

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

PHAP Plans

5 Year Plan for Fiscal Years 2002 -2006
Annual Plan for Fiscal Year 2002

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

2002PHAPLANATTACHMENTLISTING

- A. pa023a01 –CommunityCenterPolicy
- B. pa023b01 –AdmissionandContinuedParticipationPolicy
- C. pa023c01 –A&OPolicy
- D. pa023d01 –AffirmativeActionPlan
- E. pa023e01 –By -Laws
- F. pa023f01 –CapitalizationPolicy
- G. pa023g01 –ResidentInitiativesPolicy
- H. pa023h01 –DispositionPolicy
- I. pa023i01 –DrugandAlcoholPolicy
- J. pa023j01 –EmergencyMaintenancePolicy
- K. pa023k01 –GrievanceProcedures
- L. pa023l01 –Investment Policy
- M. pa023m01 –LoanPolicy
- N. pa023n01 –MBE/WBE
- O. pa023o01 –PetPolicy
- P. pa023p01 –PetPolicy(S8NewConstruction)
- Q. pa023q01 -PersonnelPolicy
- R. pa023r01 –ProcurementPolicy
- S. pa023s01 –ReasonableAccommodationsPolicy
- T. pa023t01 –RecordRetentionPolicy
- U. pa023u01 -FiscalYearEnding3 -31-01Audit
- V. pa023v01 -PHAPlan2002
- W. pa023w01 –ResidentialDwellingLease
- X. pa023x01 –RetirementPlan
- Y. pa023y01 –Section504GrievanceProcedures
- Z. pa023z01 –Section8AdministrativePlan
- AA. pa023aa01 –Section8(NC)Lease
- BB. pa023bb01 –SexualHarassmentPolicy
- CC. pa023cc01 –StaleDatedCheckPolicy
- DD. pa023dd01 –TenantReliefinPayingExcessUtilities
- EE. pa023ee01 –BoardapprovedOperatingBudget
- FF. pa023ff01 –CasualBusinesswearPolicy
- GG. pa023ggo1 –MaintenancePolicy
- HH. pa023hh01 –MaintenanceOvertimePolicy
- II. pa023ii01 –MotorVehiclesPolicy
- JJ. pa023jj01 –FSSActionPlan
- KK. pa023kk01 –ProcedureforPropertyDisposition
- LL. pa023ll01 –ProcedureforReceivingVisitors
- MM. pa023mm01 –PurchaseOrderPolicy
- NN. pa023nn01 –PurchasingPolicyAuditProgram
- OO. pa023oo01 –RangeandRefrigeratorsProcedure
- PP. pa023pp01 –SmokingPolicy
- QQ. pa023qq01 –SafetyPolicyStatement
- RR. pa023rr01 –ProgressonMissionsandGoals
- SS. pa023ss01 –PublicHousingHomeownershipProgram
- TT. pa023tt01 –MesonLease
- UU. pa023uu01 –SHPLease
- VV. pa023vv01 –DCHDCLease
- WW. pa023ww01 –CountywideHomeownershipProgram
- XX. pa023xx01 -Section8HomeownershipProgram

YY. pa023yy01 –TANFAgreement
 ZZ. pa023zz01 –EconomicOpportunityPlan
 AAA. pa023aaa01 –PHAPlan2002MeetingMinutes
 BBB. pa023bbb01 –LandlordPacket –Section8
 CCC. pa023ccc01 –OrganizationalChart
 DDD. pa023ddd01 –WrittenCommunications
 EEE. pa023eee01 –AffirmativeFairHousingMarketingPlan(CalconGardensandHighland
 Homes)
 FFF. pa023fff01 –CalconGardensResidentialDwellingLease
 GGG. pa023ggg01 –HighlandHomesResidentialDwellingLease
 HHH. pa023hhh01-P&E’s –706
 III. pa023iii01-P&E’s –707
 JJJ. pa023jjj01 –P&E’s -708
 KKK. pa023kkk01 –P&E’s –CFP00
 LLL. pa023lll01 –P&E’s –CFP01
 MMM. pa023mmm01 –DCHAFollow -upPlanfortheCustomerServiceandsatisfactionsurvey
 results.
 NNN. Pa023nnn01 –Deconcentrati onAnalysisandPolicy
 OOO. Pa023ooo01 –DCHAMinimumRentHardshipExceptionPolicy

PHA Plan Agency Identification

PHAName: Delaware County Housing Authority

PHANumber: Pa023

PHAFiscalYearBeginning:(mm/yyyy) April 1, 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)

**DCHA'S AGENCY PLAN AND
ATTACHMENTS ARE ON
DISPLAY TO THE PUBLIC.
PLEASE SEE JACKIE MILLER IN
THE EXECUTIVE OFFICE TO
VIEW THE PLAN.**

5-YEAR PLAN
PHAF ISCAL YEARS 2002 -2006
[24CFRPart903.5]

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.

X The PHA's mission is: (state mission here)

Mission Statement

Delaware County Housing Authority's Mission is to provide well maintained safe housing while honoring a commitment to enhance the quality of life within our community and for our clients.

Values

Dedicated to helping others
Customer relationships through confidence and trust.
Honor and integrity in our organization
Achieve Excellent Customer Satisfaction

SEE ATTACHMENT PA023iii01 FORDCHA'S PROGRESS ON MISSION AND GOALS.

B.Goals

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

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

- X PHAGoal:Expandthesupplyofassistedhousing
 - Objectives:
 - X Applyforadditionalrentalvouchers:
 - X Reducepublichousingvacancies:
 - X Leverageprivateorotherpublicfundstocreateadditionalhousing opportunities:
 - X Acquireorbuildunitsordevelopments
 - Other(listbelow)

- PHAGoal:Improvethqualityofa ssistedhousing
 - Objectives:
 - X Improvepublichousingmanagement:(PHASscore)
 - X Improvevouchermanagement:(SEMAPscore)
 - X Increasecustomersatisfaction:
 - Concentrateoneffortstoimprovespecificmanagementfunctions: (list;e.g.,publichousingfinance;voucherunitinspections)
 - X Renovateormodernizepublichousingunits:
 - X Demolishordisposeofobsoletepublichousing:
 - X Providereplacementpublichousing:
 - X Providereplacementvouchers:

Other:(listbelow)

- X PHAGoal:Increaseassistedhousingchoices
 - Objectives:
 - X Providevoucher mobilitycounseling:

DCHAISPARTICIPATINGINTHEREGIONALOPPORTUNITY COUNSELINGPROGRAM(ROC)WITHTHEPHILADELPHIA HOUSINGAUTHORITYBEINGTHELEADHOUSING AUTHORITY

- X Conductoutreacheffortstopotentialvoucherlandlords
- X Increasevoucherpaymentstandards

RESEARCHAREASTHATWOULDJUSTIFYOBTAIN INGHUD APPROVALFORAPSOFUPTO120% THEFAIRMARKET RENTS.

- X Implementvoucherhomeownershipprogram:
- X Implementpublichousingorotherhomeownershipprograms:

DCHAHASAHOMEOWNERSHIPPLANINAFFECTSINCE
MAYOF1997ANDWILLSEEKTOEXPANDAFFORDABLE
HOMEOWNERSHIPOPPORTUNITIESTHRUTSOWN
PROGRAMSANDWITHDELAWARECOUNTYHOUSING
DEVELOPMENTCORPORATIONANDDELAWARECOUNTY
HOMEOWNERSHIPANDCREDITCOUNSELING,INC.

**DELAWARECOUNTYHOMEOWNERSHIPANDCREDIT
COUNSELING,INC.**

**DELAWARECOUNTYHOMEOWNERSHIPANDCREDIT
COUNSELING,INC.(DCHCC)ISAPENNSYLVANIANON -PROFIT
CORPORATIONTHATHASBEENOFFERINGSERVICESTO
HOMEBUYERSINTHEAFFORDABLEHOUSINGMARKETSINCE
AUGUST2,1999.DCHCCOFFERSAFULLRANGEOF
COUNSELINGSERVICESUTILIZINGASTAFFOFCOUNSELORS
CERTIFIEDBYPENNSYLVANIAFEDERATIONOFHOUSING
COUNSELORSANDAGENCIES.OURCOUNSELORSAREALL
EMPLOYEESOFDCHCCANDHAVEBACKGROUNDINSREAL
ESTATE,BANKING,EDUCATIONANDHOUSING.**

**OURAPPROACHANDCURRICULUMSAREDIRECTEDTOWARD
SCREENINGANDASSESSMENTOFHOMEOWNERSHIP
POTENTIALANDREADINESSANDPREPARATIONOF
INDIVIDUALHOMEOWNERSHIPACHIEVEMENTPLANS.
CLIENTSOFSIMILARREADINESSLEVELSBEGIN
INSTRUCTIONATANAPPROPRIATELEVELTHATWILLMOVE
THEMTOHOMEOWNERSHIPINATIMEPERIODTHAT
GENERALLYASSURESUCCESS.CLIENTSOFDCHCCHAVE
PURCHASEDTHEIRFIRSTHOMEINTIMEPERIODSRANGING
FROMWEEKSTOMORETHAN24MONTHSDEPENDINGUPON
THECREDITISSUESANDREADINESSLEVELOFTHE
INDIVIDUALS.**

**DCHCC'SPHILOSOPHYISTHATEVERYLOWAND MODERATE
INCOMEFAMILYMUSTHAVEANEXITSTRATEGYFROM
THEIRCURRENTDEPENDENCEONHOUSINGASSISTANCEOR
THECYCLOFLOWPAYINGJOBSANDLESSTHANADEQUATE
RENTALPROPERTIES.**

**THREECOUNSELINGOPPORTUNITIESAREAAVAILABLETO
THEVARIOUSLEVELSOFPURCHASERS.**

**THEWALLETWISDOMCOURSEISABASICFINANCIAL
MANAGEMENTCOURSEDESIGNEDTOMOVECLIENTSFROMA
CASHLIFESTYLETOASOUNDFINANCIALLYINDEPENDENT
ANDCREDITWORTHYLIFESTYLE.THISCOURSEISFOR
THOSECLIENTSWHOMAYBEREADYTOPURCHASEAHOME
INAYEARORLESS.**

THE HOMEOWNERSHIP COURSE IS DESIGNED FOR CLIENTS WHO HAVE ESTABLISHED CREDIT BUT NEED TO KNOW THE BASICS ABOUT BUYING A HOME, SECURING AND PAYING A MORTGAGE, AND MAINTAINING YOUR FIRST HOME IN A NEW COMMUNITY. THIS COURSE IS FOR CLIENTS WHO ARE READY TO PURCHASE A HOME NOW.

ONE ON ONE COUNSELING IS AVAILABLE TO CLIENTS WHO MAY HAVE CREDIT PROBLEMS THAT NEED TO BE REPAIRED BEFORE OR DURING THE TIME THEY ARE ENROLLED IN ONE OF OUR OTHER COURSES. INDIVIDUAL CREDIT REPAIR PLANS ARE PREPARED AND CLIENTS MEET PERIODICALLY TO REVIEW THE CLIENTS PROGRESS.

DCHCC IN CONJUNCTION WITH CENTURY 21 PREFERRED REAL ESTATE WAS RECENTLY AWARDED A CONTRACT BY WELLINGTON RIDGE HOMEOWNERSHIP, INC. TO PROVIDE ALL MARKETING, SALES AND COUNSELING FOR THE HOMES AT WELLINGTON RIDGE IN THE CITY OF CHESTER.

DCHA PLAN TO IMPLEMENT THE SECTION 8 HOMEOWNERSHIP PROGRAM IN ACCORDANCE WITH ITS ADMINISTRATIVE PLAN ATTACHMENT PA023z01. SEE ALSO THE ONE PAGE CAPACITY STATEMENT ATTACHMENT PA023xx01.

XIM PLEMENT DIRECT DEPOSIT FOR HAPPAYMENTS.

X Implement public housing site -based waiting lists:

SITE BASED WAITING LISTS ARE AN INTEGRAL PART OF ATTRACTING PRIVATE INVESTMENT IN PUBLIC HOUSING. CALCONGARDENS, HIGHLAND HOMES AND DUPLAND TERRACE HOMES, PA23 -3, PA23 -8 AND PA23 -9

Convert public housing to vouchers:
X Other: (list below)

DCHA HAS ENCOURAGED FAMILY SELF SUFFICIENCY PARTICIPATION AND HAS WORKED WITH THE DELAWARE COUNTY HOUSING DEVELOPMENT CORPORATION AND THE DELAWARE COUNTY HOUSING AND CREDIT COUNSELING INC. TO INCREASE ASSISTED HOUSING CHOICES. DCHA WILL EXPAND ITS FSS PROGRAMS AS INDICATED IN ATTACHMENT PA023jj01.

DELAWARE COUNTY HOUSING AUTHORITY INTENDS TO MAINTAIN OUR MANDATED 176 SLOT FAMILY SELF-SUFFICIENCY (FSS) PROGRAM (131 HOUSING CHOICE VOUCHER SLOTS, 45 PUBLIC HOUSING SLOTS). THOSE SLOTS WHICH EXCEED OUR REDUCED PROGRAM SIZE, OCCURRING AS A RESULT OF SUCCESSFULLY COMPLETED FSS CONTRACTS, WILL FUND THE ESCROW SAVINGS ACCOUNTS THROUGH OUR OPERATING SUBSIDIES, AVAILABLE GRANTS AND/OR OUTSIDE CONTRIBUTIONS.

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

X PHA Goal: Provide an improved living environment

Objectives:

- X Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- X Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- X Implement public housing security improvements:

THROUGH THE PUBLIC HOUSING DRUG ELIMINATION PROGRAMS SINCE FEBRUARY 1997.

- Designated 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

X PHA Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

- X Increase the number and percentage of employed persons in assisted families:
- X Provide or attract supportive services to improve assistance recipients' employability:

THROUGH THE JOB BANK AND CAREER CENTER AND FAMILY SELF-SUFFICIENCY COUNSELING.

- X Provide or attract supportive services to increase independence for the elderly or families with disabilities.

ROSS GRANT FOR THE ELDERLY AND PERSONS WITH
DISABILITIES

Services which will assist this population in maintaining independent living status will include: nutritional meals; personal assistance; housekeeping; transportation services for doctor visits; food shopping, etc.; financial assistance for services not covered by other funding sources; emergency response systems; medication monitoring; and non-medical congregates services which includes wellness programs as health education and preventive health screening.

Supportive Housing Program Statement

Delaware County Housing Authority in collaboration with Horizon House has obtained Supportive Housing Funds to obtain and rehabilitate four properties to provide housing for mentally disabled homeless individuals.

Other: (list below)

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

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

DCHA WILL ADMINISTER THE \$8 MAINSTREAM FUNDING AND WILL BE WORKING WITH THE FREEDOM VALLEY DISABILITY ENABLEMENT INCORPORATION TO AID IN THE PROVISION OF SUPPORT SERVICES TO INCLUDE:

ASSISTING TO IDENTIFY VOUCHER ELIGIBLE APPLICANTS AND PROVIDE PREFERENCE FOR ISSUANCE OF VOUCHERS TO CONTINUUM OF CARE PROGRAM AND SUPPORTIVE HOUSING PROGRAM GRADUATES.

ASSISTING POTENTIAL VOUCHER RECIPIENTS IN LOCATING THE APPROPRIATE HOUSING.

IF MODIFICATIONS TO THE RESIDENCE ARE NEEDED, ASSISTING RECIPIENTS IN FINDING THE APPROPRIATE ASSISTIVE TECHNOLOGY, INSTALLATION (I.E. A RAMP AND THE BUILDER/INSTALLER) AND NECESSARY FUNDING, AND

ASSISTING POTENTIAL RECIPIENTS IN IDENTIFYING AND COORDINATING OTHER APPROPRIATE SUPPORT SERVICES.

SEE ATTACHMENT PA023s01 REASONABLE ACCOMMODATIONS POLICY.

DCHA MAINTAINS 38 ACCESSIBLE UNITS IN ITS HOUSING INVENTORY

X Other: (list below)

DCHA EXPECTS TO EXECUTE AN MOA WITH MANY OF THE AGENCIES REPRESENTING "SPECIAL NEEDS" CONSUMERS WHICH WILL ADDRESS THE CASE MANAGEMENT TO BE PROVIDED TO THEIR CLIENTS WHO ARE PARTICIPATING IN ASSISTED HOUSING PROGRAMS.

Other PHA Goals and Objectives: (list below)

DCHA IS CONTINUING IT'S LONG STANDING RELATIONSHIP WITH A VARIETY OF COUNTY AGENCIES REPRESENTING "SPECIAL NEEDS" POPULATIONS INCLUDING THE MENTALLY AND PHYSICALLY HANDICAPPED/DISABLED, PERSONS WITH HIV AND AIDS, THE HOMELESS, PERSONS IN DRUG AND ALCOHOL TREATMENT PROGRAMS AND VICTIMS OF DOMESTIC VIOLENCE. DCHA WILL CONTINUE TO EXPAND HOUSING OPPORTUNITIES FOR THESE GROUPS THROUGH REFERRALS FROM ADVOCATE GROUPS AND TARGETING OF ASSISTANCE IN EXISTING ASSISTED HOUSING PROGRAMS. CASE MANAGEMENT BY THESE ADVOCATES IS AN INTEGRAL PART OF THESE HOUSING OPPORTUNITIES.

AnnualPHAPlan
PHAFiscalYear2002
[24CFRPart903.7]

i. AnnualPlanType:

SelectwhichtypeofAnnualPlanthePHAwillsubmit.

X **StandardPlan**

StreamlinedPlan:

- HighPerformingPHA**
- SmallAgency(<250PublicHousingUnits)**
- AdministeringSection8Only**

 TroubledAgencyPlan

ii. ExecutiveSummaryoftheAnnualPHAPlan

[24CFRPart903.79(r)]

ProvideabriefoverviewoftheinformationintheAnnualPlan,includinghighlights of majorinitiativesanddiscretionarypolicies thePHAhasincludedintheAnnualPlan.

NOTR EQUIRED

iii. AnnualPlanTableofContents

[24CFRPart903.79(r)]

ProvideatableofcontentsfortheAnnualPlan ,includingattachments,andalistof supportingdocumentsavailableforpublicinspection .

TableofContents

Page#

AnnualPlan

- i. ExecutiveSummary
- ii. TableofContents
 - 1. HousingNeeds
 - 2. FinancialResources
 - 3. PoliciesonEligibility,SelectionandAdmissions
 - 4. RentDeterminationPolicies
 - 5. OperationsandManagementPolicies
 - 6. GrievanceProcedures
 - 7. CapitalImprovementNeeds
 - 8. DemolitionandDisposition
 - 9. DesignationofHousing
 - 10. ConversionsofPublicHousing
 - 11. Homeownership
 - 12. CommunityServicePrograms

- 13. CrimeandSafety
- 14. Pets(InactiveforJanuary1PHAs)
- 15. CivilRightsCertifications(includedwithPHAPlanCertifications)
- 16. Audit
- 17. AssetManagement
- 18. OtherInformation

Attachments

Indicatewhichattachmentsareprovidedbyselectingallthatapply.Providethe attachment’sname(A,B,etc.)inthespacetotheleftofthenameoftheattachment. Note:Iftheattachmentisprovidedasa **SEPARATE**filesubmissionfromthePHA Plansfile,providethefilenameinparenthesesinthespacetotheleftofthetitle.

RequiredAttachments:

- X AdmissionsPolicyforDeconcentration
- X FY2001CapitalFundProgramAnnualStatement
- X Mostrecentboard -approvedoperatingbudget(RequiredAttachmentforPHAs thataretroubledoratriskofbeingdesignatedtroubledONLY) –Attachment PA023ee01.

OptionalAttachments:

- X PHAManagementOrganizationalChart
- X FY2001CapitalFundProgram5YearActionPlan
PublicHousingDrugEli minationProgram(PHDEP)Plan

NOLONGERREQUIRED

- X CommentsofResidentAdvisoryBoardorBoards(mustbeattachedifnot includedinPHAPlantext)
- Other(Listbelow,providingeachattachmentname)

SupportingDocumentsAvailableforReview

Indicatewhichdocumentsareavailableforpublicreviewbyplacingamarkinthe “Applicable&OnDisplay”columnintheappropriaterows.Alllisteddocuments mustbeondisplayifapplicabletotheprogramactivitiesconductedbythePHA.

