines the allowable deductions from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24CFR Part 5, QHWA, and further instructions set forth in HUD Notices, Memoranda, and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. Pre-October 1, 1999, the family shall be given the choice of paying the appropriate flat rent (set by the Authority per unit size and location) or paying the amount resulting from the application of the rent formula.

The minimum amount of rent payable for public housing would be the Family's annual choice of rent. The family could choose to pay the greater of:

30% of the adjusted monthly income which includes permissive deductions as specified in Chapter 6 of this policy;

10% of the monthly income;

or the WHA established minimum rent

(Less any applicable utility allowance)

or

The flat rent (posted 10/1/99)

(Less any applicable utility allowance)

The Tenant Rent does not include charges for excess utility consumption or other charges.

A. CHOICE OF RENT

1. Once each year, the family will be given the opportunity to choose to pay either the flat rent for their bedroom size or the income-based rent as their tenant rent. The family will not be given this choice of rent more than once annually. This annual choice will be offered at the time of initial admission to the program and each year's annual re-examination.

a. Family's Annual Choice Is The Income-Based Rent

If the family chooses, either at time of admission or annual re-examination, to pay rent based on income, the family, regardless of an increase in income, cannot choose to pay the flat rent until the next annual re-examination.

If, between the annual choice of rent, the family's income increases more than \$2500.00 per year, the monthly rent will increase the third month following the month of the change in family circumstances. If the increased income-based rent exceeds the Flat Rent amount for the family's bedroom size, the family must pay the income-based rent until the next annual re-examination.

b. Family's Annual Choice Is The Flat Rent

If the family chooses, either at time of admission or annual re-examination, to pay the flat rent, then between the annual choice of rent has a financial hardship, monthly rent can be reduced to the income-based rent for the following situations:

1. The family has experienced a decrease in income because of changed circumstances for medical costs, childcare, transportation, education, or similar items;
 2. The family has experienced an increase in expenses, because of changed circumstances for medical costs, child care, transportation, education, or similar items; and
 3. A household member, whose income contributed towards the Total Tenant Payment, no longer resides in the unit thus decreasing the family's annual income.
2. Whether the family chooses to pay the flat rent or the income-based rent, the family must pay at least the minimum rent in effect at the time.
 3. For the family to make an informed decision as to whether to pay either the Flat Rent or the income-based rent, the WHA must inform the family of the following:
 - a. The amount the family's rent would be when calculated in accordance with adopted policy (the income-based rent amount) and the amount of the flat rent for the family's bedroom size.
 - b. The Housing Authority's policies on switching type of rent in circumstances of financial hardship, and
 - c. A family who chose the flat rent option for the previous year, the Housing

Authority is only required to provide an income-based rent amount for the subsequent year if the income re-examination was completed. If a family requests and submits updated income information, the Housing Authority is required to furnish the amount of income-based rent even if the family's income re-examination is not due.

B. MINIMUM RENT

The WHA minimum rent amount, established within Federal regulations, is currently \$0.

Minimum rent does not include utility allowances or charges for excess utilities or other charges.

C. INCOME, INCOME EXCLUSIONS, AND ADJUSTED INCOME

Income See the Annual Income, Income Exclusions, and Adjusted Income sections in the Glossary of Terms of this policy.

Annual Income is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or re-certification. Gross income is the amount of income prior to any HUD allowable or WHA permissible deductions and does not include income which has been excluded by HUD.

Adjusted Income is defined as the Annual Income minus any HUD allowable or WHA permissible deductions.

Allowable Deductions from Annual Income include:

1. Dependent deduction: \$480 each for family members (other than the head or spouse), who are minors and for family members who are 18 and older who are full-time students or who are disabled.
2. Child support payment deduction: A deduction for amounts paid for support of a child, mandated by a Court Order, will be a deduction in determining adjusted income after verification. In no event may the amount to be deducted exceed the earned income of the individual responsible for payment or exceed the amount specified to be paid in a Court Order.
3. Spousal support payment deduction: A deduction for amount paid for spousal support, mandated by a Court Order, will be a deduction in determining adjusted income. In no event may the amount to be deducted exceed the earned income of the individual responsible for payment or exceed the amount specified to be paid in a Court Order.
4. Elderly exclusion: \$400 per household for families whose head or spouse is 62 or over or is disabled.

5. Non-reimbursed medical expenses of all family members for all household types.
6. Childcare expenses for children under 13 are deducted when childcare is necessary to allow an adult member to be employed or further his/her education.
7. Expenses for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work.

D. DEFINITION OF TEMPORARY/PERMANENTLY ABSENT

The WHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, the WHA must count the income of the spouse or the head of the household if that person is temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income. It is the responsibility of the head of the household to report changes in family composition. The WHA will evaluate absences from the unit in accordance with this policy.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the WHA will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the WHA before they move out of a unit in accordance with the lease and to give the WHA information about any family absence from the unit.

Families must notify the WHA if they are going to be absent from the unit for more than 14 consecutive days.

If the entire family is absent from the assisted unit for more than two consecutive weeks without prior notice to the WHA, or 90 consecutive days (unless granted an extension by WHA for extenuating circumstances), the unit will be considered to be vacated and the lease and program participation will be terminated.

“Absence” means that no family member is residing in the unit. In order to determine if the family is absent from the unit, the WHA may:

- Conduct a home visit
- Write letters to the family at the unit
- Telephone the family at the unit
- Interview neighbors
- Verify if utilities are in service
- Contact income source (work, welfare office, etc.)

A person with a disability may request an extension of time as an accommodation. If the absence which resulted in termination of assistance was due to a person's disability, the WHA can verify that the person was unable to notify the WHA in accordance with the lease provisions regarding absences, and if a suitable unit is available, the WHA may reinstate the family as an accommodation if requested by the family.

Absence of Any Member

Any member of the household will be considered permanently absent if he/she is away from the unit for three consecutive months except as otherwise provided in this chapter.

Absence Due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the WHA will seek advice from a reliable, qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the WHA's "Absence of Entire Family" policy.

Absence Due to Incarceration for Other than Violent or Drug Related Crimes

If the sole member is incarcerated for more than 90 consecutive days, he/she will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if he/she is incarcerated for three consecutive months.

Foster Care and Absences of Children

If the family includes a child or children temporarily absent from the home due to placement in foster care, the WHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 6 months from the date of removal of the child/children and the anticipated date of return is unknown and/or not verifiable, the unit size will be reduced.

If the date of return is known and verified to be within a total of 12 months from the date of removal, the unit size may not be reduced. If all children are removed from the home permanently, the unit size will be reduced in accordance with the WHA's occupancy guidelines.

Absence of Adult

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the WHA will treat that adult as a visitor for the first 14 days.

If, by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker and the caretaker qualifies under Tenant Suitability criteria, the lease will be transferred to the name of the caretaker.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the WHA will review the status at regular intervals. If custody or legal guardianship has not been awarded by the court, but the action is in process, the WHA will secure verification from social services staff of the attorney as to the status. The caretaker will be allowed to remain in the unit, as a visitor with appropriate extensions approved by the WHA, until a determination of custody is made. When the WHA approves a person to reside in the unit as caretaker for the child/children, the income will be counted pending a final disposition. The WHA will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 6 months, the person will be considered permanently absent.

If an adult family member leaves the household for any reason, the family must report the change in family composition to the WHA within ten days.

The family will be required to notify the WHA in writing within ten days when an adult family member moves out. The notice must contain a certification by the family as to whether the adult is temporarily or permanently absent. The family member will be determined permanently absent if verification is not provided.

A time extension will be granted as an accommodation upon request by a person with a disability.

If an adult child goes into the military and leaves the household, they will be considered permanently absent.

Full-time students who attend school away from the home will be treated in the following manner:

A student (other than head of the household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member

is permanently absent, income of that member will not be included in the total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

Visitors

No person evicted from Public Housing or Section 8 for violating a “One-Strike” policy shall be permitted on WHA property as a visitor or otherwise.

Any adult not included on the HUD 50058 who has been in the unit more than 14 days in any 12-month period (unless otherwise authorized by WHA for documented extenuating circumstances), will be considered living in the unit as an unauthorized household member. Absence of evidence of any other address will be considered verification that the visitor is a family member.

Statements from neighbors and/or WHA staff will be considered in making the determination. Use of the unit address as the visitor’s current residence for any purpose shall be construed as evidence of permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the family and the WHA will evict the family since prior approval was not requested for the addition.

Minors and college students who were part of the family but who now live away from home during the school year and are not considered members of the household may visit for up to 120 days per year without being considered a member of the household.

In a joint custody arrangement, if the minor is in the household less than 120 days per year, the minor will be considered to be an eligible visitor and not a family member.

Reporting Additions to the WHA

Reporting changes in household composition to the WHA must be made in compliance with the lease provision requirements regarding adding household members.

If the family does not obtain prior written approval from the WHA, any person the family has permitted to move in will be considered an unauthorized household member. The family will be in violation of the lease and program rules and regulations.

An interim reexamination will be conducted for any additions to the household.

Reporting Absences to the WHA

If a family member leaves the household, the family must report this change to the WHA, in writing, within ten days of the change and certify as to whether the member is temporarily absent or permanently absent.

The WHA will conduct an interim reevaluation of eligibility for changes which affect the TTP in accordance with the interim change/re-exam policy.

E. AVERAGING INCOME

When Annual Income cannot be anticipated for a full 12 months, the WHA may:

Average known sources of income that vary to compute an annual income.
Annualize current income and conduct an interim reexamination if income changes.

If there are bonuses or overtime hours which the employer cannot anticipate for the next 12 months, the bonus and overtime income received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when needed to assist in the determination or provide further clarification to the information provided in the third party or check-stub verification.

If by averaging, an estimate can be made for those families whose income fluctuates from month-to-month, this estimate will be used so that the housing payment will not change from month-to-month.

The method used depends on the regularity, source, and type of income.

F. MINIMUM INCOME

There is no minimum income requirement for participation in the Public Housing Program. However, families who report zero income are required to complete a written certification (the WHA provided subsistence form) every month.

G. INCOME OF A FAMILY MEMBER CONFINED TO A NURSING HOME

If a family member is *permanently* confined to a hospital or nursing home and there is a family member left in the household, the WHA will calculate the TTP by:

Excluding the income and deductions of the member and assigning an appropriate size unit to the remaining family member.

If an absence is due to a temporary confinement, that family member's income would be used in the rent calculation so long as they are considered a current family member.

H. REGULAR CONTRIBUTIONS AND GIFTS

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the TTP.

Any contribution or gift received every four months or more frequently will be considered a “regular” contribution or gift, unless the amount is less than \$120 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See “Verification Procedures” for further definition.)

If the family’s expenses exceed its known income, the WHA will question the family about contributions and gifts.

I. ALIMONY AND CHILD SUPPORT

1. Alimony And Child Support Received

Regular alimony and child support payments are counted as income for calculation of TTP. If the amount of child support or alimony received is less than the amount awarded by the court, the WHA must use the amount awarded by the court unless the family can verify that they are not receiving the full amount.

The WHA will accept as verification that the family is receiving an amount less than the award if:

The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency or has filed an enforcement or collection action through an attorney.

It is the family’s responsibility to supply a copy of the divorce decree.

2. Alimony And Child Support Paid

Regular alimony and child support payments can be counted as a deduction in determining Adjusted Income for calculation of Total Tenant Payment. In no case will the amount deducted exceed the earnings of the provider or the amount specified in a Court Order. The deduction will not apply if the child(ren) and/or person for whom the support is for resides in the household. The WHA will accept as verification of child support and alimony payments:

- a. Third party verification from payee’s employer of the amount withheld from payroll earnings for purpose of child support and/or alimony payments supported with a copy of the Court Order where the amount to be paid is specified.
- b. Third party verification from a State Welfare Agency who receives child support and/or alimony payments on behalf of the recipient supported with a copy of the Court Order where the amount to be paid is specified.

- c. In cases where child support and/or alimony is paid directly to the recipient, the verification must include a copy of the Court Order specifying the amount to be paid supported by a notarized statement from the recipient verifying the amount they receive.

J. LUMP-SUM RECEIPTS

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, are not included in income but may be included in assets.

Lump-sum payments caused by delays in processing periodic payments (unemployment or welfare assistance) are counted as income. Lump-sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump-sum receipt:

If reported in a timely manner, the WHA will calculate retroactively or prospectively, depending on the circumstances. However, the WHA will calculate retroactively if the receipt was not reported within the ten-day reporting time frame requirement.

Prospective Calculation Methodology

If the payment is reported on a timely basis, the calculation will be done prospectively and will result in an interim adjustment calculated as follows:

The entire lump-sum payment will be added to the annual income at the time of the interim.

Retroactive Calculation Methodology

The WHA will go back to the date the lump-sum payment was received or to the date of admission, whichever is closer.

Although the retroactive amount due is due and payable in full, WHA may enter into a Repayment Agreement with the family. The amount owed by the family is a collectible debt even if the family becomes unassisted.

Attorney Fees

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

K. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS

Contributions to company retirement/pension funds are handled as follows:

1. While an individual is employed, only the amounts the family can withdraw without retiring or terminating employment are counted as assets.
2. After retirement or termination of employment, any amount the employee elects to receive as a lump-sum is counted as an asset.

L. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE

The WHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. The WHA will count the difference between the market value and the actual payment received in calculating total assets.

Assets disposed of as a result of foreclosure or bankruptcy are not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of divorce or separation are not considered to be assets disposed of for less than fair market value.

M. CHILDCARE EXPENSES

Childcare expenses for children under 13 may be deducted from annual income if they enable the adult to be employed or further his/her education.

In the case of a child attending private school, only after-hours care can be counted as childcare expenses.

Childcare expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the childcare. Examples of those adult members who would be considered *unable* to care for the child include:

- The abuser in a documented child abuse situation, or
- A person with disabilities or older person unable to take care of a small child, as verified by a reliable, knowledgeable source.

Acceptability of child care expense documentation is based on the following guidelines:

- Childcare to work: The maximum childcare expense allowed must be less than the amount earned by the person enabled to work.
- Childcare for school: The number of hours claimed for childcare may not exceed the number of hours the family member is attending school (including one hour travel time to and from school).
- Amount of Expense: The WHA will survey the local care providers in the community and collect data as a guideline. If the hourly rate materially exceeds the guideline, the WHA may calculate the allowance using the guideline.

N. MEDICAL EXPENSES

Medical expenses (including prescriptions) may be claimed by submitting WHA supplied verification form(s) including the total owed, total owed in the past 12 months, total paid in the past 12 months, and total expected to be paid monthly during the next 12 months.

Acupressure, acupuncture, and related herbal medicines and chiropractic services will be considered allowable medical expenses if prescribed or recommended by a physician and verification is provided.

O. PRORATION OF ASSISTANCE FOR “MIXED” FAMILIES (24CFR, Part 5.520)

Applicability

Proration of assistance must be offered to any “mixed” applicant or participant family. A “mixed” family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

“Mixed” families that were participants on June 19, 1995, and that do not qualify for continued assistance, must be offered prorated assistance (See chapter on Recertifications). “Mixed” applicant families are entitled to prorated assistance. Families that become “mixed” after June 19, 1995, by addition of an ineligible member are entitled to prorated assistance.

Prorated Assistance Calculation

Prorated assistance will be calculated by subtracting the TTP from the applicable Maximum Rent for the unit the family occupies to determine the Family Maximum Subsidy. The family’s TTP will be calculated by:

1. Dividing the Family Maximum Subsidy by the number of persons in the family to determine Member Maximum Subsidy.

2. Multiplying the Member Maximum Subsidy by the number of eligible family members to determine Eligible Subsidy.
3. Subtracting the amount of Eligible Subsidy from the applicable Maximum Rent for the unit the family occupies to get the family's Revised TTP.

P. REDUCTION IN BENEFITS

If the family's benefits, such as social security, SSI, or TANF are reduced through no fault of the family, the WHA will use the net amount of the benefit in calculating the formula rent.

If the family's benefits, such as social security or SSI, is reduced through no fault of the family, the WHA will use the net amount of the benefit in calculating the formula rent.

If the family's TANF benefit is reduced for other than a "Specified Welfare Benefit Reduction," the WHA will use the net amount of the benefit in calculating the formula rent. A specified welfare benefit reduction does not include the following, therefore, would not be counted in determining the Total Tenant Payment:

3. Loss of benefits due to expiration of a lifetime or other time limit on the payment of welfare benefits;
4. Loss of benefits because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or
5. Loss of benefits because a family member has not complied with other welfare agency requirements not listed in the "Imputed Welfare Income" criteria listed below.

If the family's benefits were reduced due to family error, omission, non-compliance with State work/welfare requirements, or misrepresentations, the WHA will use the gross amount of the benefit in calculating the formula rent.

Q. IMPUTED WELFARE INCOME

Included in annual income will be Imputed Welfare Income. Imputed welfare income is the amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included the family's annual income for purposes of determining rent. A specified welfare reduction is defined as:

A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare

agency requirement to participate in an economic self-sufficiency program.

If the resident claims that the WHA has not correctly calculated the amount of the imputed welfare income and the WHA denies the family's request to modify such amount, the WHA shall give the resident written notice of such denial.

The written notice shall state the basis for the determination of the amount of imputed welfare income. The notice shall also state that if the resident does not agree with the WHA determination the resident can request an informal hearing on the WHA's decision.

The Housing Authority is responsible for determining the amount of the imputed welfare income but is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures.

The amount of the imputed welfare income will be offset by the amount of additional income a family receives after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

R. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS

If the cost of utilities (excluding telephone) is not included in the Tenant Rent, a utility allowance will be deducted from the TTP or flat rent. The utility allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption utilities in an energy conservative household, *not* on a family's actual consumption.

When the utility allowance exceeds the family's TTP, the WHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant (unless the tenant has agreed, in writing, to a payment to the utility company).

Currently, except at Hil-Dar and Lincoln Homes, WHA pays for utilities (except charges for excess consumption), and therefore no utility allowance or utility reimbursement payments are applicable. At Hil-Dar and Lincoln Homes, the utility allowance will be applied. See the attached Utility Allowance Schedule.

S. EXCESS UTILITY PAYMENTS

Residents in units where the WHA pays the utilities will be charged for excess utilities if additional appliances or equipment are used in the unit or if the standard utility allowance is exceeded. This charge shall be applied as specified in the lease [24CFR 966.4(b)(2)].

T. CEILING RENTS

The WHA currently does not utilize ceiling rents.

U. FLAT RENTS

A per month flat rent schedule has been established as follows:

<u>Unit Size</u>	<u>Monthly Rent</u>
Efficiency	\$191.00
One Bedroom	\$255.00
Two Bedroom	\$319.00
Three Bedroom	\$383.00
Four Bedroom	\$446.00
Five Bedroom	\$574.00

(Less utility allowances)

Flat rents have been designed so the rent schedule does not create a disincentive for continued residency in public housing by families who are attempting to become economically self-sufficient through employment or who have attained a level of self-sufficiency through their own efforts.

