

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 Fiscal Year 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: Linn-Benton Housing Authority

PHA Number: OR019

PHA Fiscal Year Beginning: (mm/yyyy) 01/2002

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: (state mission here)

The Linn-Benton Housing Authority assists people to overcome barriers to safe and affordable housing due to income, disability or special need while preserving their personal dignity and maintaining the public trust.

B. Goals

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

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

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score)
 - Improve voucher management: (SEMAP score)

- Increase customer satisfaction:
- Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)
- Renovate or modernize public housing units:
- Demolish or dispose of obsolete public housing:
- Provide replacement public housing:
- Provide replacement vouchers:
- Other: (list below)

PHA Goal: Increase assisted housing choices

Objectives:

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

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

PHA Goal: Provide an improved living environment

Objectives:

- Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- Implement public housing security improvements:
- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
- 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:
- Provide or attract supportive services to improve assistance recipients' employability:
- Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- Other: (list below)
Full FSS program participation.
Ten FSS graduates annually.

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

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

Other PHA Goals and Objectives: (list below)

**Annual PHA Plan
PHA Fiscal Year 2002**

[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. 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

- 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 –B (or019b01.doc)
 Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
 Other (List below, providing each attachment name)
 Section 8 Administrative Plan – A (or019a01.doc)

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
	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
	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
	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
	Policies governing any Section 8 Homeownership program	Annual Plan:

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	<input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Homeownership
	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
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
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
	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
X	Statement of Progress in Meeting 5-Year Plan Mission and Goals	Annual Plan
X	Resident Member of the PHA Governing Board	Annual Plan
X	Resident Advisory Board	Annual Plan

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	10,438	5	5	5	N/A	3	3
Income >30% but <=50% of AMI	6,959	3	3	3	N/A	2	2
Income >50% but <80% of AMI	10,438	2	2	2	N/A	1	2
Elderly	17,721	3	4	3	4	4	3
Families with Disabilities	18,259	5	5	2	5	4	4
Hispanic	5,641	N/A	N/A	N/A	N/A	N/A	N/A

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

- Consolidated Plan of the Jurisdiction/s
Indicate year: 2001
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year: 1999
- 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	1010		90%
Extremely low income <=30% AMI	670	66%	
Very low income (>30% but <=50% AMI)	340	34%	
Low income (>50% but <80% AMI)	0	0%	
Families with children	785	78%	
Elderly families	91	9%	

Housing Needs of Families on the Waiting List			
Families with Disabilities	244	24%	
Hispanic	271	27%	
Asian	59	6%	
Black	55	5%	
Native American	181	18%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input checked="" 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)

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

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

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

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

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

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

(2) Reasons for Selecting Strategies

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

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

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

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

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2000 grants)		
a) Public Housing Operating Fund		

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
b) Public Housing Capital Fund		
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$11,761,804.00	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants		
h) Community Development Block Grant		
i) HOME		
Other Federal Grants (list below) FSS Coordinator Grant	\$102,200.00	FSS Coordinator salary and benefits
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		
4. Other income (list below)		
Interest	\$37,500.00	Administration
5. Non-federal sources (list below)		
Total resources	\$11,901,504.00	

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.

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)
Past Landlord Information

(2) Waiting List Organization

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

(3) Search Time

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

If yes, state circumstances below:

Up to two 30 day extensions are granted for families that are unable to locate suitable housing. Persons with disabilities may request a reasonable accommodation for extensions beyond 120 days total.

(4) Admissions Preferences

- a. Income targeting

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

- b. Preferences

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

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

Former Federal preferences

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
 Veterans and veterans' families
 Residents who live and/or work in your jurisdiction
 Those enrolled currently in educational, training, or upward mobility programs
 Households that contribute to meeting income goals (broad range of incomes)
 Households that contribute to meeting income requirements (targeting)

- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)
 - Terminally ill
 - Homeless Psychiatrically Disabled Participating in Mental Health Program
 - Families Participating in Transitional Housing Program

 - Families Participating in Domestic Abuse Survivor Program
 - Teen Families Participating in a Teen Parent Program

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

3 Date and Time

Former Federal preferences

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans’ families
- Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)
 - 1 Homeless Psychiatrically Disabled Participating in Mental Health Program
 - 1 Families Participating in Transitional Housing Program
 - 1 Families Participating in Domestic Abuse Survivor Program
 - 1 Teen Families Participating in a Teen Parent Program
 - 2 Terminally ill

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)

Availability of preferences for special purpose is stated in application materials and announced to providers of qualified programs.

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.

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)
To overcome 40% limitation at lease-up.

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)
Number of families the PHA is able to assist.

(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)

A family (that falls within the Minimum TTP category) that would otherwise be evicted for non-payment of rent shall be considered for a hardship exception to the minimum TTP. The family must request the exception in writing, stating the reason for the request.

Things to be considered when granting a hardship exception:

- a. When it can be determined that the family has had no income with which to pay the rent.
- b. There were extreme medical expenses which, when verified, left the family with no money with which to pay the rent.
- c. The family, through circumstances beyond their control, are without money to pay the rent.

The PHA will take into consideration all such factors when making the decision, and the family will have a right for an informal hearing if they disagree.

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
Section 8 Housing Choice Vouchers	2325	360
Section 8 Mod Rehab	35	12
Special Purpose Section 8 Certificates/Vouchers (list individually)	(These vouchers are included in the total number and turnover of vouchers listed above.)	
Mainstream Vouchers	100	5

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.

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

Section 8 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.

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.

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.

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.

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.

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

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? DD/MM/YY

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

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

- Joint administration of other demonstration program
- Other (describe)
Collaboration on Alcohol & Drug Free Housing Rental Assistance program.

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)

(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: DD/MM/YY)
Public Housing		
Section 8	100	98 as of 08/01/2001

- 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:

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

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 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.

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

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

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. Yes No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?
(If no, skip to component 17.)

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

17. PHA Asset Management

[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.

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

1. Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?
2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
 - Attached at Attachment (File name)
 - Provided below:
"I think every looks good in the Housing annual report" – Juanita Whiteas
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)

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

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

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

3. Description of Resident Election Process

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

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

b. Eligible candidates: (select one)

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

c. Eligible voters: (select all that apply)

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

C. Statement of Consistency with the Consolidated Plan

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

1. Consolidated Plan jurisdiction: (provide name here)
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)
Priority for serving those with greatest need first.
- Other: (list below)

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

D. Other Information Required by HUD

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

Attachments

STATEMENT OF PROGRESS IN MEETING THE 5-YEAR PLAN MISSION AND GOALS

The Linn-Benton Housing Authority strives to meet its mission of assisting people to overcome barriers to safe and affordable housing due to income, disability or special need while preserving their personal dignity and maintaining the public trust. The following statement shows the objectives that have been met in reaching specific goals.

Goals	Objectives	Progress
Expand the supply of assisted housing	Apply for additional rental vouchers. Leverage private or other public funds to create additional housing opportunities. Acquire or build units or developments	PHA awarded 344 Fair Share Vouchers. PHA awarded HOME funding for construction of special needs housing. PHA is partner in development of 50 units of new senior housing. PHA is partner in development of 56 units of family housing.
Improve the quality of assisted housing	Improve voucher management: (SEMAP score). Increase customer satisfaction	Positive Management Review by HUD of PHA Section program. Increased Voucher payment standards above 100% of FMR.
Increase assisted housing choices	Conduct outreach efforts to potential voucher landlords. Implement voucher homeownership program:	Continued landlord newsletter and created PHA website. Designing program consistent with September 11, 2000 notice and subsequent revisions.
Promote self-sufficiency and asset development of assisted households	Full FSS program participation. Ten FSS graduates annually.	FFS program at full participation. 41 graduates as of 8/01/01

Attachments

RESIDENT MEMBER OF THE PHA GOVERNING BOARD

The resident member of the PHA Governing Board is:

Sandra Nolan

The resident member was appointed by the PHA Board of Commissioners for a five-year term beginning in July, 2001.

RESIDENT ADVISORY BOARD

The members of the PHA's 2001 Resident Advisory Board are:

Sandra Nolan
Richard Childers
Juanita Whiteis

Table Library

I. PURPOSE

The purpose of this plan is to outline the local policies for operation of the Section 8 Program. The Plan covers local discretionary policies only; it references, but does not repeat, the Section 8 Federal Regulations. It is to be used in conjunction with the regulations, HUD Handbooks and other directives. Should the regulations or other HUD directives conflict with the policies stated in the Plan, the HUD directive will supersede the Plan. Throughout this plan the word Authority, HA, or LBHA, mean Linn-Benton Housing Authority.

II. MISSION STATEMENT

The Linn-Benton Housing Authority assists people to overcome barriers to safe and affordable housing due to income, disability, or special needs, increasing their opportunities, respecting their personal dignity, and maintaining the public trust.

III. EQUAL HOUSING OPPORTUNITY

The Authority does not discriminate based on race, color, national origin, religion, age, sex, disability or marital or familial status or physical or mental disability, in the administration of any of its housing programs. It is the policy of the Authority to comply fully with Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Title VIII of the Civil Rights act of 1968, Executive Order 11063, Section 3 of the Housing Act of 1968, The Fair Housing Amendments of 1988, Section 504 of the Rehabilitation Act of 1973, Title II of the American with Disabilities Act, the Fair Housing Act, and all rules and regulations issued to enforce these Acts.

The person responsible for insuring compliance with the above listed laws, including Section 504 regulations, is the Executive Director of the Linn-Benton Housing Authority. He/She may be reached at (541) 926-4497.

Whenever administratively and financially feasible, the Housing Authority will provide auxiliary aids to individuals with hearing and vision disabilities. The auxiliary aids may include, but are not limited to the following: large print documents, audio recordings, Braille documents, flash cards, and the use of readers and interpreters. Primary consideration will be given to individual client preference in determining which auxiliary aid to use. We will provide access to all facilities and services and an equal opportunity to participate to all individuals regardless of their disability.

The Authority offers reasonable accommodation to persons with disabilities in their dealings with the Authority and offers assistance to families who have special needs in obtaining suitable housing.

REASONABLE ACCOMMODATIONS POLICY [24 CFR 100.202]

It is the policy of this HA to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to families.

A participant with a disability must first ask for a specific change to a policy or practice as an accommodation of their disability before the HA will treat a person differently than anyone else. The HA's policies and practices will be designed to provide assurances that persons with disabilities will be given reasonable accommodations, upon request, so that they may fully access and utilize the housing programs. The availability of requesting an accommodation will be made known by including notices on HA forms and letters. This policy is intended to afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as those who do not have disabilities and is applicable to all situations described in this Administrative Plan including when a family initiates contact with the HA, when the HA initiates contact with a family including when a family applies, and when the HA schedules or reschedules appointments of any kind.

*** To be eligible to request a reasonable accommodation, the requester must first certify (if apparent) or verify (if not apparent) that they are a person with a disability under the following ADA definition:**

- A physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- A record of such impairment; or
- Being regarded as having such an impairment

Note: This is not the same as the HUD definition used for purposes of determining allowances.

Rehabilitated former drug users and alcoholics are covered under the ADA. However, a current drug user is not covered. In accordance with 24 CFR 5.403 and paragraph 3 of Section 3(b) of the 1937 Act, (42 U. S. C. 1437a(b)(3)), individuals are not considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence. Individuals whose drug or alcohol addiction is a material factor to their disability are excluded from the definition. Individuals are considered disabled if disabling mental and physical limitations would persist if drug or alcohol abuse discontinued.