ListofSupportingDocumentsAvailableforReview		
Applicable&OnDisplay	SupportingDocument	ApplicablePlan Component
X	PHAPlanCertificationsofCompliancewiththe PHAPlansandRelatedRegulations	5YearandAnnual Plans
X	State/LocalGovernmentCertificationof ConsistencywiththeConsolidatedPlan	5YearandAnnual Plans
X	FairHousingDocumentation:	5YearandAnnual

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	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.	Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board -approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis. See Attachment pa023nnn01 analysis and policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input type="checkbox"/> check here if included in the public	Annual Plan: Rent Determination

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	housing A&O Policy	
X	Schedule of flat rent offered each public housing development <input type="checkbox"/> check here if included in the public housing A&O Policy	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input type="checkbox"/> check here if included in the public housing A&O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures X check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD -approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
X	Performance and Evaluations Reports. See the following attachments: pa023hhh01 -P&E -706 pa023iii01 -P&E -707 pa023jjj01 -P&E -708 pa023kkk01 -P&E -CFP00 pa023lll01 -P&E -CFP01	
N/A	Approved HOPE VI applications or, if more	Annual Plan: Capital

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	recent, approved or submitted HOPEVI Revitalization Plans or any other approved proposal for development of public housing	Needs
X	Approved or submitted applications for demolition and/or disposition of public housing - DEMO/DISPO APPLICATION PLANNED FOR UPLAND TERRACE HOMES BUT NOT YET PREPARED.	Annual Plan: Demolition and Disposition
N/A	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
X	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program X check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other residents services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
X	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	Other supporting documents (optional) MIXED FINANCE PROPOSAL PA23 -2 HIGHLAND HOMES POTENTIAL MIXED FINANCE PROPOSAL FOR UPLAND (list individually; use as many lines as necessary)	(specify as needed)
X	DCHA Follow-up Plan for the Customer Service and Satisfaction Survey Results. SEE ATTACHMENT pa023mm01	

1. Statement of Housing Needs

[24CFR Part 903.79(a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type

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

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant based assistance			
X Public Housing - H=HISPANIC			
<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	3152		78
Extremely low income <= 30% AMI	2219	70%	
Very low income (> 30% but <= 50% AMI)	745	24%	
Low income (> 50% but < 80% AMI)	129	4%	
Families with children	2005	64%	
Elderly families	239	8%	
Families with Disabilities	656	21%	
White	1,164/33H	34%	
Black	2051/10H	65%	
American Native	5/5H		
Asian/Pacific Islander	22/5H	1%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	1053	33%	
2BR	1126	36%	
3BR	799	25%	

HousingNeedsofFamiliesontheWaitingList			
4BR	117	4%	
5BR	15		
5+BR			
Isthewaitinglistclosed(selectone)?No			

HousingNeedsofFamiliesontheWaitingList			
Waitinglisttype:(selectone)			
XSection8tenant -basedassistance - H=HISPANIC			
<input type="checkbox"/> PublicHousing			
<input type="checkbox"/> CombinedSection8andPublicHousing			
<input type="checkbox"/> PublicHousingSite -Basedorsub -jurisdictionalwaitinglist(optional)			
Ifused,identifywhichdevelopment/subjurisdiction:			
	#offamilies	%oftotalfamilies	AnnualTurnover
Waitinglisttotal	3347		300
Extremelylow income<=30%AMI	2374	70%	
Verylowincome (>30%but<=50%AMI)	839	25%	
Lowincome (>50%but<80%AMI)	109	3%	
Familieswith children	2252	67%	
Elderlyfamilies	267	8%	
Familieswith Disabilities	711	21%	
White	1203/36H	36%/1%	
Black	2102/121H	63%/0%	
AmericanNative	7/1	.2%	
Asian/Pacific Islander	22/4	.1%	
Isthewaitinglistclosed(selectone)?No			

C.StrategyforAddressingNeeds

ProvideabriefdescriptionofthePHA'sstrategyforaddressingthehousingneedsof familiesinthejurisdictionandonthewaitinglist **INTHEUPCOMINGYEAR** ,and theAgency'reasonsforchoosingthisstrategy.

(1)Strategies

Need: Shortage of affordable housing for alleligible populations

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

Select all that apply

- X Employ effective maintenance and management policies to minimize the number of public housing units off -line
- X Reduce turnover time for vacated public housing units
- X Reduce time to renovate public housing units
- X Seek replacement of public housing units lost to the inventory through mixed financed development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- X Maintain or increase section 8 lease -uprates by establishing payment standards that will enable families to rent throughout the jurisdiction
- X Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- X Maintain or increase section 8 lease -uprates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration

DCHA PLANS TO CONDUCT ANOTHER LANDLORD OUTREACH MEETING DURING THIS CALENDAR YEAR.

- X Maintain or increase section 8 lease -uprates by effectively screening Section 8 applicants to increase owner acceptance of program
- X 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

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

Delaware County Housing Development Corporation (DCHDC) is a Pennsylvanian non -profit Corporation formed in 1983 by Delaware County Housing Authority (DCHA) to develop, acquire, own, operate and sell housing for low and moderate income families in Delaware County.

DCHDC owns and operates 153 units of rental housing, has developed and sold 8 newly constructed single family homes, and owns and participates in a Supportive Housing Program for mentally handicapped individuals.

DCHDC's largest rental community, Fairground Annex, contains 119 townhouses acquired from the Township of Chester in the mid 1980's. Chester Township continues to hold the mortgage on this property. Approximately 95% of the tenants of this community received tenant based Section 8 assistance.

Two of DCHDC's communities, Noscov Apartments in Marcus Hook Borough, Delaware County and 649 Main Street in Darby Borough, Delaware County, comprising a total of 24 units were acquired and rehabilitated by DCHDC using a tax exempt qualified Bond issued and held by First Union Bank. The original Bond issued in May of 1989 was refinanced in September 1994 to take advantage of lower interest rates.

DCHDC's affordable housing sales program began in May of 1996 with the construction of four single family homes on lots owned by DCHDC in the South Media neighborhood of Nether Providence Township. These homes were sold to low income families in DCHA's Section 8 or Public Housing Program. Below market interest rate mortgages were arranged by DCHDC through Corestates (now First Union Bank) and Jefferson Bank. Four additional single family homes were developed by DCHDC on a private cul-de-sac in the Borough of Media on property donated by a local businessman. These properties were sold to low income first time home buyers with below market interest rate mortgages from Jefferson Bank. DCHDC constructed and sold two newly constructed homes to first time home buyers in Lower Chichester.

DCHDC is participating in a limited partner with Pennrose Equities in its Studevan School project. DCHDC will provide resident and management services as required.

DCHDC is continuing to seek opportunities to develop affordable housing. Three potential projects in the coming year included development of affordable housing in Upper Chichester and Trainer.

DCHDC has just completed a Supportive Housing Program collaborating with the County of Delaware, Delaware County Housing Authority, the Delaware County office of Mental Health, and Horizon House (a behavioral health provider). This project involved acquisition and ownership of four separate properties in three municipalities by DCHDC. Rehabilitation, maintenance and management of the property by DCHA and Supportive Services provided by Horizon House. Three of the four properties are now occupied. Horizon House

maintain supportive service staff at one property to service all four sites. Financing for this project came from a HUD Supportive Housing Program Grant, Delaware County Home Funds, and an Equity contribution from DCHDC.

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 voucher targeted to the elderly, should they become available
DCHA WILL INVESTIGATE AND DEVELOP WHERE APPROPRIATE HOME OWNERSHIP OPPORTUNITIES FOR THE NEAR -ELDERLY AND YOUNG SENIOR CITIZENS SEEKING HOME OWNERSHIP.
- Other: (list below)

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- X Seek designation of public housing for families with disabilities
- X Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- X Apply for special -purpose voucher targeted to families with disabilities , should they become available

DCHA IS ADMINISTERING AND IS WORKING WITH THE FREEDOM VALLEY DISABILITY ENABLEMENT INCORPORATION TO AID IN THE PROVISION OF SUPPORT SERVICES TO INCLUDE:

ASSISTING IN IDENTIFYING VOUCHER ELIGIBLE APPLICANTS.

ASSISTING POTENTIAL VOUCHER RECIPIENTS IN LOCATING THE APPROPRIATE HOUSING.

IF MODIFICATIONS TO THE RESIDENCE ARE NEEDED, ASSISTING RECIPIENTS IN FUNDING THE APPROPRIATE ASSISTIVE TECHNOLOGY, INSTALLATION (I.E., A RAMP AND THE BUILDER/INSTALLER) AND NECESSARY FUNDING, AND

ASSISTING POTENTIAL RECIPIENTS IN IDENTIFYING AND COORDINATING OTHER APPROPRIATE SUPPORT SERVICES.

DCHA PARTNERS WITH THE DELAWARE COUNTY DEPARTMENT OF HUMAN SERVICES TO ADMINISTER A VARIETY OF "SPECIAL NEEDS" PROGRAMS.

CURRENTLY COLLABORATIVE EFFORTS INCLUDE THE SHELTER PLUS CARE PROGRAM AND A TENANT BASED ASSISTANCE PROGRAM FOR HOMELESS DRUG AND ALCOHOL DEPENDENT INDIVIDUALS AND DUAL DIAGNOSIS INDIVIDUALS.

DCHA IS CONTINUING ITS LONG STANDING RELATIONSHIPS WITH A VARIETY OF COUNTY AGENCIES REPRESENTING "SPECIAL NEEDS" POPULATIONS INCLUDING THE MENTALLY AND PHYSICALLY HANDICAPPED/DISABLED, PERSONS WITH HIV AND AIDS, THE HOMELESS PERSONS IN DRUG AND ALCOHOL TREATMENT PROGRAMS AND VICTIMS OF DOMESTIC VIOLENCE. DCHA WILL CONTINUE TO EXPAND HOUSING OPPORTUNITIES FOR THESE GROUPS THROUGH REFERRALS FROM ADVOCATE GROUPS AND TARGETING OF ASSISTANCE GROUPS IN EXISTING ASSISTED HOUSING PROGRAMS. CASE MANAGEMENT BY THESE ADVOCATES IS AN INTEGRAL PART OF THESE HOUSING

OPPORTUNITIES. THESE ADVOCATES INCLUDE THE OHIO HOUSE, HOLCOMB AND FAMILY AND COMMUNITY SERVICES.

- X Affirmatively market to local non-profit agencies that assist families with disabilities

FREEDOM VALLEY DISABILITIES AND ENABLEMENT INCORPORATION – SEE ABOVE STATEMENT FOR DETAILS.

- Other: (list below)

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

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

Select if applicable

- X Affirmatively market to races/ethnicities shown to have disproportionate housing needs

DCHA WILL AFFIRMATIVELY MARKET ITS CALCONGARDENS, HIGHLAND HOMES AND POTENTIALLY UPLAND UNITS IN ACCORDANCE WITH IT'S FAIR HOUSING MARKETING PLAN ATTACHED AS ATTACHMENT PA023eee01.

- Other: (list below)

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

THROUGH PARTICIPATION IN THE REGIONAL OPPORTUNITY COUNSELING PROGRAM, REGULAR SECTION 8 BRIEFINGS AND INDIVIDUAL COUNSELING.

- X Market the section 8 program to owners outside of areas of poverty/minority concentrations

THROUGH PARTICIPATION IN THE REGIONAL OPPORTUNITY COUNSELING PROGRAM AND OWNERS WORKSHOPS. A LANDLORD OUTREACH WORKSHOP WILL BE PLANNED FOR THIS CALENDAR YEAR.

Other:(listbelow)

OtherHousingNeeds&Strategies:(listneeds andstrategiesbelow)

(2)ReasonsforSelectingStrategies

Ofthefactorslistedbelow,selectallthatinfluencedthePHA'sselectionofthe strategiesitwillpursue:

- X Fundingconstraints
- Staffingconstraints
- X Limitedavailabilityofsitesforassistedhousing
- X Extenttowhichparticularhousingneedsaremetbyotherorganizationsinthe community
- X EvidenceofhousingneedsasdemonstratedintheConsolidatedPlanandother informationavailabletothePHA
- X InfluenceofthehousingmarketonPHAprograms
- X Communityprioritiesregardinghousingassistance
- X Resultsofconsultationwithlocalorstategovernment
- X ResultsofconsultationwithresidentsandtheResidentAdvisoryBoard
- X Resultsofconsultationwithadvocacygroups
- Other:(listbelow)

2. StatementofFinancialResources

[24CFRPart903.79(b)]

ListthefinancialresourcesthatareanticipatedtobeavailabletothePHAforthe supportofFederalpublichousingandtenant -basedSection8assistanceprograms administeredbythePHAduringthePlanyear.Note:thetableassumesFederal publichousingortenantbasedSection8assistancegrantfundsareexpendedon eligiblepurposes;therefore,usesofthesefundsneednotbestated.Forotherfunds, indicatetheuseforthosefundsasoneofthefollowingcategories:publichousing operations,publichousingcapitalimprovements,publichousingsafety/security,public housingsupportiveservices,Section8tenant -basedassistance,Section8supportive servicesorother.

FinancialResources: PlannedSourcesandUses		
Sources	Planned\$	PlannedUses
1.FederalGrants(FY2002 grants)		
a) PublicHousingOperatingFund	2,218,010.00	
b) PublicHousingCapitalFund	2,171,150.00	
c) HOPEVIRevitalization		
d) HOPEVIDemolition		
e) AnnualContributionsforSection 8Tenant -BasedAssistance	14,733,344.00	

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	193,114.00	
g) Resident Opportunity and Self-Sufficiency Grants	200,000.00	
h) Community Development Block Grant		
i) HOME		
Other Federal Grants (list below)		
Section 8 New Construction	649,457.00	Operating Funds
Supportive Housing Program	408,402.00	
2. Prior Year Federal Grants (unobligated funds only) (list below)		
Supportive Housing Program	381,265.00	Assistance for permanent housing for substance abusers
Shelter Plus Care	366,480.00	Assistance for homeless people with Aids
3. Public Housing Dwelling Rental Income	1,413,861	Operating/Routine 2002 Budget
4. Other income (list below)		
Rooftop Rental	15,000.00	Operating/Routine
Non-dwelling rent/interest/laundry/proceeds/ Other	16,910.00	Operating/Routine
4. Non-federal sources (list below)		
Total resources	22,358,591.00	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.79(c)]

A. Public Housing

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

(1) Eligibility

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

- When families are within a certain number of being offered a unit: (state number)
- X When families are within a certain time of being offered a unit: (state time) 15 TO 30 DAYS
- X Other: (describe)

WHEN A UNIT BECOMES AVAILABLE.

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

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

CREDIT CHECKS

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

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

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

(2) Waiting List Organization

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

- X Community-wide list
- Sub-jurisdictional lists
- X Site-based waiting lists - FOR NEW CAL CONG GARDENS MIXED FINANCE PROJECT AND FOR HIGHLAND HOMES MIXED FINANCE PROJECT AND FOR THE POTENTIAL UPLAND MIXED FINANCE PROJECT.
- Other (describe)

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

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

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

A. How many site -based waiting lists will the PHA operate in the coming year?
Three - CALCONGARDEN SPA23 -1, HIGHLAND HOMES PA23 -2,
UPLAND PA23 -3 AND 23 -8 and PA23 -9.

2. Yes X No: Are any or all of the PHA's site -based waiting lists new for the
upcoming year (that is, they are not part of a previously -HUD-
approved site based waiting list plan)?
If yes, how many lists?
UPLAND TERRACE HOMES, PA23 -3, PA23 -8 AND PA23 -9

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

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

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

(3) Assignment

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

- One
- X Two
- Three or More

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

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

(4) Admissions Preferences

a. Income targeting:

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

b. Transfer policies:

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

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

ATTACHMENT PA023ee01 TRANSFER POLICY

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

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

3. If the PHA will employ admission 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 points 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:

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

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

(5) Occupancy

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

- X The PHA - resident lease
- X The PHA's Admissions and (Continued) Occupancy policy
- X PHA briefing seminars or written materials
- APPLICATION PACKET
- ADMISSION PACKET
- GRIEVANCE PROCEDURES

Other source (list)

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

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

(6) Deconcentration and Income Mixing

a. X Yes No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing? **See attachment pa023nnn01.**

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

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

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

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

CALCONGARDENS
HIGHLAND HOMES
POTENTIAL UPLAND

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

Other (list policies and developments targeted below)

d. Yes X No: Did the PHA adopt any changes to **other policies** based on the results of the required analysis of the need for deconcentration of poverty and income mixing? **See attachment pa023nnn01**

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

- Additional affirmative marketing
- Actions to improve the marketability of certain developments
- Adoption or adjustment of ceiling rents for certain developments

- Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- Other (list below)

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

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

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

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

B. Section 8

Exemptions: PHA 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)

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

c. YES X No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

d. X 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 are with prospective landlords? (select all that apply)

- X Criminal or drug -related activity
- X Other (describe below)

INFORMATION TO OWNERS

In accordance with HUD requirements, the HA will furnish prospective owners with the family's current addresses as shown in the HA's records and, if known to the HA, the name and address of the landlord at the family's current and prior address.

The HA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

The HA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, eviction history, damage to units, and other factors related to the family's suitability as a tenant.

A statement of the HA's policy on release of information to prospective landlords will be included in the briefing packet which is provided to the family (See attachment PA023bbb01).

The HA will provide documented information regarding tenancy history for the past 3 years to prospective landlords upon request from the landlord.

The HA will furnish prospective owners with information about the family's rental history, or any history of drug trafficking. Upon request.

The HA will provide the following information, based on documentation in its possession:

- Eviction history
- Damage to rental units
- Other aspects of tenancy history
- Drug trafficking by family members

The information will be provided for the last 3 years.

The information will be provided orally.

DCHA is considering the provision of rental counseling utilizing its component unit Delaware County Homeownership and Credit Counseling, Inc. The counseling would provide life skills, financial, maintenance and community pride training to existing and prospective Section 8 assisted clients on a voluntary group workshop basis.

Clients would be issued a Certification of Completion and a list of graduates could be provided to prospective landlords.

(2) Waiting List Organization

With which of the following program waiting lists is the section 8 tenant assistance waiting list merged? (select all that apply) -based

- 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 assistance? (select all that apply) -based

- 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:

The HA will extend the term up to 120 days from the beginning of the initial term if the family needs and requests an extension as are reasonable accommodation to make the program accessible to and usable by a family member with a disability. If a reasonable accommodation, the family needs an extension in excess of 120 days, the HA will request such approval from the HUD field office.

A family may request an extension of the Certificate/Voucher time period. All requests for extensions must be in writing and received prior to the expiration date of the Certificate/Voucher.

Extensions are permissible at the discretion of the HA up to a maximum of an additional 60 days primarily for these reasons:

Extenuating circumstances such as hospitalization or a family emergency for an extended period of time which has affected the family's ability to find a unit within the initial sixty -day period. Verification is required.

The HA is satisfied that the family has made a reasonable effort to locate a unit including seeking the assistance of the HA, throughout the initial sixty day period.

The family was prevented from finding a unit due to a disability accessibility requirements or larger size bedroom unit requirement. The Search Record is part of the required verification.

(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
- Household that contribute to meeting income goals (broad range of incomes)
- Household 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)

DISABLED INDIVIDUALS AND FAMILIES GRADUATING
FROM CONTINUUM OF CARE AND/OR SUPPORTIVE HOUSING PROGRAMS
WITH EXISTING CASE MANAGEMENT SUPPORT FROM EXISTING COUNTY
AGENCIES.

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 points 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

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

Other preferences (select all that apply)

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

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

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

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

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

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

- ThePHAappliespreferenceswithinincometiars
- X Notapplicable:thepoolofapplicantfamiliesensuresthatthePHAwillmeet incometargeting requirements

(5)SpecialPurposeSection8AssistancePrograms

a.Inwhichdocumentsorotherreferencematerialsarethepoliciesgoverning eligibility,selection,andadmissionstoanyspecial -purposesection8program administeredbythePHAcontained?(selectallthatapply)

- X TheSection8AdministrativePlan
- X Briefingsessionsandwrittenmaterials
- Other(listbelow)

b. HowdoesthePHAannouncetheavailabilityofanyspecial -purposesection8 programstothepublic?

- Throughpublishednotices
- X Other(listbelow)

THESECTION8HOUSINGCHOICEVOUCHERPROGRAMS
AREADVERTISEDTOHETARGETEDPOPULATIONTHROUGH
APPROPRIATESOCIALSERVICEAGENCIESANDADVOCACYGROUPS.

4.PHARentDeterminationPolicies

[24CFRPart903.79(d)]

A.PublicHousing

Exemptions:PHAsthatdonotadministerpublichousingarenotrequiredtocomplete sub-component4A.