If a family chooses to pay the flat rent, they shall be provided the opportunity to immediately switch to the income-based rent because of financial hardship such as:

1. Situations in which the income of the family has decreased because of changed circumstances, loss or reduction of employment, death in the family, and reduction in or loss of income or other assistance;
2. An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and
3. Such other situations as may be determined by the WHA.

If a family chooses the flat rent option, WHA shall review their incomes not less than every three years.

Chapter 7

VERIFICATION PROCEDURES

INTRODUCTION

HUD regulations require that the factors of eligibility and Total Tenant Payment be verified by the WHA. Applicants and program tenants must furnish proof of their statements whenever required by the WHA, and the information they provide must be true and complete. The WHA's verification procedures are designed to meet HUD's requirements and to maintain program integrity. This chapter explains the WHA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and when there are changes in family members. The WHA will ensure that proper authorization for release of information is always obtained from family before making verification inquiries.

The Department of Housing and Urban Development may also perform computer matching to verify income information provided by the participant family.

A. METHODS OF VERIFICATION AND TIME ALLOWED

The WHA will verify information through the four methods of verification acceptable to HUD. The forms of verifications are listed in order of acceptability:

1. Third-Party - Written (Direct)
2. Third-Party - Oral (Direct)
3. Third-Party - Written (Indirect: HA Review of Documents)
4. Self-Certification

For applicants, verifications may not be more than 90 days old at the time of unit offer. For recertification of residents, verifications are valid for 120 days from the date of receipt.

Third-Party Written Verification

Third-party verification is used to verify information directly with the providing source. Third-party written verification forms will be sent and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information. Verifications may be hand-carried under extenuating circumstances when approved by the Executive Director or designated representative. The WHA will follow-up on all hand-carried verifications with the provider source to verify accurate completion.

Verifications received electronically directly from the source are considered third-party written verifications.

The WHA will accept verifications delivered by the family when necessary and the information provider's name, signature, title, and phone number are clearly provided on the verification or the

form of verification is an unaltered computer printout from:

- Social Security Administration
- Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Pharmacies for prescription drugs

Third-Party Oral Verification

Oral third-party verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to complete a Certification of Third-Party Verification Form, noting with whom they spoke, the date of the conversation, and the facts provided. If the information is provided by telephone, the WHA must originate the call.

Review of Documents

Documents provided for review, excluding government checks, will be photocopied and retained in the applicant's file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Third-Party Verification, noting the documents viewed and the relevant information contained in the documents. When third-party written (direct) verification is unavailable or delayed, the WHA will accept the following documents from family provided that the information is clearly contained in the document and that the document is such that tampering would be easily noted. The information obtained from a document review will be followed by written third-party (direct) verification or confirmed by phone as follow-up:

- Printed wage stubs
- Computer print-outs from the employer
- Signed letters
- Other documents noted in this chapter as acceptable verification

If third-party written (direct) verification is received after the documents have been accepted as provisional verification and there is a discrepancy, the WHA will utilize the third-party written (direct) verification information.

Self-Certification/Self-Declaration

In those rare instances when verification of an applicant's or resident's statement cannot be obtained by third-party verification or by review of documents, the applicant or resident will be required to submit a handwritten, self-certification with the signature notarized.

B. RELEASE OF INFORMATION

The family will be required to sign specific authorization forms when information is needed that is not covered by HUD Form 9886, Authorization for Release of Information.

Each member requested to consent to the release of information will be provided with a copy of the appropriate forms for their review and signature.

The family's refusal to cooperate with the verification system will result in denial of admission or termination of tenancy.

C. COMPUTER MATCHING

Where allowed by HUD and/or other State or local agencies, computer matching will be done when possible and practicable. Computer matching can be completed by HUD or the WHA through independent verification procedures. Independent verification of information will be obtained through a Federal agency or from a State Wage Information Collection Agency (SWICA).

The participant family is required to promptly furnish to the WHA any letter or other notice by HUD to a member of the family that provides information concerning the amount or verification of family income. The WHA would then be required to verify the accuracy of the income information received from the family and change the amount of payment or terminate assistance, as appropriate, in accordance with Chapter 14 and Chapter 16 of this Policy.

D. ITEMS TO BE VERIFIED

- All income not specifically excluded by the regulations.
- Zero-income status of household.
- Full-time student status including High School students who are 18 or over.
- Current assets including assets disposed of for less than fair-market value in the preceding two years.
- Childcare expenses where it allows an adult family member to be employed or to further his/her education.
- Total medical expenses of all family members in households whose head or spouse is elderly or disabled.
- Disability assistance expenses demonstrating those costs associated with attendant care or auxiliary apparatus which allows an adult family member to be employed.

- Drug Treatment.
- Legal Identity.
- U.S. citizenship/eligible immigrant status.
- Social Security Numbers for all family members 6 years of age or older.
- Familial/Marital status when needed for head or spouse definition or determination of incomes/assets.
- Disability for determination of eligibility, allowances, or deduction.

E. VERIFICATION OF INCOME

This section defines the type of documentation the WHA will accept as verification of various types of income.

Employment Income

The Following information is required for the verification of income from employment.

- Dates of employment
- Amount and frequency of pay
- Likelihood of change of employment status and effective date of any known salary increase during the next 12 months
- Estimated income from overtime, tips, bonus pay expected during next 12 months

Accepted methods of verification included, in this order:

1. WHA Employment verification form completed by the employer.
2. Check stubs or earning statements that indicate the employee's gross pay, frequency of pay and year-to-date earnings (while verification form is in process).
3. W-2 forms plus income tax return forms (while verification form is in process).

Applicants and program tenants may be requested to sign an authorization for release of information from the Internal Revenue Service for further verification of income.

In cases where there are questions about validity of information provided by the family, the WHA will require the most recent Federal income tax statements.

Where doubt regarding income exists, a referral to the IRS for confirmation will be made on a case-by-case basis.

Social Security, Pensions, Supplementary Income (SSI) Disability Income

Acceptable documents for verification include, in this order:

1. Benefit verification form completed by agency providing the benefits.
2. Award or benefit notification letters prepared and signed by the providing agency.
3. Computer report, electronically obtained or in hard copy.
4. Bank statements for direct deposits.

Unemployment Compensation

Acceptable documentation for verification include, in this order:

1. Verification form completed by the unemployment compensation agency.
2. Computer printouts from unemployment office stating payment dates and amounts.
3. Payment stubs.

Welfare Payments or General Assistance

Acceptable documentation for verification included, in this order:

1. WHA verification form completed by payment provider.
2. Written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next 12 months (must contain providers signature, title, date of completion, and phone number).
3. Computer-generated Notice of Action.

Alimony or Child Support Payments

Acceptable documentation for verification included, in this order:

1. Copy of separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
2. A notarized letter from the person paying the support.
3. Copy of latest check and/or payment stubs from Court Trustee. WHA must record the date, amount, and number of the check.

4. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.
5. If payments are irregular, the family must provide:
 - A copy of the separation or settlement agreement or divorce decree stating the amount and type of support and payment schedules.
 - A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.
 - A notarized affidavit from the family indicating the amount(s) received.
 - A welfare notice of action showing amounts received by the welfare agency for child support.
 - A written statement from an attorney certifying that a collection or enforcement action has been filed.

Net Income from a Business

In order to verify the net income from a business, the WHA will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable documentation for verification include:

1. IRS Form 1040, including:
 - Schedule C (Small Business)
 - Schedule E (Rental Property Income)
 - Schedule F (Farm Income)
2. If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.
3. Audited or un-audited financial statements(s) of the business.
4. Credit report or loan application.
5. Documents such as manifests, appointment books, cashbooks, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in

business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.

ChildCare Business

If an applicant/tenant is operating a licensed day care business, income will be verified as with any other business. If the applicant/tenant is operating a “cash and carry” operation (licensed or not), the WHA will require the applicant/tenant to complete a form for each customer giving: name of person(s) whose child(ren) is/are being cared for, phone number, number of hours child is being cared for, method of payment (check/cash), amount paid, and signature of person.

If the family has filed a tax return, the family will be required to provide it.

If childcare services were terminated, a third-party verification will be sent to the parent whose child was cared for.

Recurring Gifts

The family must furnish a self-certification which contains the following information:

- The person who provides the gifts.
- The value of the gifts.
- The regularity (dates) of the gifts.
- The purpose of the gifts.

Zero Income Status

Families claiming to have no income must complete, sign, and submit to the WHA, the WHA “Subsistence” form on a monthly basis. In addition, these families may be required to execute verification forms to verify that income such as unemployment benefits, TANF, SSI, etc. are not being received by the household.

The WHA may request information from agencies such as the State Employment Development Department or the IRS.

The WHA may check records of other departments in the jurisdiction that have information about income sources of customers.

Full-Time Student Status

Only the first \$480 of the earned income of full-time students 18 years of age or older, other than head or spouse, will be counted towards family income.

Financial aid, scholarships, and grants received by full-time students are not counted towards family income.

Verification of full-time student status includes:

1. Written verification from registrar's office or other school official.
2. School records indicating enrollment for a sufficient number of credits to be considered a full-time student by the educational institution.

F. INCOME FROM ASSETS

Acceptable documentation for verification include, in this order:

Savings Account Interest Income and Dividends

1. Account statements, passbooks, Certificates of Deposit, or WHA verification forms completed by the financial institution.
2. Broker's statements showing the value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.
3. IRS Form 1099 from the financial institution, provided that the WHA must adjust the information to project earnings expected for the next 12 months.

Interest Income from Mortgages or Similar Arrangements

1. A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.
2. Amortization schedule showing interest for the 12 months following the effective date of the certification or re-certification.

Net Rental Income from Property Owned by Family

1. IRS Form 1040 with Schedule E (Rental Income).
2. Copies of latest rent receipts, leases, or other documentation of rent amounts.
3. Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

G. VERIFICATION OF ASSETS

Family Assets

The WHA will require the necessary information to determine the current cash value (the net amount the family would receive if the asset were converted to cash).

1. Verification forms, letters, or documents from a financial institution or broker.
2. Passbooks, checking account statements, Certificates of Deposit, bonds, or financial statements completed by a financial institution or broker.
3. Quotes from a stockbroker or a realty agent as to net amount family would receive if they liquidated securities or real estate.
4. Real estate tax statements if the approximate current market value can be deduced from assessment.
5. Financial statements for business assets.
6. Copies of closing documents showing the selling price and the distribution of the sales proceeds.
7. Appraisals of personal property held as an investment.

Assets Disposed of for Less than Fair Market Value (FMV) (Also see 6-10, K)

Assets that have disposed of for less than FMV during two years preceding the effective date of admission certification or re-certification must be reported and verification provided.

1. The Family must certify as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or re-certification.
2. If the family certifies that they have disposed of assets for less than fair market value, verification [or certification] is required that clearly specifies: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

Child Care Expenses

Documentation must include:

1. Written verification from the person who receives the payments is required. If the child care provider is an individual s/he must provide a statement of the amount they are charging the family for their services;
2. the child care provider's name, address, telephone number, Social Security Number, the names and ages of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods; and
3. certification by the family and the provider as to whether any of those payments have been or will be paid or reimbursed by outside sources.

Preferably, the WHA "Child Care Expense Verification" form will be used.

Medical and Handicapped Assistance Expenses

Families who claim medical expenses or expenses to assist a person(s) with a disability will be required to submit a certification as to whether any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified. Documentation must include:

1. A completed WHA form or a written verification by a doctor, hospital or clinic personnel, dentist, or Pharmacist of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills, and (b) extent to which those expenses will be reimbursed by insurance or a government agency.
2. Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.
3. Written confirmation from the Social Security Administration's of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.
4. For attendant care:
 - a. A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.

- b. Attendants' written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.
- 5. Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.
- 6. Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.
- 7. Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. WHA may use this approach for "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year.

Assistance to Persons with Disabilities

- 1. In all cases:
 - a. Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of an auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.
 - b. Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.
- 2. Attendant Care:
 - a. Attendant's written certification of the amount received from the family, frequency of receipt, and hours of care provided.
 - b. Certification of family and attendant and/or copies of canceled checks the family used to make payments.
- 3. Auxiliary Apparatus:
 - a. Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.
 - b. In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

I. VERIFYING NON-FINANCIAL FACTORS

Verification of Legal Identity

In order to prevent program abuse, WHA will require applicants to furnish verification of legal identity for all family members.

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

- Certificate of Birth, naturalization papers
- Church-issued baptismal certificate
- Current, valid Driver's license
- U.S. military discharge (DD 214)
- U.S. passport
- Voter's registration
- Hospital Birth Records

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

- Certificate of Birth
- Adoption papers
- Custody agreement
- Health and Human Services ID
- School records

If none of these documents can be provided, a third party who knows the person may, at the WHA's discretion, provide a signed, notarized, written certification/verification.

Verification of Marital Status

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of a court-ordered maintenance or other records.

Verification of spousal/martial status is a marriage certificate.

Familial Relationships

The family must provide:

1. Verification of relationship by:

- Official identification showing names
 - Birth Certificates
 - Baptismal certificates
2. Verification of guardianship by:
- Court-ordered assignment
 - Affidavit of parent
 - Verification from social services agency
 - School records
3. Evidence of a stable family relationship by:
- Joint bank accounts or other shared financial transactions
 - Leases or other evidence of prior cohabitation
 - Credit reports showing relationship

Verification of Permanent Absence of Adult Member

If an adult member who was formerly a member of the household is reported permanently absent by the family, the WHA will consider any of the following as verification.

1. Legal evidence of divorce action (filed paperwork, divorce decree).
2. Evidence of legal separation (filed paperwork).
3. An Order of Protection/restraining order obtained by one family member against another.
4. Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, if available.
5. Statements from other agencies such as a nursing home, social services agency, or a written statement from the landlord or manager that the adult family member is no longer living at that location.
6. A document from the Court or prison stating how long an incarcerated family member will be incarcerated.

Verification of Change in Family Composition

The WHA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school, or

DMV records, as well as other sources.

Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act [42 U.S.C. 6001(7)] or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehabilitation specialist, or licensed social worker, using HUD language as the verification format.

Verification of Citizenship/Eligible Immigrant Status (24 CFR, Part 5, Subpart E)

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants.

Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the WHA hearing is pending.

- a. Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.
- b. Eligible Immigrants who were tenants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.
- c. Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The WHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the WHA must request within ten days that the INS conduct a manual search.
- d. Family members who do not claim to be citizens or eligible immigrants must be listed on a statement of non-contending family members signed by the head of household or spouse.
- e. Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement on non-contending members.

Failure to Provide. If an applicant or tenant family member fails to sign the required declarations and consent forms or provide documents, as required, they must be listed as ineligible members. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide the required information.

Time of Verification. For applicants, verifications of U.S. citizenship/eligible immigrant status

occurs at the same time as verification of other factors of eligibility for final eligibility determination. For tenant families, it is done at the first regular re-certification after June 19, 1995. For family members added after other members have been verified, the verification occurs at the first re-certification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that in the case of port-in families, if the initial PHA does not supply the documents, the WHA must conduct the determination.

Extensions of Time to Provide Documents. Extensions must be given for persons who declare their eligible immigration status but need time to obtain the required documents. Length of the extension shall be based on individual circumstances. The WHA will generally allow up to 30 days to provide the document or a receipt issued by the INS for issuance or replacement documents.

Acceptable Documents of Eligible Immigration. The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)
- Receipt issued by the INS for issuance or replacement of any of the above documents that shows individual's entitlement has been verified.

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

Verification of Social Security Numbers

Social Security Numbers must be provided as a condition of eligibility for all family members six and over if they have been issued a number. Verification of Social Security Numbers will be done through a Social Security Card issued by the Social Security Administration. If a family member cannot produce a Social Security Card, only the documents listed below showing his/her Social Security Number may be accepted by the Authority for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the Social Security Card information provided is/are complete and accurate, and acceptance of alternate documentation is at the discretion of the Authority:

- A valid driver's license
- Identification card issued by a Federal, State, or local agency
- Identification card issued by medical insurance company or provider (including Medicare and Medicaid)
- An identification card issued by an employer or trade union
- An identification card issued by a medical insurance company
- Earning statements or payroll stubs

- Bank Statements
- IRS Form 1040
- Benefit award letters from government agencies
- Retirement benefit letter
- Life insurance policies
- Court records (real estate, tax notices, marriage, divorce, judgment, or bankruptcy records).
- Verification of benefits or SSN from Social Security Administration

New family members will be required to produce their Social Security Card. This information is to be provided at the time the change in family composition is reported to the WHA.

If an applicant or tenant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or tenant must sign a certification to that effect provided by the WHA. The applicant/tenant or family member will have an additional 30 days to provide proof of the Social Security Number. If they fail to provide this documentation, the family's tenancy will be terminated.

In the case of an individual at least 62 years of age, the WHA may grant an extension for an additional 60 days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's tenancy will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

J. SUITABILITY FOR ADMISSION

Applicants who have a history, due to lack of willingness, to meet financial obligations of previous tenancies, will be denied admission.

Applicants who show a history of disturbance of neighbors, the inability to abide by house rules, or the disturbance of neighbors will be denied admission.

Applicants who have a history of drug-related or violent criminal activity within the past three (3) years will be denied admission.

Applicants who have a record of eviction from housing or involuntary termination from residential programs, taking into account date and circumstances, will be denied admission.

Applicants must be able to demonstrate the ability and willingness to comply with the terms of the

WHA's lease, either alone or with assistance which they can demonstrate that they have or will have at time of admission.

Applicants who have a history of damage or destruction of property or housekeeping habits at present or prior residences that may adversely affect the health and safety, or welfare of other tenants will be denied admission.

1. Ability to meet financial obligations under the lease

All applicants will be interviewed about the following procedures to ensure their ability to meet financial obligations under the lease:

All applicants will be interviewed and asked questions about the basic elements of tenancy.

- The WHA may access a Credit Report on all applicants prior to selection.
- The WHA will determine if applicants owe any monies to/from previous tenancy or participation in any HUD housing program.
- The WHA may independently verify the rent-paying history of all applicants for the previous three (3) years directly with landlord(s).

2. Drug-related or violent criminal activity

The WHA will complete a criminal background check of applicants [including other adult members in the household] or any member for which criminal records are available.

3. Housekeeping

The WHA may obtain references from prior landlords for the previous three (3) years to determine acceptable housekeeping standards.

The WHA may conduct a home visit prior to admission.

Applicant's may be required to attend pre-occupancy classes as a condition of admission.

Residents are expected to adhere to the WHA's housekeeping standards, which are a part of the Lease agreement.