Once the person's status as a qualified person with a disability is confirmed, the HA will require that a professional third party competent to make the assessment, provides written verification that the person needs the specific accommodation due to their disability and the change is required for them to have equal access to the housing program.

The HA reserves the right to propose an alternate accommodation that may more appropriately meet the needs of the disabled family member. If the HA finds that the requested accommodation creates an undue administrative or financial burden, the HA will deny the request and/or present an alternate accommodation that will still meet the need of the person.

An undue administrative burden is one that requires a fundamental alteration of the essential functions of the HA (i.e., waiving a family obligation).

An undue financial burden is one that when considering the available resources of the agency as a whole, the requested accommodation would pose a severe financial hardship on the HA.

The HA will provide a written decision to the person requesting the accommodation within 30 days. If a person is denied the accommodation or feels that the alternative suggestions are inadequate, they may request an informal hearing to review the HA's decision.

Reasonable accommodation will be made for persons with a disability that requires 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 HA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Verification of Disability

The HA will verify disabilities under definitions in the Fair Housing Amendments Act of 1988, Section 504 of the 1973 Rehabilitation Act, and Americans with Disabilities Act.

IV. WAITING LIST

When the Authority opens its Section 8 waiting list, it will do so by giving public notice. The notice will state that families may apply for Section 8 and will state where and when to apply, as well as any limitations on who may apply. The Notice will either state the period of time that the waiting list will remain open or a two week notice of closure will be given via the same notice media used in announcing the opening of the waiting list. The notice will state a policy of non-discrimination and identify the Section 504 Coordinator. The Notice will be published in the following newspapers:

1. Corvallis Gazette Times
2. Albany Democrat Herald
3. Lebanon Express

The Notice will also be sent to agencies that deal with Families who may be eligible for the Section 8 program. Among the agencies notified will be:

1. Adult and Family Services
2. Senior Services / Disability Services Office
3. Community Outreach

The waiting list may be closed when the Authority determines that the list contains an adequate pool of applicants.

V. WAITING LIST RANKING AND PRIORITY PLACEMENT FOR ASSISTANCE

Beginning on July 1, 1996, Federal Preferences will no longer be used. Applicants will be taken from the waiting list on a first come first served basis, except that those with a Housing Authority preference will be assisted prior to those who do not have a Housing Authority preference, and those with a priority placement or referral will receive housing assistance before those without a referral. However, 75% of all families receiving assistance shall have income under 30% of the median income for each county.

A. The Housing Authority has three preferences:

1. Those qualifying for priority placement for set aside Vouchers when openings occur.
2. Terminally Ill: (a.) A household member who is likely to die within two years in spite of medical treatment.
3. All others, except that families with children or a disabled member, or singles who are elderly, disabled, or handicapped shall be offered assistance before any non elderly, non handicapped/disabled single, or any family without children or a disabled member.

B. The Housing Authority has five programs for priority placement using set aside Vouchers:

1. **NON-ELDERLY DISABLED FAMILIES (MAINSTREAM VOUCHERS):** a total of 100 Vouchers have been received and designated for non-elderly disabled families (a family where head and /or spouse is handicapped or disabled but not elderly). These applicants will be selected from the regular Section 8 waiting list by date and time of application, and shall retain the original Mainstream Voucher the entire time they participate in Section 8, unless the family ceases to be considered a non-elderly, disabled family. In that event, the family would receive a regular Section 8 Voucher, and the Mainstream Voucher will be given to the next disabled, non-elderly family on the waiting list.
2. **HOMELESS MENTAL HEALTH (HMH):** 28 total Vouchers have been designated for chronically mental ill or developmentally disabled families who are homeless or under imminent threat of becoming homeless. To be eligible the household must be under treatment by a mental health agency and must be cooperating with that treatment. The agency making the referral must send a letter stating that the Household is eligible for this priority placement and is cooperating with treatment, and that they request one of the set aside Vouchers be used for the family (form for letter is supplied by the HA). A completed Section 8 Pre App must accompany the letter, unless the applicant is already on the waiting list. In cases where the form letter or Pre App is not included, the information received will be returned to the sending agency to be resubmitted in entirety. (See SECTION XXXI APPENDIX A.1, FOR Targeted Programs Participation Supplemental Family Obligations)
3. **FAMILIES IN TRANSITIONAL HOUSING PROGRAMS:** 23 total Vouchers have been designated for families who are participating in or who have successfully completed participation in a recognized community based transitional housing program. 5 of the 23 total are reserved for families participating the Second Chance Program administered by Community Services Consortium. Families given this priority must be cooperating fully with the transitional housing program. Program administrators will submit a letter requesting that a set aside Voucher be given to the family and acknowledging that the family is eligible and is cooperating with the program (form for letter is supplied by the HA). A completed Section 8 Pre App must accompany the letter, unless the applicant is already on the waiting list. In cases where the form letter or Pre App is not included, the information received will be returned to the sending agency to be resubmitted in entirety. (See SECTION XXXI APPENDIX A.2, FOR Targeted Programs Participation Supplemental Family Obligations)
4. **SURVIVORS OF DOMESTIC ABUSE (SDA):** 16 total Vouchers have been designated for individuals who are in crisis and are participating in a transitional housing program through Community Outreach and CARDV. Individuals given this priority must be cooperating fully with the transitional housing program. Program administrators will

submit a letter requesting that a set aside Vouchers be given to the family and that they are eligible and cooperating with the program (form for letter is supplied by the HA). A completed Section 8 Pre App must accompany the letter, unless the applicant is already on the waiting list. In cases where the form letter or Pre App is not included, the information received will be returned to the sending agency to be resubmitted in entirety. (See SECTION XXXI APPENDIX A.3, FOR Targeted Programs Participation Supplemental Family Obligations)

- 5. TEEN PARENT PROGRAM:** 25 total Vouchers have been designated for teens participating in teen parent programs. 5 of the 25 total are reserved for teens participating in Community Services Consortium's "Brock Home" for pregnant or parenting teens. The "teen" must be under 21, but if under 18, be fully emancipated or have been designated by Adult and Family Services or Services to Families with Children to be administratively capable of living on their own, and must be fully cooperating with a teen parent program within the Task Force (or CSC). A Teen Parent Task Force member (or CSC Brock Home Casemanager) must send a letter requesting a set aside Vouchers and indicating the teen parent is eligible and cooperating with the program (form for letter is supplied by the HA). A completed Section 8 Pre App must accompany the letter, unless the applicant is already on the waiting list. In cases where the form letter or Pre App is not included, the information received will be returned to the sending agency to be resubmitted in entirety. A teen under 17 WILL NOT be considered for this program unless there is a threat of physical or mental abuse to either the teen or child (children), in which case a special exception may be considered. ALL HOUSEHOLD MEMBERS who participate in this targeted program must be under 21 years of age. (See SECTION XXXI APPENDIX A.4, FOR Targeted Programs Participation Supplemental Family Obligations)

CONDITIONS FOR PRIORITY PLACEMENT

Participants in these programs must meet all other program eligibility requirements. The HA reserves the right to refuse granting any special priority (Section A or B, above) for good cause, such as having previously been a Section 8 participant and having violated a family obligation, or owing the HA money as a result of such participation, or having a history of or by engaging in drug related or criminal activity as outlined in Section XXV of the Administrative Plan. If denied, families will be advised of the reason in writing, and be granted an opportunity for an informal review. See SECTION XXXI APPENDIX for Conditions for priority placement and Forms to be Required.

After being placed for housing assistance in a priority program (2→5), a family will continue to receive a designation as participating in a priority FOR A PERIOD OF ONE YEAR. At that time they will no longer be considered to be using a priority

Voucher and the priority Voucher will become available for another family participating in that particular program to use.

VI. SELECTION

When the HA anticipates having funds to assist more families, or a normal turnover of Vouchers occurs, it will send top-of-the list letters to applicants from the waiting list by date and time of application, taking into consideration the preferences described above.

VII. REMOVAL FROM THE LIST

If an applicant fails to respond to a top-of-list notice within the time specified in the letter, their name will be removed from the list. The only exceptions will be for Reasonable Accommodation or an act that is considered beyond the family's control, (i.e., hospitalization, accident, or documented theft of mail, etc.). Documentation will be required to consider a request for an exception. (Incarceration in jail or prison is an unacceptable reason). Applicants, who turn down assistance when available, will be removed from the Section 8 waiting list.

VIII. ELIGIBILITY

In order to be eligible to be issued a Voucher the applicant must:

1. meet the definition of family (see 24 CFR 982.210 and the definitions in Section XXV).
2. be income eligible in accordance with 24 CFR 982.201.
3. Provide documentation as required by 24 CFR 5.200, 5.500, and 982.201.
4. Must fulfill all required family obligations as required by 24 CFR 982.551, and outlined on the Housing Choice Voucher, and in the HA's Supplement to Family Obligation (the HA interpretation of the Family Obligations) and Supplement to Family Obligations for Targeted Programs, if applicable. (See SECTION XXXI APPENDIX, C, SECTION 8 FAMILY OBLIGATIONS 24CFR 982.551)

IX. ISSUING VOUCHERS

Appointment letters will be sent to applicants pulled from the waiting list who have responded as directed prior to the deadline, and whose income, assets, and expenses

have been verified according to regulations, for a briefing and will advise the applicant what information to bring to the briefing. Applicants must attend a briefing in order to be issued a Voucher. Briefings give applicants information on how the program works. Topics covered are listed in 24 CFR 982.30l. An applicant that is unable to attend a briefing, and requests an alternate appointment before the time of the briefing arrives, will be scheduled for another briefing. Failure to attend this second scheduled briefing without prior notice will result in the family being removed from the waiting list. A family will be rescheduled for a briefing only twice; if a family does not attend one of the scheduled briefings, the family will be removed from the waiting list.

A family will lose its place on the active waiting list permanently and will have to reapply for assistance if they do not respond to a "Top of the List Letter" before the deadline given on the letter.

During the briefing, individuals will be issued a Housing Choice Voucher. (For size of Voucher to be issued see Section XVI, Subsidy Standards.) If a family adds another household member after issuance of the Voucher but before lease-up, they will be required to fill out a new Family Information Update and the member (s) requesting to be added to the household will have to go through all normal application/eligibility procedures. Issuance of a Voucher, or approval of a RFAT, will be delayed until the family has again completed certification.

The following will be verified prior to issuing a Voucher (or prior to an addition to the household is completed): claim status, prior criminal record, family composition, disability, income and assets, and medical expenses, if applicable. Families will be required to provide certification of Social Security numbers and citizenship status in accordance with 24 CFR 5.210 and 5.500, as well as certifications that they have given true and complete information as requested by the HA and is required in 24 CFR 982.551.

If during this process the applicant is determined not eligible, they will be advised (in writing) of this determination. Applicants may request a review of the denial in accordance with the informal review process described in Section XVIII.