(1)IncomeBasedRentPolicies

DescribethePHA'sincomebasedrentsettingpolicy/iesforpublichousingusi ng, includingdiscretionary(thatis,notrequiredbystatuteorregulation)incomedisregards andexclusions,intheappropriatespacesbelow.

a.Useofdiscretionarypolicies:(selectone)

- X ThePHAwillnotemployanydiscretionaryrent -settingpoliciesforincome basedrentinpublichousing.Income -basedrentsaresetatthehigherof30% ofadjustedmonthlyincome,10%ofunadjustedmonthlyincome,thewelfare rent,THEFLATRENTorminimumrent(lessHUDmandatorydeductions andexclusions).(Ifselected,skiptosub -component(2))

---or---

- ThePHAemploysdiscretionarypoliciesfordeterminingincomebasedrent(If selected,continuetoquestionb.)

b. Minimum Rent

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

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

2. X Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? **SEE ATTACHMENT pa02300001.**

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

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

1. X Yes No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

A. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

FLAT RENTS:

Woodlyn 23 -14	2 Bedroom	\$480.00
Kinder Park	3 Bedroom	\$547.00
	4 Bedroom	\$689.00
	5 Bedroom	\$847.00
Chester Township 23-4	1 Bedroom	\$368.00
	2 Bedroom	\$466.00
Fairground Homes	3 Bedroom	\$506.00
Upland Apartments 23-8,9 Twin homes	1 Bedroom	\$500.00 Central Air
	2 Bedroom	\$503.00
	3 Bedroom	\$556.00
	4 Bedroom	\$709.00
23-3	2 Bedroom	\$485.00
	3 Bedroom	\$531.00
Darby Township Apartments	1 Bedroom	\$461.00
	2 Bedroom	\$577.00

23-1,6,7,11			
23-7	2Bedroom/Basement		\$512.00
23-6	3Bedroom/Basement/CentralAir		\$618.00
23-1Townhouses	3Bedroom/CentralAir		\$618.00
Media			
23-12	3Bedroom	VernonRowHome	\$586.00
	3Bedroom	444VernonSingle	\$612.00
	3Bedroom	457WashingtonSingle	\$608.00
	4Bedroom	601Manchester	\$613.00
	2Bedroom	306Wallingford	\$610.00
Wayne	1Bedroom		\$536.00
23-2	2Bedroom		\$572.00
	3Bedroom		\$714.00

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

- For the earned income of a previously unemployed household member
- For increases in earned income
- Fixed amount (other than general rent -setting policy)
If yes, state amount/s and circumstances below:
- Fixed percentage (other than general rent -setting policy)
If yes, state percentage/s and circumstances below:
- For household heads
- For other family members
- For transportation expenses
- For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below)

e. Ceiling rents

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

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

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

- For all developments

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

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

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

f. Rent determination:

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

- Never
- At family option
- Anytime the family experiences an income increase
- Anytime a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) _____
- Other (list below)

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

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

- The section 8 rent reasonableness study of comparable housing
- Survey of rents listed in local newspaper
- Survey of similar unassisted units in the neighborhood
- Other (list/describe below)

B. Section 8 Tenant -Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

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

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

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

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

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

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

- Annually
- Other (list below)

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

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

(2) Minimum Rent

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

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

b. X Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below) **SEE ATTACHMENT pa023ooo01.**

5. Operations and Management

[24CFR Part 903.79(e)]

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

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

- X An organization chart showing the PHA's management structure and organization is attached. **ATTACHMENT PA023ccc01.**
 A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	783	8%
Section 8 Vouchers	2753	20%
Section 8 Certificates		
Section 8 Mod Rehab	0	
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Family Unification	225	2%
Shelter Plus Care	26	8%
Mainstream	75	2%
Public Housing Drug Elimination Program	322 units	

(PHDEP)		
OtherFederal Programs(list individually)		
Section8New ConstructionPa26 -01-0005	100	8%
MesonPa26 -003-0034	17	18%
SupportiveHousing ProgramPa26 -005-0001	13	23%
SupportiveHousing ProgramPa01B902001	10	20%
EDSS – Elderly/Disabled	179units	
EDSSFamily	586units	

C.ManagementandMaintenancePolicies

ListthePHA’spublichousingmanagementandmaintenancepolicydocuments, manualsandhandbooksthatcontaintheAgency’srules,standards,andpolicies that governmaintenanceandmanagementofpublichousing,including adescriptionofany measuresnecessaryforthe preventionoreradicationofpestinfestation(which includescockroachinfestation)andthepoliciesgoverningSection8management.

- AdmissionandContinuedParticipation(S8NC) – AttachmentPA023b01
- AdmissionandOccupancyPolicy –AttachmentPA023c01
- AffirmativeActionPlan –AttachmentPA023d01
- By-Laws –AttachmentPA023e01
- CapitalizationPolicy –AttachmentPA023f01
- DispositionPolicy –AttachmentPA023h01
- DrugandAlcoholPolicy –AttachmentPA023i01
- EmergencyMaintenancePolicy –AttachmentPA023j01
- GrievanceProcedure –AttachmentPA023k01
- InvestmentPolicy –AttachmentPA023l01
- LoanPolicy –AttachmentPA023m01
- MinorityBusinessEnterprise/WomenBusinessEnterprise –AttachmentPA023n01
- PetPolicy –AttachmentPA023o01
- PetPolicy -Elderly/Handicapped –AttachmentPA023p01
- PersonnelPolicy –AttachmentPA023q01
- ProcurementPolicy –AttachmentPA023r01
- ReasonableAccommodationPolicy –AttachmentPA023s01

RecordRetentionPolicy –AttachmentPA023t01
 ResidentInitiativesPolicy –AttachmentPA023g01
 ResidentialDwellingLease –AttachmentPA023w01
 RetirementPlan –AttachmentPA023x01
 Section504GrievanceProcedures –AttachmentPA023y01
 Section8AdministrativePlan –AttachmentPA023z01
 S8(NC)ResidentialDwellingLease –AttachmentPA023aa01
 SexualHarassmentPolicy –AttachmentPA023bb01
 StaleDatedCheckDispositionPolicy –AttachmentPA023cc01
 TenantReliefinPayingExcessUtilityChargesPolicy –AttachmentPA023dd01
 CasualBusinesswearPolicy –AttachmentPA023ff01
 MaintenancePolicy –AttachmentPA023gg01
 MaintenanceOvertimePolicyandProcedure –AttachmentPA023hh01
 MotorVehiclesSafety/TrafficViolationPolicy –AttachmentPA023ii01
 FSSActionPlan –AttachmentPA023jj01
 ProcedureforPropertyDisposition –AttachmentPA023kk01
 ProcedureforReceivingVisitors –AttachmentPA023ll01
 PurchaseOrderPolicy –AttachmentPA023mm01
 PurchasingPolicyAuditProgram –AttachmentPA023nn01
 RangeandRefrigeratorsProcedures –AttachmentPA023oo0 1
 SmokingPolicy –AttachmentPA023pp01
 SafetyPolicyStatement –AttachmentPA023qq01
 PublicHousingHomeownershipProgram –AttachmentPA023ss01
 MesonLease –AttachmentPA023tt01
 SupportiveHousingLease –AttachmentPA023uu01
 DelawareCountyHousingDevelopmentCorporationLease –AttachmentPA023vv01
 DelawareCountyHousingAuthorityCountywideHomeownershipProgram –
 AttachmentPA023ww01
 WrittenCommunications –AttachmentPA023ddd01
 EconomicOpportunityPlan –AttachmentPA023zz01
 CommunityCenter Policy –AttachmentPA023a01
 CalconGardensDwellingLease –AttachmentPA023fff01
 HighlandHomesDwellingLease –AttachmentPA023ggg01

A. PublicHousingMaintenanceandManagement:(listbelow)
 Seeabovelist

B. Section8Management:(listbelow)
 Seeabovelist

6. PHAGrievanceProcedures

[24CFRPart903.79(f)]

Exemptionsfromcomponent6:HighperformingPHAsarenotrequiredtocomplete
 component6.Section8 -OnlyPHAsareexemptfromsub -component6A.

A. Public Housing

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

If yes, list additions to federal requirements below:

2. Which PHA offices should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

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

B. Section 8 Tenant -Based Assistance

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

If yes, list additions to federal requirements below:

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

- PHA main administrative office
- Other (list below)

7. Capital Improvement Needs

[24 CFR Part 903.79(g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

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

-or-

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

(2) Optional 5 -Year Action Plan

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

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

b. If yes to question a, select one:

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

-or-

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

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

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

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

1. Development name:

2. Development (project) number:

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

Revitalization Plan under development

Revitalization Plan submitted, pending approval

- Revitalization Plan approved
- Activities pursuant to a approved Revitalization Plan underway

Yes No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?
If yes, list development name/s below:

X Yes No: d) Will the PHA be engaging in any mixed -financed development activities for public housing in the Plan year?
If yes, list developments or activities below:

The Delaware County Housing Authority and Pennrose Equities plan has submitted a Demolition/Disposition and Mixed Finance Application for the redevelopment of Highland Homes PA23 -2 which was approved in accordance with HUD's letter dated December 20, 2001. DCHA plan to submit the two applications for the proposed Upland Terrace Homes Project.

X Yes No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
If yes, list developments or activities below:

DCHA HAS LAND AVAILABLE THAT MAY BE DEVELOPED AS FUNDS BECOME AVAILABLE. FRONT STREET IN UPLAND BOROUGH AND 306 WALLINGFORD AVENUE, IN NETHER PROVIDENCE TOWNSHIP.

8. Demolition and Disposition

[24 CFR Part 903.79(h)]

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

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

2. Activity Description

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

“yes”,skiptocomponent9.If“No”,completetheActivity Descriptiontablebelow.)

Demolition/DispositionActivityDescription	
1a.Developmentname:UplandTerraceHomes	
1b.Development(project)number:Pa23 -3,Pa23- 8andPa23 -9	
2.Activitytype:DemolitionX DispositionX	
3.Applicationstatus(selectone) Approved <input type="checkbox"/> Submitted,pendingapproval <input type="checkbox"/> PlannedapplicationX	
2. Dateapplicationapproved,submitted,orplannedforsubmission: <u>(DD/MM/YY)</u> 01-07-02	
5.Numberofunitsaffected:6.Coverageofaction(selectone) <input type="checkbox"/> Partofthedevelopment Totaldevelopment:123units	
7.Timelineforactivity:Demo/DispoandMixedFinanceapplicationtobesubmitted thirdcalendarquarterof2002. a.Projectedstartdateofa ctivity:January1,2003 b.Projectedednddateofactivity:March31,2004	

9. DesignationofPublicHousingforOccupancybyElderlyFamiliesorFamilies withDisabilitiesorElderlyFamiliesandFamilieswithDisabilities

[24CFRPart903.79(i)]

ExemptionsfromComponent9;Section8onlyPHAsarenotrequiredtocomplete thissection.

1. YesxNo: HasthePHAdesignatedorappliedforapprovaltodesignateor doesthePHAplantoapplytodesignateanypublichousingfor occupancyonlybytheelderlyfamiliesoronlybyfamilieswith disabilities,orbyelderlyfamiliesandfamilieswithdisabilities orwillapplyfordesignationforoccupancybyonlyelderly familiesoronlyfamilieswithdisabilities,orbyelderlyfamilies andfamilieswithdisabilitiesasprovidedbysection7ofthe U.S.HousingActof1937(42U.S.C.1437e)intheupcoming fiscalyear? (If“No”,skiptocomponent10.If“yes”,complete oneactivitydescriptionforeachdevelopment,unlesssthePHAis eligibletocompleteastreamlinedsubmission;PHAs completingstreamlinedsubmissionsmayskiptocomponent 10.)

2.ActivityDescriptionN/A

Yes No: HasthePHAprovidedallrequiredactivitydescription informationforthiscomponentinthe **optionalPublicHousing**

AssetManagementTable?If“yes”,skiptocomponent10.If
 “No”,completetheActivityDescriptiontablebelow .

DesignationofPublicHousingActivityDescription	
1a.Developmentname:	
1b.Development(project)number:	
2.Designationtype:	
Occupancybyonlytheelderly <input type="checkbox"/>	
Occupancybyfamilieswithdisabilities <input type="checkbox"/>	
Occupancybyonlyelderlyfamiliesandfamilieswithdisabilities <input type="checkbox"/>	
3.Applicationstatus(selectone)	
Approved;includedinthePHA’sDesignationPlan <input type="checkbox"/>	
Submitted,pendingapproval <input type="checkbox"/>	
Plannedapplication <input type="checkbox"/>	
4.Datethisdesignationapproved,submitted,orplannedforsubmission: (DD/MM/YY)	
5.Ifapproved,willthisdesignationconstitutea(selectone)	
<input type="checkbox"/> NewDesignationPlan	
<input type="checkbox"/> Revisionofapreviously -approvedDesignationPlan?	
6. Numberofunitsaffected:	
7.Coverageofaction(selectone)	
<input type="checkbox"/> Partofthedevelopment	
<input type="checkbox"/> Totaldevelopment	

10. ConversionofPublicHousingtoTenant -BasedAssistance

[24CFRPart903.79(j)]

ExemptionsfromComponent10;Section8onlyPHAsarenotrequiredtocomplete
 this section.

**A.AssessmentsofReasonableRevitalizationPursuanttoSection202oftheHUD
 FY1996HUDAppropriationsAct**

1. YesXNo: HaveanyofthePHA’sdevelopmentsorportionsof
 developmentsbeenidentifiedbyHUDorthePHAascovers
 undersection202oftheHUDFY1996HUDAppropriations
 Act?(If“No”,skiptocomponent11;if“yes”,completeone
 activitydescriptionforeachidentifieddevelopment,unless
 eligibletocompleteastreamlinedsubmission.PHAs
 completingstream linedsubmissionsmayskiptocomponent
 11.)

2.ActivityDescriptionN/A

Yes No: HasthePHAprovidedallrequiredactivitydescription
 informationforthiscomponentinthe **optionalPublicHousing**
 AssetManagementTable?If“yes”,skiptocomponent11.If
 “No”,completetheActivityDescriptiontablebelow.

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

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

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.79(k)]

A. Public Housing

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

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

SEE ATTACHEMENT PA023ss01 AND PA023ww01

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

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

B. Section 8 Tenant Based Assistance

1. X Yes No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24CFR 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.)

1. Program Description:

SEE ATTACHMENT PA023xx01.

a. Size of Program

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

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

- 25 or fewer participants
 26- 50 participants
X 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

[24CFR Part 903.79(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:

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

If yes, what was the date that agreement was signed? 11 -14-01

SEE ATTACHMENT PA023yy01

2. Other coordination efforts between the PHA and TANF agency (select all that apply)
- X Client referrals
 - X Information sharing regarding mutual clients (for rent determinations and otherwise)
 - X Coordinate the provision of specific social and self-sufficiency services and programsto eligible families
 - X Jointly administer programs – AS NECESSARY FUNDS ARE AVAILABLE.
 - X Partner to administer a HUD Welfare-to-Work voucher program – AS NECESSARY FUNDS ARE AVAILABLE.
 - Joint administration of other demonstration program
 - Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

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

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

b. Economic and Social self-sufficiency programs

X Yes No: Does the PHA coordinate, promote or provide any programsto enhance the economic and social self-sufficiency of residents? (If “yes”, complete the following table; if “no” skipto 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/PH main office/other provider name)	Eligibility (public housing or section 8 participants or both)
Job Bank and Career Center	50	Upon Request	Various Employees	Both
Literacy Training	30	Upon Request	I.U.	Both
Head Start	75	Upon Request	I.U.	Both
Homeownership and Credit Counseling	100	Wait List Upon Request	Delaware County Homeownership and Credit Counseling, Inc.	Both
Elderly and Persons with Disabilities – Supportive Services	10	Upon Request	Home Nurse Care	Both
Personal Response Systems (PERS)	20	Upon Request	Responsibility	Both
Various Workshops/Activities	200	Upon Request	Various Agencies	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	45	29, 16- 11-01
Section 8	131	117, 16- 11-01

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

C. Welfare Benefit Reductions

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

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

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

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.79(m)]

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

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

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)
- High incidence of violent and/or drug -related crime in some or all of the PHA's developments
 - High incidence of violent and/or drug -related crime in the area surrounding or adjacent to the PHA's developments
 - X Residents fearful for their safety and/or the safety of their children
 - X Observed lower -level crime, vandalism and/or graffiti
 - X People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug -related crime
 - Other (describe below)

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

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

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

FAIRGROUND KINDERPARK
 UPLAND GREENHILL COURT APTS.

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

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

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

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

FAIRGROUND KINDERPARK

UPLAND

GREENHILLCOURTAPTS.

C.CoordinationbetweenPHAand thepolice

1.DescribethecoordinationbetweenthePHAandtheappropriatepoliceprecinctsfor carryingoutcrimepreventionmeasuresandactivities:(selectallthatapply)

- X Policeinvolvementindevelopment,implementation,and/orongoing evaluationofdrug -eliminationplan
- X Policeprovidocrimedatatohousingauthoritystaffforanalysisandaction
- X Policehaveestablishedaphysicalpresenceonhousingauthorityproperty(e.g., communitypolicingoffice,officerinresidence)
- X Police regularlytestifyinandotherwisesupportevictioncases
- X PoliceregularlymeetwiththePHAmangementandresidents

RESIDENTSAREINFORMEDANDINVITEDTOEACHMEETINGBUT FAILTOATTEND.

- X AgreementbetweenPHAandlocallawenforcementagencyforprovisionof above-baselinelawenforcementservices

Otheractivities(listbelow)

2.Whichdevelopmentsaremostaffected?(listbelow)

FAIRGROUND
UPLAND

KINDERPARK
GREENHILLCOURTAPTS.

D.Additionalinformationasrequiredby PHDEP/PHDEPPlan

PHAeligibleforFY2001PHDEPfundsmustprovideaPHDEPPlanmeeting specifiedrequirementspriortoreceiptofPHDEPfund.

XYes No:IsthePHAeligibletoparticipateinthePHDEPinthefiscalyear coveredbythisPHAPlan?

XYes No:HasthePHAincludedthePHDEPPlanforFY2001inthisPHA Plan?

YesXNo:ThisPHDEPPlanisanAttachment.(AttachmentFilename: PA023a01)

14.RESERVEDFORPETPOLICY

[24CFRPart903 .79(n)]

SEEATTACHMENTPA023o01

15.CivilRightsCertifications

[24CFRPart903.79(o)]

CivilrightscertificationsareincludedinthePHAPlanCertificationsofCompliance withthePHAPlansandRelatedRegulations.

16.FiscalAudit

[24CFRPart903.79(p)]

- 1. X Yes No: IsthePHArequiredtohaveanauditconductedundersection 5(h)(2)oftheU.S.HousingActof1937(42US.C.1437c(h))? (Ifno,skiptocomponent17.)
- 2. X Yes No: Wasthem ostrecentfiscalauditsubmittedtoHUD? MARCH31,2001 –AttachmentPA023kkk01
- 3. Yes X No: Werethereanyfindingsastheresultofthataudit?
- 4. Yes No: Iftherewereanyfindings,doanyremainunresolved? Ifyes,howmanyunresolvedfindingsremain?N/A
- 5. Yes No: Haveresponsestoanyunresolvedfindingsbeensubmittedto HUD?N/A Ifnot,whenaretheydue(statebelow)?

17.PHAAssetManageme nt

[24CFRPart903.79(q)]

Exemptionsfromcomponent17:Section8OnlyPHAsarenotrequiredtocomplete thiscomponent.HighperformingandsmallPHAsarenotrequiredto completethis component.

- 1. X Yes No: IsthePHAengaginginanyactivitiesthatwillcontribute tothe long-termassetmanagementofitspublichousingstock, includinghowtheAgencywillplanforlong -termoperating, capitalinvestment,rehabilitation,modernization,disposition,and otherneedsthathave **not**beenaddressedelsewhereinthisPHA Plan?
- 2. WhattypesofassetmanagementactivitieswillthePHAundertake?(selectallthat apply)
 - Notapplicable
 - Privatemanagement
 - X Development-basedaccounting
 - X Comprehensivestockassessment
 - Other:(listbelow)

3. Yes/No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24CFR Part 903.79(r)]

A. Resident Advisory Board Recommendations

DCHA RESIDENT ADVISORY BOARD

KinderPark	KarenLaury CarolynPage
KinderParkMid -Rise	BentleyBridges PeterCarroll PriscillaMooney
Upland	DonnaGray ShamekaBenton
Upland“E”Building	GladysPetrosina DorothyHoward
Fairground	Vacant
CalconGardens	VirginiaMcCullough GloriaMitchell
HighlandHomes	MaryLouSchell ToriRobinson
Section8	CorneliaEvans KathrynMasishin

1. X Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
X Attached at Attachment (Filename) SEE ATTACHMENT PA023aaa01, MINUTES.

Provided below:

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

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

THE DEATH OF LONG TIME BOARD TREASURER THEODORE G. DUGAN ON SEPTEMBER 13, 2000 CREATED THE FIRST VACANCY ON DCHA'S BOARD SINCE THE RESIDENT MEMBER REQUIREMENT WAS IMPLEMENTED.

ALL DCHA COMMISSIONERS ARE APPOINTED BY THE DELAWARE COUNTY COUNCIL, THE GOVERNING BODY OF DELAWARE COUNTY. COMMISSIONERS ARE APPOINTED FOR STAGGERED FIVE YEAR TERMS. THE TERM OF THE CURRENT VACANCY EXPIRES JANUARY 1, 2002.