Chapter 8

TENANT SELECTION AND ASSIGNMENT PLAN

INTRODUCTION

It is the WHA's policy that each applicant shall be assigned an appropriate place on a waiting list for a particular site(s). Applicants will be in sequence based upon date and time the application is received, the size and type of unit they require, and factors of preference or priority. In filling an actual or expected vacancy, the WHA will offer the dwelling to an applicant needing that size and type of unit in the type of site, and make the offer in sequence until someone accepts it. This Chapter describes WHA's policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

A. METHOD OF SELECTION

1. Income Targeting

At least 40 percent (or the appropriate percentage per applicable HUD mandate) of all new admissions will be selected on the basis of family income, along with the other WHA selection criteria. When needed to comply with income targeting percentages, those families having incomes at or below 30 percent of the area median income (extremely low income - ELI) will be considered ahead of other families on the waiting list.

2. Plan for Unit Offers

Selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin shall be as follows:

An applicant will receive no more than three offers of an available unit. For clarification, an applicant that may be on more than one site based list is only entitled to a total of three unit offers whether or not all three offers are located within the same site. The WHA will offer the applicant an available apartment in a requested site when the applicant's name reaches the top of the waiting list for that site. If the applicant has requested to be on a waiting list for more than one site, the applicant will be offered an apartment within the site where his/her name first reaches the top of the list.

If a first or second offer of an available unit has been rejected, the applicant's name is placed to the bottom of the waiting list for the site offered. If an applicant requested to be on the waiting list for more than one site, rejection of a unit offer will only result in his/her application being placed to the back of the

waiting list for the site that was offered. The applicant will not lose his/her place on any additional site based list(s) they may be one.

If more than one unit of the appropriate type and size is available, the first unit offered will be the first unit that is ready for occupancy.

The WHA will maintain a record of units offered, including location, date, and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

3. Applicant Status After Final Unit Offer

When an applicant rejects the third and final offer the WHA will:
Remove the applicant's name from all waiting lists. The applicant must reapply when a desired site based waiting list is open should he/she desire consideration for a unit in the future.

4. Time Limit for Acceptance of Unit

Applicants must accept a unit offer and execute the lease within **10** working days of the date the offer is made. Offers made over the telephone will be confirmed by letter. If unable to contact an applicant by telephone, the WHA will send a letter by first-class mail. If the letter is returned unopened or if there is no response to an un-returned letter, the file will be deemed inactive, the applicant's name will be removed from the waiting list, and a notice of inactive status will be mailed to the last known address of the applicant.

5. Applicants Unable to Take Occupancy

If an applicant is willing to accept the unit offered but is unable to take occupancy at the time of the offer for "*good cause*," the applicant's name will not be placed to the back of that site's waiting list, however, the applicant will still not receive more than three offers of an available apartment.

Examples of "*good cause*" reasons for the refusal to take occupancy of a housing unit include, but are not limited to:

- Inaccessibility to source of employment or children's day care such that an adult household member must quit a job or drop out of an educational institution or a job training program;
- Presence of lead paint in the unit offered when the applicant has children under the age specified by current law.
- The family demonstrates to the WHA's satisfaction that accepting the offer will

result in a situation where a family member's life, health, or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons offered must be specific to the family. Refusals due to the location of the unit alone are not considered to be good cause.

- A qualified, knowledgeable health professional verifies that temporary hospitalization or recovery from an illness of the principal household member, other household members, or a live-in aide necessary to care for the principal household member;
- The unit is inappropriate for the applicant's disabilities.
- An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing. [24 CFR 945.303(d)]

6. Applicants With a Change in Family Size or Status

Changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed and considered. The WHA shall not lease a unit to a family whose occupancy will overcrowd or under utilize the unit.

Chapter 9

LEASING

INTRODUCTION

It is the WHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This Chapter describes pre-leasing activities and the WHA's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

A. LEASE ORIENTATION

Prior to (or at) the execution of the lease, a WHA representative will provide a lease orientation to the family (and other adult family members). The orientation may be conducted with more than one family member if necessary to facilitate the expeditious lease-up for the families.

Orientation Agenda

When families attend the lease orientation, they will be provided with:

A copy of the Lease containing:

- WHA's lease and grievance procedure;
- Housekeeping Standards;
- Utility Allowance Schedule (Hil-Dar and Lincoln Homes only);
- Excess Utility Consumption Charge Schedule (Hil-Dar and Grandview);
- WHA's One Strike and You're Out (Drug and Violence Free Housing) Policy;
- A copy of the House Rules; and
- Other pertinent information

Topics that will be explained and discussed include, but are not limited to:

- All provisions of the Lease, including applicable deposits and other charges (such as maintenance and excess utility usage charges);
- Community service requirements and the Grievance Procedure;
- Resources in the Community;
- Unit maintenance and work orders;
- Required forms;
- Family choice in housing (formula rent calculations vs. flat rent);
- Terms of occupancy; and
- Income and Change of Family Composition Reporting

B. EXECUTION OF LEASE

The lease shall be executed by the head of household and spouse and all other adult members of the household, and by an authorized representative of the WHA, prior to admission.

The head of household is the person who assumes legal and financial responsibility for the household, has been designated as head by the family, and is listed on the application as head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant and one will be retained by the WHA in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current WHA policies, as well as applicable Federal, State, and Local law.

The following provisions govern lease execution and amendments:

1. A lease is executed at the time of admission for all new tenants.
2. A new lease is executed at the time of the transfer of a tenant from one Housing Authority unit to another.
3. If, for any reason, any signer of the lease ceases to be a member of the household, an Addendum must be executed by a remaining adult member of the tenant family if the family is otherwise eligible for continued occupancy, and wishes to remain in the unit.

Lease signers must be persons legally eligible to execute contracts. If no member of the household is qualified to sign a lease, a legal guardian may co-sign the lease, subject to WHA approval.

4. The names of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.
5. Changes to tenant rents are made upon the preparation and execution of a "Notice of Rent Adjustment" by the WHA, which becomes an attachment to the lease. Documentation will be included in the tenant file to support proper notice.
6. Households which include a Live-In Attendant are required to execute a lease addendum authorizing the arrangement and describing the status of the attendant.

The WHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications or those modifications required by HUD is grounds for termination of tenancy.

C. ADDITIONS TO THE LEASE

Requests for the addition of a new member of the household must be approved by the WHA and include an application completed by the prospective new family member, prior to the actual move-in by the proposed new member.

1. Following receipt of a family's request for approval, the WHA will conduct a pre-admission screening of the proposed new member. Only new members approved by the WHA will be added to the household.
2. Residents who fail to notify the WHA of additions to the household or who permit persons to join the household without undergoing screening are in violation of the lease. Such persons are considered to be unauthorized occupants by the WHA, and the entire household will be subject to eviction [24 CFR 966.4(f)(3)].
3. Family members age 18 and over who move from the dwelling unit to establish new households shall be removed from the lease. The tenant must notify the WHA of the move-out within ten (10) days of its occurrence.

D. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES

[24 CFR 8.27]

Before offering a vacant accessible unit to a non-disabled applicant, the WHA will offer such units:

1. First, to a current occupant of another unit of the same development or other public housing developments under the WHA's control, who has made a request (and whose name is on the transfer list) for an accessible unit due to a disability that requires the special features of the vacant unit.
2. Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

E. UTILITY SERVICES

Non-payment of excess utility charge payments to the WHA is a violation of the lease and is grounds for eviction, as is non-payment of regular utility service (Hil-Dar and Lincoln Homes only) causing the utility service to be discontinued.

F. SECURITY DEPOSITS

New tenants must pay a security deposit to the WHA at the time of admission. Tenants with pets must pay a pet deposit. Per Chapter 10 "E," a pet deposit must be paid by residents with a pet.

The amount of the security and/or pet deposit required is specified in the lease. The amount of the security deposit is \$50. The WHA may permit installment payments of security deposits when a new tenant demonstrates a financial hardship to the satisfaction of the WHA. However, no less than one-half of the required deposit must be paid before occupancy.

The WHA will hold the security deposit for the period the tenant occupies the unit.

The WHA will refund to the Tenant the amount of the security deposit, less any amount needed to pay the cost of:

- Unpaid Rent;
- Damages listed on the Move-Out Inspection Report that exceed normal wear and tear;
- Other charges under the Lease.

The WHA will refund the Security Deposit less any amounts owed, along with an explanation of any deductions within the 30 days specified by State Law after move out. The deposit and notification shall be mailed to the last known address of the resident. It is the resident's responsibility to have mail forwarded or to report the new address to WHA.

The WHA will refund the Pet Deposit to the tenant, less any damage caused by the pet to the dwelling unit, upon removal of the pet or the owner from the unit.

The WHA will return the Pet Deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.

The WHA will provide the tenant or designee identified above with a written list of any charges against the security or pet deposits. If the tenant disagrees with the amount charged to the security or pet deposits, the WHA will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the WHA. All keys to the unit must be returned to the Management upon vacating the unit.

The WHA will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

G. RENT PAYMENTS

The tenant rent is due and payable to the WHA on the first of every month. If the first falls on a weekend or holiday, the rent is due and payable on the first business day thereafter.

If the WHA does not receive payment by the due date and satisfactory alternate arrangements

have not been made with the Manager, a termination notice for non-payment of rent will be sent to the resident by mail.

H. FEES AND NONPAYMENT PENALTIES

A charge of \$20 will be assessed against the tenant for checks that are returned for non-sufficient funds (NSF) or checks written on a closed account. If the check is not redeemed and the rent satisfied by the 10th of the month, the rent will be considered unpaid, and unpaid rent procedures and charges shall apply.

Should the tenant fail to make payment by the 10th day of the month and the WHA has not agreed to accept payment at a later date, a Notice to Vacate will be issued to the tenant with the required 14-day notice period for failure to pay rent, demanding payment in full or the surrender of the premises. If non-payment of rent is a repeated Lease violation, surrender of the premises may be demanded whether or not the outstanding rent amount is paid.

Additionally, if the tenant fails to make payment by the 10th day of the month, the late fee amount specified in the Lease will be charged.

If a resident's check is returned for non-sufficient funds, the Housing Authority will no longer accept personal checks from that resident for payment of charges owed.

I. SCHEDULES OF SPECIAL CHARGES

Schedules of special charges for services, repairs, and utilities and rules and regulations which are incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the project office, and they will be provided to applicants and tenants upon lease-up, and thereafter upon request.

J. MODIFICATIONS TO THE LEASE

Schedules of special charges and rules and regulations are subject to modification or revision. Tenants will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the central office and posted in at least two conspicuous places within each structure or building in which tenants affected by the modifications or revisions are located.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by both parties.

K. CANCELLATION OF THE LEASE

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

L. INSPECTIONS OF PUBLIC HOUSING UNITS

1. Initial Inspections

The WHA and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the WHA and the tenant, will be kept in the tenant file.

2. Vacate Inspections

The WHA will perform a move-out inspection when the family vacates the unit and will encourage the family to participate in the move-out inspection. The purpose of this inspection is to determine if maintenance is needed that exceeds normal wear and tear and if there are tenant-caused damages to the unit. The resident is required to participate in the move-out inspection if possible. However, if the resident fails to participate, the inspection will be conducted regardless, the condition of the unit recorded, and charges levied against the resident accordingly.

3. Annual Inspections

The WHA will inspect all units annually according to HUD's minimum Housing Quality Standards (HQS), including any mandated or HUD-approved exceptions, as required.

4. Preventative Maintenance Inspections

Preventative maintenance inspections will be performed by the WHA on a regular basis [per the attached Preventative Maintenance Schedule].

5. Management Inspections

The property manager will conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the WHA can be of service to the family.

6. Special Inspection

WHA Board members, HUD representatives, or local government officials may review WHA operations periodically and as a part of their monitoring may inspect a sampling of the WHA's inventory.

7. **Entry of Premises-Emergency**

If an employee and/or agent of the WHA has reason to believe that an emergency exists in the unit, an emergency inspection may be done without notification to the family. If no family members are present upon entry, the staff person(s) who enters the unit will leave a written notice in the unit addressed to the resident specifying the date and time of entry and the reason for entry.

8. **Entry of Premises Notices-Non-emergency**

Non-emergency entries to the unit will be made between 8:00 a.m. and 4:30 p.m. Every attempt will be made to schedule an appointment requiring access to a unit, however, when that is not possible, written notice delivered to the family 48 hours in advance shall serve as adequate notice. WHA will require non-emergency access to the unit for:

- Routine inspections and maintenance
- To make improvements and repairs
- To show the premises for leasing

Chapter 10

PET POLICY

INTRODUCTION

HUD regulations at 24CFR 5.300 and the QHwRA describe the WHA's options regarding pet policies.

This Chapter explains the WHA's policies on the keeping of pets and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of WHA in providing a decent, safe and sanitary living environment for all tenants, in protecting and preserving the physical condition of the property, and in the financial interest of the WHA.

A. MANAGEMENT APPROVAL OF PETS

All pets must be approved in advance by the WHA management.

The pet owner must enter into a Pet Agreement with the WHA.

Registration of Pets

Pets must be registered with the WHA before they are brought onto the premises. Registration includes:

Certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law and that the pet has no communicable disease(s) and is pest-free.

Dogs and cats must be spayed or neutered, and the following must be supplied:

Current license for the pet in compliance with local ordinances and requirements.

Statement from a licensed veterinarian that the pet has been spayed or neutered. (If a pet (cat or dog) is too young to be spayed or neutered, the Resident must provide documentation once the animal is old enough and has the procedure completed.)

Execution of a Pet Agreement with the WHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet.

Registration, renewed annually, to coincide with the annual re-certification date.

*Approval for the keeping of a pet **shall not** be extended pending the completion of these requirements.*

Refusal to Register Pets

The WHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the WHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.

The WHA will refuse to register a pet if:

- a. The pet is not a *common household pet* as defined in this policy;
- b. Keeping the pet would violate any House Pet Rules;
- c. The pet owner fails to provide complete pet registration information, or fails to update the registration annually;
- d. The WHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

The notice of refusal may be combined with a notice of a pet violation.

A resident who cares for another resident's pet must notify the WHA and agree to abide by all of the pet rules in writing.

B. STANDARDS FOR PETS

If an approved pet gives birth to a litter, the resident must remove all pets from the premises except one.

Pet rules will not be applied to animals that assist persons with disabilities, however, an assistance animal may not destroy the unit, nor pose any health or safety hazard to other residents.

Persons With Disabilities

To be excluded from the pet policy, the resident/pet owner must certify:

- That the animal poses no health or safety hazard to the other residents or their guests,
- That there is a person with disabilities in the household;
- AND
- That the animal actually assists the person with the disability,

Types of Pets Allowed

No types of pet other than the following common household pet may be kept by a resident.
Tenants are not permitted to have more than one type of pet.

1. Dogs
Maximum number: 1
Maximum adult weight: 25 pounds
Must be housebroken
Must be spayed or neutered
Must have all required inoculations
Must be licensed as specified now or in the future by State law and local ordinance
2. Cats
Maximum number: 1
Must be de-clawed
Must be spayed or neutered
Must have all required inoculations
Must be trained to use litter box or other waste receptacle
Must be licensed as specified now or in the future by State law or local ordinance
3. Birds
Maximum number: 2 if average Cockatiel size or smaller (parakeets, finches, etc.), 1 if larger (parrot, macaw, other exotic birds, etc.)
Must be enclosed in a cage at all times
4. Fish
Maximum aquarium size: 10 gallon
5. Rodents & Reptiles - None permitted
6. Turtles
Maximum number: 1
Must be enclosed in an acceptable cage or container at all times.

C. PETS TEMPORARILY ON THE PREMISES

Residents are prohibited from feeding or harboring stray animals.

Pets which are not owned by a tenant will not be allowed.

This rule excludes visiting pet programs sponsored by a humane society or other non-profit

organization.

D. DESIGNATION OF PET/NO-PET AREAS

There are currently no areas specifically designated as “pet areas.” The hallways, community rooms, and other common building areas are “no pet areas,” except to the extent necessary for passage to and from the resident’s unit. The pet must be leashed or otherwise restrained at all times while on WHA property other than inside the resident’s own dwelling unit.

E. ADDITIONAL FEES AND DEPOSITS FOR PETS

The resident/pet owner shall be required to pay a refundable \$300 deposit for the purpose of defraying all reasonable costs directly attributable to the presence of a dog or cat.

If, due to proven financial hardship, the resident is unable to pay the full amount of the pet deposit in one payment, an initial payment of \$100 (on or prior to the date the pet is properly registered and brought into the apartment) with subsequent monthly payments of no less than \$25, will be permitted if paid regularly until the specified deposit has been satisfied, *providing that the resident does not have a history of pet-caused unit damage (in any housing).*

The Resident/Pet Owner is urged to obtain and continue liability insurance on their residence while they are the owner of a dog or cat.

WHA reserves the right to change or increase the required deposit by amendment to these rules.

Alterations to Unit

Residents/pet owners shall not alter their unit, patio, premises, or common areas to create an enclosure for any animal.

F. PET WASTE REMOVAL CHARGE

All reasonable expenses incurred by the WHA as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

- The cost of repairs and replacements to the dwelling unit;
- Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge.

If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount that exceeds the pet deposit.

The pet deposit will be refunded when the resident moves or no longer has a pet on the premises,

whichever occurs first.

The expense of flea de-infestation shall be the responsibility of the resident.

G. PET AREA RESTRICTIONS

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds), dogs and cats must be kept on a leash or carried and under the control of the resident or other responsible individual at all times.

Pets are not permitted in common areas including lobbies, community rooms, and laundry areas except for those common areas which are entrances to and exits from the building.

Residents/Pet Owners are not permitted to exercise pets or permit pets to deposit waste on project premises outside of any areas designated for such purposes.

H. NOISE

Pet owners must agree to control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to, loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities. Failure to do so will constitute a breach of the Pet Policy.

I. CLEANLINESS

Litter Box Requirements. All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

Litter shall not be disposed of by being flushed through a toilet.

Litter boxes shall be stored inside the resident's dwelling unit.

Removal of Waste from Other Locations. The Resident/Pet owner shall be responsible for the removal of waste from the exercise area by placing it in a sealed plastic bag and disposing of it in a trash bin. Any unit occupied by a dog, cat, or bird will be fumigated at the time the unit is vacated (chargeable to the resident's pet deposit).

The Resident/Pet Owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

J. PET CARE

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 24 hours.

All residents/pet owners shall be responsible for adequate care, nutrition, exercise, and medical attention for his/her pet.

Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

K. RESPONSIBLE PARTIES

The resident/pet owner is required to designate two responsible parties for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

L. INSPECTIONS

The WHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed.

The WHA may enter and inspect the unit if a written complaint is received alleging that the conduct or condition of the pet in the unit constitutes a nuisance or threat to the health or safety of the other occupants or other persons in the community under applicable State or local law.

M. PET RULE VIOLATIONS

Pet Rule Violation Notice

If a determination is made on objective facts supported by written statements, that a resident/pet owner has violated the Pet Rule Policy, written notice will be served.

The Notice will contain a brief statement of the factual basis for the determination and the pet rule(s) which were violated. The notice will also state:

1. That the resident/pet owner has 3 days from the effective date of the service of notice to correct the violation or make written request for a meeting to discuss the violation;
2. That the resident/pet owner is entitled to be accompanied by another person of his or her choice at the meeting; and
3. That the resident/pet owner's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to terminate the pet owner's tenancy.