X. VOUCHER EXTENSIONS AND SUSPENSIONS

Each Voucher is issued for an initial 60-day term. Extensions to the term may be granted for up to an additional 60 days. A Voucher holder wishing an extension must make their request in writing before the expiration date of their Voucher. Extensions are granted in cases where the family has made a good faith effort to locate an approvable unit. Such efforts can be documented by regular inquiries made to obtain our referral list and the submission of the Request for Assisted Tenancy. The extension will be for a period of 60 days, unless the applicant can demonstrate exceptional need or disability, which would prevent the family from finding a unit within the 120 days.

Suspensions: When a Request for Assisted Tenancy is submitted the HA will suspend the time elapsing on the Voucher for up to 30 days total, i.e., the time on the Voucher will be extended for a maximum of 30 days for any one, or any combination of Request for Assisted Tenancies submitted.

XI. OCCUPANCY POLICY

A. INITIAL TERM OF THE LEASE

The initial term of the lease, lease addendum, and HAP Contract may be from 1 to 12 months, depending on the agreement that the landlord and participant have made and is reflected on the Rental Agreement/Lease Addendum that has been signed by both parties, and given to the HA for approval.

B. EFFECTIVE DATE OF THE LEASE

The effective date of lease addendum and Housing Assistance Payments Contract is the date the unit **PASSES** HQS inspection, or the date the lease actually starts, whichever is later.

C. ANNUAL RECERTIFICATIONS:

A Voucher family's income, assets, and expenses are recertified at least once every 12 months. If the effective date of the lease is a day other than the first of the month, the anniversary month will be the first day of the following month. Families are required to report, in writing (within 10 days of the date of the change), all changes in income, assets and family composition. Families will be notified approximately 120 days prior to the effective date of the Recertification. The HA will make every attempt to complete the recertification at least 30 days prior to the effective date, and will notify the participant and landlord in writing of any change in rent portions. The only exception to this policy will be when the assisted family has not cooperated or provided required verification in a timely manner as required by regulations.

Change of Live-In-Aid Status: A participant, who qualifies for a Live-In-Aid and wishes to change the Live-In-Aid's designation to family member, or change from family member to Live-In-Aid Status, may complete that change **ONLY** at Annual ReExam.

*Automatic Termination of Assistance according to 24CFR 982.445 (a):

When completing an Annual or Interim Recertification, and the Housing Assistance Payment will be zero (0), the HA will notify the participant regarding automatic termination of assistance that will occur in 6 months. The actual termination of assistance letter will be sent to both the participant and landlord at least 30 days in advance of the effective date.

The Housing Authority will not enter into a Housing Assistance Payments Contract for a new dwelling while a participant is at zero (0) HAP

D. ADDITIONS TO THE HOUSEHOLD:

Before allowing anyone other than those people listed on the HAP Contract to move in to the assisted unit, the family must secure permission from the HA and the Landlord for that person to reside in the unit. The participant must request and the HA will provide the Request for Addition to Household Packet, which must be completed by the proposed addition and must be signed by the head of household and the current landlord. If the landlord does not approve of the proposed addition to household, the HA will not approve the proposed addition.

- ◆ If HA and Landlord approve addition, the family will fill out Interim Change Report with new person listed
- ◆ There will be an interim change completed, and all income will be reverified, anytime there is a change of household composition
- ◆ If addition to Household is denied, the HA will send the participant an ineligibility letter (form letter), stating the reason for denial. Some reasons for denial might be a recent criminal history, owing money for a previous claim, a history of alcohol or drug abuse (resulting in disruption of the peaceful enjoyment of the neighborhood at a previous address).
- ◆ Once a determination has been made as to whether the proposed addition will be allowed to join the household, the HA will sign and send a copy of the "Request for and Addition to the Household" form (packet cover page) to both the participant and the landlord, so that all parties will be aware of the decision.

E. INTERIM RECERTIFICATIONS:

All rent reduction requests will be completed with the effective date for the first of the following month when the necessary verifications are received a minimum of five (5) Housing Authority working days prior to the end of the month. Interim Recertifications will be completed in accordance with our Interim Re-Exam Procedure. FSS Families may request a rent increase be completed anytime they have an increase of income, in order to increase their FSS escrow account deposits. The Authority will conduct determinations of eligibility for all additions to the household prior to giving approval to the addition and an interim rent change being completed.

CATEGORIES FOR INTERIM CHANGES:

All participants are required to fill out "Interim Change Report" completely and sign before an interim change will be completed. In some cases (at HA discretion), changes may be backdated for special circumstances or a delay in receiving verifications that is not participant caused.

1. Downward Changes

LBHA is required to make interim changes if the participant family reports a net reduction in income used to calculate the current level of assistance. This change is effective the first of the month following verification of the reported income loss. All factors are to be considered in determining the net loss, including anticipation of replacement income such as TANF or employment benefits. Income is calculated using an anticipated annual average.

2. No Income Families

a) Participant families whose last rental calculation was based on no income or extremely low income, will be required to complete a "survival statement" each month, showing all monies received during the month from all sources.

b) All "NO-INCOME" participants are subject to an interim change following the acquisition of any reasonably stable income, Income that is continuous but from different or changing sources (i.e., odd jobs, etc.) can be anticipated for the future by averaging past months' income as reported on survival statements required by the HA.

1. Inaccurate/Incomplete Reporting

a) LBHA will make immediate interim changes in any case where it is determined that all income was not reported and LBHA is not taking action to terminate assistance.

b) Interim changes will also be made in instances where the case manager determines that the reported increase in income is such that it should have been anticipated and reported by the participant family at the last rent calculation.

c) Any participant who does not report all income as required shall be subject to an immediate interim, with repayment of over-assistance going back to the date the income started. Termination of assistance will be considered where non-reporting of income was intentional and results in an overpayment of assistance.

1. Increase of Income

Interim Recertifications will be completed for anticipated or unanticipated changes of gross income of \$150 or more per month. The rent portion adjustment will be effective on the first of the month following 30 days from the change (not when the change is reported).

2. A change of Household composition: ALL income will be reverified and a change of rent will be completed; the Participant Rent Change Notice will reflect the added household member (s) If the household composition change necessitates a change of Voucher size (smaller), and it is less than 6 months to the annual Recertification, the

family will be allowed to stay at the larger Voucher size until the effective date of the next annual Recertification (unless they move to another unit, in which case they will be issued the appropriate Voucher for the family composition).

If no change is needed, the section 8 Case Manager will send the participant a "No Change" letter, or call the participant on the phone, and will note the file that the participant has been verbally notified.

XII. ENCOURAGE PARTICIPATION OF OWNERS OUTSIDE AREAS OF LOW INCOME AND MINORITY CONCENTRATION.

At least annually, Authority staff will meet with community wide individual owners and property managers to explain the Section 8 Program and any changes that may have occurred since the last meeting. The HA will prepare a newsletter at least quarterly to notify both participants and landlords of any program changes that occur between landlord outreach meetings. Copies of the Section 8 Newsletter will also be sent to area wide agencies and help organizations. Any changes occurring immediately will be noted on the HA website. The Housing Authority will encourage active communication between landlords and the Housing Authority. If the Authority becomes aware that a particular area within its jurisdiction is not available Section 8 participants because owners of rental units in that area are unwilling to participate, special effort will be taken to "market" the program to owners of rental property in that area.

XIII. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION.

If a family claims they are being, or have been discriminated against because of their protected class status, the Authority will provide them with a Fair Housing pamphlet and a discrimination complaint form HUD-903 or HUD-903A. If the family needs help filling the form out, Authority staff will assist them. Further, the Authority will give them the name, address and phone number of the FHEO office to which such complaints should be forwarded. At their initial briefing, each family is given a Fair Housing pamphlet and the above complaint form.

XIV. PROVIDING INFORMATION REGARDING FAMILIES TO PROSPECTIVE OWNERS.

When a family turns in it's Request for Assisted Tenancy, Authority staff will contact the owner of the selected unit or the participant if already residing in the unit. We will schedule an inspection and answer any questions about the program, confirm rent, utilities, etc.

In addition, the Housing Authority will provide the owner with any of the following information that is in the Authority's possession:

PROVIDED ON THE REQUEST FOR ASSISTED TENANCY:

- the family's current address;
- name, address and phone number of family's current and previous landlord (if known);

PROVIDED WITH A CALLOF INQUIRY FROM THE LANDLORD AFTER THE REQUEST FOR ASSISTED TENANCY IS RECEIVED

- information about any previous outstanding damage claims paid on behalf of the family; and
- any information about program warnings in the file or past program termination
- Information in the participant file concerning landlord warning or eviction notices, police reports at an assisted unit, court actions involving restraining orders or FEDs.
- information about housekeeping or other special inspections conducted and/or maintenance charges assessed families who were prior tenants in an Authority managed unit as it pertained to that unit only, in response to a Landlord inquiry.

XV. DISAPPROVAL OF OWNERS

The Authority will not approve a unit if the owner of the unit is on the Authority's Disapproved Owner List. Owners are disapproved in cases where HUD regulations at 24 CFR 982.306 (a) and (b) mandate disapproval. Further, the Authority will disapprove an owner for one year or such longer time as may be deemed appropriate considering the seriousness of the owner action, when the owner has:

- violated obligations under a Housing Assistance Payments Contract with the Housing Authority;
- committed fraud, bribery or any other corrupt or criminal act in conjunction with any federal housing program;
- engaged in drug trafficking; or manufacture of a controlled substance;

- a history of non compliance with HQS for units leased under the Authority's Certificate/Voucher or moderate rehabilitation programs;
- a history of renting units that fail to meet local housing codes; or
- a history of non-payment of real estate taxes.

Before an owner's name is placed on the Disapproved Owner list, they are so informed in writing. The notice will state the reasons the owner's name is being placed on the list and the length of time the owner's name will remain on the list. Owners who have been disapproved may request, in writing, a review of the determination. The Executive Director or the person he or she designates will conduct the review. The Disapproved Owner list is available to the public at the reception desk in the Authority's lobby.

XVI. SUBSIDY STANDARDS

1. It is the policy of the Authority that each participant family be required to pay a minimum Total Participant Payment of \$50 per month. A family (that falls within the Minimum TTP category) that would otherwise be evicted for non-payment of rent shall be considered for a hardship exception to the minimum TTP. The family must request the exception in writing, stating the reason for the request.

Things to be considered when granting a hardship exception:

- A. When it can be determined that the family has had no income in which to pay the rent.
- B. There were extreme medical expenses which, when verified, left the family with no money in which to pay the rent.
- C. The family, through circumstances beyond their control, are without money to pay the rent

The HA will take into consideration all such factors when making the decision, and the family will have a right for an informal hearing if they disagree (following the usual procedure for requesting a hearing in Section XVIII of this document).

1. The Voucher size issued is based on smallest number of bedrooms (assuming a maximum of two persons per bedroom) that is consistent with the following constraints:
 - ◆ persons of the opposite sex (other than children under the age of six or persons in a spousal type relationship) will not be required to share a bedroom.
 - ◆ persons under the age of 18 will not be required to share a bedroom with an adult. In cases where a child in the household becomes 18 years of age, and

there is another adult of the same sex living in the unit, the family will make the transition for the parent/other adult member to share a bedroom with the adult child during the three year time period between when the adult child turns 18 and 21 years of age. If the family moves to another unit during the transition period, the adult child and parent/other adult member will be given 1 bedroom.