DCHA HAS PROVIDED A LIST OF ELIGIBLE RESIDENTS TO DELAWARE COUNTY COUNCIL.

THE ESTIMATED DATE FOR RESIDENT APPOINTMENT TO THE BOARD OF COMMISSIONERS IS DECEMBER 31, 2002.

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

3. Description of Resident Election Process N/A

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)

DELAWARE COUNTY, HAVERFORD TOWNSHIP, AND UPPER DARBY TOWNSHIP.

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)

X The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.

X The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.

X The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.

X Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)

Other: (list below)

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

1. Income targeting requirements of QWRHA and this plan are consistent with the needs expressed in the Consolidated Plan.

2. Special Needs populations are targeted for support by each plan.

3. Participation in the ROC is supported.

4. DCHA is able to access the County Housing Development Fund for funds for acquisition/new construction opportunities.

5. Cooperation and communication regarding affordable housing opportunities.

D. Other Information Required by HUD

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

Attachments

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

**PHA Plan
Table Library**

Annual Statement

Capital Fund Program (CFP) Part I: Summary

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non - CGP Funds	
2	1406 Operations	
3	1408 Management Improvements	30,000.00
4	1410 Administration	87,500.00
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	
8	1440 Site Acquisition	
9	1450 Site Improvement	
10	1460 Dwelling Structures	68,000.00
11	1465.1 Dwelling Equipment - Nonexpendable	
12	1470 Nondwelling Structures	
13	1475 Nondwelling Equipment	
14	1485 Demolition	
15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
17	1495.1 Relocation Costs	
18	1498 Mod Used for Development - Pa23 -2	1,985,650.00
19	1502 Contingency	
20	Amount of Annual Grant (Sum of lines 2 -19)	2,171,150.00
21	Amount of line 20 Related to LBP Activities	
22	Amount of line 20 Related to Section 504 Compliance (Handicapped for PA23 -2 Highland)	
23	Amount of line 20 Related to Security	
24	Amount of line 20 Related to Energy Conservation Measures	

AnnualStatement

CapitalFundProgram(CFP)PartII:SupportingTable

Development Number/Name HA-WideActivities	GeneralDescriptionofMajorWork Categories	Development Account Number	Total Estimated Cost
PHAWIDE	StaffTraining 4-2dayseminars@\$4000each HomeownershipCounseling@\$2000	1408	20,000.00
	ResidentTransportation	1408	10,000.00
PHA -WIDE	Salaries/Benefits/Manager/Secretary	1410	87,500.00
PA23 -2	Surveys,LegalFees	1430	45,000.00
PA23 -2	A/EFees	1430	30,000.00
PA23 -5	LinkRoof	1460	40,000.00
PA23 -5	LightningArrestors	1460	28,000.00
PA23 -2	MixedFinance	1499	1,910,650.00

AnnualStatement

CapitalFundProgram(CFP)PartIII:ImplementationSchedule

DevelopmentNumber/Name HA-WideActivities	AllFundsObligated (QuarterEndingDate)	AllFundsExpended (QuarterEndingDate)
PHA -WIDE	9-30-04	9-30-05
PA23 -2,HighlandHomes	9-30-04	9-30-05
MixedFin ance		

OptionalTablefor5 -YearActionPlanforCapitalFund(Component7)

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

Optional 5 Year Action Plan Tables			
Development Number	Development Name	Number Vacant Units	% Vacancies in Development
	PHA Wide		
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Salaries, Benefits, Director/Secretary		96,000.00	2003
Computer Upgrade		35,000.00	2003
Resident Training (NAHRO Leadership Training for Residents or similar training offered by other organizations.)		10,000.00	2003
Seminars \$5,000			
Homeownership Counseling/Training \$5,000			
Resident Transportation		10,000.00	2003
Total estimated cost over next 5 years		\$151,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-12	South Media		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Replace 815/817 Forrest Avenue	180,000.00	2003
Total estimated cost over next 5 years	\$180,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-4	Fairgrounds		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
ReplaceroofCommunityCenter	85,000.00	2003
Totalestimatedcostovernext5years	\$85,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-5	KinderParkMid -Rise		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
CarpetsMid -Rise	30,000.00	2003
PowerBack -upSystemforVoiceandDataNetworks	5,000.00	2003
Totalestimatedcostovernext5years	\$35,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
PA23 -3,8&9	Upland Terrace Homes		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Mixed Finance Development –(Planned approximately for 2003)	\$1,720,150.00	2003
Total estimated cost over next 5 years	\$1,720,150.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
	PHA Wide		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Salaries and Benefits – Lump Sum	102,000.00	2004
Computer Upgrade	5,000.00	2004
Resident Training (NAHRO Leadership Training for Residents or similar training offered by other organizations.)	5,000.00	2004
Seminars		
Staff Training	5,000.00	2004
Seminars	5,000.00	2004
Resident Transportation		
Total estimated cost over next 5 years	\$122,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
Pa23 -3,8&9	Upland Terrace Homes		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Mixed Finance Development –(Planned approx. for 2003)	2,049,150.00	2004
Total estimated cost over next 5 years	\$2,049,150.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
	PHA Wide		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Salaries and benefits	108,000.00	2005
Computer upgrade	25,000.00	2005
Resident training (NAHRO Leadership Training for Residents or similar training offered by other organizations.)	10,000.00	2005
2 day seminars \$4,000 each various seminars and conferences	20,000.00	2005
Staff seminars 4 - 2 day seminars \$4,000 each	10,000.00	2005
Home ownership counseling training Resident Training	10,000.00	2005
Total estimated cost over next 5 years	\$173,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-12	South Media		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
306 Wallingford	180,000.00	2005
Total estimated cost over next 5 years	\$180,000.00	

Optional 5 Year Action Plan Tables			
Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-4	Fairgrounds		
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Community Center A/C		50,000.00	2005
Total estimated cost over next 5 years		\$50,000.00	

Optional 5 Year Action Plan Tables			
Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-11	Green Hill Court		
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Gutter and Soffit		125,000.00	2005
Total estimated cost over next 5 years		\$125,000.00	

Optional 5 Year Action Plan Tables			
Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-14	Kinder Park		
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Dry vitreous paint		200,000.00	2005
Total estimated cost over next 5 years		\$200,000.00	

Optional 5 Year Action Plan Tables			
Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-14	Kinder Park		
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Community Center Roof for reconstruct		75,000.00	2005
Total estimated cost over next 5 years		\$75,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
	PHA Wide		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Demolish and reconstruct Maintenance Building and garages	\$1,368,150.00	2005
Total estimated cost over next 5 years	\$1,368,150.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
	PHA Wide		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Salaries and benefits	110,000.00	2006
Computer upgrade	25,000.00	2006
Resident training (NAHRO Leadership Training for Residents or similar training offered by other organizations.) 2 day seminars \$4,000 each various seminars and conferences	10,000.00	2006
Staff seminars 4 - 2 day seminars \$4,000 each	20,000.00	2006
Home ownership counseling training Resident Training	10,000.00	2006
Total estimated cost over next 5 years	\$175,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-14,5	Kinder Park		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Street resurfacing	\$200,000.00	2006
Total estimated cost over next 5 years	\$200,000.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-7	Lincoln Park		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Lincoln Park renovation	\$1,496,150.00	2006
Total estimated cost over next 5 years	\$1,496,150.00	

Optional 5 Year Action Plan Tables

Development Number	Development Name (or indicate PHA Wide)	Number Vacant Units	% Vacancies in Development
23-11	Green Hill Court		

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Boilers or Heat pumps and insulate	\$300,000.00	2006
Total estimated cost over next 5 years	\$300,000.00	



DELAWARE COUNTY HOUSING AUTHORITY

SECTION 8

HOUSING CHOICE VOUCHER PROGRAM

ADMINISTRATIVE PLAN

APPROVED BY THE BOARD OF COMMISSIONERS:

SUBMITTED TO HUD: 1/12/02

EFFECTIVE DATE: 4/01/02

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Chapter1

STATEMENTOFFPOLICIESANDOBJECTIVES

INTRODUCTION

TheSection8ProgramwasenactedaspartoftheHousingandCommunity DevelopmentActof1974,whichrecodifiedtheU.S.HousingActof1937 .TheAct hasbeenamendedfromtimetotime,anditsrequirements,astheyapplytothe Section8Tenant -BasedAssistanceProgram,isdесcribedinandimplemented throughthisAdministrativePlan.TheSection8rentalassistanceprogramsare federallyfundedandadministeredfortheCountyofDelawarebytheDelaware CountyHousingAuthoritythroughits Section8housingoffice.

AdministrationoftheSection8Programandthefunctionsandresponsibilitiesof theHousingAuthority(HA)staffshallbeincompliancewiththeHA'sPersonnel PolicyandtheDepartmentofHousingandUrbanDevelopment's(HUD)Section8 RegulationsaswellasallFederal,StateandlocalFairHousingLawsand Regulations.

Jurisdiction

ThejurisdictionoftheHAisthecountyofDelaware,excludingthecityofChester.

A. HOUSING AUTHORITY MISSION STATEMENT AND VALUES
MISSION STATEMENT

Delaware County Housing Authority's Mission is to provide well maintained, safe housing while honoring a commitment to enhance the quality of life within our community and for our clients.

VALUES

Dedicated to helping others
Customer relationship through confidence and trust
Honor and Integrity in our organization
Achieve Excellent Customer Satisfaction

B. LOCAL GOALS [24CFR982.1]

Part I

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

__X__ PHA Goal: Expand the supply of assisted housing

Objectives:

__x__ Apply for additional rental vouchers:

__x__ Reduce public housing vacancies:

__x__ Leverage private or other public funds to create additional housing opportunities

__x__ Acquire or build units or developments

__x__ PHA Goal: Improve the quality of assisted housing

Objectives:

__x__ Improve public housing management: (PHAS score)

__x__ Improve voucher management: (SEMAP score)

__x__ Increase customer satisfaction:

___ Concentrate effort 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:**

PHA Goal: Increase assisted housing choices

Objectives:

- Provide voucher mobility counseling:**
DCHA is participating in the Regional Opportunity Counseling program (ROC) with the Philadelphia Housing Authority by being the Lead Housing Authority.
- Conduct outreach effort to potential voucher landlords**
- Increase voucher payment standards**
- Implement voucher Homeownership program:**
In May of 1997 DCHA established and implemented a Homeownership Plan.
- Implement public housing or other Homeownership programs:**
 Implement public housing site -based waiting lists:
 Convert public housing to vouchers:
- Other: DCHA encourages participation in the Family Self Sufficiency Program and has worked with the Delaware County Housing Development Corporation and the Delaware County Housing and Credit Counseling Inc. to increase assisted housing choices.**

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

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)**

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

__X PHA Goal: Promotes self-sufficiency and asset development of assisted households

Objectives:

**__x Increase the number and percentage of employed persons in assisted families:
__x Provide or attract support services to improve assistances recipients' employability:**

Through the Job Bank and Career Center and Family Self Sufficiency Counseling

__x Provide or attract support services to increase independence for the elderly or families with disabilities.

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

__X PHA Goal: Ensure equal opportunity and affirmatively further fair housing

Objectives:

__x Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:

___ 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:

__x Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required: DCHA will administer the mainstream funding and will be working with the Freedom Valley Disability Enablement Incorporation to aid in the provision of support services to include:

Assisting in identifying voucher eligible applicants.

Assisting potential voucher recipients in locating the appropriate housing. If modifications to the residence are needed, assisting recipients in finding the appropriate assistive technology, installation (i.e., ramp and the builder/installer) and necessary funding. And, assisting potential recipients in identifying and coordinating other appropriate support services.

Part II

The PHA has the following goals for the program:

- 1. To provide decent, safe, and sanitary housing for very low income families while maintaining their rent payments at an affordable level.**

2. To ensure that all units meet Housing Quality Standards and families pay fair and reasonable rents.
3. To promote a housing program which maintains quality service and integrity while providing an incentive to private property owners to rent to very low income families.

In addition, the HA has the following goals for the program:

1. To encourage self-sufficiency of participant families.
2. To attain and maintain a high level of standards and professionalism in our day-to-day management of all program components.

C. PURPOSE OF THE PLAN [24CFR982.54]

The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in the Agency Plan. The Housing Choice Voucher Program is implemented as of 10/1/99; pre-merger Regular tenancy Contracts, Housing Voucher Contracts, and Over Fair Market Rent Tenancy Contracts will remain in effect until the family's second reexamination after the merger date or whenever a new lease is executed, whichever comes first.

The HA is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence. The original Plan and any changes must be approved by the Board of Commissioners of the agency, the pertinent sections included in the agency plan, and a copy provided to HUD.

This Administration Plan is a supporting document to DCHA's Agency Plan and is available for public review as required by CFR 24 part 903.

Applicable regulations include:

24CFR Part 5: General Program Requirements

24CFR Part 8: Nondiscrimination

24CFR Part 982: Section 8 Tenant -Based Assistance: Housing

Choice Voucher Program

Local rules that are made part of this Plan are intended to promote local housing objectives consistent with the intent of the federal housing legislation.

D. ADMINISTRATIVE FEE RESERVE [24CFR982.54(d)(21)]

All expenditures from the administrative fee reserve will be approved by the Executive and/or Assistant Executive Director and made in accordance with the approved budget.

E. RULES AND REGULATIONS [24CFR982.52]

This Administrative Plan is set forth to define the HA's local policies for operation of the housing programs in the context of Federal laws and Regulations. All issues related to Section 8 not addressed in this document are governed by such Federal regulations, HUD Memos, Notices and guidelines, or other applicable law.

F. TERMINOLOGY

The Housing Authority of Delaware County Housing Authority is referred to as "HA" or "Housing Authority" throughout this document.

"Family" is used interchangeably with "Applicant" or "Participant" and can refer to a single person family.

"Tenant" is used to refer to participants in terms of their relation to landlords.

"Landlord" and "owner" are used interchangeably.

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

"Non-citizens Rule" refers to the regulation effective June 19, 1995 restricting assistance to U.S. citizens and eligible immigrants.

The Section 8 programs are also known as the Regular Tenancy Certificate, Over FMRTenancy (OFTO) and Voucher Programs. The Housing Choice Voucher Program refers to the merged program effective 10 -1-99.

"HQS" means the Housing Quality Standards required by regulations as enhanced by the HA.

"Failure to Provide" refers to all requirements in the first Family Obligation. See Chapter 15, "Denial or Termination of Assistance."

"Merger date" refers to October 1, 1999, which is the effective date of the merging of the Section 8 Certificate and Voucher program into the Housing Choice Voucher Program.

See Glossary for other terminology.

G. FAIR HOUSING POLICY [24CFR982.54(d)(6)]

It is the policy of the Housing Authority to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

DCHA shall not deny any family or individual the opportunity to apply for or receive assistance under the Section 8 Program on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial status, handicap or disability.

To further its commitment to full compliance with applicable Civil Rights laws, DCHA will provide Federal/State/local information to Voucher holders regarding unlawful "discrimination" and any recourse available to families who believe they are victims of a discriminatory act. Such information will be made available during the family briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's briefing packet and available upon request at the front desk.

All Housing Authority staff will be required to attend fair housing training and informed of the importance of affirmatively furthering fair housing and providing equal opportunity to all families, including providing reasonable accommodation to persons with disabilities, as a part of the overall commitment to quality customer service. Fair Housing posters are posted throughout the Housing Authority offices, including in the lobby and interview rooms and the equal opportunity logo will be used on all outreach materials. Staff will attend local fair housing update training sponsored by HUD and other local organization to keep current with new developments.

Except as otherwise provided in 24CFR8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefit of, be excluded from

participation in, or otherwise be subjected to discrimination because DCHA's facilities are inaccessible to or unusable by persons with disabilities.

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

D.C.H.A. office(s) are accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the [TTD/TDY telephone service provider].

H. REASONABLE ACCOMMODATIONS POLICY [24CFR100.202]

This policy is applicable to all situations described in this Administrative Plan when a family initiates contact with DCHA, when DCHA initiates contact with a family including when a family applies, and when DCHA schedules or reschedules appointments of any kind.

It is the policy of DCHA 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 DCHA will treat a person differently than anyone else. DCHA's policies and practices will be designed to provide assurance that persons with disabilities will be given reasonable accommodations, upon request, so that they may fully access and utilize the housing program and related services. The availability of requesting an accommodation will be made known by including notices on DCHA 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 DCHA, when DCHA initiates contact with a family including when a family applies, and when DCHA 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 5.403, individuals are not considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence. In individuals whose drug or alcohol addiction is a material factor to their disability, they are excluded from the definition. Individuals are considered disabled if disabling mental and physical limitations would persist if drug or alcohol abuse is discontinued.

Once the person's status as a qualified person with a disability is confirmed, DCHA 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.

If DCHA finds that the requested accommodation creates an undue administrative or financial burden, DCHA 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 DCHA (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 DCHA.

DCHA will provide a written decision to the person requesting the accommodation within [a reasonable time]. If a person is denied the accommodation or feels that the alternative suggestions are inadequate, they may request an informal hearing to review the DCHA'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 DCHA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Verification of Disability

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

***Outreach**

Outreach efforts will include notification of the PHA's 504 Advisory Board as well as all other media and agencies listed in the PHA's Administrative Plan regarding public notices (see section on opening and closing the waiting list in "Applying for admission" chapter.)

I. TRANSLATION OF DOCUMENTS

In determining whether it is feasible to provide translation of documents written in English into other languages, DCHA will consider the following factors:

Number of applicants and participants in the jurisdiction who do not speak English and speak the other language.

Estimated cost to DCHA per client of translation of English written documents into the other language.

The availability of local organizations to provide translation services to non-English speaking families.

J. MANAGEMENT ASSESSMENT OBJECTIVES

DCHA operates its housing assistance program with efficiency and can demonstrate to HUD auditors that DCHA is using its resources in a manner that reflects its commitment to quality and service. DCHA policies and practices are consistent with the goals and objectives of the following HUD SEMAP indicators.

- 1. Selection from the Waiting List**
- 2. Reasonable Rent**
- 3. Determination of Adjusted Income**
- 4. Utility Allowance Schedule**
- 5. HQS Quality Control Inspections**
- 6. HQS Enforcement**
- 7. Expanding Housing Opportunities**
- 8. FMR/exception rent & Payment Standards**
- 9. Annual Re-examinations**
- 10. Correct Tenant Rent Calculations**
- 11. Pre-Contract HQS Inspections**
- 12. Annual HQS Inspections**

- 13. Lease-up
- 14. Family Self -Sufficiency Enrollment
- 14. Percent of FSS Participants with Escrow Account Balances
- 15. Bonus Indicator (Deconcentration)

K. RECORDS FOR MONITORING HAP PERFORMANCE

In order to demonstrate compliance with HUD and other pertinent regulations, DCHA will maintain records, reports and other documentation for a time that is in accordance with HUD requirements and in a manner that will allow an auditor, housing professional or other interested party to follow, monitor and/or assess DCHA's operational procedures objectively and with accuracy and in accordance with SEMAP requirements with internal supervisory audits.

[In addition to the SEMAP factors above to ensure quality control,] Supervisory staff audit the required amount of free examinations, new applications and claims processed.]

L. PRIVACY RIGHTS [24CFR982.551 and 24CFR5.212]

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

DCHA's policy regarding release of information is in accordance with State and local laws which may restrict the release of family information.

Any and all information which would lead one to determine the nature and/or severity of a person's disability must be kept in a separate folder and marked "confidential". The personal information in this folder must not be released except on an "as needed" basis in cases where an accommodation is under consideration. All requests for access and granting of accommodations based on this information must be approved by the [Section 8 Director or Designee].

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

DCHA staff will not discuss family information contained in files unless there is a

business reason to do so. Inappropriate discussion of family information, or improper disclosure of family information by staff will result in disciplinary action.

M. FAMILY OUTREACH [24CFR982.153(b)(1)]

DCHA will publicize and disseminate information to make known the availability of housing assistance and related services for very low income families on an as-needed basis.

N. OWNER OUTREACH [24CFR982.54(d)(5)]

DCHA encourages owners of decent, safe and sanitary housing units to lease to Section 8 families. DCHA maintains a [list of units available] for the Section 8 Program and updates this list at least [weekly]. When listings from owners are received, they will be compiled by DCHA staff by bedroom size.

DCHA will maintain lists of available housing submitted by owners in all neighborhoods within the Housing Authority's jurisdiction to ensure greater mobility and housing choice to very low income households. The lists of [units] will be [provided at the front desk] and provided at briefings. The list will only be given to families who have an outstanding voucher.

DCHA works with a non-profit agency through the regional counseling program who contacts other in the area, identifies families in the program, and counsels the families on their prospective move and services available in the area in which the family is interested.

DCHA conducts [on an as-needed basis] meetings with participating owners to improve owner relations and to recruit new owners.

This includes informing participant owners of applicable legislative changes in program requirements.