N. NOTICE FOR PET REMOVAL

If the resident/pet owner and the WHA are unable to resolve the violation at the meeting or the

pet owner fails to correct the violation in the time period allotted by the WHA, the WHA may serve notice to remove the pet.

The Notice shall contain:

1. A brief statement of the factual basis for the WHA's determination of the Pet Rule that has been violated;
2. The requirement that the resident/pet owner must remove the pet within 3 days of the notice; and
3. A statement that failure to remove the pet may result in the initiation of termination of tenancy procedures.

O. TERMINATION OF TENANCY

The WHA may initiate procedures for termination of tenancy based on a pet rule violation if:

The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

P. PET REMOVAL

If the pet is poorly cared for or has been left unattended for over 24 hours, or the health or safety of the pet is threatened by the death or incapacity of the pet owner, the person listed as the alternate responsible party on the WHA pet registration form shall be contacted and asked to remove the pet into safe keeping. If the responsible party is unwilling or unable to place or care for the pet, or if the WHA cannot make contact with the responsible party, the WHA will contact the appropriate State or local agency and request removal of the pet.

Q. EMERGENCIES

In addition to any notice the WHA may serve the resident, the WHA will also take all necessary steps to insure pets that become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are removed by the appropriate State or local entity authorized to remove such pets.

Chapter 11

RE-CERTIFICATIONS/RE EXAMINATIONS

INTRODUCTION

HUD requires that the WHA re-examine family income, composition, and eligibility and to re-certify all families at least annually for families paying rent in accordance with the rent formula and once every three years for those families paying flat rent. At the re-certification, families must report their current household composition and income and should report any information that will allow the WHA to apply allowances or disregard income. Between regular annual re-certifications, HUD requires that families report all changes in household composition, but the WHA decides what other changes must be reported and the procedures for reporting them. This Chapter defines the WHA's policy for conducting re-certifications and interim re-exams. It also explains the standards for timely reporting.

HUD requires that the WHA re-examine the family composition of all household's at least annually. For households paying the income-based rent, the PHA must verify (in addition to household composition) the family's income, eligibility, and re-certify all income-based rent families at least annually. For household's paying the flat rent, the PHA must verify the family's income, eligibility, and re-certify the family at least once every three years.

At the re-examination, families must report their current household composition and income and should report any information that will allow the WHA to apply allowances or disregard income. Between regular annual re-examinations, HUD requires that families report all changes in household composition, but the WHA decides what other changes must be reported and the procedures for reporting them. This Chapter defines the WHA's policy for conducting re-examinations and interim re-exams. It also explains the standards for timely reporting.

For all families who include nonexempt individuals, the WHA must determine compliance with the community service and self-sufficiency requirements each twelve months.

A. ELIGIBILITY FOR CONTINUED OCCUPANCY

Residents must meet the following criteria to be eligible for *continued occupancy*. The family must:

1. Qualify as a family as defined in this policy;
2. Be in full compliance with the obligations and responsibilities described in the dwelling lease; and
3. Be in full compliance with WHA's Public Housing Program rules, regulations, requirements, and policies, including, but not limited to: the Non-citizen Rule, One

Strike and You're Out Policies, Income Reporting Policies, Repayment Agreement terms, Community Service requirements, and Social Security Number Disclosure.

As upon admittance to the Public Housing Program, **all aspects of eligibility must be verified at the appropriate re-exam date by the WHA, with the cooperation and compliance of the family.**

B. RE-CERTIFICATIONS

The terms *re-certification* and *re-examination* are synonymous in this policy. The re-certification process must be completed in order for a family to be considered for continued occupancy and participation in the Public Housing Program. Failure of the family to cooperate and comply with all re-certification requirements will result in the family's ineligibility for continued occupancy and assistance, and the family will be required to vacate the unit and program for program non-compliance.

In order to be re-certified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition. The family must sign all verification and other forms required by WHA under its policies and HUD regulations.

1. Re-examination Notice to the Family

All families will be notified by first-class mail of their obligation to comply with re-examination of income and all other re-certification procedures. The notification shall be mailed or delivered at least 90 days in advance of the effective date, and it shall state:

- the specific date, time, and location of the re-certification appointment;
- who must attend;
- the specific date and time of any unit inspection connected with the re-certification process;
- any other specific re-certification requirements and their due dates (such as verification submission); and
- the consequences of failure to comply with the re-certification process.

If requested as an accommodation by a resident with a disability, the WHA will provide the notices in an accessible format, mail the notice to a third party, and/or conduct the interview at the person's home or by mail.

These accommodations will be granted upon verification that they meet the need posed by the disability.

2. The Timing of the Re-Certification Process

The re-certification will be completed annually for "formula rent" residents, and every three years for "flat rent" residents, relative to the anniversary of the move-in date for families who move in

on the first of the month. [Example: If a family moves in on August 1, 1999, the re-certification process would normally be conducted in, or throughout, the months of May, and/or June. The re-certification and any resulting rent change would take effect on August 1, 2000 (which would be following the 30 day “notification of rent change” period in July)].

For families who move in during the month, the re-certifications will be completed and effective no later than the first of the month in which the family moved in, for each re-exam year. [Example: If family moves in on August 15, the effective date of subsequent annual re-certification(s) is August 1].

When families move to another dwelling unit:

The re-certification process will be conducted and the anniversary date for future re-certifications will be changed to correspond to the anniversary date of move-in (as explained above). If a re-certification has occurred in the last 120 days, the most recent information will be applied to the lease-up calculations and appropriate determinations.

3. Requirements to Attend the Re-certification Interview

All adult household members are required to attend the re-certification interview appointment and sign the application for continued occupancy.

If the head of household is unable to attend the interview:

The appointment will be rescheduled or the spouse may re-certify for the family, provided that the head comes into the Public Housing Manager’s office within 3 days to complete the re-certification process.

4. Failure to Comply

If the family cannot be present at any required re-certification interview or cannot provide any required document, the family may call to request another appointment date prior to the interview or to request a limited extension for submission of the document(s).

However, if the family does not appear for the re-certification interview and has not rescheduled the WHA, or if the family fails to sign and/or submit required documentation in a timely manner, the family will be considered out of compliance with the program and occupancy requirements. Failure of the family to cooperate and comply with all re-certification requirements will result in the family’s ineligibility for continued occupancy and assistance, and the family will be required to vacate the unit and program for program non-compliance.

If the WHA has rescheduled the appointment or was granted an extension and the family fails to submit in a timely manner or appear for the rescheduled appointment and has not made prior arrangements with WHA, the WHA will terminate the lease, occupancy, and program participation of the family for non-compliance.

Exceptions to these policies may be made by WHA if the family is able to document an emergency situation that prevented them from attending or re-scheduling the appointment.

5. Documents Required From the Family

WHA will instruct the family, in writing, to sign or provide the following:

- Documentation of income for all family members.
- Documentation of liquid and non-liquid assets.
- Documentation to substantiate any deductions or allowances.
- Other forms/information as listed in the notification letter, that are required to substantiate information necessary for a determination of eligibility for continued occupancy.

6. Verification of Information

All information which affects the family's continued eligibility for the program and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy.

Verifications used for re-certification must be less than 120 days old. All verifications will be placed in the file established for the family.

When the information has been verified, it will be analyzed to determine:

- the continued eligibility of the resident as a *family* or as the *remaining member* of a family;
- the unit size required by the family;
- the amount of rent the family should pay.

7. Changes In The Tenant Rent

If there is any change in rent, the lease will be amended by Notice of Rent Adjustment or a new lease will be executed. [24 CFR 966.4© & (o)]

a. Tenant Rent Increases

If tenant rent increases, a 30-day notice will be mailed to the family prior to the effective date of the re-exam and/or rent increase.

If less than 30 days are remaining before the anniversary re-exam date, the tenant rent increase will be effective on the first of the month following the 30-day notice.

However, if there has been a misrepresentation or a material omission by the family or if the family causes a delay in the re-examination processing, there will be a retroactive increase in rent.

b. Tenant Rent Decreases

If the resident has selected the formula rent payment and the resident's income decreases, the rent change will be effective the re-exam date or the first of the month following the properly reported change (whichever is first, appropriate relative to the change, and precludes hardship to the family).

However, if the family causes a delay so that the processing of the re-examination is not complete by the anniversary re-exam date, decreased rent payment will be effective on the first day of the month following completion of the re-examination processing by the WHA.

If the family has selected flat rent, changes in resident income have no effect on the tenant rent payment, unless, due to hardship resulting from decreased income, the resident requests a switch from the flat rent to the formula rent.

C. REPORTING INTERIM CHANGES

Families must report in writing all changes in household composition and increases in income to the WHA between annual re-examinations, within ten (10) days of the change. This includes additions to the family due to birth, adoption, and court-awarded custody (largely in order that a determination can be made regarding the suitability of the unit size for the family). *The family must obtain WHA-approval prior to all other additions to the household.*

Compliance with the Non-citizen Rule is required for ALL household members, including those added through birth, adoption, and court-awarded custody. Some screening requirements may apply even to minors added by adoption, or court-awarded custody (such as a suitability determination if the minor has been tried, particularly as an adult, for any drug- or violence-related crime).

Interim Re-examination Policy

1. Increases in Income to be Reported

Families must report all increases in income (including assets) of all household members to the WHA. The WHA shall determine whether or not a rent change is required.

2. Rent Adjustments Resulting From Increased Income

The WHA will process rent adjustments for all increases in income which exceeds \$2,500 annually that are reported between regularly scheduled re-certifications when that increased income is *not excluded* under the regulations.

Rent increases (except those due to misrepresentation) will become effective the first day of the third month of said income.

3. Rent Adjustments Resulting From Decreased Income

Residents may report a decrease in income and other changes such as an increase in allowances or deductions which would reduce the amount of the Total Tenant Payment.

The WHA will process the rent adjustment unless the WHA confirms that the decrease in income will last less than 30 calendar days.

A decrease in rent will not occur if the resident's welfare income has decreased due to a Specified Welfare Reduction. (See the Glossary of Terms for Specified Welfare Reduction definition and the definition of Impute Welfare Income.)

4. Furnishing Letters or Notices From HUD Regarding Computer Matching Data

The participating family is required to promptly furnish to the WHA any letter or other notice by HUD to a member of the family that provides information concerning the amount or verification of family income. The WHA would then be required to verify the accuracy of the income information received from the family and change the amount of payment or terminate assistance, as appropriate, in accordance with Chapter 14 and Chapter 16 of this policy.

5. Procedures When the Change is not Reported by the Tenant in a Timely Manner

If the family does not report the change as required, the family will have caused an unreasonable delay in the interim re-examination processing and the following guidelines will apply:

Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, and may be required to make repayment.

Decrease in Tenant Rent will be effective on the first of the month following completion of processing by the WHA and not retroactively.

Procedures when the Change is not Processed by the WHA in a Timely Manner:

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the WHA in a timely manner.

Therefore, an increase will be effective after the required thirty days' notice prior to the first of the month after completion of processing by the WHA.

If the change resulted in a decrease, the overpayment by the family will be calculated

retroactively to the date it should have been effective and the family will be credited for the amount.

6. Other Interim Reporting Issues

An interim re-examination may be scheduled for families with zero/unstable income every 90 days.

7. WHA Errors

In the unlikely event the WHA makes a calculation error at admission to the program or at an Annual re-examination, an interim re-examination will be conducted to correct the error but the family will not be charged retroactively. The family will receive a rent credit equal to the amount of any excess rent charged due to WHA calculation error.

8. Increases in Family Size

Increases other than by birth, adoption, or court-awarded custody must have the prior approval of the WHA. All additions to the household are subject to the WHA's suitability criteria and approval.

If an authorized addition would result in overcrowding according to maximum occupancy guidelines, the WHA will consider placing the family's name on the unit transfer request list for a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases"

Families who need a larger-sized unit due to voluntary additions will have lower priority on the Transfer List than other families who are required to change unit size.

If a change due to birth, adoption, court-awarded custody, or need for a live-in attendant requires a larger size unit due to overcrowding, the change in unit size shall be made effective upon availability of an appropriately sized unit (in accordance with place on transfer list).

D. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES

Under the Non-citizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants on June 19, 1995, shall continue receiving full assistance if they meet the following criteria:

1. The head of household or spouse is a U.S. citizen or has eligible immigrant status;
AND

2. The family does not include any ineligible immigrants other than the head or spouse, or parents or children of the head or spouse.

If the family does not qualify for continued assistance, the member(s) that cause the family to be ineligible for continued assistance may move, the family may choose prorated assistance, or the WHA may offer temporary deferral of termination.

Chapter 12

COMMUNITY SERVICE REQUIREMENTS

Community service is defined as “The performance of voluntary work or duties that are a public benefit and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities.”

A. SERVICE REQUIREMENTS

Except for any family member who is an exempt individual, each adult resident of public housing must:

1. Contribute 8 hours per month of community service (not including political activities); or
2. Participate in an economic self-sufficiency program for 8 hours per month; or
3. Perform 8 hours per month of combined activities specified in numbers 1 and 2 above.

B. EXEMPT INDIVIDUAL

An adult who:

1. Is 62 years of age or older;
2. Is a blind or disabled individual, as defined under 216(i) (1) or 1614 of the Social Security Act (42 U.S.C. 416(i) (1); 1382c), and who certifies that because of this disability she or he is unable to comply with the service provisions of this requirement, or is the primary caretaker of such an individual;
3. Is engaged in work activities;
4. Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or under any other welfare program of the State of West Virginia, including a State-administered welfare-to-work program; or
5. Is a member of a family receiving assistance, benefits or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or under any other welfare program of the State of West Virginia,

including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such a program.

C. VERIFYING THE DISABLED EXEMPT STATUS

Any individual wishing to claim exempt status from the Community Service Requirements and who does not receive Social Security Disability or SSI would be required to have a completed Disabled/Handicapped Status Verification form from their physician. The individual would have to request, from their Public Housing Manager, that this form be sent to their physician. Upon receipt of the completed form, the individual must supply a written letter stating that, due to his/her disability, they are unable to complete the Community Service Requirements.

If an individual wishes to claim a temporary disability to receive the exempt status, they would have to supply verification from a physician specifying that, due to a temporary disability (such as surgery or pregnancy), the individual is unable to complete the required 8 hours of service for that particular month. If the temporary disability extends beyond one month, a letter from the physician would be due for each consecutive month the individual is requesting the exempt status.

Any documentation received by the WHA directly from the physician will be considered valid. Documentation received by the individual requesting the exempt status, or a member of the household, will be third party verified by the WHA.

D. RESIDENT COMPLIANCE

At the signing of the Lease and at each annual re-examination, the WHA will furnish the resident with written notification of the service requirement and the process for claiming status as an exempt person and the WHA's procedures for verifying the exempt status. The family will also be given notice as to what members of the household are subject to the service requirement and what members are exempt.

Family compliance will be reviewed by the WHA at least thirty days before the end of the Lease term. If the WHA determines that a family member is not in compliance, the WHA will furnish the resident a written notice of noncompliance. This notice will:

1. Describe the noncompliance including the amount of hours owed;
2. Inform the family that the WHA will not renew the lease at the end of the lease term unless the resident, and any other noncompliant resident, enter into a written agreement to correct such noncompliance; and
3. Inform the resident that they may request a grievance hearing on the determination in accordance with the WHA's Grievance Procedure Policy and that the tenant may exercise any available judicial remedy to seek timely reparation for the nonrenewal of the lease due to the noncompliance determination.

E. COMMUNITY SERVICE AGREEMENTS

If the resident has received a notice of noncompliance relating to the Community Service requirements, the resident, and any other noncompliant household member, may enter into a written agreement with the WHA to cure such noncompliance. The purpose of this agreement would be for each adult to correct such noncompliance by completing the additional hours of community service or economic self-sufficiency activity needed to make up the total number of hours required over the twelve-month term of the new Lease.

Terms of the Community Service Agreement:

1. The Agreement must be executed prior to the end of the term of the Lease.
2. The hours owed for the preceding twelve months will be divided evenly, to the extent possible, into the next twelve-month period.
3. The agreement will specify that the individual must complete the required 8 hours per month as part of the terms of the new Lease, plus the number of additional hours deemed necessary, to be in full compliance by the end of the new Lease term.

Should the notice of noncompliance specify that less than twelve hours are owed, those hours will be divided into the next Lease term at the rate of one hour per month in addition to the 8 required hours.

4. Specify that if the individual is not current on the back hours owed, along with the number of hours owed for the new Lease term, another agreement will not be offered and the WHA will not renew the Lease at the end of the new Lease term.
5. Specify that if the individual signing the agreement should become an exempt individual, any back hours still owed as part of the agreement, must still be completed by the end of the Lease term.

F. HOUSEHOLD MEMBERS NOT IN THE HOME

In the case of a resident who receives a notice of noncompliance related to the Community Service requirements for a household member the resident claims is no longer in the home, the individual, who is in noncompliance, must supply proof of their residency and sign a form removing their name from the Lease. This must be completed prior to the end of the Lease term in order for the Lease to be renewed.

Chapter 13

LEASE TERMINATIONS

INTRODUCTION

The WHA may terminate tenancy for a family because of the family's action, or failure to act, in accordance with HUD regulations [24 CFR 966.4 (1)(2)], and the terms of the lease. This Chapter describes the WHA's policies for notification of lease termination within the provisions of the lease. Also see Attachment A, The Lease Agreement.

A. TERMINATION BY TENANT

The tenant may terminate the lease by providing the WHA with a written fifteen (15) day notice as defined in the Lease agreement.

B. TERMINATION BY WHA

The lease may be terminated by the WHA at any time by giving written notice for serious or repeated violation of material terms of the Lease, such as, but not limited to, the following:

1. Nonpayment of rent or other charges due under the Lease or repeated chronic late payment of rent;
2. Failure to provide timely and accurate statements of income, assets, expenses, and family composition at Admission, Interim, Special, or Annual Rent Re-certifications;
3. Assignment or subleasing of the premises or providing accommodation for boarders or lodgers;
4. Use of the premises for purposes other than solely as a dwelling unit for the Tenant and Tenant's household as identified in this Lease or permitting its use for any other purposes;
5. 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;
6. Failure to abide by applicable building and housing codes materially affecting health or safety;
7. Failure to dispose of garbage waste and rubbish in a safe and sanitary manner;

8. Failure to use electrical, plumbing, sanitary, heating, ventilating, air conditioning, and other equipment, including elevators, in a safe manner;
9. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
10. Failure to pay reasonable charges (other than for normal wear and tear) for the repair of damages to the premises, project building, facilities, equipment, or common areas; or
11. The Tenant, any member of the Tenant's household, or a guest or other person under the Tenant's control shall not engage in criminal activity, including drug-related criminal activity, on or near public housing premises (as defined in the lease), while the Tenant is a Tenant in public housing, an such criminal activity shall be cause for termination of tenancy. The term "drug-related criminal activity" means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).
12. If contraband or a controlled substance is seized on the WHA premises, incident to a lawful search or arrest, the Landlord (the WHA) will be notified by the County attorney's Office that it is to bring an unlawful detained action against the Tenant. The Landlord (WHA) will then commence an unlawful detainer action against the resident to terminate the Lease.
13. Is fleeing to avoid prosecution, or custody or confinement after conviction for a felony.
14. Non-compliance with Non-citizen Rule requirements.
15. Non-compliance with any mandated Community service requirement.
16. Other good cause.
17. The family fails to accept the WHA's offer of a revision to an existing lease. The family must have been given at least 60 days notice of the revision prior to the time the revision is to take effect. The WHA's offer of revision must specify a reasonable time limit within the 60-day period for the family to accept the revision offer.