- ◆ Two disabled/elderly persons who qualify for the program independently, and live together for mutual support, will be considered a family, and will be allowed a two-bedroom subsidy, (not including a bedroom for a live-in-aide, if needed).
- ◆ Live in aides will not be required to share a bedroom with a member of the participant family. However, in no case will a live in aide (or the live in aide's family members) be given more than one additional bedroom. Initially, or with a change of Live In Aid, a family will be given 6 months to request addition of the Aid before the bedroom size is reduced because of no Live In Aid in the household. The HA will decline to approve a particular person as a live-in-aide for a person with disabilities, or will withdraw approval if the proposed live-in-aide:
 - 1) commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program,
 - 2) commits drug-related criminal activity or criminal activity as outlined in Section XXV of the Admin Plan.
 - 3) currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Housing Act.
 - 4) Has been terminated previously from the Section 8 Program due to program non-compliance.

Eligibility checks will be completed (and documented in the file) for all prospective live in aides (and any family members that will live with them in the assisted unit) and they must meet the same eligibility criteria as a program applicant or participant, excluding income criteria..

For the purpose of determining bedroom size and childcare deductions, a dependent must be present in the household for a minimum of 183 days per year (or 51% of the time). A full time college student who lives away from home for the purpose of going to school, but lives at home during holidays and the summer will be exempt from this requirement.

A person who resides on the assisted premises 51% of the time will be considered living at the unit and a member of the family.

XVII. VOUCHER PAYMENT STANDARD AND AFFORDABILITY ADJUSTMENT

The Voucher Payment Standard will be reviewed annually in conjunction with the publishing of new FMRs. The payment standard will be set at an amount that will allow the Authority to best meet housing needs in the community. The payment standard will be between 90% and 110% of the FMR. Each time the FMR changes, the Housing Authority will analyze whether or not the Voucher standard is sufficient for families to locate units in the community.

XVIII. RENT REASONABLENESS

Each year the HA will conduct a rent comparison survey to include all cities, towns, and rural areas in the HA jurisdiction.

A. METHOD FOR CONDUCTING THE RENT COMPARISON SURVEY

The HA will call a reasonable number of landlords offering units to rent in each area. We will use posted signs and newspaper ads to contact owners of Open Market Units. We will ask questions regarding the following items:

- 1) Basic Unit Information, such as location, condition of unit, number of bedrooms, type of unit, size of unit in square feet, number of baths, rent amount, etc.
- 2) Unit accessibility, such as access to transportation, shopping, schools, medical facilities, bus line, etc., available
- 3) Unit Amenities, such as handicapped accessibility, Washer/dryer connection in unit, dishwasher, range and/or refrigerator provided, deck/patio, coin operated washer/dryer, cable included in rent, on-site manager, owner provided washer/dryer, water, sewer, or garbage paid by owner, microwave, carport or covered parking, etc.
- 4) Facilities included in the rent, such as a playground, parking, storage, swimming pool, rec room, exercise equipment, and maintenance such as lawn or yard care, etc.

A. APPLICATION OF COMPARISONS

- 1) Prior to execution of a HAP contract, each unit for which we have received a Request for Assisted Tenancy will be compared with two other units within the same general location, of the same unit size and type, similar amenities, accessibility, and facilities to insure the rent being charged for the proposed assisted unit is reasonable and compares to other units of similar type, and that the rent being charged is not excessive,
- 2) Each unit will complete a rent reasonableness comparison anytime there is a notice of rent increase given for the unit to insure the rent is still comparable and isn't excessive.

XIX. UTILITY ALLOWANCE UPDATES

1. The Housing Authority will conduct a survey of area utility rates each year and utilities will be adjusted accordingly at each family's Annual Recertification. We will conduct the utility survey by calling all utility companies within our jurisdiction, including companies for water, sewer, garbage, electricity, natural gas, oil, and propane if needed. Results will be compiled in a chart (s) that will be available to the public at the reception desk.
2. If a family feels that the rates used to determine the utility allowance for the unit they want assisted under the Section 8 Program are excessive, they have the option of providing documentation of actual utility costs for the unit. The Authority will review all such documentation that is provided, and determine whether an adjustment of utility allowance should be given to the unit.

XX. HQS EXCEPTIONS

The Authority uses the regulatory HQS as described in 24 CFR 982.40l. The Housing Authority also has the following local HQS requirement (s):

1. A well water test within the last 24 months showing the absence of coliform and E. coli is required for all assisted dwellings that use a well as the domestic water source. Where the well water test includes an elevated level of bacteria and nitrates, the septic tank must be pumped or certified that those levels are not related to septic tank operations. In cases where the water test is unacceptable, the landlord will provide the family with an alternate source of water for drinking and cooking until the well water is acceptable.
2. In the case of repairs that are dependant on weather conditions in order to be completed, the HA will offer the landlord a repair agreement for the repairs to be completed within a specific time frame. If the owner does not return the repair agreement as required, or repairs are not completed as agreed upon, the unit will be considered in HQS violation and the rent will be abated. If repairs are not completed within the following 30 days, the HAP contract will be terminated.

XXI. INFORMAL REVIEWS AND HEARINGS

When action(s) taken by the Authority that require(s) the option of a hearing (or review), including 504 Grievances, notification will be made in writing. The notification will cite the action and the reason for the action, clearly state that there is a right to a hearing (or review) and state that there are 10 days from the date of the letter in which to request a hearing (or review). The request (for an informal hearing or review) must be in writing.

The results of the hearing (or review) will be communicated to the participant or applicant promptly and in writing (within 10 working days). No final action will be taken until the results are mailed.

DENIAL OR TERMINATION OF ASSISTANCE: The HA may deny or terminate assistance for a family because of the family's action or failure to act. The HA will provide families with a written description of the family obligations under the program, the grounds under which the HA can deny or terminate assistance, and the HA's informal review and hearing procedures. When the HA receives information that would normally lead to denial or termination of assistance, the HA will notify the household of the proposed action to be based on the information and will provide the subject of such information, and the applicant or participant a copy of such information, and an opportunity to dispute the accuracy and relevance of the information will be provided to the family. This opportunity will be provided before a denial of eligibility decision or a termination of assistance decision is made based on the information.

Mandatory Grounds for Denial or Termination of Assistance (24 CFR 982.552(b))

The Housing Authority must deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

1. **METHAMPHETAMINE:** The HA MUST permanently deny assistance to applicants, and terminate the assistance of persons convicted of manufacturing or producing Methamphetamine on the premises of federally assisted housing.
2. **SEX OFFENDERS:** The HA MUST deny admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.
3. **EVICTION:** The HA MUST terminate program assistance for a family evicted from housing assisted under the program for a serious violation of the lease.
4. **SIGN AND SUBMIT CONSCENT FORMS:** The HA MUST deny admission to the program for an applicant or terminate program assistance for a participant, if any member of the family fails to sign and submit consent forms for obtaining information in accordance with Part 5, subparts B and F of this title.
5. **CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS:** The HA MUST deny admission or terminate program assistance because a family member does not establish citizenship or eligible immigration status according to 24CFR 5.514 (c)

Other Grounds for Denial or Termination of Assistance (24 CFR 982.552(c)): The Housing Authority may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

1. If the family violates any family obligations under the program (see 24 CFR 982.551).
2. If any family member has been evicted from federally assisted housing in the past five (5) years..
3. If an HA has ever terminated assistance under the program for any member of the family.
4. If any member of the family has committed (or commits)drug-related criminal activity, or violent criminal activity (see 24 CFR 982.553) Evidence of criminal activity: In determining whether to deny or terminate assistance based on drug-related criminal activity or violent criminal activity, the HA may deny or terminate assistance if the preponderance of evidence indicates that a family member has engaged in such activity, regardless of whether the family member has been arrested or convicted. 24 CFR 982.553 Section (c)
5. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
6. If the family currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 act.
7. If the family has not reimbursed any HA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
8. If the family breaches an agreement with the HA to pay amounts owed to an HA, or amounts paid to an owner by an HA. (The HA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to an HA or amounts paid to an owner by an HA. The HA may prescribe the terms of the agreement.)
9. If a family participating in the FSS program fails to comply, without good cause, with the family's FSS contract of participation.
10. If the family has engaged in or threatened abusive or violent behavior toward the HA personnel.

“Abusive or violent behavior towards HA personnel” includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial.

“Threatening” refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence.

11. Actual physical abuse or violence will ALWAYS be cause for termination.

24 CFR 982.552 Consideration of Circumstances

In determining whether to deny or terminate assistance because of action or failure to act by members of the family:

- i. The Housing Authority may consider all relevant circumstances such as the seriousness of the case, the extent of the participation or responsibility of individual family members, mitigating circumstances relating to the disability of a family member, and the effects or denial or termination of assistance on other family members who were not involved in the action or failure.
- ii. The Housing Authority may impose, as a condition of continued assistance for other family members, a requirement that other family members who participated in or were responsible for the action or failure will not reside in the unit. The housing authority may permit the other members of a participant family to continue to receive assistance.
- iii. In determining whether to deny admission or terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the HA may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. For this purpose the HA may require the applicant or participant to submit evidence of the household member's current participation in or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.
- iv. If the family includes a person with disabilities, the HA decision concerning such action is subject to consideration of reasonable accommodation.
- v. The Housing Authority's admission and termination actions will be consistent with fair housing and equal opportunity provisions.

Exclusion of Responsible Household Member. The Housing Authority may require an applicant or participant to exclude a household member in order to be admitted to the housing program or continue receiving housing assistance, where that household member has participated in or been responsible for action or failure to act that warrants denial or termination.

Consideration of Rehabilitation In determining whether to deny admission or terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the housing authority may:

- a consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. The housing authority may require the applicant or participant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.
- b choose not to consider whether the person has been rehabilitated.

24 CFR 982.554 Informal Review for an Applicant

Denial of assistance may include any or all of the following: denying listing on the HA waiting list, denying or withdrawing a voucher, refusing to enter into a HAP contract or approve a lease, and refusing to process or provide assistance under portability procedures (24 CFR 982.552 (a) (2)).

(a) *Notice to applicant.* The HA must give an applicant for participation prompt notice of a decision denying assistance to the applicant. The notice must contain a brief statement of the reasons for the HA decision. The notice must also state that the applicant may request an informal review of the decision and must describe how to obtain an informal review.

(b) *Informal Review process.* The HA must give an applicant an opportunity for an informal review of the HA decision denying assistance to the applicant.

- (1) The review may be conducted by any person or persons designated by the HA, other than a person who made or approved the decision under review or a subordinate of this person.
- (2) The applicant must be given an opportunity to present written or oral objections to the HA decision.
- (3) The HA must notify the applicant of the HA final decision after the informal review, including a brief statement of the reasons for the final decision. Generally this will be done within 10 working days of the date of the review.

(c) *When an informal review is not required.* The HA is not required to provide the applicant an opportunity for an informal review for any of the following:

- (1) Discretionary administrative determinations by the HA.
- (2) General policy issues or class grievances.
- (3) A determination of the family unit size under the HA subsidy standards.
- (4) An HA determination not to approve an extension or suspension of a Voucher Term
- (5) An HA determination not to grant approval to lease a unit under the program or to approve a proposed lease.
- (6) An HA determination that a unit selected by the applicant is not in compliance with HQS.
- (7) An HA determination that a unit selected by the applicant is not in compliance with HQS because of the family size or composition

24 CFR 982.555 Informal Hearing for a Participant

Termination of assistance for a participant may include any or all of the following: refusing to enter into a HAP contract or approve a lease, terminating housing assistance payments under an outstanding HAP contract, and refusing to process or provide assistance under portability procedures.(24 CFR 982.552 (a) (3).