DCHA makes a concerted effort to keep private owners informed of legislative changes in the tenant -based program, which are redesigned to make the program more attractive to owners. DCHA encourages owners of decent, safe and sanitary housing units to lease to Section 8 families.

DCHA encourages participation by owners of suitable units located outside of areas of low poverty or minority concentration.

DCHA conducts, on an as needed basis, meetings with participating owners to improve owner relations and to recruit new owners.

DCHA maintains a list of units available for the Section 8 Program and updates this list daily. When listings from owners are received, they will be compiled by DCHA staff by bedroom size.

Printed material is offered to acquaint owners and managers with the opportunities available under the program.

DCHA will on an as needed basis, recruit property owners located outside areas of minority and poverty concentration and apply for exception payment standards if DCHA determines it is necessary to make the program more accessible in DCHA's jurisdiction.

DCHA works with a non-profit agency through the regional counseling program who contacts others in the area, identifies families in the program, and counsels the families on their prospective move and services available in the areas in which the family is interested.

Chapter 2

ELIGIBILITY FOR ADMISSION [24 CFR Part 5, Subparts B, D & E; Part 982, Subpart E]

INTRODUCTION

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

A. Eligibility Factors

DCHA accepts applications only from families whose head or spouse is at least of age.

To be eligible for participation, an applicant must meet HUD's criteria, as well as any permissible additional criteria established by DCHA.

The HUD eligibility criteria are:

An applicant must be a "family"

An applicant must be within the appropriate Income Limits

An applicant must furnish Social Security Numbers for all family members ages six and older

An applicant must furnish declaration of Citizenship or Eligible Immigrant Status and verification where required

At least one member of the applicant family must be either a U.S. citizen or have eligible immigration status before the HA may provide any financial assistance.

Reasons for denial of admission are addressed in the "Denial or Termination of Assistance" chapter.

B. FAMILY COMPOSITION

The applicant must qualify as a Family. A family may be a single person or a group of persons.

A "family" includes a family with a child or children. A group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides is a family. DCHA determines if any other group or persons qualifies as a "family".

A single person may be:

An elderly person

A displaced person

A person with a disability

Individuals may not be considered disabled for eligibility purposes solely on the

basis of any drug or alcohol dependence.

Any "other single" person

A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members.

A family also includes:

Two or more persons who intend to share residency whose income and resources are available to meet the family's need and who have a history as a family unit or show evidence of a stable family relationship.

Two or more elderly or disabled persons living together, or one or more elderly, near elderly or disabled persons living with one or more live-in aides is a family.

Head of Household

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

Spouse of Head

Spouse means the husband or wife of the head.

For proper application of the Non-Citizen Rule, the definition of spouse is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads.

Co Head

An individual in the household who is equally responsible for the lease with the Head of Household. A family may have a spouse or co-head, but not both. A co-head never qualifies as a dependent.

Live-in Attendants [24CFR982.316]

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

Is determined by DCHA to be essential to the care and well-being of an elderly person, a near-elderly person, or a person with disabilities,

Is not obligated for the support of the person(s), and

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

Live-in aide is treated differently than family members:

Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.

Live-in aides are not subject to Non-Citizen Rule requirements.

Live-in aides may not be considered as a remaining member of the tenant family.

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

A Live-in Aide may only reside in the unit with the approval of DCHA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker. The verification provider must certify that a

live-in aide is needed for the care of the family member who is elderly, near -elderly (50-61) or disabled.

Verification must include the hours the care will be provided.

At any time, DCHA will refuse to approve a particular person as a live -in aide or may withdraw such approval if:

The person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;

The person commits drug related criminal activity or violent criminal activity; or

The person currently owes rent or other amounts to DCHA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.

Split Households Prior to Voucher Issuance

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and the new families both claim the same placement on the waiting list, and there is no court determination, DCHA will make the decision taking into consideration the following factors:

Which family unit retains the children or any disabled or elderly members.

Recommendations of social service agencies or qualified professionals such as children's protective services.

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

Multiple Families in the Same Household

When families apply which consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

Joint Custody of Children

Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively.

When both parents are on the program separately or are on the Waiting List and both are trying to claim the child, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent.

C. INCOME LIMITATIONS [24CFR 982.201(b), 982.353]

In order to be eligible for assistance, an applicant must have an annual income at the time of Admission that does not exceed the Low Income Limits for occupancy established by HUD.

To determine if the family is income-eligible, DCHA compares the Annual Income of the family to the applicable income limit for the family's size.

Families whose Annual Income exceeds the income limit will be denied admission and offered an informal review.

Portability: For initial lease-up, families who exercise portability must be within the applicable income limit for the jurisdiction of the receiving HA in which they want to live.

D. MANDATORY SOCIAL SECURITY NUMBERS [24CFR 5.216, 5.218]

Families are required to provide verification of Social Security Numbers for all family members age 6 and older prior to admission, if they have been issued a number by the Social Security Administration. This requirement also applies to persons joining the family after admission to the program.

Failure to furnish verification of social security numbers is grounds for denial or termination of assistance.

Persons who have not been issued a Social Security number must sign a certification that they have never been issued a Social Security number.

Persons who disclose their Social Security number but cannot provide verification must sign a certification and provide verification within 60 days. Elderly persons must provide verification within 120 days.

E. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS [24CFR Part 5, Subpart E]

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

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

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

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

Non-citizen students .Defined by HUD in the non-citizen regulations. Not eligible for assistance.

Appeals. For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

F. OTHER CRITERIA FOR ADMISSIONS [24CFR982.552(b)]

DCHA will apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program.

A family will be denied admission to the program if any member fails to sign and submit consent forms for obtaining information required by DCHA, including Form HUD -9886.

The family must have not violated any family obligation during a previous participation in the Section 8 program for [3] years prior to final eligibility determination.

When DCHA denies assistance to a person with a disability due to a violation of family obligation, and the violation was a result of the disability, the applicant may request a review of the decision to deny assistance.

The family must pay any outstanding debt owed DCHA or another HA as a result of prior participation in any federal housing program within [30] days

of DCHA's notice to repay.

The family must be in good standing regarding any current payment agreement made with another HA for a previous debt incurred, before DCHA will allow participation in its Section 8 program.

No family member may have been evicted from public housing for any reason during the last [3] years prior to final eligibility determination.

DCHA will check criminal history for all adults in the household to determine whether any member of the family has violated any of the prohibited behaviors as referenced in this section on "One Strike" policy in the "Denial or Termination of Assistance" chapter.

G. TENANT SCREENING [24CFR982.307]

DCHA will take into consideration any of the criteria for admission DESCRIBED IN THE "Denial or Termination of Assistance" chapter.

DCHA will not screen family behavior or suitability for tenancy. DCHA will not be liable or responsible to the owner or other persons for the family's behavior or the family's conduct in tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. At or before DCHA approval of tenancy, DCHA will inform the owner that screening and selection for tenancy is the responsibility of the owner.

The owner is responsible for screening families based on their tenancy histories, including such factors as: [24CFR982.307(a)(3)]

Payment of rent and utility bills

Caring for unit and premises

Respecting the rights of other residents to the peaceful enjoyment of their housing

Drug-related criminal activity that is a threat to the health, safety or property of others; and;

Compliance with other essential conditions of tenancy.

DCHA will advise families how to file a complaint if they have been discriminated

against by an owner. DCHA will advise the family to make a Fair Housing complaint. The HA could also report the owner to HUD (Fair Housing/Equal Opportunity) or the local Fair Housing Organization.

H. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT

Changes that occur during the period between issuance of a voucher and lease up may affect the family's eligibility or share of the rental payment.

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to non-citizen status. See Chapter 19, "Complaints and Appeals" for additional information about reviews and hearings.

I. PROHIBITED ADMISSIONS CRITERIA [982.202(b)]

Admission to the program may not be based on where the family lives before admission to the program.

Admission to the program may not be based on:

Discrimination because members of the family are unwed parents recipients of public assistance, or children born out of wedlock.

Discrimination because a family includes children.

Whether a family decides to participate in a Family Self Sufficiency program; or

Other reasons as listed on the "Statement of Policies and Objective" chapter under the Fair Housing and reasonable accommodations sections.

Chapter 3

APPLYING FOR ASSISTANCE [24CFR982.204]

INTRODUCTION

The policy of DCHA is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on whom may apply. The primary purpose of the intake function is to gather information about the family, but DCHA will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Plan.

The purpose of application taking is to permit DCHA to gather information and determine placement on the waiting list. The application will contain questions designed to obtain pertinent program information.

Families who wish to apply for any one of DCHA's programs must [respond to questions from HA staff when applying for assistance]. Applications will be made

available in an accessible format upon request from a person with a disability.

Applications will be mailed to interested families upon request.

The application process will involve two phases. The first is the "initial" application for assistance (referred to as a preapplication). This first phase results in the family's placement on the waiting list.

The second phase is the "final determination of eligibility" (referred to as the full application). The full application takes place when the family reaches the top of the waiting list. At this time DCHA ensures that verification of all HUD and DCHA eligibility factors is current in order to determine the family's eligibility for the issuance of a certificate or voucher.

A. OPENING/CLOSING OF APPLICATION TAKING
[24CFR982.206,982.54(d)(1)]

DCHA will utilize the following procedures for opening the waiting list:

When DCHA opens the waiting list, DCHA will advertise through public notice in the local newspapers.

The notice will contain:

- The dates, times, and the locations where families may apply.
- The programs for which applications will be taken.
- A brief description of the program.
- A statement that public housing residents must submit a separate application if they want to apply for section 8.
- Limitations, if any, on whom may apply.

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

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline. This

accommodationistoallowpersonswithdisabilitiestheopportunitytosubmitan applicationincaseswhenasocialserviceorganizationprovidesinaccurateor untimelyinformationabout theclosingdate.

Ifthewaitinglistisopen,DCHAwillacceptapplicationsfromeligiblefamilies unlesssthereisgoodcausefornotacceptingtheapplication,suchasdenialof assistancebecauseofanactionorinactionbymembersofthefamilyforthe grounds statedinthe“DenialorTerminationofAssistance”chapterofthisAdministrative Plan.[24CFR982.206(b)(2)]

ClosingtheWaitingList

TheHAMaystopapplicationsiftherearenoughapplicantstofillanticipated openingsforthe next[24]months.Thewaitinglistmaynotbeclosedifitwould haveadiscriminatoryeffectinconsistentwithapplicablecivilrightslaws.

Theopenperiodmaybelongenoughtoachieveawaitinglistadequatetocover projectedturnoverandnewallocationsoverthenext[24]months.DCHAwillgive atleast[3days]noticepriortoclosingthelist.Whentheperiodforaccepting applicationsisover,DCHAwilladdthenewapplicantstothe listby:

Separatingthenewapplicantsintogroupsbasedonpreferencesandranking applicantswithineachgroupbydateandtimeofapplication.

LimitsonWhoMayApply

Whenthewaitinglistisopen:

AnyfamilyaskingtobepacedonthewaitinglistforSection8rental assistancewillbegiventheopportunitytocompleteanapplication.

WhentheapplicationissubmittedtoDCHA:

Itestablishesthefamily'sdateandtimeofapplicationforplacementorder onthewaitinglist.

B. "INITIAL" APPLICATION PROCEDURES [24 CFR 982.204(b)]

DCHAwillutilizeapreliminary-applicationform(pre -application).The informationistobefilledoutbytheapplicantwheneverpossible.Toprovide specificaccommodationforpersonswithdisabilities,theinformationmaybe completedbyastaffpersonoverthetelephone.Itmayalsobemailedtothe applicantand,ifrequested,itwillbemailedinanaccessibleformat.

The purpose of the preapplication is to permit DCHA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list. The preapplication will contain questions designed to obtain the following information:

- Names of adult members and age of all members, including maiden names, if applicable
- Sex and relationship of all members
- Street Address and phone numbers
- Mailing Address (If PO Box or no other permanent address)
- Amount(s) and source(s) of income received by household members
- Information regarding disabilities to determine qualifications for allowances and deductions
- Information related to qualification for preferences
- Social Security Numbers
- Race/ethnicity
- Citizenship/eligible immigration status
- [Arrests/Convictions] for Drug Related or Violent Criminal Activity
- Request for Specific Accommodation needed to fully utilize program and services
- Previous address
- Current and previous landlords names and addresses
- Emergency contact person and address
- Program integrity questions regarding previous participation in HUD programs

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

Ineligible families [will] be placed on the waiting list.

Preapplications [may not] require an interview. The information on the application [will not] be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified.

C. APPLICANT STATUS WHILE ON THE WAITING LIST [CFR982.204]

Applicants are required to inform DCHA [in writing] of changes in address. Applicants are also required to respond to requests from DCHA to update information on their application and to determine their interest in assistance.

If after a review of the preapplication the family is determined to be preliminarily eligible, they will be notified in writing or in an accessible format upon request, as a

reasonable accommodation.

This written notification of preliminary eligibility may be:

[given to the applicant at the time the preapplication is submitted]
[mailed to the applicant by first class mail]
[distributed to the applicant in the manner requested as a specific accommodation].

If the family is determined to be ineligible based on the information provided in the preapplication, DCHA will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal review. Persons with disabilities may request to have an advocate attend the informal review as an accommodation. See Chapter 19, "Complaints and Appeals."

D. TIME OF SELECTION [24CFR982.204]

When funding is available, families will be selected from the waiting list in their preference-determined sequence, regardless of family size, subject to income targeting requirements.

When there is insufficient funding available for the family at the top of the list, DCHA will not admit any other applicant until funding is available for the first applicant. Applicants will not be passed over on the waiting list.

E. COMPLETION OF FULL APPLICATION

All preferences claimed on the preapplication or while the family is on the waiting list will be verified:

After the family is selected from the waiting list, and prior to completing the full application

Whenever the family claims a preference

The qualification for preference must exist at the time the preference is claimed and at the time of verification, because claim of a preference determines placement on the waiting list.

After the preference is verified, when DCHA is ready to select applicants, applicants will be required to:

Complete a full application in their own handwriting, unless assistance is

needed, or a request for accommodation is made by a person with a disability. Applicant will then be interviewed by DCHA staff to review the information on the full application form.

REQUIREMENT TO ATTEND INTERVIEW

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

All adult family members are required to attend the interview and sign the housing application.

It is the applicant's responsibility to reschedule the interview if/when he/she misses the appointment. If the applicant does not reschedule or misses [one] scheduled meeting, DCHA will reject the application.

Applicants who fail to appear and want to reschedule a missed appointment must make the request to reschedule no later than [3] days from the original appointment date. [The request must be made to the staff person who scheduled the appointment.]

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

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

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal review. (See Chapter 19, "Complaints and Appeals.")

All adult members must sign the HUD Form 9886, Release of Information, [the application form and all supplemental forms required by DCHA], the declarations and consents related to citizenship/immigration status and any other documents required by DCHA. Applicants will be required to sign specific verification forms for information which is not covered by the HUD form 9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and releases as required by DCHA.

If DCHA determines after the interview that additional information or document(s) are needed, DCHA will request the document(s) or information [in writing.] The family will be given [14] days to supply the information.

If the information is not supplied in this time period, DCHA will provide the family a notification of denial for assistance. (See Chapter 19, "Complaints and Appeals.")

F. VERIFICATION [24CFR982.201(e)]

Information provided by the applicant will be verified, using the verification procedures in Chapter seven. Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. Verifications may not be more than 60 days old at the time of issuance of Certificate/Voucher.

G. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY [24CFR982.201]

After the verification process is completed, DCHA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by DCHA, and the current eligibility criteria in effect. If the family is determined to be eligible, DCHA will mail a notification of eligibility. A briefing will be scheduled for the issuance of a voucher and the family's orientation to the housing program.

Chapter 4

**ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST
[24CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]**

It is DCHA's objective to ensure that families are placed in the proper order on the waiting list and selected from the waiting list for admissions in accordance with the policies in this Administrative Plan.

This chapter explains the [2] local preferences which DCHA has adopted to meet local housing needs, defines the eligibility criteria for the preferences and explains DCHA's system of applying them.

By maintaining an accurate waiting list, DCHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner.

A. WAITINGLIST [24CFR982.204]

Except for Special Admissions, applicants will be selected from DCHA's waiting list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan.

DCHA will maintain information that permits proper selection from the waiting list. The waiting list contains the following information for each applicant listed:

- Applicant Name
- Family Unit Size (number of bedrooms family qualifies for under DCHA's subsidy standards)
- Date and time of application
- Qualification for any local preference
- Racial or ethnic designation of the head of household
- Single preference status

The waiting list will be maintained in accordance with the following guidelines:

1. The application will be a permanent file.
2. [All applicants in the pool will be maintained in the order of preference.]
3. Applications equal in preference will be maintained by [date and time]

B. WAITINGLIST PREFERENCES [24CFR982.207]

An applicant will not be granted any Local preference if any member of the family has been evicted from housing assisted under a 1937 Housing Act program during the past three years because of drug -related criminal activity.

DCHA will grant an exception to such a family if:

The responsible member has successfully completed a rehabilitation program.

If an applicant makes a false statement in order to qualify for a Local preference, DCHA will [deny admission to the program for the family].

Types of Applicants With Preference Over "Other Singles" [24CFR5.405(b)]

Per HUD requirements, elderly, disabled and displaced families with up to two members will be given a preference over all "Other Single" applicants regardless of local preference status.

"Other Singles" denotes a one -person household in which the individual member is not elderly, disabled, or displaced by government action. Such applicants will be placed on the waiting list in proper order for selection.

C. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION [24CFR5.415]

At the time of application, an applicant's entitlement to a Local Preference may be made on the following basis.

DCHA will verify all preference claims at the time they are made. DCHA will reverify a preference claim, if DCHA feels the family's circumstances have changed, at time of selection from the waiting list.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the Local Preference and given an opportunity for a meeting.

D. RANKING LOCAL PREFERENCES [24CFR5.410,5.415]

DCHA will rank preferences to prioritize applicants with local preferences.

These categories will receive a ranking preference:

DCHA has selected the following system to apply local preferences:

Applicant's residing in DCHA's Jurisdiction	9Pts.
Applicant's who are employed* or elderly	3Pts.

***To receive the local employment preference, the applicant family must have at least one family member, age 18 years or older employed at the time of DCHA's offer of assistance. Employment at the time of the offer must be for a minimum of the 90 day period immediately prior to the offer of Section 8 assistance and provide a minimum of 20 hours of work per week for the family member claiming the preference. The amount earned from employment shall not be a factor in granting the working preference. The working preferences shall also be available to a family if the head, spouse or sole member is 62 or older, or is receiving social security disability or SSI disability benefits, or any other payments based on the individual's inability to work.**

E. LOCAL PREFERENCES [24CFR5.410]

DCHA uses the following Local Preferences system

Residency preference for families who live, work, or have been hired to work

Families with at least one adult who is employed [and has been employed for 3 months and works a minimum of 20 hours per week]. This preference is extended equally to elderly families or families whose head or spouse is receiving income based on their inability to work.

TREATMENT OF SINGLE APPLICANTS

All families with children and families who include an elderly person or a person with disability shall be given a selection priority over all other applicants.

F. SPECIAL ADMISSIONS [24CFR982.54(d)(e), 982.203]

If HUD awards DCHA program funding that is targeted for specifically named families, DCHA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. DCHA maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

- 1. A family displaced because of demolition or disposition of a**

public or Indian housing project;

2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
3. For housing covered by the Low Income Housing Preservation and Resident Home Ownership Act of 1990;
4. A family residing in a project covered by a project -based Section 8 HAP contract or near the end of the HAP contract term; and
5. A family residing in an area declared by the Federal Government as a Federal disaster.
6. Families that "graduate" from McKinney Act funded Tenant Based assistance programs operated in accordance with the Delaware County Continuum of Care.

Applicants who are admitted under special admissions, rather than from the waiting list, are [identified by codes in the automated system and are not maintained on a separate waiting list].

G. TARGETED FUNDING [24CFR982.207]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

Applicants who are admitted under targeted funding which are not identified as a Special Admission

DCHA has the following "Targeted" Programs:

- Mainstream for Persons with Disabilities
- Shelter Plus Care
- Family Unification Program

H. INCOME TARGETING

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year DCHA will reserve a minimum of seventy -five percent of its Section 8

new admissions for families whose income does not exceed 30 percent of the area median income. HUD refers to these families as “extremely low -income families.” DCHA will admit families who qualify under the Extremely Low Income limit to meet the income targeting requirement, regardless of preference.

DCHA’s income targeting requirement does not apply to low income families continuously assisted as provided. For under the 1937 Housing Act.

DCHA is also exempted from this requirement where DCHA is providing assistance to low income or moderate income families entitled to preservation assistance under the tenant -based program as a result of a mortgage prepayment or opt -out.