C. NOTIFICATION REQUIREMENTS

The WHA's written Notice of Lease Termination will state the reason for the proposed termination, the date that the termination will take place, and it will offer the resident all of the rights and protections afforded by the regulations, law, and this policy. (See Attachment A, Lease, including Grievance Policy.)

Notices of lease termination can be served personally and, if posted to the apartment door, shall also be sent to the resident by First-Class mail.

The notice shall contain a statement describing the resident's right to meet with the manager to determine whether a reasonable accommodation would eliminate the need for a lease termination.

Timing of the Notice

If the WHA terminates the lease, written notice will be given as follows:

- Immediately for "One Strike" violations resulting in eviction (see attachment A, the lease which contains the One Strike policy);
- At least 14 days prior to termination in case of failure to pay rent;
- At least 14 days (or such reasonable time, according to State Law), prior to termination commensurate with the urgency of the situation in case of creation or maintenance of a threat to the health or safety of other tenants or WHA employees or the safety of the premises; and
- At least thirty days prior to termination, in all other cases.

The WHA shall notify the Post Office that mail should no longer be delivered to the person who was evicted.

Criminal Activity

In an eviction for criminal activity, the WHA shall have the discretion to consider all circumstances of the case including:

- The seriousness of the offense;
- The extent of participation by family members; and
- The effects on non-involved family members and other residents.

D. RECORD KEEPING

A written record of every termination and/or eviction shall be maintained by the WHA and shall contain the following information:

1. Name of resident, number and identification of unit occupied;
2. Date of the Notice of Lease Termination and any other notices required by State or local law; these notices may be on the same form and will run concurrently;
3. Specific reason(s) for the Notices, citing the lease section or provision that was

- violated and other facts pertinent to the issuing of the Notices described in detail;
4. Date and method of notifying the resident;
 5. Summaries of any conferences held with the resident including dates, names of conference participants, and conclusions.

Chapter 14

COMPLAINTS, GRIEVANCES AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the WHA. This Chapter describes the policies to be used when families disagree with a WHA decision. It is the policy of the WHA to ensure that all families have the benefit of all protections due to them under the law.

A. COMPLAINTS

The WHA will respond promptly to complaints from families. Each complaint regarding the physical condition of the unit requiring repair may be reported by phone to the Housing Manager. Anonymous complaints are checked whenever possible. The WHA requires that other complaints be put in writing.

Complaints from families

If a family disagrees with an action or inaction of the WHA, any complaint of the family will be referred first to the Public Housing Manager and then to the Executive Director if not resolved.

Complaints from staff

If a staff person reports a family is violating or has violated a Lease provision or is not complying with program rules, such complaint from staff will be referred first to the Public Housing Manager.

Complaints from the general public

Complaints or referrals from persons in the community (the general public) in regard to the WHA or a WHA Public Housing Program resident family will be referred to the Executive Director.

B. APPEALS BY APPLICANTS

Applicants who are determined ineligible, who do not meet the WHA's admission standards, or where the WHA does not have an appropriate size and type of unit in its inventory will be given written notification promptly, including the reason for the determination.

Ineligible applicants will be promptly provided with a letter detailing their individual status, stating the reason for their ineligibility, and offering them an opportunity for an informal hearing.

Applicants must submit their request for an informal hearing in writing to the WHA within 10 working days from the date of the notification of their ineligibility.

If the applicant requests an informal hearing, the WHA will provide an informal hearing within 10 working days of receiving the request. The WHA will notify the applicant of the place, date, and time.

Informal hearings will be conducted by an impartial hearing officer. The person who is designated as the hearing officer cannot be the person who made the determination of ineligibility or a subordinate of that person.

The applicant may bring to the hearing any documentation or evidence s/he wishes and the evidence along with the data compiled by the WHA will be considered by the hearing officer. The hearing officer will make a determination based upon the merits of the evidence presented by both sides. Within 20 working days of the date of the hearing, the hearing officer will mail a written decision to the applicant and place a copy of the decision in the applicant's file.

The grievance procedures for Public Housing tenants do not apply to WHA determinations that affect applicants.

C. APPEALS BY TENANTS

Grievances or appeals concerning the obligations of the tenant or the WHA under the provisions of the lease shall be processed and resolved in accordance with the Grievance Procedure of the WHA, which is in effect at the time such grievance or appeal arises. (See F.)

D. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS"

Assistance to the family may not be delayed, denied, or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the WHA hearing is pending but assistance to an applicant may be delayed pending the WHA hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the WHA notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the WHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the WHA a copy of the appeal and proof of mailing or the WHA may proceed to deny or terminate. The time period to request an appeal may be extended by the WHA for good cause.

The request for a WHA hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in the "Grievance Procedures" section of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the WHA will:

- Deny the applicant family.
- Defer termination if the family is a participant and qualifies for deferral.
- Terminate the participant if the family does not qualify for deferral.

If there are eligible members in the family, the WHA will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.

Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of Tenant Rent and Total Tenant Payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

E. GRIEVANCE PROCEDURES

1. Definitions

- a. **Grievance**. Any dispute which a tenant may have with respect to a Housing Authority action or failure to act in accordance with the individual tenant's lease or WHA regulations which adversely affect the individual tenant's rights, duties, welfare, or status.
- b. **Complainant**. Any tenant whose grievance is presented to the WHA or at the site/management office informally or as part of the informal hearing process.

- f. Hearing Officer/Hearing Panel. A person or persons selected in accordance with this grievance procedure to hear grievances and render a decision with respect thereto.
- g. Tenant. A lessee or the remaining head of household of any tenant family residing in housing accommodations owned or leased by the WHA.
- h. Elements of Due Process. 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. Opportunity for the tenant to examine all relevant documents, records, and regulations of the WHA prior to the trial for the purpose of preparing a defense;
 - 3. Right of the tenant to be represented by counsel;
 - 4. Opportunity for the tenant to refute the evidence presented by the WHA, including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have;
 - 5. A decision on the merits of the case.

2. Applicability

This Grievance Procedure applies to all individual grievances, except any grievance concerning a termination of tenancy or eviction that involves:

- a. Any activity, not just criminal activity, that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or WHA employees,
- b. Any drug-related criminal activity *on* or *off* such premises, or
- c. Any alcohol abuse as described in WHA's One Strike Policy.

3. Pre-Hearing Procedures

a. Informal Grievance Procedures

- 1. Any grievance shall be presented in writing to the WHA office or to the complainant's site office. Written grievances must be signed by the complainant. The grievance must be presented within a reasonable time not to exceed 10 days from the date of the aggrieved occurrence. It may be simply

stated, but shall specify:

The particular grounds upon which it is based,

The action requested; and

The name, address, and telephone number of the complainant

2. The purpose of the initial discussion is to discuss and to resolve the grievance without the necessity of a formal hearing.
3. Within five working days, a WHA representative will give a summary of this discussion to the complainant. One copy will be filed in the tenant's file.
4. The summary will include: names of participants, the date of the meeting, the nature of the proposed disposition, and the specific reasons for the disposition. The summary will also specify the steps by which a formal hearing can be obtained.

b. Dissatisfaction with Informal Meeting

1. If the complainant is dissatisfied with the proposed disposition of the grievance, s/he shall submit a written request for a hearing within 10 working days of the date of the summary of the informal meeting.
2. The request for a hearing must be presented to the WHA's offices.
3. The request for a hearing will be date-stamped.
4. The request must specify the reason for the grievance request and the relief sought.

c. Failure to Request a Formal Hearing

If the complainant does not request a hearing within 10 working days, s/he waives his/her right to a hearing and the WHA's proposed disposition of the grievance will become final. This section in no way constitutes a waiver of the complainant's right to contest the WHA's disposition in an appropriate judicial proceeding.

d. Right to a Hearing

After exhausting the informal procedures outlined above, a complainant shall be entitled to a hearing before a hearing official or panel.

4. Selection of Hearing Officer or Panel

A grievance hearing shall be conducted by an impartial person or persons appointed by the WHA other than the person who made or approved the WHA action under review, or a subordinate of such person. WHA will have consulted with resident organizations prior to the appointment of such hearing officers.

5. Procedures to Obtain a Hearing

a. Informal Prerequisite

1. All grievances must be informally presented as a prerequisite to a formal hearing.
2. The hearing official or panel may waive the prerequisite informal hearing if, and only if, the complainant can show good cause why s/he failed to proceed informally.

b. Escrow Deposit

1. Before a hearing is scheduled in any grievance involving an amount of rent the WHA claims is due, the complainant shall pay to the WHA 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 each month until the complaint is resolved by decision of the hearing official or panel.
3. The WHA may waive these escrow requirements in extraordinary circumstances or in the case of a requested grievance hearing when the complainant has filed for the hearing as he/she feels that the Authority did not properly calculate Imputed Welfare Income in determining monthly rent.
4. Unless so waived, failure to make the required escrow payments shall result in termination of the grievance procedure.
5. Failure to make such payments does not constitute a waiver of any right the complainant may have to contest the WHA's disposition of the grievance in any appropriate judicial proceeding.

c. Scheduling

1. If the complainant complies with the procedures outlined above, a hearing shall be scheduled by the hearing officer promptly within 10 days at a time and place reasonably convenient to the complainant and the WHA
2. A written notification of the date, time, place, and procedures governing the hearing shall be delivered to the complainant and the appropriate WHA official.

6. Hearing Procedures

- a. The hearing shall be held before a hearing officer or a hearing panel.
- b. The complainant shall be afforded a fair hearing and be provided the basic safeguards of due process to include:
 1. The opportunity to examine and to copy before the hearing [at the expense of the complainant] all documents, records, and regulations of the WHA that are relevant to the hearing. Any document not so made available after request by the complainant may not be relied upon by the WHA at the hearing.

The WHA shall also have the opportunity to examine and to copy [at the expense of the WHA] all documents, records, and statements that the family plans to submit during the hearing to refute the WHA's inaction or proposed action. Any documents not so made available to the WHA may not be relied upon at the hearing.
 2. The right to a private hearing unless otherwise requested by the complainant.
 3. The right to be represented by counsel or other person chosen as a representative.
 4. The right to present evidence and arguments in support of the complaint, to controvert evidence presented by the WHA, and to confront and cross-examine all witnesses upon whose testimony or information the WHA relies; and
 5. The right to a decision based solely and exclusively upon the facts presented at the hearing.
- c. If the hearing officer determines that the issue has been previously decided in another proceeding, a decision may be rendered without proceeding with the hearing.
- d. If the complainant or WHA fail to appear at the scheduled hearing, the hearing

officer may make a determination that the party has waived his/her right to a hearing.

- e. At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter, the WHA must sustain the burden of justifying the WHA action or failure to act against which the complaint is directed.
- f. The hearing shall be conducted by the hearing officer/panel in such a way as to be:
 - 1. Informal: Oral and 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. Formal: The hearing official/panel shall require the WHA, complainant, counsel, and other participants and spectators to conduct themselves in an orderly manner. The failure to comply with the directions of the hearing official/panel to maintain order will result in the exclusion from the proceedings or a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate.
- g. Transcript: The complainant or the WHA may arrange, in advance, and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may request a copy of such transcript.

7. Decisions of the Hearing Official/Panel

- a. The hearing official/panel shall give the WHA and the complainant a written decision, including the reasons for the decision, within 20 days following the hearing. The WHA will place one copy in the tenant files.
- b. The decision of the hearing officer/panel shall be binding on the WHA which shall take all actions necessary to carry out the decision, unless the WHA Commissioners determine, within 10 days, and so notifies the complainant that:
 - 1. The grievance does not concern the WHA action or failure to act in accordance with or involving the complainant's lease or WHA regulations which adversely affect the complainant's rights, duties, welfare, or status;
 - 2. The decision of the hearing officer/panel is contrary to applicable Federal, State or local law, HUD regulations, or requirements of the Annual Contributions Contract between HUD and the WHA.
- c. A decision by the hearing officer/panel or WHA Commissioners in favor of the WHA or which denies the relief requested by the complainant in whole or part

shall not constitute a waiver of, nor affect in any matter whatever, the rights of the complainant to a trial or judicial review in any proceedings which may thereafter be brought in the matter.

8. Housing Authority Eviction Actions

- a. If a tenant has requested a hearing in accordance with these duly adopted Grievance Procedures on a complaint involving a WHA notice of termination of tenancy and the hearing officer/panel upholds the WHA action, the WHA shall not commence an eviction action until it has served a notice to vacate on the tenant.
- b. In no event shall the notice to vacate be issued prior to the decision of the hearing officer/panel having been mailed or delivered to the complainant.
- c. Such notice to vacate must be in writing and specify that if the tenant fails to quit the premises within the applicable statutory period or on the termination date as stated in the notice of termination, whichever is later, appropriate action will be brought against the complainant. The complainant may be required to pay court costs and attorney fees.

Chapter 15

FAMILY DEBTS TO THE HOUSING AUTHORITY

INTRODUCTION

This chapter describes the WHA's policies for the recovery of monies which are due from the resident to the Authority, including (but not limited to) amounts that have been underpaid by families or are owed due to unit damage. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the WHA's policy to meet the informational needs of families and to communicate the program rules in order to avoid family debts. Before a debt is assessed against a family, the file must contain written documentation to support the WHA's claim that the debt is owed. The file must further contain written documentation of the method of calculation in a clear format for review by the family or other interested parties.

When families or owners owe money to the WHA, the WHA will make every effort to collect it. The WHA will use a variety of collection tools to recover debts, including but not limited to:

- Requests for lump-sum payments
- Civil suits
- Repayment agreements
- Collection agencies
- Credit bureaus
- Income tax set-off programs

A. REPAYMENT AGREEMENT FOR FAMILIES

A Repayment Agreement as used in this Plan for any debt to WHA is a document entered into between the WHA and a person who owes a debt to the WHA. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of the repayment, any special provisions of the agreement, and the remedies available to the WHA upon default of the agreement.

The maximum amount for which the WHA will enter into a repayment agreement with a family is \$3,000. If the debt is greater, the WHA shall either prosecute and pursue legal avenues of recovery or, depending on circumstances, allow the excess to be paid in one lump sum, bringing the balance to an amount that qualifies for execution of a Repayment Agreement.

The maximum length of time the WHA will enter into a Repayment Agreement with a family is generally one year. More time, not to exceed an additional 12 months total, may be allotted; however, in no case shall the resident be permitted to transfer unless all monies owed are paid in full.

The minimum monthly amount of payment for any Repayment Agreement is \$25.

Late Payments

A payment will be considered to be in arrears if:

The payment has not been received by the close of the business day on which the payment was due. If the due date is on a weekend or holiday, the due date will be at the close of the next business day.

If the family's Repayment Agreement is in arrears, the WHA will:

Require the family to pay the balance in full within 30 days or make other satisfactory arrangements with WHA depending on any extenuating circumstances concerning the debt or the family's current status (such circumstances must be documented); terminate tenancy if not paid; and prosecute or, at a minimum, pursue civil collection of the balance due.

Standard Repayment Schedule for Monies Owed to the WHA

(This schedule and policy regarding repayment is made based on the fact that **the resident and the resident's own action or inaction caused the need for repayment**. The resident's own (1) general disregard of the benefit s/he is receiving by having that privilege to reside in Public Housing, and (2) general, even blatant, disregard for program rules, regulations, and requirements **have caused the resident to incur the debt**. *The repayment agreement itself is a concession and there is no logical reason to make further concessions.*)

<u>Initial Payment Due</u>	<u>Amount Owed</u>	<u>Standard Term</u>
1/3	0 - \$500	3 - 6 months
1/3	\$501 - \$1,000	6 - 10 months
1/3	\$1,001 - \$3,000	10 - 12 months

There are some circumstances in which the WHA will not enter into a repayment agreement.

They are:

- If the family already has a Repayment Agreement in place.
- If the WHA determines that the family committed program fraud.

Guidelines for Repayment Agreements

Repayment Agreements will be executed between the WHA and the head of household and spouse.

Monthly payments may be decreased in cases of hardship with the prior notice of the family, verification of the hardship, and the approval of the Public Housing Manager.

Additional Monies Owed

If the family has a Repayment Agreement in place and incurs an additional debt to the WHA:

The family must either pay the remaining balance on the existing agreement in full and execute a new agreement for the new debt or pay the amount of the new debt in full and continue to make payment on the original debt. Failure to do either one or the other satisfactorily will result in termination of tenancy and legal action to collect. A new amount owing will not be combined with an existing debt.

A record of debt incurred will be kept. The WHA will terminate the tenancy of any resident incurring debt for unreported income or damages more than two times. The WHA will terminate the tenancy of any resident incurring debt/necessitating notice for non-payment of rent more than three times in one year (this includes habitual late payers, since rent not paid when due, is non-payment).

B. DEBTS DUE TO FRAUD/NON-REPORTING OF INFORMATION

HUD's definition of program fraud and abuse is a single act or pattern of actions that constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead.

Family Error/Late Reporting

Families who owe money to the WHA due to the family's failure to report increases in income will be required to repay in accordance with the guidelines in the Repayment Section of this Chapter.

Program Fraud

Families who owe money to the WHA due to program fraud will be required to repay the amount in full within thirty (30) days, and the case will be referred to the local prosecuting attorney. If a family owes an amount which equals or exceeds \$3,000 as a result of program fraud, the case will also be referred to the Inspector General for criminal prosecution.

C. WRITING OFF DEBTS

Debts will be written off the books every quarter, but are still considered collectible unless the debtor is deceased and the estate has failed to pay within one year.

Chapter 16

GLOSSARY

I. TERMS USED IN DETERMINING RENT

ANNUAL INCOME (24 CFR Part 5)

Annual income is the anticipated total income from all sources, including net income derived from assets, received by the family head and spouse (even if temporarily absent) and by each additional family member including all net income from assets for the 12-month period following the effective date of initial determination or reexamination of income. It does not include income that is temporary, non-recurring, or sporadic as defined in this section or income that is specifically excluded by other federal statute.

If it is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income) or the PHA believes that past income is the best available indicator of expected future income, the PHA will annualize the income anticipated for a shorter period, subject to a re-determination at the end of the shorter period.