(a) When a hearing is required.

- (1) An HA must give a participant family an opportunity for an informal hearing to consider whether the following HA decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD Regulations and HA policies:
 - (i) A determination of the family's annual or adjusted income, and use of such income to compute the housing assistance payment.
 - (ii) A determination of the appropriate utility allowance (if any) for participant paid utilities from the HA utility allowance schedule.
 - (iii) A determination of the family unit size under the HA subsidy standards.
 - (iv) A determination that a certificate program family is residing in a unit with a larger number of bedrooms than appropriate for the family size under HA subsidy standards, or the HA determination to deny the family's request for an exception from the standards.
 - (v) A determination to terminate assistance for a participant family because of the family's action or failure to act (see 24 CFR 982.552)

(vi) A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under HA policy and HUD rules.

(2) In the cases described in paragraphs (a)(1)(iv), (v) and (vi) of this section, the HA must give an opportunity for an informal hearing before the HA terminates housing assistance payments for the family under an outstanding HAP contract.

(b) *When a hearing is not required.* The HA is not required to provide a participant family an opportunity for an informal hearing for any of the following:

- (1) Discretionary administrative determinations by the HA
- (2) General policy issues or class grievances
- (3) Establishment of the HA schedule of utility allowances for families in the program.
- (4) An HA determination not to approve an extension or suspension (tolling) of a Certificate or Voucher term.
- (5) An HA determination not to approve a unit or lease.
- (6) An HA determination that an assisted unit is not in compliance with HQS. (However, the HA must provide the opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS caused by the family as described in 24 CFR 982.551.
- (7) An HA determination that the unit is not in accordance with HQS because of the family size.
- (8) A determination by the HA to exercise or not exercise any right or remedy against the owner under a HAP contract.

(c) Notice to the family.

(1) In the cases described in paragraphs (a)(1)(i)(ii), and (iii) of this section, the HA must notify the family that the family may ask for an explanation of the basis of the HA termination, and if the family does not agree with the determination, the family may request an informal hearing on the decision

(2) In the cases described in paragraphs (a)(1)(iv), (v) and (vi) of this section, the HA must give the family prompt written notice that the family may request a hearing. The notice must:

- (i) Contain a brief statement of the reasons for the decision
- (ii) State that if the family does not agree with the decision, the family may request an informal hearing on the decision, and
- (iii) State the deadline for the family to request an informal hearing (in writing, within 10 days of the date of the notice).

(d) *Expeditious hearing process.* Where a hearing for a participant family is required under this section, the HA must proceed with the hearing in a reasonably expeditious manner upon the request of the family.

(e) *Hearing Procedures*

(1) The hearing procedure will be as follows:

- a. The hearings officer will call the hearing to order and state the issue to be decided.
- b. Each person present shall then state his or her name for the record, beginning with the hearings officer. The HA may record the hearing for further review.
- c. After each person has stated his or her name, testimony will be taken regarding the issue, beginning with the Housing Authority.
- d. After the Housing Authority has stated its case, the participant will state its case.
- e. The participant may question the Housing Authority's testimony and examine any evidence presented.
- f. The Housing Authority may question the participant's testimony and examine any evidence it presents.
- g. After all testimony has been heard, and all evidence presented, the hearing will be adjourned.
- h. Generally, within 10 working days, the LBHA hearings officer will send written notification of the hearing determination to the participant. The decision of the Hearings Officer must be in writing, must be based solely on evidence provided at the hearing, and must state the legal and evidentiary grounds for the decision.

(2) *Discovery*

- (i) By the family. The family must be given the opportunity to examine before the HA hearing any HA documents that are directly relevant to the hearing. The family must be allowed to copy any such document at the family's expense. If the HA does not make the document available for examination on request of the family, the HA may not rely on the document at the hearing.
- (ii) By the HA. The HA must be given the opportunity to examine at the HA office before the hearing, any family documents that are directly relevant to the hearing. The HA must be allowed to copy any such document at the HA's expense. If the family does not make the document available for examination on

request of the HA, the family may not rely on the document at the hearing.

(iii) Documents. The term “documents” includes records and regulations

(3) Representation of the Family. At its own expense, the family may be represented by a lawyer or other representative, and the family lawyer or representative has the opportunity to examine the documents at the HA office as outlined in part (2)(I), above.

(4) Hearings Officer: appointment and Authority

(i) The hearing may be conducted by any person or persons designated by the HA, other than a person who made or approved the decision under review or a subordinate of this person.

(ii) The person who conducts the hearing may regulate the conduct of the hearing in accordance with the HA hearings procedures.

(5) Evidence. The HA and family must be given the opportunity to present evidence, and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

(6) Issuance of decision. The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing. A copy of the hearing decision shall be furnished promptly to the family.

(f) Effect of decision. The HA is not bound by a hearing decision:

(1) Concerning a matter for which the HA is not required to provide an opportunity for an informal hearing under this section, or that otherwise exceeds the authority of the person conducting the hearing under the HA hearing procedures.

(2) Contrary to HUD regulations or requirements, or otherwise contrary to federal, state, or local law.

(3) If the HA determines that it is not bound by a hearing decision, the HA must promptly notify the family of the determination, and of the reasons for the determination.

504 Grievance Procedure

Any participant in the Linn-Benton Housing Authority's Section 8 and / or Moderate Rehabilitation programs who believes she / he has been discriminated against because of a disability may request a hearing with the Linn-Benton Housing Authority on the basis of disability, or they may file a complaint with a government agency or they may do both. A hearing request may involve an allegation against any person alleged to be engaged, or to have been engaged, or about to engage in a discriminatory housing practice as prohibited in Section 504 of the Rehabilitation Act of 1973, as amended or the Fair Housing Act.

Due process standards will provide for the prompt and equitable resolution of the hearings alleging any action prohibited under Section 504 or the Fair Housing Act. See Informal Hearing for a Participant, Section (e) Hearing Procedures

The Section 504 Coordinator who will assist persons in requesting a hearing is the Executive Director, or his/her designee. Our telephone number is (541) 926-4497.

Complaints of discrimination may be filed with the U. S. Department of Housing and Urban Development at the following address: Intake Unit, U. S. Department of Housing and Urban Development, Northwest/Alaska Area Office, Office of Fair Housing and Equal Opportunity, 909 First Avenue, Suite 205, Seattle, WA 98104-1000. The telephone number is (206) 220-5170 and the toll free number is 1-800-424-9590

The procedures do not apply to disputes between participants not involving the Housing Authority nor is it to be used as a forum for initiating or negotiating policy changes between a group or groups of participants and the Housing Authority's Board of Commissioners.

XXII. LENGTH OF ABSENCE FROM THE UNIT

Families who are absent from the unit must notify the Authority in writing within 10 working days of the beginning of their absence. Subsidy may continue on the unit up to 182 days except in the case of voluntary absences. Upon receipt of the notice from the family the Housing Authority will determine the type of absence from the unit.

Absences from the assisted unit fit into one of two categories:

- 1. Voluntary Absence:** absence in which the family has some control. They include things such as trips, vacations, employment outside the area, etc. When absences by all adult members of the household exceed 60 consecutive days, it will no longer be considered their principal place of residence. If adults are

absent more than 182 non- consecutive days in a 12-month period, it will no longer be considered the principal place of residence, and assistance will be terminated. For the purpose of this section incarceration in a correctional facility or penal institution shall be considered a voluntary absence.

The HA need not wait to terminate assistance to families who are voluntarily absent if it can be reasonably determined that such absences will exceed 60 consecutive days or cause the family to be absent more than 182 days out of a 12 month period.

2. Involuntary Absence: those absences, in which the family has little, if any, control. These may include such things as hospitalization, nursing home care, programs requiring in-patient treatment, etc. Absences should not exceed 120 consecutive days or 182 non-consecutive days in any 12-month period. As much as possible the HA will try to work with families facing involuntary absences, and may permit absences beyond 120 consecutive days if there is a reasonable expectation that they will be able to return within a reasonable period of time.

IN ALL CASES:

Any request for an extension of time must be in writing and must be submitted at least 10 working days before the end of the period of absence approved. Extensions will not be granted for periods of incarceration, but may be granted for participation in drug treatment programs or in-patient mental health facilities. In no case can an absence exceed 182 days.

XXIII.SUBSIDY IN CASES OF FAMILY BREAKUP

In cases where an assisted family breaks up, the eligible adult members in descending order as follows will retain assistance:

The adult:

1. who the entire family designates;
2. who is designated by a court, if applicable;
3. who is forced to move due to actual or threatened physical violence by another member in the household;
4. who has the largest number of minor children and /or elderly and/or disabled members with them;

5. who remains in the assisted unit.

XXIV.SPECIAL HOUSING TYPES

The Authority recognizes only Independent Group Residences, Congregate Care Facilities, Shared housing, and mobile home space pad rent as special housing types.

XXV. AMOUNTS OWED THE AUTHORITY BY PARTICIPANTS

The Authority will honor any agreements entered into under previous rules of the Section 8 program. Repayment agreements will continue to be offered to participants and terms of the agreements will be strictly enforced. Terms are generally 10% or \$50.00 (whichever is lower) required at the time agreement is executed and balance due in 12 equal installments. If a participant fails to sign a repayment agreement for monies owed the HA, assistance will be terminated, and they will not be eligible to reapply for assistance unit payment has been made in full, and the appropriate program sanctioning period has passed. During the course of their participation in the Housing Assistance programs, a participant shall only be allowed one payback agreement. After the initial payback agreement is executed, all other monies owed are due and payable immediately upon discovery.

If an applicant owes any Housing Authority for amounts owed as a previous Section 8 participant, a Public Housing participant, or participation under another housing program funded under the Housing Act of 1937 (the 1937 Act), the Authority will NOT place the applicant's name on the waiting list. The applicant will be sent a letter stating that they are ineligible to apply until the amounts owed to LBHA or any other HA is paid in full. At such time as the amount owed is PAID IN FULL, their application will be accepted, unless a separate sanction waiting period exists due to termination from the program for a breach (or breaches) of Family Obligations.

If a participant owes any Housing Authority for amounts owed as a Section 8 participant, a Public Housing participant, or a participant under another 1937 Act assisted housing program, the Authority will not issue a new Voucher, approve a lease, or enter into a new Housing Assistance Payments Contract for the participant until the full amount has been paid, or the participant has entered into a repayment agreement and is in good standing (not more than one month in arrears).

XXVI. PORTABILITY/MOVES

A. PORTABILITY:

The Authority administers portability in accordance with the regulations as outlined in 24 CFR 982.353, 354 and 355. If an applicant is not a resident of the Authority's jurisdiction at the time of application, the family is not eligible to use portability for 12 months from the time the applicant was first admitted to the program.

No family may move more than once in any 12-month period outside our jurisdiction. If a family who uses portability to move to another jurisdiction, and wishes to move back to the jurisdiction of LBHA before 1 year has elapsed, the HA MAY allow the move, depending upon circumstances and whether the HA has Vouchers available.