DCHA shall have the discretion, at least annually, to exercise the “fungibility” provision of the QHWA. This provision allows DCHA to admit less than the minimum 40% of its extremely low -income families in a fiscal year to its public housing program to the extent that the HA’s admission of extremely low income families in the tenant -based assistance program exceeds 75% of all admissions during the fiscal year. If exercising this option DCHA will follow the fungibility threshold limitations as set forth in QHWA legislation.

I. PREFERENCE AND INCOME TARGETING ELIGIBILITY [24CFR982.207]

Change in Circumstances

Changes in an applicant’s circumstances while on the waiting list may affect the family’s entitlement to a preference. Applicants are required to promptly notify DCHA in writing when their circumstances change.

When an applicant claims an additional preference, s/he will be placed on the waiting list in the appropriate order determined by the newly -claimed preference.

If the family’s verified annual income, at final eligibility determination, does not fall under the Extremely Low Income limit and the family was selected for income targeting purposes before families with a higher preference, the family will be returned to the waiting list.

Cross-Listing of Public Housing and Section 8 [24CFR982.205(a)]

DCHA will not merge the waiting lists for public housing and Section 8. However, if the Section 8 waiting list is open when the applicant is placed on the public housing list, DCHA must offer to place the family on both lists. If the public housing waiting list is open at the time an applicant applies for Section 8, DCHA must offer to place

thefamilyonthepublichousingwaitinglist.

OtherHousingAssistance [24CFR982.205(b)]

Otherhousingassistancemeansafederal,Stateorlocalhousingsubsidy,as determinedbyHUD,includin gpublichousing.

DCHAmaynottakeanyofthefollowingactionsbecauseanapplicanthasapplied for,received,orrefusedotherhousing:[24CFR982.205(b)]

RefusetolisttheapplicantonDCHA'swaitinglistfortenant -based assistance

Denyan admission preferenceforwhichtheapplicantiscurrently qualified;

Changetheapplicant'splaceonthewaitinglistbasedonpreference,date andtimeofapplication,orotherfactorsaffectingselectionunderDCHA's selectionpolicy;or

Removetheapplica ntfromthewaitinglist.

However,DCHAmayremovetheapplicantfromthewaitinglistfortenant -based assistanceifDCHAhasofferedtheapplicantassistanceunderthevoucher program.

J. ORDEROFSELECTION [24CFR982.207(e)]

DCHA'smethodforselectingapplicantsfromapreferencecategoryleavesaclear audittrailthatcanbeusedtoverifythateachapplicanthasbeenselectedin accordancewiththemethodspecifiedintheadministrativeplan.

TheorderofselectionisbasedonDCHA'ssystem forweighingpreferences.

LocalPreferences

Localpreferenceswillbeusedtoselectfamiliesfromthewaitinglist.

AmongApplicantswithEqualPreferenceStatus

Amongapplicantswithequalpreferencestatus,thewaitinglistwillbeorganizedby [dateandtime].

K. FINAL VERIFICATION OF PREFERENCES [24CFR982.207]

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, DCHA will:

Obtain necessary verifications of preference at the interview and by third party verification.

L. PREFERENCE DENIAL [24CFR982.207]

If DCHA denies preference, DCHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for [a review with] [Housing Manager or Section 8 Director]. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the Waiting List.

M. REMOVAL FROM WAITING LIST AND PURGING [24CFR982.204(c)]

The Waiting List will be purged [once a year] by mailing to applicants to ensure that the waiting list is current and accurate. The mailing will ask for confirmation of continued interest.

Any mailing to the applicant which requires a response will state that failure to respond within [14] days will result in the applicant's name being dropped from the waiting list.

An extension of [14] days to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

If the applicant did not respond to DCHA's request for information or updates because of a family member's disability, DCHA will reinstate the applicant in the family's former position on the waiting list.

If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

If an applicant is removed from the waiting list for failure to respond, they will not

be entitled to reinstate unless a [The Section 8 Director or Housing Manager] determines there were circumstances beyond the person's control.

Chapter 5

SUBSIDY STANDARDS [24CFR982.54(d)(9)]

INTRODUCTION

HUD guidelines require that DCHA establish subsidy standards for the determination of the Voucher bedroom size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the Voucher size also must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standards which will be used to determine the voucher size for various sized families when they are selected from the waiting list, as well as the DCHA's procedures when a family's size changes, or a family selects a unit size that is different from the Voucher.

A. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24CFR982.402]

DCHA does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom on the Voucher. DCHA's subsidy standards for determining certificate/voucher sizes shall be applied in a manner consistent with Fair Housing guidelines.

For subsidy standards, an adult is a person 18 years or older.

All standards in this section relate to the number of bedrooms on the Voucher, not the family's actual living arrangements. t

The unit size on the Voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

Generally, DCHA assigns one bedroom to two people within the following guidelines:

Separate bedrooms should be allocated for persons of the opposite sex (other than adults who have a spousal relationship and children under [10]).

Foster children will be included in determining unit size only if they will be in the unit for more than [12] months.

Live-in attendants will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.

Space will not be provided for a family member, other than a spouse, who will be absent most of the time, such as a member who is away in the military.

GUIDELINES FOR DETERMINING VOUCHER SIZE

	<u>(Minimum#)</u>	<u>(Maximum#)</u>
0 Bedroom (eff.)	1	1
1 Bedroom	22	
2 Bedrooms	24	
3 Bedrooms	36	
4 Bedrooms	48	
5 Bedrooms	610	
6 Bedrooms	8	12

B. EXCEPTIONS TO SUBSIDY STANDARDS (24CFR982.403(a)&(b))

DCHA shall grant exceptions from the subsidy standards if the family requests and DCHA determines the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances.

DCHA will grant an exception upon request as an accommodation for persons with disabilities. Circumstances may dictate a larger size than the subsidy standards permit when persons cannot share a bedroom because of a need, such as a:

- Verified medical or health reason; or
- Elderly persons or persons with disabilities whom may require a live attendant. -in

The family may request a larger sized voucher than indicated by DCHA's subsidy standards. Such request must be made in writing within [14] days of DCHA's

determination of bedroom size. The request must explain the need or justification for a larger bedroom. Documentation verifying the need or justification will be required as appropriate.

DCHA will not issue a larger size voucher due to additions of family members other than by birth, adoption, marriage, or court -awarded custody.

Requests based on health related reasons must be verified by a [doctor/medical/professional].

DCHA(HA)Error

If DCHA errs in the bedroom sized designation, the family will be issued a Voucher of the appropriate size so that the family is not penalized.

The voucher size is determined prior to the briefing by comparing the family composition to DCHA subsidy standards. If an applicant requires a change in the voucher size, the above reference guidelines will apply.

Changes for Participants

The members of the family residing in the unit must be approved by DCHA. The family must obtain approval of any additional family member before the new member occupies the unit except for additions by birth, adoption, or court -awarded custody, in which case the family must inform DCHA within [14] days. The above referenced guidelines will apply.

Underhoused and Overhoused Families

If a unit does not meet HQS space standards due to an increase in family size, (unit too small), DCHA will issue a voucher and assist the family in locating a suitable unit.

Pre-merger Certificate Families Only:

- If a pre-merger certificate family is occupying a unit which has more bedrooms than allocated under DCHA's subsidy standards, and the gross rent exceeds the FMR/Exception rent for the family size under DCHA's subsidy standards, DCHA will issue the family a voucher and assist the family in finding a suitable unit.
- Pre-merger Certificate families who are under -occupying a unit as defined above will be issued a voucher and given a minimum of sixty days before assistance is terminated.

- The HA will also notify the family of the circumstances under which an exception will be granted, such as:

If a family with a disability is underhoused in an accessible unit.

If a family requires the additional bedroom because of a health problem which has been verified by DC HA.

Transfer of Funding

Participating families will be selected to be transferred before families are reselected from the applicant waiting list. This assures that families who are already on the program are in the appropriate sized units.

Families will be transferred when there is available funding, in the following sequence:

- 1. A participant family (whose family composition has been approved by DCHA) who requires a change in subsidy size because they are living in a unit which is overcrowded according to Housing Quality Standards.**
- 2. All others who require a transfer as determined by DCHA.**

3. UNIT SIZE SELECTED

The family may select a different sized dwelling than that listed on the Voucher. There are three criteria to consider:

Subsidy Limitation : The family unit size as determined for a family under DCHA's subsidy standard for a family assisted in the voucher program is based on DCHA's adopted payment standards. The payment standard for a family shall be the lower of:

- 1) The payment standard amount for the family unit size; or
- 2) The payment standard amount for the unit size rented by the family.

Utility Allowance : The utility allowance used to calculate the gross rent is based on the actual size of the unit the family selects, regardless of the size authorized on the family's Voucher.

Housing Quality Standards : The standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table below. These levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.

	<u>Maximum#inHousehold</u>
0Bedroom	1
1Bedroom	4
2Bedrooms	6
3Bedrooms	8
4Bedrooms	10
5Bedrooms	12
6Bedrooms	14

Chapter6

FACTORSRELATEDTOTOTALTENANTPAYMENTDETERMINATION

[24CFRPart5,SubpartsEandF;982.153,982.551]

INTRODUCTION

DCHA will use the methods set forth in this Administrative Plan to verify and determine that family income at admission and reexamination is correct. The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the Regulations.

This Chapter defines the allowable expenses and deductions to be subtracted from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24CFR Part 5, Subparts E and F, and further instructions set forth in HUD Notices and Memoranda. The formula for the calculation of TTP is specific and not subject to interpretation. DCHA's policies in this Chapter address those areas which allow DCHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

A. INCOME AND ALLOWANCES [24CFR5.609]

Income: Includes all monetary amounts which are received on behalf of the family. For

purposes of calculating the Total Tenant Payment HUD defines what is to be calculated and what is to be excluded in the federal regulations. In accordance with this definition, all income which is not specifically excluded in the regulations is counted.

Annual Income is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits.

Adjusted Income is defined as the Annual income minus any HUD allowable expenses and deductions.

HUD has five allowable deduction s from Annual Income:

1. Dependent Allowance: \$480 each for family members (other than the head or spouse) who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. Elderly/Disabled Allowance: \$400 per family for families whose head or spouse is 62 or over or disabled.
3. Allowable Medical Expenses: Deducted for all family members of an eligible elderly/disabled family.
4. Child Care Expenses: Deducted for the care of children under 13 when child care is necessary to allow an **adult** member to work, attend school, or actively seek employment.
5. Allowable Disability Assistance Expenses: Deducted for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an **adult** family member to work

B. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS FOR PERSONS WITH DISABILITIES [24CFR 5.017; 982.201(B)(3)]

The annual income for qualified disabled families may not be increased as a result of increases in earned income of a family member who is a person with disabilities beginning on the date on which the increase in earned income begins and continuing for a

cumulative 12-month period. After the disabled family receives 12 cumulative months of the full exclusion, annual income will include a phase -in of half the earned income excluded from the annual income.

A disabled family qualified for the earned income exclusion is a disabled family that is receiving tenant -based rental assistance under the Housing Choice Voucher Program; and

Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;

Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self sufficiency or other job training program; or

Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six -month period is at least \$500.

The HUD definition of "previously unemployed" includes a person with disabilities who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality.

The HUD definition of economic self -sufficiency program is: any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skill training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health programs).

Amounts to be excluded are any earned income increases of a family member who is a person with disabilities during participation in an economic self -sufficiency or job training program and not increases that occur after participation, unless the training provides assistance, training or mentoring after employment.

The amount of TANF received in the six -month period includes monthly income and such benefits and services as one -time payments, wages subsidies and transportation assistance.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member who is a person with disabilities. The incremental increase in income is calculated by comparing the amount of the disabled family member's income before the beginning of qualifying employment or increase in earned income to the amount

of such income after the beginning of employment or increase in earned income.

Initial Twelve -Month Exclusion

During the cumulative 12 -month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA will exclude from annual income of a qualified family any increase in income of the family member who is a person with disabilities as a result of employment over the prior income of that family member.

Second Twelve -Month Exclusion and Phase -In

During the second cumulative 12 -month period after the expiration of the initial cumulative 12-month period referred to above, the PHA must exclude from annual income of a qualified family 50 percent of any increase in income of a family member who is a person with disabilities as a result of employment over income of that family member prior to the beginning of such employment.

Maximum Four Year Disallowance

The earned income disallowance is limited to a lifetime 48 -month period for each family member who is a person with disabilities. For each family member who is a person with disabilities, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, a maximum of 12 months of phase -in exclusion during the 48 -month period starting from the date of the initial exclusion.

If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48 -month period, and continued until the disallowance has been applied for a total of 12 months of each disallowance (the initial 12 -month full exclusion and the second 12 -month phase -in exclusion).

No earned income disallowance will be applied after the 48 -month period following the initial date the exclusion was applied.

Applicability to Child Care and Disability Assistance Expense Deductions

The amount deducted for child care and disability assistance expenses necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for disabled families entitled to the earned income disallowance, the amounts of the full and phase -in exclusions from income shall not be used in determining the cap for child care and disability assistance expense deductions.

Tracking the Earned Income Exclusions

The earned income exclusion will be reported on the HUD 50058 form. Documentation included in the family's file to show the reason for the reduced increase in rent.

Inapplicability to Admission

The earned income disallowance is only applied to determine the annual income of disabled families who are participants in the Housing Choice Voucher Program, and therefore does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

C. MINIMUM RENT [24 CFR 5.616]

"Minimum rent" is **[\$50]**. Minimum rent refers to the total tenant payment and includes the combined amount of family pay towards rent and/or utilities when it is applied.

Hardship Requests for an Exception to Minimum Rent

DCHA recognizes that in some cases even the minimum rent may create a financial hardship for families. DCHA will review all relevant circumstances brought to DCHA's attention regarding financial hardship as it applies to the minimum rent. The following sections state DCHA's procedure and policies in regard to minimum rent financial hardship as set forth by the Quality Housing and Work Responsibility Act of 1998. HUD has defined circumstances under which a hardship could be claimed. [24 CFR 5.630]

Criteria for Hardship Exception

In order for a family to qualify for a hardship exception the family's circumstances must fall under one of the following HUD hardship criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local Assistance.

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including:

Loss of Employment
Death in the family

Other circumstances as determined by the DCHA or HUD.

HANotificationtoFamiliesofRighttoHardshipException

DCHA will notify all families subject to minimum rents of their right to request a minimum rent hardship exception. "Subject to minimum rent" means the minimum rent was the greatest figure in the calculation of the greatest of 30 percent of monthly adjusted income, 10 percent monthly income or minimum rent.

DCHA notification will advise families that hardship exception determinations are subject to DCHA review and hearing procedures.

DCHA will review all family request for exception from the minimum rent due to financial hardships.

All request for minimum rent hardship exceptions are required to be in writing.

SuspensionofMinimumRent

DCHA will grant the minimum rent exception to all families who request it, effective the first of the following month.

The minimum rent will be suspended until DCHA determines whether the hardships:

Covered by statute

Temporary or long term

"Suspension means that DCHA must not use the minimum rent calculation until DCHA has made this decision.

During the minimum rent suspension period, the family will not be required to pay a minimum rent and the housing assistance payment will be increased accordingly.

If DCHA determines that the minimum rent is not covered by statute, DCHA will impose a minimum rent including payment for minimum rent from the time of suspension.

TemporaryHardship

If DCHA determines that the hardship is temporary, a minimum rent will not be imposed for a period of up to 90 days from the date of the family's request. At the end of the temporary suspension period, a minimum rent will be imposed retroactively to the time of suspension.

DCHA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

Long-Term Duration Hardships [24CFR 5.616(c)(3)]

DCHA determines that there is a qualifying long-term financial hardship, DCHA must exempt the family from the minimum rent requirements.

Retroactive Determination

DCHA will reimburse the family for any minimum rent charges which took effect after October 21, 1998 that qualified for one of the mandatory exceptions.

D. DEFINITION OF TEMPORARILY/PERMANENTLY ABSENT [24CFR 982.54(d)(10), 982.5 51]

DCHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, DCHA must count the income of the spouse or the head of the household if that person is temporarily absent, even if that person is not on the lease.

Temporarily absent is defined as away from the unit for more than [60] days.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exception to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. DCHA will evaluate absences from the unit using this policy.

Absence of Any Member

Any member of the household will be considered permanently absent if s/he is away from the unit for [two] consecutive months, except as otherwise provided in this Chapter.

Absence due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, DCHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than [60] consecutive days, the family member will not be considered permanently absent.

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

Absence Due to Full-time Student Status

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

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of Certificate/Voucher size.

Absence due to Incarceration

If the sole member is incarcerated for more than [30] consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for [2] consecutive months.

DCHA will determine if the reason for incarceration is for drug -related or violent criminal activity.

Absence of Children due to Placement in Foster Care

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

If the time period is greater than [2] of months from the date of removal of the child/ren, the Certificate/Voucher size will be reduced. If all children are removed from the home permanently, the certificate or voucher size will be reduced in accordance with DCHA's subsidy standards.

Absence of Entire Family

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

Families are required both to notify DCHA before they move out of a unit and to give

DCHA information about any family absence from the unit.

Families must notify DCHA if they are going to be absent from the unit for more than [30] consecutive days.

If the entire family is absent from the assisted unit for more than [30] consecutive days, the unit will be considered to be vacated and the assistance will be terminated.

If it is determined that the family is absent from the unit, DCHA will not continue assistance payments.

HUD regulations require DCHA to terminate assistance if the entire family is absent from the unit for a period of more than 180 consecutive calendar days.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, DCHA may:

- Write letters to the family at the unit
- Telephone the family at the unit
- Interview neighbors
- Verify if utilities are in service
- Check with the post office

A person with a disability may request an extension of time as an accommodation, provided that the extension does not go beyond the HUD -allowed 180 consecutive calendar days limit.

If the absence which resulted in termination of assistance was due to a person's disability, and DCHA can verify that the person was unable to notify DCHA in accordance with the family's responsibilities, and if funding is available, DCHA may reinstate the family as an accommodation if requested by the family.

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, DCHA will treat that adult as a visitor for the first [30] days.

If by the end of that period, court -awarded custody or legal guardianship has been awarded to the caretaker, a Voucher will be issued to the caretaker.

If the appropriate agency cannot confirm the guardianship status of the caretaker, DCHA will review the status at [30] day intervals.

If custody or legal guardianship has not been awarded by the court, but the action is in process, DCHA will secure verification from social services staff for the attorney as to the status.

If custody is awarded for a limited time in excess of stated period, DCHA will state in writing that the transfer of the Voucher is for that limited time or as long as they have custody of the children. DCHA will use discretion as deemed appropriate in determining any further reassignment of the Voucher on behalf of the children.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

When DCHA approves a person to reside in the unit as caretaker for the child/ren, the income should be counted pending a final disposition. DCHA will work with the appropriate service agencies and the landlord to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts _____ from the home for more than [2] months, the person will be considered permanently absent.

Visitors

Any adult not included on the HUD 50058 who has been in the unit more than [14] consecutive days without HA approval, or a total of [30] days in a 12 _____ -month period, will be considered to be living in the unit as [an unauthorized] household member.

Absence of evidence of any other address will be considered verification that the visitor is a member of the household.

Statements from neighbors and _____ / or the landlord will be considered in making the determination.

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

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

Minors and college students who were part of the family but who now live away from home during the school year and are no longer on the lease may visit for up to [120] days per year without being considered a member of the household.

In a joint custody arrangement, if the minor is in the household less than [90] days per year, the minor will be considered to be an eligible visitor and not a family member.

Reporting Additions to Owner and HA

Reporting changes in household composition to DCHA is both a HUD and a DCHA requirement.

The family obligations require the family to request DCHA approval to add any other family member as an occupant of the unit and to inform DCHA of the birth, adoption or court-awarded custody of a child. The family must request prior approval of additional household members in writing.

If the family does not obtain prior written approval from DCHA, any person the family has permitted to move in will be considered an unauthorized household member.

Families are required to report any additions to the household in writing to the HA within [14] days of the move-in date.

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

In addition, DCHA requires the family to obtain prior written approval from the owner when there are changes in family composition other than birth, adoption or court-awarded custody.

Reporting Absence to the HA (DCHA)

Reporting changes in household composition is both a HUD and a DCHA requirement.

If a family member leaves the household, the family must report this change to DCHA, in writing, within [14] days of the change and certifies as to whether the member is temporarily absent or permanently absent.

DCHA will conduct an interim evaluation for changes which affect the Total Tenant Payment in accordance with the interim policy.

E. AVERAGING INCOME

When Annual Income cannot be anticipated for a full twelve months, DCHA may:

Average known sources of income that vary to compute an annual income, or

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

If by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so as to reduce the number of interim adjustments.

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

F. MINIMUM INCOME

There is no minimum income requirement. Families who report zero income are required to complete a written certification every [90] days, and meet with the Delaware County Housing Authority's Job Bank & Career Center Counselor.

G. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME

[24CFR982.54(d)(10)]

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, DCHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

1. (a) Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member.