Annual income includes:

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, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight-line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business.
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. An allowance for the straight-line depreciation of real or personal property is permitted. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the property.

When 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.

NOTE: Treatment of lump sum payments for delayed or deferred periodic payment of Social Security or SSI benefits is dealt with later in this section.

5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay.
6. All welfare assistance payments received by or on behalf of any family member. (24CFR Part 5(b)(6) contains rules applicable to "as-paid" States).
7. Periodic and determinable allowances, such as alimony and child care support payments, and regular cash contributions or gifts received from persons not residing in the dwelling.
8. Included in annual income will be Imputed Welfare Income. Imputed welfare income is the amount of annual income not actually received by a Family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent. A specified welfare reduction is defined as:

A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or

because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

the amount of the imputed welfare income is offset by the amount of additional income received by the family after the time the sanction was imposed. When the specified welfare reduction is imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

EXCLUSIONS FROM ANNUAL INCOME (24 CFR Part5)

Annual income does not include the following:

1. Income from the employment of children (including foster children) under the age of 18 years;
2. Payments received for the care of foster children or foster adults (usually individuals

- with disabilities, unrelated to the resident family, who are unable to live alone);
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 property losses;
 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, provided the person meets the definition of a live-in aide.
 6. The full amount of student financial assistance paid directly to the student or the educational institution.
 7. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
 8. Amounts received under HUD-funded training programs (e.g. Step-up program); excludes stipends, wages, transportation payments, and child care vouchers for the duration of the training; (THIS EXCLUSION WILL APPLY UNLESS REMOVED FROM FEDERAL REGULATIONS AS MANDATED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT)
 - a. Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income and benefits that are set aside for use under a Plan to Attain Self Sufficiency (PASS).
 - b. Amounts received by a participant in other publicly assisted programs which are specifically for, or in reimbursement of, out-of-pocket expenses incurred for items such as special equipment, clothing, transportation, and child care, to allow participation in a specific program.
 - c. Resident services stipend is a modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time.
 - d. Compensation from State or local employment training programs and training of family members as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for a limited period as determined in advance by the PHA.

9. Disallowance of increase in annual income due to previously unemployed for a qualified family. (See the definition of *Previously Unemployed* and *Qualified Family* in this Glossary of Terms.) The disallowance of increase in annual income for qualified families will be as follows:
 - a. **Initial twelve-month exclusion.** The WHA will exclude from the annual income of a qualified family any increase in income of the family member as a result of employment over prior income of that family member. The twelve-month exclusion will begin the month of employment.
 - b. **Second twelve-month exclusion and phase in.** During the second twelve months of employment, the WHA will exclude 50 percent of any increase in income of such family member as a result of employment of that family member prior to the beginning of such employment.

The disallowance of increased income of an individual family member is limited to a lifetime 48-month period. The 48-month period begins the month of the initial exclusion. Neither exclusion period will exceed 12 months whether the exclusion period should run consecutively or concurrently.

The disallowance of increase in income as a result of employment, as described in this section, does not apply for purposes of admission to the program.

10. Temporary, non-recurring, or sporadic income (including gifts).
11. Reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era. (For all initial determinations and reexaminations of income on or after April 23, 1993.)
12. Earnings in excess of \$480 for each full-time student 18 years old or older, (excluding the head of household and spouse).
13. Adoption assistance payments in excess of \$480 per adopted child.
14. The earnings and benefits to any resident resulting from the participation in a program providing employment training and supportive services in accordance with the Family Support Act of 1988 (42 U.S.C. 1437 et seq.) or any comparable Federal, State, or local law during the exclusion period. For purposes of this paragraph the following definitions apply: THIS EXCLUSION WILL APPLY UNLESS REMOVED FROM FEDERAL REGULATIONS MANDATED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
 - a. Comparable Federal, State, or local law means a program providing employment training and supportive services that: (1) is authorized by a Federal,

State, or local law; (2) is funded by the Federal, State, or local government; (3) is operated or administered by a public agency; and (4) has as its objective to assist participants in acquiring job skills.

- b. Exclusion period means the period during which the resident participates in a program as described in this section plus 18 months from the date the resident begins the first job acquired by the resident after completion of such program that is not funded by public housing assistance under the U.S. Housing Act of 1937. If the resident is terminated from employment without good cause, the exclusion period shall end.
 - c. Earnings and benefits means the incremental earnings and benefits results from a qualifying employment training program or subsequent job.
15. Deferred periodic payments of Supplemental Security Income and Social Security benefits that are received in a lump sum payment.
 16. Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
 17. Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.
 18. 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. (A notice will be published by HUD in the Federal Register identifying the benefits that qualify for this exclusion).

The following benefits are excluded by other Federal Statute:

- a. The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977;
- b. Payments to volunteers under the Domestic Volunteer Service Act of 1973;

Examples of programs under this Act include but are not limited to:

- The Retired Senior Volunteer Program (RSVP)
- Foster Grandparent Program (FGP)
- Senior Companion Program (SCP)
- Older American Committee Service Program

National Volunteer Antipoverty Programs such as:

- VISTA
- Peace Corps
- Service Learning Program
- Special Volunteer Programs

Small Business Administration Programs such as:

- National Volunteer Program to Assist Small Businesses
- Service Corps of Retired Executives
- c. Payments received under the Alaska Native Claims Settlement Act. [43 USE 1626 (a)]
- d. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes. [25 USC 459e]
- e. Payments or allowances made under the Department of HHS' Low Income Home Energy Assistance Program. [42 USC 8624 (f)]
- f. Payments received under programs funded in whole or in part under the Job Training Partnership Act. (29 USC 1552 (b))
- g. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians. (Pub. L. 94-540)
- h. The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 USC. 1407-08) or from funds held in trust for an Indian Tribe by the Secretary of Interior.
- i. Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs. [20 USC 1087 uu] Examples: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College-Work Study, and Byrd Scholarships.
- j. Payments received under programs funded under Title V of the Older Americans Act of 1965. [42 USC 3056 (f)] Examples include Senior Community Services Employment Program, National Caucus Center on the Black Aged, National Urban League, Association National Pro Personas Mayores, National Council on Aging, American Association of Retired

Persons, National Council on Senior Citizens, and Green Thumb.

- k. Payments received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established in the *In-Re Orange* Product Liability litigation.
- l. The value of any childcare provided or arranged (or any amount received as payment for such care or reimbursement for costs of incurred in such care) under the Child Care and Development Block Grant Act of 1990. (42 USC 9858q)
- m. Earned income tax credit refund payments received on or after January 1, 1991. (26 USC 32)(j)
- n. The earned income of a family who has been on welfare assistance at least the previous six months, been unemployed the entire previous 12 months,

Adjusted Income

Adjusted income means annual income of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions:

All Families are eligible for the following:

1. Child Care Expenses: A deduction of amounts anticipated to be paid by the family for the care of children under 13 years of age for the period for which the Annual Income is computed. Childcare expenses are only allowable when such care is necessary to enable a family member to be gainfully employed or to further his/her education. Amounts of income deducted must be for un-reimbursed expenses and shall not exceed: (1) The amount of income earned by the family member released to work, or (2) an amount determined to be reasonable by the PHA when the expense is incurred to permit education.
2. Child Support Payment Deduction: A deduction for amounts paid for support of any child not residing in the household, mandated by a Court Order, will be a deduction in determining adjusted income. In no event may the amount to be deducted exceed the earned income of the individual responsible for payment or exceed the amount specified to be paid in a Court Order.
3. Dependent Deduction: An deduction of \$480 for each member of the family residing in the household (other than the head or spouse, live-in aide, foster child) who is under eighteen years of age or who is eighteen years of age or older and disabled, handicapped, or a full-time student.
4. Handicapped Expenses: An income deduction is allowed for un-reimbursed amounts paid for attendant care or auxiliary apparatus expenses for handicapped family members where

such expenses are necessary to permit a family member(s), including the handicapped/disabled member to be employed. In no event may the amount of the income deduction exceed the employment income earned by the family member(s) freed to work.

Equipment and auxiliary apparatus may include but are not limited to: wheelchairs, lifts, reading devices for visually handicapped, and equipment added to cars and vans to permit their use the handicapped or disabled family member.

- a. For non-elderly families and elderly families without medical expense: The amount of the income equals the cost of all un-reimbursed expenses for handicapped care and equipment, less three percent of Annual Income, provided the amount so calculated does not exceed the employment income earned.
 - b. For elderly families with medical expenses: The amount of the income exclusion equals the cost of all un-reimbursed expenses for handicapped care and equipment less three percent (3%) of Annual Income, (provided the amount does not exceed earnings) plus medical expenses as defined below.
5. Medical Expenses For All Households: Un-reimbursed medical expenses, including insurance premiums anticipated for the period for which Annual Income is computed including, but are not limited to, services of physicians and other health care professionals; services of health care facilities; insurance premiums (including the cost of Medicare); prescription and non-prescription medicines; transportation to and from treatment; dental expenses; eyeglasses; hearing aids and batteries; attendant care (unrelated to employment of family members); and payments on accumulated medical bills. For the expense to be considered by the WHA for the purpose of determining a deduction from the income, the expenses claimed must be verifiable. The deduction is calculated as follows:
- For elderly and non-elderly families without handicapped expenses: The amount of the allowable income deduction shall equal total allowable medical expenses less 3 percent of annual income.
- For elderly and non-elderly families with both handicapped and medical expenses: The amount of handicapped assistance is calculated first, then medical expenses are added.
6. Spousal Support Payments: A deduction for amounts paid for the support and maintenance of any spouse or former spouse who does not reside in the household, mandated by a Court Order, will be a deduction in determining adjusted income. In no event may the amount to be deducted exceed the earned income of the individual responsible for payment or exceed the amount specified to be paid in a Court Order.
 7. Elderly/Disabled Household The income deduction is \$400 *per household*.

II. GLOSSARY OF HOUSING TERMS

ACCESSIBLE DWELLING UNITS. When used with respect to the design, construction, or alteration of an individual dwelling unit, means that the unit is located on an accessible route and when designed, constructed, or altered can be approached, entered, and used by individuals with physical handicaps. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in 24 CFR 8.32 & 40, (the Uniform Federal Accessibility Standards) is "accessible" within the meaning of this paragraph.

ACCESSIBLE FACILITY. All or any portion of a facility other than an individual dwelling unit used by individuals with physical handicaps.

ACCESSIBLE ROUTE. For persons with a mobility impairment, a continuous, unobstructed path that complies with space and reach requirements of the Uniform Federal Accessibility Standards (UFAC). For persons with hearing or vision impairments, the route need not comply with requirements specific to mobility.

ADAPTABILITY. Ability to change certain elements in a dwelling unit to accommodate the needs of handicapped and non-handicapped persons; or ability to meet the needs of persons with different types and degrees of disability.

ALLOCATION PLAN. The plan submitted by the PHA and approved by HUD under which the PHA is permitted to designate a building or portion of a building for occupancy by Elderly Families or Disabled Families.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) less the HUD-approved allowances.

"AS-PAID" STATES. States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS. (See Net Family Assets.)

ASSISTANCE APPLICANT. A family or individual that seeks admission to the Public Housing Program.

AUXILIARY AIDS. Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of programs and activities.

CEILING RENT. An amount that reflects reasonable market value of the housing unit, but not less than the sum of the monthly per-unit operating costs and a deposit to a replacement reserve.

COMMUNITY SERVICE. The performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities.

COVERED FAMILIES. Families who receive welfare assistance (welfare benefits) or other public assistance benefits from a State or other public agency (welfare agency) under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

DEPENDENT. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person, Handicapped Person, or is a full-time student 18 years of age or over.

DESIGNATED FAMILY. The category of family for whom the PHA elects to designate a project (e.g. elderly family in a project designated for elderly families) in accordance with the 1992 Housing Act. (24 CFR 945.105)

DESIGNATED HOUSING. Housing designated in accordance with 24 CFR 945.105 for occupancy by elderly only (includes near elderly of 55 and older per HUD-approved WHA policy).

DISABLED FAMILY. A family whose head, spouse, or sole member is a person with disabilities, or two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.

DISALLOWANCE. Exclusion from annual income.

DISPLACED FAMILY. A family in which each member, or whose sole member, is a person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY. Term means:

1. Drug-trafficking; or
2. Illegal use or possession for personal use of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

DRUG TRAFFICKING. The illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of a controlled substance (as defined in section 102 of the Controlled Substances Act 921 U.S.C. 802)).

ECONOMIC SELF-SUFFICIENCY PROGRAM. Any program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work for such families. These programs include programs for job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, and any program necessary to ready a participant for work (including a substance abuse or mental health treatment program), or other work activities.

ELDERLY FAMILY. A family whose head or spouse or whose sole member is at least 62 years, or two or more persons who are at least 62 years of years of age living together; or one or more persons 62 years of age living with one or more live-in aides.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBILITY INCOME. May 10, 1984, regulations deleted Eligibility Income, per se, because Annual Income is now for eligibility determination to compare to income limits.

ELIGIBLE FAMILY (Family). A family is defined by the PHA in the Admission and Continued Occupancy Plan.

ELIGIBLE FAMILY. Low income families who are eligible for admission to the public housing program.

EXEMPT INDIVIDUAL. An adult who:

1. Is 62 years or older;
2. a. Is a blind or disabled individual, as defined under 216(i) (1) or 1614 of the Social Security Act 42 U.S.C. 416(i) (1); 1382c), and who certifies that because of this disability she or he is unable to comply with the service provisions of this subpart, or
b. Is a primary caretaker of such individual;
3. Is engaged in work activities;
4. Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of titled IV of the Social Security Act (42 U.S.C. 601 et seq.) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program; or

5. Is a member of a family receiving assistance, benefits or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such a program.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES. Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889 which exceeded 25 percent of the Annual Income. It is no longer used.

EXTREMELY LOW INCOME FAMILY. A family whose annual income does not exceed 30 percent of the median income for the area as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

FAMILY. Two or more persons who intend to share residency in a regular, stable family-type relationship whose income and resources are available to meet the family's needs and who intend to continue living together as a family.

FAMILY OF VETERAN OR SERVICEPERSON. A family is a "family of veteran or serviceperson" when:

1. The veteran or serviceperson (a) is either the head of household or is related to the head of household; or (b) is deceased and was related to the head of household and was a family member at the time of death.
2. The veteran or serviceperson, unless deceased, is living with the family or is only temporarily absent unless s/he was (a) formerly the head of household and is permanently absent because of hospitalization, separation or desertion, or is divorced; provided, the family contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of household but is permanently hospitalized, provided that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by a PHA to promote self-sufficiency of assisted families, including the provision of supportive services.

FLAT RENT. The standard amount of rent set by the Authority for each Public Housing unit by unit size.

1. The flat rent is based on the market rent charged for comparable units in the private

unassisted rental market. It is equal to the estimated rent for which the Authority could promptly lease the public housing unit after preparation for occupancy.

2. The Authority must use a reasonable method to determine the flat rent for a unit. To determine the flat rent, the Authority considered:
 - a. The location, quality, size, unit type and age of the unit; and
 - b. Any amenities, housing services, maintenance and utilities provided by the Authority.
3. The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.
4. If the family chooses to pay a flat rent, the Authority does not pay any utility reimbursement.
5. The Authority must maintain records that document the method used to determine flat rents, and also show how flat rents are determined by the Authority in accordance with this method, and document flat rents offered to families under this method.

FOSTER CHILD CARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is attending school or vocational training on a full-time basis.

HANDICAPPED ASSISTANCE EXPENSES. Anticipated costs for care attendants and auxiliary apparatus for handicapped or disabled family members which enable a family member (including the handicapped family member) to work.

HANDICAPPED PERSON. [Referred to as a Person with a Disability]. A person having a physical or mental impairment which:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and
3. Is of such a nature that such ability could be improved by more suitable housing conditions.

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HOUSING AGENCY. A state, country, municipality, or other governmental entity or public body authorized to administer the program. The term “HA” includes an Indian Housing Authority (IHA). (“PHA” and “HA” mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. Act in which the U.S. Housing Act of 1937 (sometimes referred to as the Act) was recodified and which added the Section 8 Programs.

HOUSING ASSISTANCE PLAN.

1. A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application in accordance with the requirements of 570.303© submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.
2. A Housing Assistance Plan meeting the requirements of 570.303© submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the tenant-based programs.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

HURRA. The Housing and Urban/Rural Recovery Act of 1983 legislation that resulted in most of the 1984 HUD Regulation changes to the definition of income, allowances, and rent calculations.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED ASSET INCOME. HUD passbook rate multiplied times the total cash value of assets. Calculation used when assets exceed \$5,000.

IMPUTED WELFARE INCOME. Imputed welfare income is the amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless include in the family’s annual income for purpose of determining rent.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME-BASED RENT. An income-based rent is a tenant rent that is based on the family's income and the Authority's rent policies for determination of such rents. The Authority has adopted permissive deductions from annual income in the determination of the income-based rent.

These permissive deductions include:

1. A deduction for all households for unreimbursed medical expenses that exceed 3% of the family's annual income;
2. A deduction for child support payments in accordance with adopted policy found in Chapter 6 of this policy.
3. A deduction spousal support payments in accordance with adopted policy found in Chapter 6 of this policy.

The income-based rent will not exceed the total tenant payment for the family minus any applicable utility allowance for tenant-paid utilities. If the utility allowance exceeds the total tenant payment, the Authority will issue the family a utility reimbursement.

INCOME TARGETING. HUD-mandated requirement to admit extremely low income families at a specified percentage rate (currently 40%) of all Public Housing new admissions

INCOME FOR ELIGIBILITY. Annual Income.

INDIAN. Any person recognized as an Indian or Alaska Native by an Indian Tribe, the federal government, or any State.

INDIAN HOUSING AUTHORITY (IHA). A housing agency established either:

1. By exercise of the power of self-government of an Indian Tribe, independent of State law, or
2. By operation of State law providing specifically for housing authorities for Indians.

INTEREST REDUCTION SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgages of Section 236 projects and front-end loan discounts paid on BMIR projects.

INVOLUNTARILY DISPLACED PERSON. Involuntarily Displaced Applicants are applicants who meet the HUD definition for the federal preference.

LARGE VERY LOW INCOME FAMILY. Prior to the 1982 regulations, this meant a very low-income family which included six or more minors. This term is no longer used.

LEASE. A written agreement between an owner and an eligible family for the leasing of a housing unit.

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who:

1. Is determined to be essential to the care and well being of the person.
2. Is not obligated for the support of the person.
3. Would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the PHA to select among applicant families without regard to their federal preference status.

LOW 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, except that HUD may establish income ceilings higher or lower than 80 percent of the median income for the area on the basis of HUD's findings that such variations are necessary because of unusually high or low family incomes.

MARKET RENT. The rent HUD authorizes the owner of FHA-insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed and that are not reimbursable. These allowances are given when calculating adjusted income for medical expenses in excess of 3 % of Annual Income.