B. LEASE TRANSFERS WITHIN LBHA JURISDICTION:

Participants may move with continued tenant-based assistance. However, families may not move within the first year after their initial lease up, or within one year of any subsequent move. The only exceptions to this policy will be when remaining in the current unit will create an exceptional hardship for the family such as a medical emergency, the threat of danger, a subsidy size change, or other conditions beyond the family's control, and the family has requested an exception in writing, stating the reason for the request. The HA may require other documentation of need before approving or denying the exception.

A. LEASE TRANSFER CAUSED BY TERMINATING THE HAP CONTRACT BECAUSE A UNIT IS TOO BIG OR TOO SMALL.

If the HA determines that a unit does not meet subsidy standards because of a change of family composition, the HA will issue the family a new voucher that is the appropriate size for the family. A family will have up to 60 days to move to a different unit or request and extension. If the family chooses not to move to a different unit, the Voucher Payment Standard will be adjusted for the current unit at the first of the month following 90 days from the composition change. The only exception to the policy will be in the case of hardship for a family with a disabled member, and the transition of a family member from age 18 to 21 as outlined in Section XV of the Admin Plan.

XXVII. VOLUNTARY TERMINATION:

The participant may request to be dropped from the program (DOP) with a completion of the Drop Off Form, a written notice to the HA, or verification of death or move out of the sole remaining household member. The effective date may vary depending on individual circumstance. In the case of a voluntary DOP no program sanctioning will occur when proper procedure has been completed. A copy of the Notice or Drop Off form will be mailed to the Landlord (if currently under lease), to inform him of the change and that the HA is no longer providing assistance to the family.

XXVIII. FAMILY SELF-SUFFICIENCY (FSS) PROGRAM

The Authority policies for administration of the FSS Program are contained in the Authority's FSS Action Plan. If the Action Plan does not address an area, such as hearings for termination from the program, the policies of the Administrative Plan prevail.

XXIX. INELIGIBILITY AS A RESULT OF PROGRAM NON-COMPLIANCE OR CRIMINAL ACTIVITY

Opportunity to Dispute: When the HA obtains criminal record information from a State or local agency, or any other credible source showing that a household member (or members) has (have) been arrested for or convicted of a crime relevant to applicant eligibility or participant compliance, or other information from any source involving issues of ineligibility or program compliance, and such information would normally lead to denial or termination of assistance, the HA will notify the household of the proposed action to be based on the information and will provide the subject of such information, and the applicant or participant a copy of such information, and an opportunity to dispute the accuracy and relevance of the information will be provided to the family. This opportunity will be provided before a denial of eligibility decision or a termination of assistance decision is made based on the information.

A. Involuntary Termination:

Termination of Eligibility for Section 8 rental assistance is an action taken by LBHA as a direct result of the participant's action or inaction.

1. The participant violates one or more of the Section 8 Family Obligations if:
 - a. a participant has failed to provide information or verification, complete paperwork as requested, or keep appointments, three (3) letters are sent asking the participant to take the necessary action. The third letter will

be a "Final Warning" letter, stating that unless they take the action described, their assistance will be terminated.

- b. the assisted unit fails to meet HQS, because of a participant responsibility, two (2) letters requesting participant action will be sent, not to exceed the 30 day period allowed by HQS Regulations. The first one being the "Fail Letter" from inspection; the last one being the "Final Warning" letter stating that unless they take the action described, their assistance will be terminated. For serious or life threatening violations, (2) two requests may be waived.
 - c. a participant fails to be home (or fails to have an alternate person over 18 years of age be available) for two scheduled inspections, and has not called to reschedule in advance, termination of assistance will proceed.
 - d. the participant has violated other family obligations, termination may proceed with or without warnings as circumstances indicate, and at the discretion of the HA..
 - e. it is the first occurrence of a violation of family obligations, and the violation was believed by the HA to be unintentional, and depending on the severity of the circumstances, the participant may be allowed to remain on the program, by signing a Program Violation Warning, and Repayment Agreement if necessary. If the participant violates the same obligation twice, termination will proceed. In no case shall a participant be offered more than a total of two Program Violation Warnings during their participation.
2. The date of termination may vary. Generally, the notice is for thirty (30) days or to the last day of the month following the date the termination letter is sent. In some cases where the participant has moved out of the assisted unit, and a landlord is not involved, the termination date will be immediate, with the participant being given the opportunity for an informal hearing.
 3. There will be a preponderance of evidence in the file to support the reasons for termination.
 4. Whenever the termination is due to failure of the participant family to report income or change of family composition resulting in a overpayment of assistance, demand for repayment of said money will be stated in the termination letter .
 5. If the participant is still in the unit, the Landlord is sent the Termination of Housing Assistance Payments letter at the same time the participant letter is mailed.

HEARINGS

Hearings may be requested in writing by the participant within 10 days of the date of the termination letter. The hearing is scheduled prior to the date of the final termination (unless there is no landlord involved). If the hearing cannot be scheduled prior to the effective date of the termination, and the participant still lives in the unit, the Housing Assistance Payment will be extended by 1 month to allow for the hearing process to be completed. The hearings officer is provided by the HA according to the HA Informal Reviews and Hearings Policy. An attorney or other representative may represent the participant (see XVIII. Informal Reviews and Hearings).

B. Ineligibility and Termination of Assistance Sanctions

A. Applicants who have been declared ineligible because of fraud, bribery, or any other criminal act in connection with the program as outlined in the Family Obligations Supplement, will not be eligible to reapply for a period of five (5) years from the date they were declared ineligible.

B. Participants who have been terminated from program participation because of fraud, bribery, or any other criminal act in connection with the program as outline in the Family Obligations Supplement, will not be eligible to reapply for housing assistance for a period of five (5) years from the effective date of termination.

C. Applicants who engage in any form of violent or drug related criminal will be ineligible to apply for housing assistance for a period of five (5) years from the date of the last commission of said activity. Applicants convicted of possession of a controlled substance for personal use only, are ineligible for 12 months from the date of said use or possession, upon a showing of completion of a drug treatment program and six months of verified sobriety.

D. Participants who are terminated because of engaging in any form of serious criminal activity, including illegal drugs, crimes involving the use or threatened use of force against persons or property, while a program participant, will be ineligible to apply for housing assistance for a period of five (5) years from the date of the termination of their assistance.

E. Applicants or Participants who are either declared ineligible or are terminated from program participation for a violation of any Family Obligation, (other than previously described above) as described on the Certificate of Participation, Housing Choice Voucher, or the Family Obligation Supplement, and defined in 24 CFR 982.551, or because of program non-compliance as outlined in Section XXV of the Administrative Plan, shall be ineligible to reapply for housing assistance for a period of two (2) years

from the date of the determination of ineligibility or the effective date of termination from the program.

F. Applicants who have been evicted from public housing, or have been terminated previously from program participation, the HA has determined that:

a. there is reasonable cause to believe that the person abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents

b. There is reasonable cause to believe that the person's PATTERN OF ILLEGAL USE OF A CONTROLLED SUBSTANCE OR A PATTERN OF ABUSE OF ALCOHOL that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents

c. There is evidence that there has been a PATTERN OF ILLEGAL USE OF A CONTROLLED SUBSTANCE OR A PATTERN OF ABUSE OF ALCOHOL that interferes the health and safety of the public at large (including property), including, but not limited to, repeated DUI's, or repeated arrests that involve such patterns of abuse.

(Such Persons) ARE INELIGIBLE FOR ADMISSION TO SECTION 8 PROGRAMS (or any other type of housing program) FOR A PERIOD OF 3 YEARS FOR ALCOHOL ABUSE AND 5 YEARS FOR ABUSE OF A CONTROLLED SUBSTANCE.

G. Participants Section 8 Assistance WILL BE TERMINATED (according to procedures) for any family who has a member for which the HA has determined:

a. there is reasonable cause to believe that the person abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

b. There is reasonable cause to believe that the person's PATTERN OF ILLEGAL USE OF A CONTROLLED SUBSTANCE OR A PATTERN OF ABUSE OF ALCOHOL that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

c. There is evidence that there has been a PATTERN OF ILLEGAL USE OF A CONTROLLED SUBSTANCE OR A PATTERN OF ABUSE OF ALCOHOL that interferes the health and safety of the public at large (including property), including, but not limited to, repeated DUI's, or repeated arrests that involve such patterns of abuse.

(Such Persons) ARE INELIGIBLE FOR ADMISSION TO SECTION 8 PROGRAMS (or any other type of housing program) FOR A PERIOD OF 3 YEARS FOR ALCOHOL ABUSE AND 5 YEARS FOR ABUSE OF A CONTROLLED SUBSTANCE.

H. MANDATORY DENIAL AND INELIGIBILITY

1. METHAMPHETAMINE: The HA MUST permanently deny assistance to applicants, and terminate the assistance of persons convicted of manufacturing or producing Methamphetamine on the premises of federally assisted housing.
2. SEX OFFENDERS: The HA MUST deny admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

XXX. MANAGEMENT OF RECORDS REQUIREMENTS

A. **USE.** Criminal conviction records received by the HA from a law enforcement agency in accordance with 24 CFR 5.903 may only be used for the following purposes:

1. Applicant Screening for admission to HA Programs including:
 - a Housing Choice Voucher Program
 - b Project-based Moderate Rehabilitation
1. Continuing eligibility and program compliance

A. **DISCLOSURE.** The HA may disclose the criminal records which are received from a law enforcement agency only as follows:

1. officers or employees of the HA
2. authorized representatives of the HA who have job-related need to have access to the information (such as a HA hearings officer conducting an administrative grievance hearing or a hearing for termination of assistance, or any judicial proceedings resulting from the aforementioned proceedings).

A. **RESTRICTIONS.** The HA will insure that any criminal record received from a law enforcement agency is:

1. Maintained confidentially;
2. Not misused or improperly disseminated; and
3. Destroyed, once the purpose (s) for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the HA action without institution of a challenge or final disposition of litigation

A. **EXCLUSIONS.** Records management requirements do not apply to information that is public information, or is obtained by the HA other than from law enforcement agencies.

XXXI. DEFINITIONS

See 24 CFR 5.100, and 982.4 for additional definitions.

ALCOHOL ABUSE -alcohol consumption is such that it interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents or there is a **PATTERN OF ABUSE OF ALCOHOL** that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. Or evidence that there has been **A PATTERN OF ABUSE OF ALCOHOL** that interferes the health and safety of the public at large (including property), including, but not limited to, repeated DUI's, or repeated arrests that involve such patterns of abuse.

ADULT - a person who is at least 18 years of age, or or who has been convicted of a crime as an adult under any Federal, State, or tribal law.

CONTINUOUSLY ASSISTED - An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under the 1937 Housing Act Program when the family is admitted to the Section 8 Program (24 CFR 982.4)

DRUG RELATED CRIMINAL ACTIVITY -the illegal manufacture, sale, distribution, use of a drug, or the possession of a drug with the intent to manufacture, sell, or distribute the drug.

FAMILY - two or more persons living together, usually related by blood or marriage, and sharing resources. See also 24 CFR 982.201 (F). "Roommates" or people living together solely for economic reasons, or boarders or lodgers, shall not be considered a family.