OR

2. (b) Include the income and deductions of the member if his/her income goes to a family member.

H. REGULAR CONTRIBUTIONS AND GIFTS [24CFR5.609]

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

Any contribution or gift received every [Two] months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than [\$500.00] per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, "Verification Procedures," for further definition.)

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

I. ALIMONY AND CHILD SUPPORT [24CFR5.609]

Regular alimony and child support payments are counted as income for calculation of Total Tenant Payment.

If the amount of child support or alimony received is less than the amount awarded by the court, DCHA will use the amount awarded by the court unless the family can verify that they are not receiving the full amount and verification of item(s) below are provided.

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

DCHA receives verification from the agency responsible for enforcement or collection.

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

It is the family's responsibility to supply a certified copy of the divorced decree.

J. LUMP-SUM RECEIPTS [24CFR5.609]

Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses, are not included in income but may be included in assets.

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

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

DCHA uses a calculation method which calculates retroactively or prospectively depending on the circumstances.

DCHA will calculate prospectively if the family reported the payment

within [14] and retroactively to date of receipt if the receipt was not reported within that timeframe.

Prospective Calculation Methodology

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

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

Retroactive Calculation Methodology

1. DCHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due DCHA.
2. At DCHA's option, DCHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

K. CONTRIBUTION TO RETIREMENT FUNDS - ASSETS [24CFR 5.603(d)]

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

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

L. ASSETS DISPOSED OFF FOR LESS THAN FAIR MARKET VALUE [24CFR 5.603(d)(3)]

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

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

DCHA's minimum threshold for counting assets disposed of for less than Fair Market value is [\$1,000.00]. If the total value of assets disposed of within a one -year period is less than [\$1,000.00], they will not be considered an asset.

M. CHILDCARE EXPENSES [24CFR5.603]

Childcare expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school fulltime, or to actively seek employment.

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

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

The abuser in a documented child abuse situation, or

a person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source.

Allowability of deductions for childcare expenses is based on the following guidelines:

Childcare to work : The maximum childcare expense allowed must be less than the amount earned by the person enabled to work.* The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

Childcare for school : The number of hours claimed for childcare may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

Amount of Expense : DCHA may [survey the local care providers in the community/collect data] as a guideline. If the hourly rate materially exceeds the guideline, DCHA may calculate the allowance using the guideline.

N. MEDICAL EXPENSES [24CFR5.609(a)(2), 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Nonprescription medicines must be doctor -recommended in order to be considered a

medicalexpense.

Acupressure,acupunctureandrelatedherbalmedicines,andchiropracticservices
[willnot]beconsideredallowablemedicalexpenses.

O. PRORATIONOFASSISTANCEFOR"MIXED"FAMILIES [24CFR5.520]

Prorationofassistancemustbeofferedtoany"mixed"applicantor
participantfamily.A"mixed"familyisonethatincludesatleastoneU.S.citizenor
eligibleimmigrantandanynumberofineligible members.

"Mixed"familieshatwewereparticipantsonJune19,1995,andthatdonot
qualifyforcontinuedassistancemustbeofferedproratedassistance.(SeeChapter12,
"Recertifications.")Applicantmixedfamiliesareentitledtoproratedassistance.
FamilieshatbecomemixedafterJune19,1995byadditionofanineligiblemember
areentitledtoproratedassistance.

ProratedAssistanceCalculation

Proratedassistanceiscalculatedbydeterminingtheamountofassistance
payableifallfamilymembersw ereeligibleandmultiplyingbythepercentofthe
familymemberswhoactuallyareeligible.TotalTenantPaymentisthegrossrent
minustheproratedassistance.

P. REDUCTIONINBENEFITS

SeeChapteronrecertificationsonhowtohandleincomechangesresulting
fromWelfareprogramrequirements.

Q. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS [24CFR982.153,982.517]

Thesameutilityallowancescheduleisusedforalltenantbasedprograms.

Theutilityallowanceisintendedtocoverthecostof utilitiesnotincludedin
therent.Theallowanceisbasedonthetypicalcostofutilitiesandservicespaidby
energy-conservativehouseholdsthatoccupyhousingofsimilarsizeandtypeinthe
samelocality.Allowancesarenotbasedonanindividualfamiliesactualenergy
consumption.

DCHA'sutilityallowancescheduleandtheutilityallowanceforanindividual
family,mustincludetheutilitiesandservicesthatarenecessaryinthelocalityto
providehousingthatcomplieswiththeHousingQualitySt andards.

DCHAmaynotprovideanyallowancefornon -essentialutilitycosts,suchas
costforcableorsatellitetelevision.

DCHAwillreviewtheutilityallowancescheduleannually.Ifthereviewfindsa

utility rate has changed by 10 percent or more since the last revision of the utility allowance schedule, the schedule will be revised to reflect the new rate. Revised utility allowances will be applied in a participant family's rent calculation at their next reexamination.

Where families provide the iron range and refrigerator, DCHA will establish an allowance adequate for the family to purchase or rent a range or refrigerator, even if the family already owns either appliance.

Where the Utility Allowance exceeds the family's Total Tenant Payment, DCHA will provide a Utility Reimbursement Payment for the family each month. The check will be made out directly to the tenant:

Unless the tenant has agreed, in writing, to send payment directly to utility companies, in which case, the check will be made out directly to the utility company

Unless DCHA determines that utility companies should receive the check, in which case the check will be sent to appropriate utility companies without the tenant's written agreement.

Unless the tenant has agreed, in writing, to have the Utility Reimbursement payment applied to an outstanding debt owed to DCHA.

R. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS.

The PHA will not reduce the rental contribution for families whose welfare assistance is reduced specifically because of:

- fraud by a family member in connection with the welfare program; or
- failure to participate in an economic self-sufficiency program; or
- noncompliance with a work activities requirement.

However, the PHA will reduce the rental contribution if the welfare assistance reduction is a result of:

- The expiration of a lifetime limit on receiving benefits; or
- A situation where a family member has not complied with other welfare agency requirements; or

A situation where a family member has complied with welfare agency economic self-sufficiency or work activities but cannot or has not obtained employment, such as the family member has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

Imputed welfare income is the amount of annual income not actually received by a family as a result of a specified welfare benefit reduction that is included in the family's income for rental contribution.

Imputed welfare income is not included in annual income if the family was not an assisted resident at the time of sanction.

The amount of imputed welfare income is offset by the amount of additional income a family receives that begins after the sanction was imposed.

When additional income is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

Verification Before Denying a Request to Reduce Rent

The PHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with the economic self-sufficiency or work activities requirements before denying the family's request for rent deduction.

The welfare agency, at the request of the PHA, will inform the PHA of:

amount and term of specified welfare benefit reduction for the family;

reason for the reduction; and

subsequent changes in term or amount of reduction.

Chapter 7

VERIFICATION PROCEDURES

[24 CFR Part 5, Subparts B, D, E and F; 982.158, 24CFR5.617]

INTRODUCTION

HUD regulations require that the factors of eligibility and Total Tenant Payment/Family Share be verified by DCHA. DCHA staff will obtain written verification from independent sources whenever possible and will document tenant files whenever third party verifications are not possible as to why third party verification was impossible to obtain.

Applicants and program participants must provide true and complete information to DCHA whenever information is requested. DCHA's verification requirements are designed to maintain program integrity. This Chapter explains DCHA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and changes in family composition. DCHA will obtain proper authorization from the family before requesting information from independent sources.

A. METHODS OF VERIFICATION AND TIME ALLOWED [24CFR982.516]

DCHA will verify information through the four methods of verification acceptable to HUD in the following order:

1. Third-Party Written
2. Third-Party Oral
3. Review of Documents
4. Certification/Self-Declaration

DCHA will allow [2] weeks for return of third -party verifications and [2] weeks to obtain other types of verifications before going to the next method. DCHA will document the file as to why third party written verification was not used.

For applicants, verifications may not be more than 60 days old at the time of Certificate/Voucher issuance. For participants, they are valid for [90] days from date of receipt.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third party written verification forms will be sent and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information.

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

Third party verification forms will not be hand carried by the family under any circumstances.

DCHA will accept verifications in the form of computerized printouts delivered by the family from the following agencies:

Social Security Administration
Veterans Administration
Welfare Assistance
Unemployment Compensation Board
City or County Courts

DCHA will send requests for third party written verifications to the source at all times regardless of whether the family provides a computerized printout.

Third-Party Oral Verification

Oral third -party verification will be used when written third -party verification is delayed or not possible. When third -party oral verification is used, staff will be required to complete a Certification of Document Viewed or Person Contacted form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, DCHA will compare the information to any documents provided by the Family. If provided by telephone, DCHA must

originatethecall.

ReviewofDocuments

Intheeventthatthird -partywrittenororalverificationisunavailable,orthetheinformationhasnotbeenverifiedbythethirdpartywithin[4]weeks,DCHAwillnotatethefileaccordinglyandutilizeddocumentsprovidedbythefamilyastheprimarysourceifthedocumentsprovidecompleteinformation.

Allsuchdocuments,excludinggovernmentchecks,willbephotocopiedandretainedintheapplicantfile.Incaseswheredocumentsarereviewedwhic hcannotbephotocopied,staffviewingthedocument(s)willcompleteaCertificationofDocumentViewedorPersonContactedformordocument.

DCHAwillacceptthefollowingdocumentsfromthefamilyprovidedthatthedocumentissuchthattamperingwouldbeeasilynoted:

- Printedwagestubs
- Computerprint -outsfromtheemployer
- Signedletters(providedthattheinformationisconfirmedby phone)
- OtherdocumentsnotedinthisChapterasacceptable verification

DCHA[will]acceptfaxedddocumentsandphotoc opies.

Ifthird -partyverificationisreceivedafterdocumentshavebeenacceptedasprovisionalverification,andthereisadiscrepancy,theHAwillutilizethethirdparty verification.

Self-Certification/Self-Declaration

Whenverificationcannotbemadebythird -partyverificationorreviewof documents,familieswillberequiredtosubmitaself -certification.

Self-certificationmeans[anotarizedstatement/affidavit/certification/statement underpenaltyofperjury][andmustbewitnessed].

B. RELEASEOFINFORMATION[24CFR5.230]

Thefamilywillberequiredtosignspecificauthorizationformswheninformationis neededthat isnotcoveredbytheHUDform9886,AuthorizationforReleaseof Information/PrivacyActNotice.

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

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to supply any information and to sign consent forms requested by the HA or HUD.

C. COMPUTER MATCHING

Where allowed by HUD and/or other State or local agencies, computer matching will be done.

DCHA will utilize the HUD established [Internet] format, for obtaining Social Security benefits, Supplemental Security Income, benefit history and tenant income discrepancy reports from the Social Security Administration.

When computer matching results in a discrepancy within information in DCHA records, DCHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, DCHA will follow the procedures in the Program Integrity Addendum of the Administrative Plan.

D. ITEMS TO BE VERIFIED [24CFR982.516]

All income not specifically excluded by the regulations.

Full-time student status including High School students who are 18 or over.

Current assets including assets disposed of for less than fair market value in preceding two years.

Child care expense where it allows an *adult* family member to be employed to further his/her education.

Total medical expenses of all family member in households whose head or spouse is elderly or disabled.

Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family, which allow an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions.

U.S. citizenship/eligible immigrant status

Social Security Numbers for all family members over 6 years of age or older who have been issued a social security number.

"Preference" status

[Familial/Marital] status when needed for head or spoused definition.

E. VERIFICATION OF INCOME [24CFR982.516]

This section defines the methods DCHA will use to verify various types of income.

Employment Income

Verification forms request the employer to specify the:

Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification include, in this order:

- 1. Employment verification form completed by the employer.**
- 2. Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.**
- 3. W-2 forms plus income tax return forms.**
- 4. Income tax return signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.**

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

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

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

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

Acceptable methods of verification include, in this order:

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

Unemployment Compensation

Acceptable methods of verification include, in this order:

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

Welfare Payments or General Assistance

Acceptable methods of verification include:

DCHA verification form completed by payment provider.

Alimony or Child Support Payments

Acceptable methods of verification include, in this order:

1. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.

2. A [notarized] letter from the person paying the support.
3. Copy of latest check and/or payment stubs from Court Trustee. DCHA must record the date, amount, and number of the check.
4. Family's self -certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.
5. If payments are irregular, the family must provide:
 - A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.
 - A notarized affidavit from the family indicating the amount(s) received.
 - A welfare notice of actions showing amounts received by the welfare agency for child support.

Acceptable methods of verification include, in this order:

1. IRS Form 1040, including:
 - Schedule C (Small Business)
 - Schedule E (Rental Property Income)
 - Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight -lined depreciation rules.
2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self -certification as to net income realized from the business during previous years.

Child Care Business

If an applicant/participant is operating a licensed day care business, income will be verified as with any other business.

If the applicant/participant is operating a "cash and carry" operation (which may or may not be licensed), DCHA will require that the applicant/participant complete a form for each customer which indicates: name of person(s) whose child(ren) is/are being cared for, phone number, number of hours child is being cared for, method of payment (check/cash), amount paid, and signature of person.

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

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

Recurring Gifts

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

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

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household.

DCHA will run a credit report if information is received that indicates the family has an unreported income source.

Full-time Student Status

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

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

Verification of full-time student status includes:

1. Written verification from the registrar's office or other school official.

2. School records indicating enrollment for sufficient number of credits to be considered a full -time student by the educational institution.

F. INCOME FROM ASSETS [24CFR 982.516]

Acceptable methods of verification include, in this order:

Will be verified by:

1. Account statements, passbooks, certificates of deposit, or HA verification forms completed by the financial institution.
2. Broker's statements showing value of stocks or bonds and the earnings credited to the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.
3. IRS Form 1099 from the financial institution, provided that the HA must adjust the information to project earnings expected for the next 12 months.
4. A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)
5. A amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.
6. IRS Form 1040 with Schedule E (Rental Income).
7. Copies of latest rent receipts, leases, or other documentation of rent amounts.
8. Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

G. VERIFICATION OF ASSETS

Family Assets

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

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

Assets Disposed of for Less than Fair Market Value (FMV) During Two Years Preceding Effective Date of Certification or Recertification

1. For all Certifications and Recertifications, the HA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.
2. If the family certifies that they have disposed of assets for less than fair market value, verification [certification] is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME
[24C FR 982.516]

1. Written verification from the person who receives the payments is required. If the child care provider is an individual, s/he must provide a statement of the amount they are charging the family for their services.
2. Verifications must specify the child care provider's name, address, telephone number, [Social Security Number,] the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

3. Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

Families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

1. Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

2. Written confirmation by the insurance company or employer of health insurance premium to be paid by the family.

3. Written confirmation from the Social Security Administration of Medicare premium to be paid by the family over the next 12 months. A computer printout will be accepted.

4. For attendant care:

a. A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.

b. Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.

5. Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

6. Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.

7. Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. DCHA may use this approach for "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, non-recurring expenses from the previous year.

8. DCHA will use mileage at the [IRS/] rate, or cab, bus fare, or other public

transportation cost for verification of the cost of transportation directly related to medical treatment.

Assistance to Persons with Disabilities [24CFR5.611(c)]

1. In All Cases:

(a) Writtencertificationfromareliable, knowledgeableprofessionalthat thepersonwithdisabilitiesrequires theservicesofanattendantand/ortheuseof auxiliaryapparatus topermithim/hertobeemployedortofunctionsufficiently independentlytoenableanotherfamilymembertobeemployed.

(b) Family'scertificationastowhethertheyreceivereimbursementfor anyoftheexpensesofdisabilityassistanceandtheamountofanyreimbursement received.

2. Attendant Care:

(a) Attendant'swrittencertificationofamountreceivedfromthefamily, frequencyofreceipt,andhoursofcareprovided.

(b) Certificationoffamilyandattendantand/orcopiesofcanceledchecks familyusedtomakepayments.

3. Auxiliary Apparatus:

(a) Receiptsforpurchasesorproofofmonthlypaymentsandmaintenance expensesforauxiliaryapparatus.

(b) Inthecasewherethepersonwithdisabilitiesisemployed,astatement fromtheemployerthattheauxiliaryapparatusisnecessaryforemployment.

I. VERIFYING NON -FINANCIAL FACTORS [24CFR5.617(b)(2)]

Verification of Legal Identity

Inordertopreventprogramabuse,DCHAwillrequireapplicantstofurnish verificationoflegalidentityfor allfamilymembers.

Thedocumentslistedbelowwillbeconsideredacceptableverificationoflegal identityforadults.Ifadocumentsubmittedbyafamilyisillegibleorotherwise questionable,morethanoneofthesedocumentsmayberequired.

CertificateofBirth,naturalizationpapers
Churchissuedbaptismalcertificate

**Current, valid Driver's license
U.S. military discharge (DD214)
U.S. passport
Voter's registration
Company/agency Identification Card
Department of Motor Vehicles Identification Card
Hospital records**

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

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

Verification of Marital Status

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

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

Verification of marriage status is a marriage certificate.

Familial Relationships

Certification will normally be considered sufficient verification of family relationships. In cases where reasonable doubt exists, the family may be asked to provide verification.

The following verifications will always be required if applicable:

Verification of relationship:

**Official identifications showing names
Birth Certificates
Baptismal certificates**

Verification of guardianship is:

**Court ordered assignment
Affidavit of parent
Verification from social services agency
School records**

Verification of Permanent Absence of Family Member

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

- 1. Husband or wife institutes divorce action.**
- 2. Husband or wife institutes legal separation.**
- 3. Order of protection/restraining order obtained by one family member against another.**
- 4. Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, if available.**
- 5. Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.**
- 6. If the adult family member is incarcerated, a document from the Court or prisons should be obtained stating how long they will be incarcerated.**
- 7. If no other proof can be provided, DCHA will accept self-certification from the head of household or the spouse or co-head, if the head is the absent member.**

Verification of Change in Family Composition

DCHA may verify changes in family composition (either reported or unreported) [through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources].

Verification of Disability

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

Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512 and 5.514]

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

(a) **Citizen or National of the United States** are required to sign a declaration under penalty of perjury. DCHA [will] require citizen to provide documentation of citizenship.

(b) **Eligible Immigrants who were Participants and 62 or over on June 19, 1995**, are required to sign a declaration of eligible immigration status and provide proof of age.

(c) **Non-citizens with eligible immigration status** must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. DCHA verifies the status through the INSSAVE system. If this primary verification fails to verify status, DCHA must request within ten days that the INS conduct a manual search.

(d) **Ineligible family members** who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.

(e) **Non-citizen students on student visas** are ineligible member even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a

declaration but are listed on the statement of ineligible members.

Failure to Provide

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

Time of Verification

For applicants, verification of U.S. citizenship/eligible immigrant status occurs [at the same time as verification of other factors of eligibility for final eligibility determination]

Once verification has been completed for any covered program, it need not be repeated except that, in the case of port -in families, if the initial HA does not supply the documents, DCHA must conduct the determination.

Extensions of Time to Provide Documents

DCHA [will] grant an extension of [30] days for families to submit evidence of eligible immigrant status.

Acceptable Documents of Eligible Immigration

The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

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

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

DCHA will verify the eligibility of a family member at any time such eligibility is in question, without regard to the position of the family on the waiting list.

If DCHA determines that a family member has knowingly permitted another individual who is not eligible for assistance to reside permanently in the family's unit, the family's assistance will be terminated for [36] months, unless the ineligible individual has already been considered in prorating the family's assistance.

Verification of Social Security Numbers [24CFR5.216]

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

A driver's license

Identification card issued by a Federal, State or local agency

Identification card issued by a medical insurance company or provider (including Medicare and Medicaid)

An identification card issued by an employer or trade union

An identification card issued by a medical insurance company

Earnings statements or payroll stubs

Bank Statements

IRS Form 1099

Benefit award letters from government agencies

Retirement benefit letter

Life insurance policies

divorce, Court records such as real estate, tax notices, marriage and judgment or bankruptcy records

Verification of benefits or Social Security Number from Social Security Administration

New family members ages six and older will be required to produce their Social Security Card or provide the substituted documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to DCHA.

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

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

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

Medical Need for Larger Unit

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional.

J. VERIFICATION OF WAITING LIST PREFERENCES (24CFR 982.207)

Residency Preference: For families who live, work or have been hired to work in the jurisdiction of DCHA.

In order to verify that an applicant is a resident, DCHA will require a minimum of [3] of the following documents: rent receipts, leases, utility bills, employer or agency records, school records, drivers licenses, voters registration records, credit reports.

Working preference: This preference is available for families with at least the Head or spouse who is employed.

DCHA will require a statement from the employer. Families must work a minimum of 20 hours per week and must be employed a minimum of 90 days.

Families who are unable to work due to age or disability automatically qualify for this preference. Families who have a disability must provide an award letter or other proof of eligibility for Social Security Disability or Supplemental Security Income will be accepted.