MINIMUM RENT. An amount established by the PHA of at least \$25, but not more than \$50. Minimum Rent must be passed by resolution.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances or Adjusted Income.

MONTHLY INCOME. 1/12 of the Annual Income.

NEAR-ELDERLY FAMILY. A family whose head, spouse, or sole member is at least 50, but

less than 62 years of age. The term includes two or more near-elderly persons living together and one or more such persons living with one or more live-in aides.

NET FAMILY ASSETS. The net cash value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

OCCUPANCY STANDARDS. [Now referred to as **Subsidy Standards.**] Standards established by a PHA to determine the appropriate number of bedrooms for families of different sizes and compositions.

OVER-INCOME FAMILY. A family that is not a low-income family.

PARTICIPANT. A family or individual that is assisted under the public housing program.

PERSON WITH A DISABILITY. A person with disabilities:

1. Means a person who:
 - a. Has a disability as defined in 42 U.S.C. 423;
 - b. A person who is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
 1. Is expected to be of long-continued and indefinite duration;
 2. Substantially impedes his or her ability to live independently; and
 3. Is of such a nature that the ability to live independently could be improved by more suitable housing condition; or
 - c. A person 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)).
2. This does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome;
3. For purpose of qualifying for low-income housing, this does not include a person whose disability is based solely on any drug or alcohol dependence; and
4. Means “individual with handicaps”, as defined in this section for purposes of reasonable accommodation and program accessibility for persons with disabilities.

PREVIOUSLY UNEMPLOYED. Includes a person who has earned, in the twelve months

previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, State, or local governments.

PUBLIC HOUSING AGENCY (PHA). A state, county, municipality, or other governmental entity or public body authorized to administer the programs. The term “PHA” includes an Indian Housing Authority (IHA). (“PHA” and “HA” mean the same thing.)

QUALIFIED FAMILY. A family residing in public housing:

1. Who annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment;
2. Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or
3. Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the WHA in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wages subsidies and transportation assistance—provided that the total amount over a six-month period is at least \$500.

RECERTIFICATION. Also called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months, if on formula rent (or three years), if on flat rent, provided there are no additional changes to be considered.

RE-EXAMINATION. Also called re-certification. (See above)

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RESPONSIBLE ENTITY. The Public Housing Agency administering a Public Housing Program under an Annual Contributions Contract (ACC) with the Department of Housing and Urban Development (HUD).

SECRETARY. The Secretary of Housing and Urban Development.

SECURITY DEPOSIT. A dollar amount which can be applied to unpaid rent, damages, or other amounts to the owner under the lease.

SERVICE REQUIREMENT. The obligation of each adult resident, other than an exempt individual, to perform community service or participate in an economic-self sufficiency program. Except for any family member who is an exempt individual, each adult resident of public housing must:

1. Contribute 8 hours per month of community service (not including political activities); or
2. Participate in an economic self-sufficiency program for 8 hours per month; or
3. Perform 8 hours per month of combined activities as described in numbers 1 and 2 above.

SERVICEPERSON. A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON. A person living alone or intending to live alone who is not disabled, elderly, or displaced, or the remaining member of a tenant family.

SPECIFIED WELFARE REDUCTION. A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

SPOUSE. The legal husband or wife of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

1. Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or
2. Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or
3. Direct loans pursuant to Section 202 of the Housing Act of 1959; or
4. Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974; or

5. Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency; or
6. A Public Housing Project.

SUBSTANDARD UNIT. Substandard housing is defined by HUD for use as a federal preference.

TENANT RENT. (Formerly called Net Family contribution.) The amount payable monthly by the family as rent to the owner (including a PHA in other programs). Where all utilities (except telephone) and other essential housing services are supplied by the owner, Tenant Rent equals Total Tenant Payment. Where some of all utilities (except telephone) and other essential housing services are not supplied by the owner and the cost thereof is not included in the amount paid as rent to the owner, Tenant Rent equals Total Tenant Payment less the Utility Allowance in the Certificate Program. In the Voucher Program, Tenant Rent is Rent to Owner less HAP.

TENANT RENT. The amount payable monthly by the family as rent to the WHA.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

TOTAL TENANT PAYMENT. Total tenant payment (TTP) is the highest of the following amounts, rounded to the nearest dollar:

1. 30 percent of the family's monthly adjusted income;
2. 10 percent of the family's monthly income; or
3. The minimum rent.

UNIT. Residential space for the private use of a family.

UNUSUAL EXPENSES. Prior to the change in the 1982 regulations, this was the term applied to the amounts paid by the family for the care of minors under 13 years of age or for the care of disabled or handicapped family household members, but only where such care was necessary to enable a family member to be gainfully employed.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection, and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. If the cost of utilities (except telephone) including range and refrigerator and other housing services for an assisted unit is not included in the Contract Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD of a reasonable consumption of such utilities and other services

for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthy living environment.

UTILITY REIMURSEMENT. 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. This definition is not used for a public housing family that is paying a flat rent.

VERY LARGE LOWER-INCOME FAMILY. Prior to the change in the 1982 regulations, this was described as a lower-income family which included eight or more minors. This term is no longer used.

VERY LOW INCOME FAMILY. A Lower-Income Family whose Annual Income does not exceed 50 % 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% 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.

VERY LOW INCOME FAMILY. A family whose annual income does not exceed 50 percent of the median family income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

WAITING LIST. A list of families organized according to HUD regulations and PHA policy who are waiting for subsidy to become available.

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.

III. GLOSSARY OF TERMS USED IN THE NONCITIZENS RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen or national of the United States.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents which must be submitted to evidence citizenship or eligible immigration status.

HA. A housing authority—either a Public Housing Agency or an Indian Housing Authority or both.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. The U.S. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NONCITIZEN. A person who is neither a citizen nor nation of the United States.

PHA. A housing authority who operates Public Housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status (the PHA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for noncitizens unless they meet one of the categories of eligible immigration status specified in Section 214.

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or “co-heads.” “Co-head” is a term recognized by some HUD programs, but not by public and Indian housing programs.

Chapter 17

PROGRAM INTEGRITY

INTRODUCTION

The U.S. Department of HUD conservatively estimates that 200 million dollars is paid annually to program participants who falsify or omit material facts in order to gain more rental subsidy than they are entitled to under the law. HUD further estimates that 12% of all HUD-assisted families are either totally ineligible or are receiving benefits that exceed their legal entitlement. The WHA is committed to assuring that the proper level of benefits is paid to all tenants and that housing resources reach only income-eligible families so that program integrity can be maintained.

The WHA will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This Chapter outlines the WHA's policies for the prevention, detection, and investigation of program abuse and tenant fraud.

A. CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

Under no circumstances will the WHA undertake an inquiry or an audit of a tenant family arbitrarily. The WHA's expectation is that tenant families will comply with HUD requirements, provisions of the lease, and other program rules. The WHA staff will make every effort (formally and informally) to orient and educate all families in order to avoid unintentional violations.

However, the WHA has a responsibility to HUD, the community, and to eligible families in need of housing assistance to monitor tenants' lease obligations for compliance and, when indicators of possible abuse come the WHA's attention, to investigate such claims.

The WHA will initiate an investigation of a tenant family only in the event of one or more of the following circumstances:

1. Referrals, Complaints, or Tips. The WHA will follow up on referrals from other agencies, companies, or persons which are received by mail, by telephone, or in person which allege that a tenant family is in non-compliance with or otherwise violating the lease or the program rules. Such follow-ups will be made providing that the referral contains at least one item of information that is independently verifiable. A copy of the allegation will be retained in the tenant file.
2. Internal File Review. A follow-up will be made if the WHA staff discovers (as a function of a re-certification, an interim re-determination, or a quality control review), information or facts which conflict with previous file data, the WHA's knowledge of the family, or is discrepant with statements made by the family.

3. Verification or Documentation. A follow-up will be made if the WHA receives independent verification or documentation which conflicts with representations in the tenant file (such as public record information or credit bureau reports, reports from other agencies).

B. STEPS THE WHA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The management and occupancy staff will utilize methods and practices (listed below) to prevent program abuse, non-compliance, and willful violations of program rules by applicants and tenant families. This policy objective is to establish confidence and trust in the management by emphasizing education as the primary means to obtain compliance by tenant families.

1. Things You Should Know. This program integrity bulletin (created by HUD's Inspector General) shall be furnished and explained to all applicants to promote understanding of program rules and to clarify the WHA's expectations for cooperation and compliance.
2. Program Orientation Session. Mandatory orientation sessions shall be conducted for all prospective tenants either prior to or upon execution of the lease. At the conclusion of all Program Orientation Sessions, the family representative will be required to sign a "Program Briefing Certificate" or form thereof, to confirm that all rules and pertinent regulations were explained to them.
3. Resident Counseling. The WHA shall routinely provide tenant [housing] counseling as a part of every re-certification interview in order to clarify and confusion pertaining to program rules and requirements.
4. Review and Explanation of Forms. Staff shall explain all required forms and review the contents of all re-certification documents prior to signature.
5. Use of Instructive Signs and Warnings. Instructive signs shall be conspicuously posted in common areas and interview areas to reinforce compliance with program rules and to warn about penalties for fraud and abuse.
6. Tenant Certification. All family representatives shall be required to sign a "Tenant Certification" form as contained in HUD's Tenant Integrity Program Manual.

C. STEPS THE WHA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The WHA Staff will maintain a high level of awareness to indicators of possible abuse and fraud by assisted families.

1. Quality Control File Reviews. Prior to initial certification and at the completion of all

subsequent re-certifications, each tenant file will be reviewed. Such reviews shall include, but are not limited to:

- Changes in reported Social Security Numbers or dates of birth.
 - Authenticity of file documents.
 - Ratio between reported income and expenditures.
 - Review of signatures for consistency with previously signed file documents.
2. Observation. The WHA Management and Occupancy Staff (to include maintenance personnel) will maintain a high awareness of circumstances that may indicate program abuse or fraud, such as unauthorized persons residing in the household and unreported income.
 3. Public Record Bulletins shall be reviewed by Management and Staff.
 4. State Wage Data Record Keepers. Inquiries to State Wage and Employment record keeping agencies as authorized under Public Law 100-628, the Stewart McKinley Homeless Assistance Amendments Act of 1988, may be made annually in order to detect unreported wages or unemployment compensation benefits.
 5. Credit Bureau Inquiries. Credit Bureau inquiries may be made (with proper authorization by the tenant) in the following circumstances:
 - At the time of final eligibility determination.
 - When an allegation is received by the WHA wherein unreported income sources are disclosed.
 - When a tenant's expenditures exceed his/her reported income and no plausible explanation is given.

D. THE WHA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The WHA staff will encourage all tenant families to report suspected abuse to the Public Housing Manager or Lisa Zukoff, WHA Executive Director. All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented and placed in the tenant file. All allegations, complaints, and tips will be carefully evaluated in order to determine if they warrant a follow-up. The WHA will not follow up on allegations that are vague or otherwise non-specific. They will only review allegations which contain one or more independently verifiable facts.

1. File Review. An internal file review will be conducted to determine:

- If the subject of the allegation is a tenant of the WHA and, if so, to determine whether or not the information reported has been previously disclosed by the family,
 - It will then be determined if the WHA is the most appropriate authority to do a follow-up (more so than police or social services). Any file documentation of past behavior as well as corroborating complaints will be evaluated.
2. Conclusion of Preliminary Review. If at the conclusion of the preliminary file review there is/are fact(s) contained in the allegation which conflict with file data and the fact(s) are independently verifiable, the Director of Public Housing, Deputy Director, or Executive Director (on recommendation of the Public Housing Manager and the Deputy Director) will initiate an investigation to determine if the allegation is true or false.

E. HOW THE WHA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the WHA determines that an allegation or referral warrants a follow-up, either the staff person who is responsible for the file or a person designated by the Executive Director to monitor that program compliance will conduct the investigation. The steps taken will depend upon the nature of the allegation and may include, but are not limited to, the items listed below. In all cases, the WHA will secure the written authorization from the program participant for the release of information.

1. Credit Bureau Inquiries. In cases involving previously unreported income sources, a CBI inquiry may be made to determine if there is financial activity that conflicts with the reported income of the family.
2. Verification of Credit. In cases where the financial activity conflicts with file data, a Verification of Credit form may be mailed to the creditor in order to determine the unreported income source.
3. Employers and Ex-Employers. Employers and ex-employers may be contacted to verify wages which may have been previously undisclosed or misreported.
4. Neighbors/Witnesses. Neighbors and/or other witnesses may be interviewed who are believed to have direct or indirect knowledge of facts pertaining to the WHA's review.
5. Other Agencies. Investigators, caseworkers, or representatives of other benefit agencies may be contacted.
6. Public Records. If relevant, the WHA will review public records kept in any

jurisdictional courthouse. Examples of public records which may be checked are: real estate, marriage, divorce, uniform commercial code financing statements, voter registration, judgments, court or police records, state wage records, utility records and postal records.

7. Interviews with Head of Household or Family Members. The WHA will discuss the allegation (or details thereof) with the Head of Household or family member by scheduling an appointment at the appropriate WHA office. A high standard of courtesy and professionalism will be maintained by the WHA Staff Person. Under no circumstances will inflammatory language, accusation, or any unprofessional conduct or language be tolerated by the management. If possible, an additional staff person will attend such interviews.

F. PLACEMENT OF DOCUMENTS, EVIDENCE, AND STATEMENTS OBTAINED BY THE WHA

Documents and other evidence obtained by the WHA during the course of an investigation will be considered "work product" and will either be kept in the tenant file or in a separate "work file." In either case, the tenant file or work file shall be kept in a locked file cabinet. Such cases under review will not be discussed among WHA Staff unless they are involved in the process or have information which may assist in the investigation.

G. CONCLUSION OF THE WHA'S INVESTIGATIVE REVIEW

At the conclusion of the investigative review, the reviewer will report the findings to the Executive Director or designee. It will then be determined whether a violation has occurred, a violation has not occurred, or if the facts are inconclusive.

H. EVALUATION OF THE FINDINGS

If it is determined that a program violation has occurred, the WHA will review the facts to determine:

- The type of violation (Procedural, non-compliance, fraud).
- Whether the violation was intentional or unintentional.
- What amount of money (if any) is owed by the tenant.
- Is the family eligible for continued occupancy?

I. ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED

Once a program violation has been documented, the WHA will propose the most appropriate remedy based upon the type and severity of the violation.

1. Procedural Non-compliance

This category applies when the tenant "fails to" observe a procedure or requirement of the WHA, but does not misrepresent a material fact and there is no retroactive rent owed by the family. Examples of non-compliance violations are:

- Failure to appear at a scheduled appointment.
- Failure to return verification in period specified by the WHA.

Warning Notice to the Family

In such cases a notice will be sent to the family which contains the following:

- A description of the non-compliance and the procedure, policy, or obligation which was violated.
- The date by which the violation must be corrected or the procedure complied with.
- The action which is/will be taken by the WHA if the procedure or obligation is not complied with by the date specified by the WHA.
- The consequences of repeated (similar) violations.

2. Procedural Non-compliance—Retro-active Rent

When the tenant owes money to the WHA for failure to report changes in income or assets, the WHA will issue a Notification of Underpaid Rent. This Notice will contain the following:

- A description of the evaluation and the date(s).
- Any amounts owed to the WHA.
- Response period.

The right to disagree and to request an informal hearing with instructions for the request of such a hearing.

- Tenant Fails to Comply with WHA's Notice. If the Tenant fails to comply with the WHA's notice, and a material provision of the lease has been violated, the WHA will initiate termination of tenancy.
- Tenant Complies with WHA's Notice. When a tenant complies with the WHA's notice, the staff person responsible will meet with him/her to discuss and explain the obligation or lease provision which was violated. The staff person will complete a Tenant Counseling Report, give one copy to the family and retain a copy in the tenant file.

3. Intentional Misrepresentations

When a tenant falsifies, misstates, omits, or otherwise misrepresents a material fact which results (or would have resulted) in an underpayment of rent by the tenant, the WHA will evaluate whether or not:

- The tenant had knowledge that his/her actions were wrong, and
- That the tenant willfully violated the lease or the law.

Knowledge that the action or inaction was wrong. This will be evaluated by determining if the tenant was made aware of program requirements and prohibitions. The tenant's signature on various certification, briefing certificate, Personal Declaration, and *Things You Should Know* are adequate to establish knowledge of wrong-doing.

The tenant willfully violated the law. Any of the following circumstances will be considered adequate to demonstrate willful intent:

- a. An admission by the tenant of the misrepresentation.
- b. That the act was done repeatedly.
- c. If a false name or Social Security Number was used.
- d. If there were admissions to others of the illegal action or omission.
- e. That the tenant omitted material facts which were known to them (e.g., employment of self or other household member).
- f. That the tenant falsified, forged, or altered documents.
- g. That the tenant uttered and certified to statements at a rent re-determination which were later independently verified to be false.

4. The Tenant Conference for Serious Violations and Misrepresentations.

When the WHA has established that material misrepresentation(s) have occurred, a Tenant Conference will be scheduled with the family representative and the WHA staff person who is most knowledgeable about the circumstances of the case.

This conference will take place prior to any proposed action by the WHA. The purpose of such a conference is to review the information and evidence obtained by the WHA with the tenant and to provide the tenant an opportunity to explain any document findings which conflict with representations in the tenant file. Any documents or mitigating circumstances presented by the tenant will be taken into consideration by the WHA. The tenant will be given 10 days to furnish any mitigating evidence.

A secondary purpose of the Tenant Conference is to assist the WHA in determining the course of action most appropriate for the case. Prior to the final determination of the proposed action, the WHA will consider:

- The duration of the violation and number of false statements.
- The tenant's ability to understand the rules.
- The tenant's willingness to cooperate and to accept responsibility for his/her actions.
- The amount of money involved.
- The tenant's past history.
- Whether or not criminal intent has been established.
- The number of false statements.

5. Dispositions of Cases Involving Misrepresentations

In all cases of misrepresentations involving efforts to recover monies owed, the WHA may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:

- a. Criminal Prosecution: If the WHA has established criminal intent and the case meets the criteria for prosecution, the WHA may:
 - Refer the case to the local State or District Attorney, notify HUD's RIGI, and terminate rental assistance.
 - Refer the case to HUD's RIGI and terminate rental assistance.
- b. Administrative Remedies: The WHA may:
 - Terminate tenancy and demand payment of restitution in full.
 - Terminate tenancy and pursue restitution through civil litigation.

6. Notification to Tenant of Proposed Action

The WHA will notify the tenant of the proposed action no later than 10 days after the tenant conference by certified mail.