Two disabled/elderly persons who qualify for the program independently, and live together for mutual support, will be considered a family, and will be allowed a two bedroom subsidy, (not including a live-in-aide, if needed).

FRAUD -1 a). deceit; trickery; cheating; b). intentional deception to cause a person to give up property or some lawful right; 2) something said or done to deceive; trick; artifice; We consider failure to promptly report (in writing in 10 days) changes in income or household composition to be fraudulent, as we do deliberately providing incomplete, inaccurate, or deceptive information to the HA staff, or signing forms or certifications that are known to be inaccurate or incomplete. Intent will be determined by the preponderance of evidence.

VIOLENT CRIMINAL ACTIVITY –Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or reasonably likely to cause, serious bodily injury or property damage.

XXXII. APPENDIX

A. CONDITIONS FOR PRIORITY PLACEMENT

The client receiving any of the set aside priorities (2→5) must agree to continue treatment or participation in the referring agency’s program after a Voucher has been issued, and the HA will require each participant to sign an additional Supplement to the Section 8 Family Obligations For Targeted Referral Programs (Each one is unique and follows the program description). If the client refuses to participate/cooperate with referring entity’s program, or violates the additional supplement after receiving Section 8 assistance and before successfully completing the referring entity’s program, it will be considered a violation of Section 8 Family Obligations, and Per 24 CFR 982.551, they will be terminated from further assistance. At any time prior to the signing of a Housing Assistance Payments Contract, the referring entity may withdraw the request for targeted assistance for that family by sending the HA a written request for withdrawal, stating the reason the voucher is being withdrawn.

B. TARGETED REFERRAL PROGRAMS SUPPLEMENT TO THE SECTION 8 FAMILY OBLIGATIONS

1. HOMELESS MENTAL HEALTH (HMH):

Supplement to the Section 8 Family Obligations FOR TARGETED REFERRAL PROGRAMS

The following family obligations are in conjunction with, and in addition to the Section 8 Family Obligations. Families who are receiving assistance under one of LBHA’s Targeted Homeless Programs are agreeing to these additional obligations as a condition for participating in the targeted program, and moving ahead of other families on the waiting list. Participants in these programs must meet all other program eligibility requirements.

Initial:

HOMELESS MENTAL HEALTH (HMH): 28 total Vouchers have been designated for chronically mentally ill or developmentally disabled families who are homeless or under imminent threat of becoming homeless. To be eligible the household must be under treatment by a mental health agency and must be cooperating with that treatment. The agency making the referral must send a letter stating that the Household is eligible for this priority placement and is

cooperating with treatment, and that they request one of the targeted Vouchers be used for the family.

Initial:

Participants receiving a homeless mental health targeted voucher agree to continue participation in the referring agency's program after the Voucher is issued. If at any time after referral the participant refuses to participate/cooperate with that program, or any conditions listed below after receiving Section 8 assistance, and before successfully completing 1 year of ongoing case management with the referring agency, it will be considered a violation of the Section 8 Family Obligations and will be grounds for termination of Section 8 assistance. At any time prior to the signing of a Housing Assistance Payments Contract, the referring entity may withdraw the request for targeted assistance for that family.

Initial:

After being placed for housing assistance in a priority program, a family will continue to receive a designation as participating in a priority program for a period of one year. At that time they will no longer be considered to be using a priority Voucher and the priority Voucher will become available for another family participating in that particular program to use.

CASE MANAGEMENT AGREEMENTS:

- ◆ Meet with the designated mental health worker at least once a month
- ◆ Keep all appointments on time, or call in advance to reschedule
- ◆ All family members must follow the family obligations

I have read and I agree:
Initial: _____

HOME AGREEMENTS:

- ◆ At no time will any illegal drug use, drug-related criminal activity, or unlawful activity of any sort be permitted in the residence or on the premises.
- ◆ No dangerous, flammable, or explosive items or firearms of any sort are permitted on the premises.
- ◆ Keep home in a safe, sanitary manner. Insure unit is not damaged.
- ◆ Report any maintenance or repair needs promptly to the landlord in writing, and give a copy to your HA case manager.

I have read and I agree:
Initial: _____

NEIGHBORHOOD AGREEMENTS:

- ◆ Be a courteous and responsible neighbor at all times. Visitors must be kept under your control.
- ◆ Any guest staying longer than two weeks must be reported to HA case manager.

- ◆ Persons not approved by the HA, referring agency, and the Landlord, will not be allowed to move into unit.
- ◆ Follow rental agreement rules.

I have read and I agree:
Initial: _____

I have read the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation. I agree that I will follow all conditions described above. I understand that if I do not follow the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation, I will be in violation of the Section 8 Family Obligations, and that I will be terminated from receiving further housing assistance.

HMH Applicant/Participant

Date

HMH Applicant/Participant 2

Date

MENTAL HEALTH CASE MANAGER AGREEMENT

As the mental health casemanager working with the above family, I understand that it is my responsibility to insure that this applicant/participant complies with conditions described above. I agree to accompany this applicant/participant to any face-to-face meetings with the HA casemanager, and insure all paperwork is returned by the deadline needed by the HA. I understand that if the applicant/participant does not follow the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation and the Section 8 Family Obligations, the applicant/participant will be in violation of the Section 8 Family Obligations, and that the applicant will be denied eligibility, or participant will be terminated from receiving further housing assistance.

Mental Health Casemanager

Date

1. FAMILIES IN TRANSITION (FIT):

**Supplement to the Section 8 Family Obligations
FOR TARGETED REFERRAL PROGRAMS**

The following family obligations are in conjunction with, and in addition to, the Section 8 Family Obligations. Families who are receiving assistance under one of LBHA's Targeted Homeless Programs are agreeing to these additional obligations as a condition for participating in the targeted program, and moving ahead of other families on the

waiting list. Participants in these programs must meet all other program eligibility requirements

Initial:

FAMILIES IN TRANSITIONAL HOUSING PROGRAMS: 23 total Vouchers have been designated for families who are participating in or who have successfully completed participation in a recognized community based transitional housing program, with 5 reserved for participants in the Second Chance program. Families given this priority must be cooperating fully with the transitional housing program. Program administrators will submit a letter requesting that a targeted Voucher be given to the family and acknowledging that the family is eligible and is cooperating with the program.

Initial:

Participants receiving a families in transition targeted voucher agree to continue participation in the referring entity's program after the Voucher is issued. If at any time after referral, the family refuses to participate/cooperate with that program, or any conditions listed below after receiving Section 8 assistance, and before successfully completing 1 year of ongoing case management with the referring agency, it will be considered a violation of the Section 8 Family Obligations and will be grounds for termination of Section 8 assistance. At any time prior to the signing of a Housing Assistance Payments Contract, the referring entity may withdraw the request for targeted assistance for that family.

Initial:

After being placed for housing assistance in a priority program, a family will continue to receive a designation as participating in a priority program for a period of one year. At that time they will no longer be considered to be using a priority Voucher and the priority Voucher will become available for another family participating in that particular program to use.

CASE MANAGEMENT AGREEMENTS:

- ◆ Meet with the transitional housing case manager on a weekly basis. As counseling progresses, the case manager may decide to meet every-other week or monthly, depending on their evaluation of your situation.
- ◆ Develop financial, personal, educational, and/or vocational goals
- ◆ Actively work on your designated goals while in the program.
- ◆ Keep all appointments on time, or call in advance to reschedule
- ◆ All family members must follow the family obligations

have read and I agree:
Initial: _____

CHILDCARE AGREEMENTS:

- ◆ Provide a positive living environment for children.
- ◆ Supervise children at all times.
- ◆ Provide appropriate childcare when absent.
- ◆ School age children must be enrolled in school.
- ◆ Provide proper medical treatment for children.
- ◆ Attend parenting classes to improve parenting skills

I have read and I agree:
Initial: _____

HOME AGREEMENTS:

- ◆ At no time will any illegal drug use, drug-related criminal activity, or unlawful activity of any sort be permitted in the residence or on the premises.
- ◆ At no time will alcohol be abused.
- ◆ No dangerous, flammable, or explosive items or firearms of any sort are permitted on the premises.
- ◆ Keep home in a safe, sanitary manner. Insure unit is not damaged. Cooperate in completing home visits each month for the first three months of assistance, and every other month thereafter for 1 year.
- ◆ Report any maintenance or repair needs promptly to the landlord in writing, and give a copy to your HA case manager.

I have read and I agree:
Initial: _____

NEIGHBORHOOD AGREEMENTS:

- ◆ Be a courteous and responsible neighbor at all times. Visitors must be kept under your control.
- ◆ Any guest staying longer than two nights must be reported to HA case manager.
- ◆ No previous abuser will be allowed to move into the unit acquired under this program.
- ◆ Persons not approved by the HA, referring agency, and the Landlord, will not be allowed to move into unit.
- ◆ Follow rental agreement rules.

I have read and I agree:
Initial: _____

I have read the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation. I agree that I will follow all conditions described above. I understand that if I do not follow the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation, I will be in violation of the Section 8 Family Obligations, and that I will be terminated from receiving further housing assistance.

Families in Transition Applicant/Participant

Date

Families in Transition Applicant/Participant 2

Date

Transitional Program Casemanager

Date

1. SURVIVORS OF DOMESTIC ABUSE (SDA)

Supplement to the Section 8 Family Obligations FOR TARGETED REFERRAL PROGRAMS

The following family obligations are in conjunction with, and in addition to the Section 8 Family Obligations. Families who are receiving assistance under one of LBHA's Targeted Homeless Programs are agreeing to these additional obligations as a condition for participating in the targeted program, and moving ahead of other families on the waiting list. Participants in these programs must meet all other program eligibility requirements

SURVIVORS OF DOMESTIC ABUSE: 16 total Vouchers have been designated for families who are in crisis and are participating in domestic abuse prevention program through Community Outreach, CARDVA, or SCF. Families given this priority must be cooperating fully with the referring entity. Program administrators will submit a letter requesting that a targeted Voucher be given to the family and that they are eligible and cooperating with the program.

Initial:

Participants receiving a domestic abuse prevention targeted voucher agree to continue participation in the referring entity's program after the Voucher is issued. If at any time after referral the family refuses to participate/cooperate

Initial:

with that program, or any conditions listed below after receiving Section 8 assistance, and before successfully completing 1 year of ongoing case management with the referring agency, it will be considered a violation of the Section 8 Family Obligations and will be grounds for termination of Section 8 assistance. At any time prior to the signing of a Housing Assistance Payments Contract, the referring entity may withdraw the request for targeted assistance for that family.

Initial:

After being placed for housing assistance in a priority program, a family will continue to receive a designation as participating in a priority program for a period of one year. At that time they will no longer be considered to be using a priority Voucher and the priority Voucher will become available for another family participating in that particular program to use.

CASE MANAGEMENT AGREEMENTS:

- ◆ Meet with the COI, CARDV, or SCF case manager on a weekly basis. As counseling progresses, the case manager may decide to meet every-other week or monthly, depending on their evaluation of your situation.
- ◆ Develop financial, personal, educational, and/or vocational goals.
- ◆ Actively work on your designated goals while in the program.
- ◆ Keep all appointments on time, or call in advance to reschedule.
- ◆ All family members must follow the family obligations

I have read and I agree:
Initial: _____

CHILDCARE AGREEMENTS:

- ◆ Provide a positive living environment for children.
- ◆ Supervise children at all times.
- ◆ Provide appropriate childcare when absent.
- ◆ School age children must be enrolled in school.
- ◆ Provide proper medical treatment for children.
- ◆ Attend parenting classes to improve parenting skills

I have read and I agree:
Initial: _____

HOME AGREEMENTS:

- ◆ At no time will any illegal drug use, drug-related criminal activity, or unlawful activity of any sort be permitted in the residence or on the premises.
- ◆ At no time will alcohol be abused
- ◆ No dangerous, flammable, or explosive items or firearms of any sort are permitted on the premises.
- ◆ Keep home in a safe, sanitary manner. Insure unit is not damaged. Cooperate in completing home visits each month for the first three months of assistance, and every other month thereafter for 1 year.
- ◆ Report any maintenance or repair needs promptly to the landlord in writing, and give a copy to your HA case manager.

I have read and I agree:
Initial: _____

NEIGHBORHOOD AGREEMENTS:

- ◆ Be a courteous and responsible neighbor at all times. Visitors must be kept under your control.
- ◆ Any guest staying longer than two nights must be reported to HA case manager.
- ◆ No previous abuser will be allowed to move into the unit acquired under this program.
- ◆ Persons not approved by the HA, referring agency, and the Landlord, will not be allowed to move into unit.
- ◆ Follow rental agreement rules.

I have read and I agree:
Initial: _____

I have read the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation. I agree that I will follow all conditions described above. I understand that if I do not follow the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation, I will be in violation of the Section 8 Family Obligations, and that I will be terminated from receiving further housing assistance.

Survivor of Domestic Abuse Applicant/Participant

Date

Survivor of Domestic Abuse Applicant/Participant 2

Date

1. TEEN PARENT PROGRAM:

**Supplement to the Section 8 Family Obligations
FOR TARGETED REFERRAL PROGRAMS**

The following family obligations are in conjunction with, and in addition to the Section 8 Family Obligations. Families who are receiving assistance under one of LBHA's Targeted Homeless Programs are agreeing to these additional obligations as a condition for participating in the targeted program, and moving ahead of other families on the waiting list. Participants in these programs must meet all other program eligibility requirements

TEEN PARENT PROGRAM: 25 total Vouchers have been designated for teens participating in teen parent programs with 5 reserved for participants in the Brock Home program. The "teen" must be under 21, but if under 18, be fully emancipated or have been designated by Adult and Family Services or Services to Families with Children to be administratively capable of living on their own, and must be fully cooperating with a teen parent program within the Task Force. A Teen Parent Task Force member must provide the Housing Authority with a letter requesting a targeted Voucher and indicating the teen parent is eligible and cooperating with the program. A teen under 17 WILL NOT be considered for this program unless there is a threat of physical or mental abuse to either the teen or child (children), in which case a special exception may be considered. ALL HOUSEHOLD MEMBERS who participate in this targeted program must be under 21 years of age.

Initial:

Participants receiving a teen parent targeted voucher agree to continue participation in the referring agency's program after the Voucher is issued. If at any time after referral the teen refuses to participate/cooperate with that program, or any conditions listed below after receiving Section 8 assistance, and before successfully completing 1 year of ongoing case management with both the HA and the referring agency, it will be considered a violation of the Section 8 Family Obligations and will be grounds for termination of Section 8 assistance. At any time prior to the signing of a Housing Assistance Payments Contract, the referring entity may withdraw the request for targeted assistance for that family.

Initial:

Initial:

After being placed for housing assistance in a priority program, a family will continue to receive a designation as participating in a priority program for a period of one year. At that time they will no longer be considered to be using a priority Voucher and the priority Voucher will become available for another family participating in that particular program to use.

CASE MANAGEMENT AGREEMENTS:

- ◆ Meet with the housing authority case manager on a monthly basis; meet every three months with the designated teen task force member.
- ◆ Develop financial, personal, educational, and/or vocational goals.
- ◆ Actively work on your designated goals while in the program.
- ◆ Keep all appointments on time, or call in advance to reschedule.
- ◆ All family members must follow the family obligations.

I have read and I agree:
Initial: _____

CHILDCARE AGREEMENTS:

- ◆ Provide a positive living environment for children.
- ◆ Supervise children at all times.
- ◆ Provide appropriate childcare when absent.
- ◆ School age children must be enrolled in school.
- ◆ Provide proper medical treatment for children.
- ◆ Attend parenting classes to improve parenting skills.

I have read and I agree:
Initial: _____

HOME AGREEMENTS:

- ◆ Alcohol or alcoholic beverages are not permitted on the premises.
- ◆ At no time will any illegal drug use, drug-related criminal activity, or unlawful activity of any sort be permitted in the residence or on the premises.
- ◆ No dangerous, flammable, or explosive items or firearms of any sort are permitted on the premises.
- ◆ Keep home in a safe, sanitary manner. Insure unit is not damaged. Cooperate in completing home visits each month for the first three months of assistance, and every other month thereafter for 1 year.
- ◆ Report any maintenance or repair needs promptly to the landlord in writing, and give a copy to your HA case manager.

I have read and I agree:
Initial: _____

NEIGHBORHOOD AGREEMENTS:

- ◆ Be a courteous and responsible neighbor at all times. Visitors must be kept under your control.
- ◆ Any guest staying longer than two nights must be reported to HA case manager.
- ◆ Persons not approved by the HA, referring agency, and the Landlord will not be allowed to move into unit.
- ◆ Follow rental agreement rules.

I have read and I agree:
Initial: _____

FINANCIAL AGREEMENTS:

- ◆ Pay monthly bills on time.
- ◆ Work toward a bank account with a positive balance.
- ◆ Complete money management and budgeting classes.
- ◆ Notify your HA case manager of any income changes in writing within 10 days.

I have read and I agree:
Initial: _____

I have read the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation. I agree that I will follow all conditions described above. I understand that if I do not follow the Supplement to the Section 8 Program Family Obligations for Targeted Program Participation, I will be in violation of the Section 8 Family Obligations, and that I will be terminated from receiving further housing assistance.

Teen Applicant/Participant

Date

Teen Applicant/Participant 2

Date

Designated Teen Task Force Member

Date

Wendy McCubbins, FSS Coordinator/Section 8 Casemanager

Date

C. SECTION 8 FAMILY OBLIGATIONS

SECTION 8 FAMILY OBLIGATIONS 24CFR 982.551

The purpose of this document is to clarify these obligations so you clearly understand what is expected of you. The examples provided represent typical situations and are not in any way intended to limit enforcement of the regulation to examples only. If you have any questions, please ask and every effort will be made to give you an understandable answer. Please understand that your failure to fulfill these program obligations could lead to permanent termination of program benefits and even criminal prosecution. Therefore, for your protection, you should take your responsibilities very seriously.

1. Supply certification, release information. The Housing Authority requires that you report any change in household composition or income in writing within 10 days of the change. You must keep appointments, as they are scheduled, complete paperwork, return forms, and sign documents by the deadline imposed by the Housing Authority staff. In many instances this will require a personal appointment to provide the necessary information or complete the necessary paperwork. In such instances, appointments must be kept as they are scheduled:
 - a) Includes submission of required evidence of citizenship or eligible immigration status.
 - b) The family must disclose and verify Social Security numbers.
 - c) The family must sign and submit consent forms for obtaining information.
 - d) Any information supplied by the family must be true and complete.
2. The family is responsible for any HQS fail items caused by the family, i.e., failure to pay participant utilities, failure to provide appliances owner does not provide, damage beyond normal wear and tear, trash accumulation that causes an infestation of vermin or rodents, etc.
3. Allow the Housing Authority to inspect the dwelling unit. Since the Housing Authority must at least annually inspect all units on the program, you must allow us in to do this. You must also present the Request for Assisted Tenancy in a timely manner so that we know which unit we must inspect.
4. The family may not commit any serious or repeated violation of the lease such as NOT PAYING YOUR PORTION OF THE RENT, damaging the unit, having a pet when it is not permitted, poor housekeeping, allowing people not on the lease to reside with you, disturbing your neighbor's peaceful enjoyment of the premises, not notifying the Landlord of needed repairs, allowing illegal acts on premises, etc.
 - a. pay utility bills the family is responsible to pay.

- b. Maintain any appliances that the owner is not required to provide under the lease.
1. Notify the Housing Authority in writing before vacating the dwelling unit. This must be done before you have moved out the majority of your personal property, such as furniture, clothing, bedding, and kitchenware.
2. The family must promptly give the Housing Authority a copy of ANY Landlord notice, including eviction.
3. Use the dwelling unit solely for residence by the family, and as the Family's principal place of residence. You may have guests, but such guests may not occupy the premises for more that 30 consecutive days or more than 60 non-consecutive days in any 12-month period. You may not have any series of guests who exceed these limits without our permission. The assistance you receive is for your immediate family, not for your friends or relatives.
4. The composition of the assisted family residing in the unit must be approved by the Housing Authority. The family must promptly inform the Housing Authority of the birth, adoption or court awarded custody of a child. The family must request in writing Housing Authority approval to add any other family member as an occupant of the unit. The family must report promptly, in writing within 10 days, when a family member no longer resides in the unit.
5. Members of the household may engage in LEGAL profit making activities in the unit, but only if such activities are incidental to primary use of the unit for residence by members of the family, and the family has permission of the landlord.
6. The family must not sublease or let the unit.
7. The family must not assign the lease or transfer the unit.
8. Absence from the unit: The family must supply any information or certification requested by the Housing Authority to verify that the family is living in the unit, or relating to family absence from the unit, including any Housing Authority requested information or certification on the purpose of family absences. The family must cooperate with the Housing Authority for this purpose. The family must promptly notify the Housing Authority of an absence from the unit. In case of an emergency, such as sickness or hospitalization, you must notify the Housing Authority, or have family do it for you.
9. You may not own or have any interest in the property (except the owner of a manufactured home leasing a manufactured home space). This means the Section 8 Program is strictly a rental assistance program. Subsidy payments may not provide any additional or future benefit to you as an owner or partner in property whether such an arrangement is formal or informal.
10. You may not commit fraud, bribery, or any other criminal act in connection with the program. We consider the intentional failure to promptly report (in writing within 10 days) changes in income or household composition to be fraudulent, as we do deliberately providing incomplete, inaccurate, or deceptive information to the

Housing Authority staff, or signing forms or certifications that are known to be inaccurate or incomplete with the intent to deceive or mislead.

11. You must not damage the unit or premises (other than damage from ordinary wear and tear), or permit any guest to damage the unit or premises.
12. Receiving housing assistance under the Section 8 program while occupying or receiving other Federal housing assistance. This means that you may not receive more than 1 Federal housing subsidy at one time.
13. You must not receive Section 8 participant-based program housing assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless the HA has determined (and has notified the owner and family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities.
18. The members of the household may not engage in drug-related criminal activity or violent criminal or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.
19. The members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

By its signature, the family agrees to fulfill the program responsibilities noted above, and understands that failure to do so, BY ANY FAMILY MEMBER, may result in permanent loss of housing assistance eligibility, and criminal prosecution.

Signatures (EVERYONE 18 AND OLDER MUST SIGN):

1. _____ Date: _____
2. _____ Date: _____
3. _____ Date: _____