ADMINISTRATION OF THE COMMUNITY SERVICE REQUIREMENTS

- 1. Dwelling Lease** – The Wheeling Housing Authority modified our Dwelling Leases to include the wording for the mandatory Community Service Requirements in 1999. All residents on or before October 1, 1999 executed the new Dwelling Leases. New move ins executed the new Leases effective April 1, 1999 however, they were informed that the Community Service Requirements would not begin until October 1, 1999.
- 2. Written description of community service requirement** – The community service requirements, listing of exempt individuals, and agreement policy for non-compliance is incorporated into the Authority's Admission and Continued Occupancy Policy.
- 3. Notice to residents** – All residents were informed of the community service requirement, in writing, prior to October 1, 1999. Said notice stated what individuals would be exempt from the requirement. Residents affected by the requirement were informed at the time they executed their new Dwelling Lease prior to the October 1, 1999 implementation date. A listing of agencies providing volunteer opportunities is provided to each resident, and is included in this attachment.

Each year, during the annual re-exam, the Head of Household will sign a form, which outlines the community service requirements and those in their household who must comply with said requirements.

- 4. Cooperative Agreements** – The Wheeling Housing Authority entered into a Cooperative Agreement with the local Department of Health and Human Services. The information to be shared includes, but is not limited to:
 - a. Verification of exemption from the WV Works Program;
 - b. Status of a TANF recipient's benefits, including reason for sanction or termination of assistance; and
 - c. Participation in self-sufficiency initiatives.

- 5. Administration of the community service program** – The Wheeling Housing Authority has chosen to administer its own community service program. Each Public Housing Manager keeps a logbook, which includes a listing of each adult required to complete the requirements. The log allows management to track the community service hours. Each individual is sent a written notice at the beginning of the month notifying them of their requirement. Attached to the resident's notice is a list of approximately 17 local agencies that the resident can contact to schedule their community service hours. These agencies vary in the types of programs and/or services they provide. Residents can contact, and perform service hours, for other agencies not listed on the provider sheet. The Housing Authority also accepts residents performing community service to help with our children's programs, and self-sufficiency activities.

The monthly notice also includes a form that the participating agency must complete and return. This form verifies the community service performed.

To determine continued occupancy at the next annual re-exam, the residents are notified of any hours owed and are given the opportunity to sign an agreement to complete hours owed during the next 12 month period.

AGENCIES WHICH UTILIZE VOLUNTEERS

(All agencies in Wheeling unless otherwise noted)

American Red Cross, Ohio Valley Chapter

193 29th Street

(304) 232-0711

(Provides assistance for disaster victims; assists military families & veterans including counseling, emergency communication, and financial aid; sponsors health and safety services; coordinates volunteers and collects blood provided to area hospitals.)

Big Brothers Big Sisters

51 11th Street

(304) 232-0520 or (800) 217-2227

(Programs for youngsters of single parent families aged 5-17, provides adult mentors to children in need of positive adult guidance.)

Boy Scouts of America, Ohio River Council

Sandscrest

P.O. Box 6186

(304) 277-2660

(Programs to help instill values in young people and to help them develop skills in making ethical decisions, provides comprehensive youth development to assist them in achieving their full potential.)

Catholic Community Services

7 13th Street

(304) 233-0880

Neighborhood Center

125 18th St.

(304) 232-7157

(Provides emergency food, shelter, and clothing; assists with utilities and prescriptions; represents clients at Welfare and Social Security hearings; provides medicaid Waiver program which helps keep individuals with a handicap who are at least 18 years of age and the elderly in their own homes)

Community Child Care Center

1136 Eoff Street

(304) 233-5363

(Provides full day care for children age two to twelve, all activities are age appropriate and designed to enhance educational, physical, emotional, and social growth of the children.)

Family Services, Upper Ohio Valley

Counseling Division

(304) 233-2350

Consumer Credit

Counseling/Conservator

((304) 232-6733)

Senior Services Division

(304) 232-6730

Senior Aides Employment

(304) 233-2350

Senior Nutrition Program Sites

Human Resources Center

(304) 232-6730

Dr. Blaskovich Center (Triadelphia)

(304) 547-4115

(Provides individual, couple, group, and geriatric in-home counseling and employee assistance programs; consumer credit counseling, conservator-representative payee program; Senior Services including in-home services, personal care, chore services, and companionship; Alzheimer social support; Adult Day Care Center; Adult Day Treatment Program; van transportation; outreach social support; health clinics; Senior AIDES employment; and recreational activities.)

Girl Scouts of U.S.A. - Black Diamond Council

303 South 4th Street

Martins Ferry OH

(740) 633-6464

(Provides informal educational and developmental programs to help girls age 5-17 achieve their full potential, develop their own personal values, learn to relate positively to others, and contribute service to their community.)

Literacy Volunteers of Marshall & Ohio Counties

YWCA Building

1100 Chapline Street

(304) 232-0511

(Recruits, trains, and matches volunteer tutors to work one on one with adult students to improve basic literacy skills.)

Marshall County Senior Center

805 5th Street

Moundsville, WV

(304) 845-8200

(Provides recreational, social, and nutritional programs for senior adults.)

Seeing Hand Association

750 Main Street

(304) 232-4810

(Therapy workshop for blind, helps visually handicapped adjust, and provides social and recreational activities.)

Society of St. Vincent De Paul

23rd & Main Street

(304) 232-4230

(Provides assistance to help needy with food, clothing, furniture, and assistance with utilities and prescriptions.)

The Salvation Army**Belmont County Corp**

315 37th Street

Bellaire OH

(740) 676-6225

Marshall County Corps

700 Jefferson Avenue

Moundsville WV

(304) 845-0510

Wheeling Corps

140 16th St.

(304) 233-4400

(Provides emergency food, clothing, and shelter; assists those in need with utility bills and rent; provides material assistance such as household items and furniture; provides disaster assistance; social and recreational programs for all age groups.)

Wheeling Health Right, Inc.

99 North Main Street

(304) 233-9323

(Community supported free clinic; primary health care services for people with no medical insurance or Medicaid, and who have incomes at or below federal poverty guidelines.)

Wheeling Soup Kitchen

1100 Chapline Street

(304) 233-2992

(Provides nutritional meal service)

Y.M.C.A.

55 Lounez Avenue

(304) 242-8086

(Provides health and physical fitness programs including aquatics and team sports for all ages.)

Y.W.C.A.

1100 Chapline St.

(304) 232-0511

(Provides Homeless Women=s Shelter, Project on Racism, Health & Fitness, ENCOREplus breast & cervical cancer screening, education; workshop and seminar programs.)

Chapter 10

PET POLICY

INTRODUCTION

HUD regulations at 24CFR 5.300 and the QHWRA describe the WHA's options regarding pet policies.

This Chapter explains the WHA's policies on the keeping of pets and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of WHA in providing a decent, safe and sanitary living environment for all tenants, in protecting and preserving the physical condition of the property, and in the financial interest of the WHA.

A. MANAGEMENT APPROVAL OF PETS

All pets must be approved in advance by the WHA management.

The pet owner must enter into a Pet Agreement with the WHA.

Registration of Pets

Pets must be registered with the WHA before they are brought onto the premises. Registration includes:

Certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law, and that the pet has no communicable disease(s) and is pest-free.

Dogs and cats must be spayed or neutered, and the following must be supplied:

Current license for the pet in compliance with local ordinances and requirements.
Statement from a licensed veterinarian that the pet has been spayed or neutered. *(If a pet (cat or dog) is too young to be spayed or neutered, the Resident must provide documentation once the animal is old enough and has the procedure completed.)*

Execution of a Pet Agreement with the WHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet.

Registration, renewed annually, to coincide with the annual re-certification date.

*Approval for the keeping of a pet **shall not** be extended pending the completion of these requirements.*

Refusal to Register Pets

The WHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the WHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.

The WHA will refuse to register a pet if:

- a. The pet is not a *common household pet* as defined in this policy;
- b. Keeping the pet would violate any House Pet Rules;
- c. The pet owner fails to provide complete pet registration information, or fails to update the registration annually;
- d. The WHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

The notice of refusal may be combined with a notice of a pet violation.

A resident who cares for another resident's pet must notify the WHA and agree to abide by all of the pet rules in writing.

B. STANDARDS FOR PETS

If an approved pet gives birth to a litter, the resident must remove all pets from the premises except one.

Pet rules will not be applied to animals that assist persons with disabilities, however, an assistance animal may not destroy the unit, nor pose any health or safety hazard to other residents.

Persons With Disabilities

To be excluded from the pet policy, the resident/pet owner must certify:

- That the animal poses no health or safety hazard to the other residents or their guests,
- That there is a person with disabilities in the household;
- AND
- That the animal actually assists the person with the disability,

Types of Pets Allowed

No types of pet other than the following common household pet may be kept by a resident.
Tenants are not permitted to have more than one type of pet.

1. Dogs

Maximum number: 1
Maximum adult weight: 25 pounds
Must be housebroken
Must be spayed or neutered
Must have all required inoculations
Must be licensed as specified now or in the future by State law and local ordinance

2. Cats

Maximum number: 1
Must be de-clawed
Must be spayed or neutered
Must have all required inoculations
Must be trained to use litter box or other waste receptacle
Must be licensed as specified now or in the future by State law or local ordinance

3. Birds

Maximum number: 2 if average Cockatiel size or smaller (parakeets, finches, etc.), 1 if larger (parrot, macaw, other exotic birds, etc.)
Must be enclosed in a cage at all times

4. Fish

Maximum aquarium size: 10 gallon

5. Rodents & Reptiles - None permitted

6. Turtles

Maximum number: 1
Must be enclosed in an acceptable cage or container at all times.

C. PETS TEMPORARILY ON THE PREMISES

Residents are prohibited from feeding or harboring stray animals.

Pets which are not owned by a tenant will not be allowed.

This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization.

D. DESIGNATION OF PET/NO-PET AREAS

There are currently no areas specifically designated as “pet areas.” The hallways, community rooms, and other common building areas are “no pet areas,” except to the extent necessary for passage to and from the resident’s unit. The pet must be leashed or otherwise restrained at all times while on WHA property other than inside the resident’s own dwelling unit.

E. ADDITIONAL FEES AND DEPOSITS FOR PETS

The resident/pet owner shall be required to pay a refundable \$300 deposit for the purpose of defraying all reasonable costs directly attributable to the presence of a dog or cat.

If, due to proven financial hardship, the resident is unable to pay the full amount of the pet deposit in one payment, an initial payment of \$100 (on or prior to the date the pet is properly registered and brought into the apartment) with subsequent monthly payments of no less than \$25, will be permitted if paid regularly until the specified deposit has been satisfied, *providing that the resident does not have a history of pet-caused unit damage (in any housing).*

The Resident/Pet Owner is urged to obtain and continue liability insurance on their residence while they are the owner of a dog or cat.

WHA reserves the right to change or increase the required deposit by amendment to these rules.

Alterations to Unit

Residents/pet owners shall not alter their unit, patio, premises, or common areas to create an enclosure for any animal.

F. PET WASTE REMOVAL CHARGE

All reasonable expenses incurred by the WHA as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

- The cost of repairs and replacements to the dwelling unit;
- Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge.

If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount that exceeds the pet deposit.

The pet deposit will be refunded when the resident moves or no longer has a pet on the premises, whichever occurs first.

The expense of flea de-infestation shall be the responsibility of the resident.

G. PET AREA RESTRICTIONS

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds), dogs and cats must be kept on a leash or carried and under the control of the resident or other responsible individual at all times.

Pets are not permitted in common areas including lobbies, community rooms, and laundry areas except for those common areas which are entrances to and exits from the building.

Residents/Pet Owners are not permitted to exercise pets or permit pets to deposit waste on project premises outside of any areas designated for such purposes.

H. NOISE

Pet owners must agree to control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to, loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities. Failure to do so will constitute a breach of the Pet Policy.

I. CLEANLINESS

Litter Box Requirements. All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

Litter shall not be disposed of by being flushed through a toilet.

Litter boxes shall be stored inside the resident's dwelling unit.

Removal of Waste from Other Locations. The Resident/Pet owner shall be responsible for the

removal of waste from the exercise area by placing it in a sealed plastic bag and disposing of it in a trash bin. Any unit occupied by a dog, cat, or bird will be fumigated at the time the unit is vacated (chargeable to the resident's pet deposit).

The Resident/Pet Owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

J. PET CARE

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 24 hours.

All residents/pet owners shall be responsible for adequate care, nutrition, exercise, and medical attention for his/her pet.

Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

K. RESPONSIBLE PARTIES

The resident/pet owner is required to designate two responsible parties for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

L. INSPECTIONS

The WHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed.

The WHA may enter and inspect the unit if a written complaint is received alleging that the conduct or condition of the pet in the unit constitutes a nuisance or threat to the health or safety of the other occupants or other persons in the community under applicable State or local law.

M. PET RULE VIOLATIONS

Pet Rule Violation Notice

If a determination is made on objective facts supported by written statements, that a resident/pet owner has violated the Pet Rule Policy, written notice will be served.

The Notice will contain a brief statement of the factual basis for the determination and the pet rule(s) which were violated. The notice will also state:

1. That the resident/pet owner has 3 days from the effective date of the service of notice to correct the violation or make written request for a meeting to discuss the violation;
2. That the resident/pet owner is entitled to be accompanied by another person of his or her choice at the meeting; and
3. That the resident/pet owner's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to terminate the pet owner's tenancy.

N. NOTICE FOR PET REMOVAL

If the resident/pet owner and the WHA are unable to resolve the violation at the meeting or the pet owner fails to correct the violation in the time period allotted by the WHA, the WHA may serve notice to remove the pet.

The Notice shall contain:

1. A brief statement of the factual basis for the WHA's determination of the Pet Rule that has been violated;
2. The requirement that the resident/pet owner must remove the pet within 3 days of the notice; and
3. A statement that failure to remove the pet may result in the initiation of termination of tenancy procedures.

O. TERMINATION OF TENANCY

The WHA may initiate procedures for termination of tenancy based on a pet rule violation if:

The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

P. PET REMOVAL

If the pet is poorly cared for or has been left unattended for over 24 hours, or the health or safety of the pet is threatened by the death or incapacity of the pet owner, the person listed as the alternate responsible party on the WHA pet registration form shall be contacted and asked to remove the pet into safe keeping. If the responsible party is unwilling or unable to place or care for the pet, or if the WHA cannot make contact with the responsible party, the WHA will contact the appropriate State or local agency and request removal of the pet.

Q. EMERGENCIES

In addition to any notice the WHA may serve the resident, the WHA will also take all necessary steps to insure pets that become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are removed by the appropriate State or local entity authorized to remove such pets.

Section 8 PHA Project-Based Vouchers

The Wheeling Housing Authority plans to project-base up to 10 % of its Section 8 Vouchers, or a maximum of 33 units. The locations will be in the HOPE VI affected areas of the City of Wheeling, as well as areas of low minority or non-poverty areas of the City. This is consistent with our Annual Plan in that we are working to improve the neighborhoods of North and East Wheeling and to increase the number of housing options to residents to reside in non-poverty/ low minority concentrated areas of the City of Wheeling. Tenant based assistance is extremely difficult for our residents to obtain in non-poverty/ low minority concentrated areas of the City. By project basing units in these areas of the City, we will be able to offers more of a variety of housing choices of residents and be able to offer those options for a period of years.

Resident Advisory Board Members

The members of the Wheeling Housing Authority Resident Advisory Board were selected by asking each President of each duly elected resident council to serve, or appoint a member to the Board. Additionally, we contacted three Section 8 residents to serve who demographically represented our Section 8 Program. Only one Section 8 resident chose to serve on the Board.

Judith Hocker
Grandview Manor/ Lincoln Homes Resident Council
6-52 Grandview Manor
Wheeling, WV 26003
232-5327

Esther Thompson
Riverview Towers Resident Council
601 Main Street, Apt. 204
Wheeling, WV 26003
232-7981

Sue Eberhard
Luau Manor Resident Council
2230 Chapline Street, Apt. 314
Wheeling, WV 26003

Donna Saunders
Hil-Dar Resident Council
1096 Hil-Dar
Wheeling, WV 26003
243-0744

Larry Burgess
Garden Park Resident Council
1208 Warwood Ave., Apt. 616
Wheeling, WV 26003
277-1334

Virginia Aspinwall
Booker T. Washington Resident Council
1030 Chapline Street, Apt. 615
Wheeling, WV 26003

Carol Barnett
Representing the Section 8 Program
PO Box 6498
2723 Wood Street
Wheeling, WV 26003
232-6115

Progress Toward 5-Year Goals

The Wheeling Housing Authority has made progress toward its goal of expanding the supply of assisted housing. The Housing Authority has applied for and received two increments of Fair Share Vouchers from the U.S. Department of Housing and Urban Development and, with its development partner, has applied for and received Tax Credits for the development of the North Wheeling phase of the HOPE VI project. The Housing Authority has also been exploring opportunities to acquire buildings to increase the supply of affordable housing with replacement housing funds received through the capital fund program.

The Housing Authority continues to work toward its goals of improving the quality of assisted housing. We have received a customer satisfaction score of 9.3 out of 10 – exceeding our five year goal to reach 90% by 9/30/2002, a PHAS score of 88.9% which was short of our goal to reach 90% by 9/30/2001 (however, our score was adversely effected by the REAC inspections of our HOPE VI Grandview Manor and Lincoln Homes Project), and SEMAP score of 90% - a high performer, which is well on the way to reaching the goal of 100% by 9/30/2003. We have received 75 replacement/ relocation vouchers of the 150 originally anticipated vouchers we would need to successfully relocate the residents of Grandview Manor and Lincoln Homes.

The Housing Authority has met its goal of increasing assisted housing choices by providing mobility counseling and the implementation of site-based waiting lists. The Housing Authority has also worked to provide an improved living environment by implementing security improvements and applying for a renewal for Garden Park Terrace and Riverview Towers as a designated elderly only complex.

The Housing Authority continues to promote self-sufficiency and asset development of assisted households by providing case-management services, partnering with agencies in the community for families, including services for our elderly and disabled populations, and by securing matching funding to implement training programs for residents in the areas of basic life skills, education, and job readiness. We currently have 32 Memorandum of Agreements with outside service providers, leveraging over \$750,000 in services for our residents over the fiscal year.

The Housing Authority continues to ensure equal opportunity and affirmatively further fair housing in its jurisdiction. We actively work with the Human Rights Commission and the NAACP to meet this goal.

Finally, the Wheeling Housing Authority continues to work to increase the number of individuals applying for public housing and reduce the vacancies in our developments through an aggressive marketing and outreach program. A Marketing Director is funded through our Capital Fund Program. A parking problem in our Garden Park Terrace complex was negatively impacting our vacancy rate (38 spaces for 168 units); therefore we utilized Capital Funds to construct a parking lot addition at that complex.

WV003n02

Resident Membership of PHA Governing Board

A Section 8 Resident was appointed by the Mayor of the City of Wheeling, Nick Sparchane, to the Wheeling Housing Authority's Board of Commissioners in June 2001.

Kathy Webb, 501 Fulton Street, Apt. D, Wheeling. She was appointed June 6, 2001, took her oath June 13, 2001. Her term expires December 31, 2005.