Chapter 8

VOUCHER ISSUANCE AND BRIEFINGS

[24 CFR 982.301, 982.302]

INTRODUCTION

DCHA's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an acceptable housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, DCHA will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, DCHA procedures, and how to lease a unit. The family will also receive a briefing packet which provides more detailed information about the program including the benefits of moving outside areas of poverty and minority concentration. This Chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

A. ISSUANCE OF VOUCHERS [24 CFR 982.204(d), 982.54(d)(2)]

When funding is available, DCHA will issue Vouchers to applicants whose eligibility has been determined. The issuance of Vouchers must be within the dollar limitations set by the ACC budget.

DCHA may over-issue Vouchers only to the extent necessary to meet leasing goals. All Vouchers which are over-issued must be honored. If DCHA finds it is over-leased, it must adjust future issuance of Vouchers in order not to exceed the ACC budget limitation over the fiscal year.

The number of Vouchers issued must ensure that DCHA stays as close as possible to 100 percent lease up. DCHA performs a monthly calculation to determine whether applications can be processed, the number of Vouchers that can be issued, and to what extent the HA can over-issue (issue more Vouchers than the budget allow) to

achieve lease up).

B. BRIEFING TYPES AND REQUIRED ATTENDANCE [24CFR982.301]

Initial Applicant Briefing

A full HUD -required briefing will be conducted for applicant families who are determined to be eligible for assistance. The briefings will be conducted in [groups]. Families who attend group briefings and still have the need for individual assistance will be referred to [the Section 8 Director or Manager].

The purpose of the briefing is to explain the documents in the Voucher holder's packet to families so that they are fully informed about the program. This will enable them to utilize the program to their advantage, and it will prepare them to discuss it with potential owners and property managers.

DCHA will not issue a Voucher to a family unless the household representative has attended a briefing and signed the Voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend [1] scheduled briefings, without prior notification and approval of DCHA, may be denied admission based on failure to supply information needed for certification. DCHA will conduct individual briefings for families with disabilities at their home, upon request by the family, if required for reasonable accommodation.

Briefing Packet [24cfr982.301(b)]

The documents and information provided in the briefing packet for the voucher program will comply with all HUD requirements. [DCHA also includes other information and/or materials which are not required by HUD.]

The family is provided with the following information and materials:

The term of the voucher, and DCHA policy for requesting extensions or suspensions of the voucher (referred to as tolling).

A description of the method used to calculate the housing assistance payment for a family, including how DCHA determines the payment standard for a family; how DCHA determines total tenant payment for a family and information on the payment standard and utility allowances scheduled 1. How DCHA determines the maximum allowable rent for an assisted unit

Where the family may lease a unit. For family that qualifies to lease a unit outside DCHA jurisdiction under portability procedures, the information must include an explanation of how portability works.

DCHA required tenancy addendum, which must be included in the lease.

The form the family must use to request approval of tenancy [key receipt form], and a description of the procedure for requesting approval for tenancy.

A statement of DCHA policy on providing information about families to prospective owners.

DCHA Subsidy Standards including when and how exceptions are made [and how the voucher size relates to the units size selected].

The HUD brochure on how to select a unit [and/or the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS].

The HUD pamphlet on lead -based paint entitled Protect Your Family From Lead in Your Home [and information about where blood level testing is available].

Information on Federal, State and local equal opportunity laws and a copy of the housing discrimination complaint form. [and the phone numbers of the local fair housing agency and the HUD enforcement office].

A list of landlords or other parties willing to lease to assisted families or help in the search. The list includes landlords or other parties who are willing to lease units or help families find units outside areas of poverty or minority concentration.

If the family includes a person with disabilities, notice that DCHA will provide a list of accessible units known to DCHA.

The family obligations under the program.

The ground on which DCHA may terminate assistance for a participant family because of family action or failure to act.

DCHA informal hearing procedures including when DCHA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

Additional Items for Briefing Packet Based on SEMAP Requirements

Information packet including an explanation of how portability works, including a list of neighboring housing agencies with the name, address and telephone number of

**aportabilitycontactpersonateachforusebyfamilieswhomoveunderportability.
(RequiredforPHAsinMSAs)**

**Amapshowingareasrepresentingvariousincomelevelsofthejurisdictionand
surroundingareasforthepurposeofexpandinghousingopportunitiesforfamilies.
(RequiredforPHA'sinMSAs)**

**InformationregardingDCHA'soutreachprogramwhichassistsfamilieswhoare
interestedin,orexperiencingdifficultyinobtainingavailablehousingunitsinareas
outsideofminorityconcentratedlocations.**

**Alistofpropertiesorpropertymanagementorganizationsthatownoroperate
housingunitsoutsideareasofpovertyorminorityconcentration(requiredforPHA's
inMSAs).**

MoveBriefing

**AmovebriefingwillbeheldforparticipantswhowillbereissuedVouchertomove,
andwhohavebeenrecertified[withinthelast120days],andhavegivennoticeof
intenttovacatetothei rlandlord.Thisbriefingincludsincomingandoutgoing
portablefamilies.**

**Familiesfailingtoattendascheduledmovebriefing[2]timeswillbedeniedanew
Voucherbasedonfailuretoproviderequiredinformation.**

**Interestedownerswhorequesttositinonscheduledfamilybriefingstoobtain
informationabouttheVoucherprogramwillbeallowedtodoso.**

C. ENCOURAGINGPARTICIPATIONINAREASWITHOUTLOW INCOMEORMINORITYCONCENTRATION

**Atthebriefing,familiesareencouragedtosearchforhou singinnon -impactedareas
andtheHAwillprovideassistancetofamilieswhowishtodoso.**

**DCHAwillgiveparticipantsacopyofHUDform903tofilea
complaint**

D.. SECURITYDEPOSITREQUIREMENTS [24CFR982.313]

**TheamountofSecurityDepositwhichcouldhavebeencollectedbyownersunder
contractseffectivepriortoOctober2,1995is:**

**UndertheCertificateProgram,theownercouldhavecollected
aSecurityDepositinamountnottoexceedTotalTenantPayment
or\$50.00,whicheverisgreater,f ornon -lease-in-placefamilies.**

For the Voucher Program, the owner, at his/her discretion, could have collected a Security Deposit in an amount not to exceed (HA policy):

The greater of 30% of adjusted monthly income or \$50 for non-lease in-place families.

Security deposits charged by owners may not exceed those charged to unassisted tenants (not the maximum prescribed by State or local law.)

Security deposits charged by owners may be any amount the owner wishes to charge (but not more than the maximum prescribed by State or local law.)

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owners should settle the issue with the tenant prior to the beginning of assistance.

E. TERM OF VOUCHER [24CFR982.303, 982.54(d)(11)]

During the briefing session, each household will be issued a Voucher which represents a contractual agreement between DCHA and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program which occurs when the lease and contract become effective.

Expirations

The Voucher is valid for a period of at least sixty calendar days from the date of issuance. The family must submit a Request for Tenancy Addendum* and Lease within the sixty-day period unless an extension has been granted by DCHA.

If the Voucher has expired, and has not been extended by DCHA or expires after an extension, the family will be denied assistance. The family *will not* be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.

Suspensions

When a Request for Lease Approval is received, DCHA [will] deduct the number of days required to process the request from the 60-day term of the voucher.

Extensions

DCHA will extend the term up to 120 days from the beginning of the initial term if

the family needs and request an extension as a reasonable accommodation to make the program accessible to and usable by a family member with a disability. If a reasonable accommodation, the family needs an extension in excess of 120 days, DCHA will request such approval from the HUD field office.

A family may request an extension of the Voucher time period. All requests for extensions must be in writing and received prior to the expiration date of the Voucher.

Extensions are permissible at the discretion of DCHA up to a maximum of an additional 60 days primarily for the following reasons:

Extenuating circumstances such as hospitalization or a family emergency for an extended period of time which has affected the family's ability to find a unit within the initial sixty-day period. Verification is required.

DCHA is satisfied that the family has made a reasonable effort to locate a unit, including seeking the assistance of DCHA, throughout the initial sixty-day period. A completed search record [is] required.

The family was prevented from finding a unit due to a disability accessibility requirement or a larger size [3 or more] bedroom unit requirement. The Search Record [is] part of the required verification.

Assistance to Voucher Holders

Families who require additional assistance during their search may call DCHA Office to request assistance. Voucher holders will be notified at their briefing session that DCHA periodically updates the listing of available units and how the updated list may be obtained.

DCHA will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

F. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS **[24CFR982.315]**

In those instances when a family assisted under the Section 8 program becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, DCHA shall consider the following factors to determine which of the families will continue to be assisted:

1. Which of the two new family units has custody of dependent children.
2. Whether domestic violence was involved in the breakup.
3. Which family members remain in the unit.
4. Recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, DCHA will terminate assistance on the basis of failure to provide information necessary for a recertification.

Where the breakup of the family also results in a reduction of the size of the Voucher, the family will be required to move to a smaller unit if the current landlord is unwilling to accept the rent level of the smaller sized voucher.

G. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF VOUCHER [24CFR982.315]

To be considered the remaining member of the tenant family, the person must have been previously approved by DCHA to be living in the unit.

Alive - in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family :

A reduction in family size may require a reduction in the voucher size.

Chapter 9

REQUEST FOR APPROVAL OF TENANCY AND CONTRACT EXECUTION

INTRODUCTION[24CFR982.305(a)][24CFR982.302]

DCHA's program operations are designed to utilize available resources in a manner that is efficient and provides eligible families timely assistance based on the number of units that have been budgeted. DCHA's objective includes maximizing HUD funds by providing assistance to as many eligible families and for as many eligible units as the budget will allow.

After families are issued a voucher, they may search for a unit anywhere within the jurisdiction of DCHA, or outside of DCHA's jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with DCHA. This Chapter defines the types of eligible housing, DCHA's policies which pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests For Approval of Tenancy (RFAT).

A. REQUEST FOR APPROVAL OF TENANCY [24CFR982.302, 982.305(b)]

The Request for Approval of Tenancy (RFAT) and where applicable a copy of the Certificate of Occupancy issued by the municipality where the unit is located and copy of the proposed Lease must be submitted by the family during the term of the voucher.

The Request for Approval of Tenancy must be signed by both the owner and Voucher holder.

DCHA [will not] permit the family to submit more than one RFAT at a time.

DCHA will review the proposed lease and the Request for Lease Approval

documents to determine whether or not they are approvable.

The Request will be approved if:

1. The unit is an eligible type of housing
2. The unit meets HUD's Housing Quality Standards (and any additional criteria as identified in this Administrative Plan)
3. The rent is reasonable and approvable.
4. The Security Deposit is approvable in accordance with any limitations in this plan.
5. The proposed lease complies with HUD and DCHA requirements.
6. The owner is approvable, and there are no conflicts of interest.

Disapproval of RFAT

If DCHA determines that the Request cannot be approved for any reason, the landlord and the family will be notified in writing. DCHA will instruct the owner and family of the steps that are necessary to approve the Request.

The owner will be given [a maximum of 14] calendar days to submit an approvable RFAT from the date of disapproval.

When, for any reason, an RFAT is not approved, DCHA will furnish another RFAT form to the family along with the notice of disapproval so that the family can continue to search for eligible housing.

B. ELIGIBLE TYPES OF HOUSING [24CFR982.353,]

DCHA will approve any of the following types of housing in the Certificate and Voucher programs:

All structure types can be utilized.

Manufactured homes where the tenant leases the mobile home and the pad.

Units owned (but not subsidized) by the HA (following HUD -prescribed requirements).

A family can own a rental unit but cannot reside in it while being assisted, except in the case when the tenant owns the mobile home and leases the pad. A family may lease in and have an interest in a cooperative housing development.

DCHA may not permit a Voucher holder to lease a unit which is receiving Project -

Based on Section 8 assistance or any duplicative rent subsidies.

C. LEASE REVIEW [24CFR982.308]

DCHA will review the lease, particularly noting the approvability of optional charges and compliance with regulations [and State/local law]. Responsibility for utilities, appliances and optional services must correspond to those provided on the Request For Lease Approval.

Owners may either submit their own lease or permit DCHA to furnish the lease. In cases where the owner's lease is used, the HUD lease addendum must be attached and executed.

House Rules of the owner may be attached to the lease as an addendum, provided they are approved by DCHA to ensure they do not violate any fair housing provisions and do not conflict with the tenancy addendum.

D. SEPARATE AGREEMENTS

Separate agreements are not necessarily illegal side agreements. Families and owners will be advised of the prohibition of illegal side payments for additional rent, or for items normally included in the rent of unassisted families, or for items not shown on the approved lease.

The family is not liable under the lease for unpaid charges for items covered by separate agreements and nonpayment of these agreements cannot be cause for eviction.

Owners and families may execute separate agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease if the agreement is in writing and approved by DCHA.

Any appliances, services or other items which are routinely provided to unassisted families as part of the lease (such as air conditioning, dishwasher or garage) or are permanently installed in the unit, cannot be put under separate agreement and must be included in the lease. For there to be a separate agreement, the family must have the option of not utilizing the service, appliance or other item.

If the family and owner have come to a written agreement on the amount of allowable charges for a specific item, so long as those charges are reasonable and not a substitute for higher rent, they will be allowed.

All agreements for special items or services must be attached to the lease approved by the HA. If agreements are entered into at a later date, they must be approved by DCHA and attached to the lease.

E. INITIAL INSPECTIONS [24CFR982.305(a)&(b)]

See Chapter 10, "Housing Quality Standards and Inspections."

F. RENT LIMITATIONS [24CFR982.507]

DCHA will make a determination as to the reasonableness of the proposed rent in relation to comparable units available for lease on the private unassisted market, and the rent charged by the owner for a comparable unassisted unit in the building or premises.

G. DISAPPROVAL OF PROPOSED RENT [24CFR982.502]

In any of the programs, if the proposed Gross Rent is not reasonable, at the family's request, DCHA will negotiate with the owner to reduce the rent to a reasonable rent. If the rent can be approved by DCHA, DCHA will continue processing the Request for Approval of Tenancy and Lease. If the revised rent involves a change in the provision of utilities, a new Request for Approval of Tenancy must be submitted by the owner.

If the owner does not agree on the Rent to Owner after DCHA has tried and failed to negotiate a revised rent, DCHA will inform the family and owner that the lease is disapproved.

H. INFORMATION TO OWNERS [24CFR982.307(b), 982.54(d)(7)]

In accordance with HUD requirements, DCHA will furnish prospective owners with the family's current address as shown in DCHA's records and, if known to DCHA, the name and address of the landlord at the family's current and prior address.

DCHA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

DCHA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, eviction history, damage to units, and other factors related to the family's suitability as a tenant.

A statement of DCHA's policy on release of information to prospective landlords will

be included in the briefing packet which is provided to the family.

DCHA [will] provide documented information regarding tenancy history for the past [3] years to prospective landlords [upon request from the landlord].

DCHA will provide prospective owners with information about the family's rental history, or any history of drug trafficking. [upon request from the landlord]*

DCHA will provide the following information, based on documentation in its possession:

- Eviction history
- Damage to rental units
- Other aspects of tenancy history
- Drug Trafficking by family members

The information will be provided for the last [3] years.
The information will be provided [orally].

Only the [employees within the Section 8 Department] may provide this information. DCHA's policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

I. OWNER DISAPPROVAL

See Chapter 16, "Owner Disapproval and Restriction."

J. CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE.

When the family reports changes in factors that will affect the Total Tenant Payment (TTP) prior to the effective date of the HAP contract at admission, the information will be verified and the TTP will be recalculated. If the family does not report any change, the HA need not obtain new verifications before signing the HAP Contract, even if verifications are more than 60 days old.

K. CONTRACT EXECUTION PROCESS [24CFR982.305(c)]

DCHA prepares the Housing Assistance Contract and lease for execution. The family and the owner will execute the Lease agreement, and the owner and DCHA will execute the HAP Contract. Copies of the documents will be furnished to the parties who signed the respective documents. DCHA will retain a copy of all signed documents..

DCHA makes every effort to execute the HAP Contract before the commencement of the lease term. The HAP Contract may not be executed more than 60 days after commencement of the lease term and no payments will be made until the contract is executed.

The following HA representative(s) is/are authorized to execute a contract on behalf of DCHA: [Section 8 Director or Designee; Executive Director or Assistant Executive Director].

Owners must provide the current address of their residence (not a Post Office box).

Owners must provide an Employer Identification Number or Social Security Number

Owners must also submit proof of ownership of the property, such as a Grant Deed or Tax Bill, and a copy of the Management Agreement if the property is managed by a management agent.

The owner must provide a home telephone number and business number if applicable.

Unless their lease was effective prior to June 17, 1998, a family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member. DCHA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

L. CHANGE IN OWNERSHIP

See Chapter 16, "Owner Disapproval and Restriction."

Chapter 10

HOUSING QUALITY STANDARDS AND INSPECTIONS [24CFR982.401]

INTRODUCTION

Housing Quality Standards (HQS) are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and during the term of the lease. HQS standards apply to the building and premises, as well as the unit. Newly leased units must pass the HQS inspection before the

beginning date of the assisted lease and HAP contract.

DCHA will inspect each unit under contract at least annually. DCHA will also have an inspections supervisor perform quality control inspections to assure consistency in the DCHA's program. This Chapter describes the HA's procedures for performing HQS and other types of inspections, and DCHA standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of non-compliance with HQS requirements for both families and owners. The use of the term "HQS" in this Administrative Plan refers to the combination of both HUD and DCHA requirements. (See additions to HQS).

A. GUIDELINES/TYPES OF INSPECTIONS [24CFR982.401(a), 982.405]

Efforts will be made at all times to encourage owners to provide housing above HQS minimum standards.

All utilities must be in service prior to the effective date of the HAP contract. If the utilities are not in service at the time of inspection, the Inspector will notify the tenant or owner (whomever is responsible for the utilities according to the RAFT) to have the utilities turned on. [The Inspector will schedule a reinspection.]

If the tenant is responsible for supplying the stove and/or the refrigerator, DCHA will allow the stove and refrigerator to be placed in the unit after the inspection, if after the unit has passed all other HQS, the family certifies that the appliances are in the unit and working according to the Housing Quality Standards. DCHA [will] conduct a reinspection.

There are five types of inspections DCHA will perform:

1. **Initial/Move-in:** Conducted upon receipt of Request for Tenancy Approval.
2. **Annual:** Must be conducted within twelve months of the anniversary date of the last full inspection.
3. **Move-Out/Vacate**
4. **Special/Complaint:** At a request of owner, family or an agency or third-party.
5. **Quality Control**

B. INITIAL HQS INSPECTION [24CFR982.401(a),982.305(b)(2)]

DCHA will inspect the unit, determine whether the unit satisfies the HQS and notify the family and owner of the determination within 15 days unless it is determined that it is unable to do so in the stated time frame, in which case the file will be appropriately documented.

The Initial Inspection will be conducted to:

Determine if the unit and property meet the HQS defined in this Plan.

Document the current condition of the unit to assist in future evaluations whether the condition of the unit exceeds normal wear and tear.

Document the information to be used for determination of rent reasonableness.

If the unit fails the initial Housing Quality Standards inspection, the [family and] owner will be advised to notify the HA once repairs are completed.

On an initial inspection, the owner will be given up to [maximum of 14] days to correct the items noted as Fail, at the Inspector's discretion, depending on the amount and complexity of work to be done.

The owner will be allowed up to [1] reinspection for repair work to be completed.

If the time period given by the Inspector to correct the repairs has elapsed, or the maximum number of failed reinspections has occurred, the family must select another unit.

C. ANNUAL HQS INSPECTIONS [24CFR982.405(a)]

DCHA conducts an inspection in accordance with Housing Quality Standards at least annually, [90] days prior to the last annual inspection. Special inspections may be scheduled between anniversary dates.

HQS deficiencies which cause a unit to fail must be corrected by the landlord unless it is a fail for which the tenant is responsible.

The family must allow DCHA to inspect the unit at reasonable times with reasonable notice. [24CFR982.51(d)]

Inspections will be conducted on business day only.

DCHA will notify the family in writing prior to the inspection.

Inspection: The family [and owner] [are] notified of the date and time of the inspection appointment by mail. If the family is unable to be present, they must reschedule the appointment so that the inspection is completed.

If the family does not contact DCHA to reschedule the inspection, or if the family misses [2] inspection appointments, DCHA will consider the family to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in the Plan.

Reinspection: The family and owner are mailed a notice of the inspection appointment by mail. If the family is not at home for the reinspection appointment, a card will be left at the unit and another appointment is automatically scheduled. The appointment letter contains a warning of abatement (in the case of owner responsibility), and a notice of the owner's responsibility to notify the family.

The family is also notified that it is a Family Obligation to allow DCHA to inspect the unit. If the family was responsible for a breach of HQS identified in Chapter 15, "Denial or Termination of Assistance," they will be advised of their responsibility to correct.

Time Standards for Repairs

1. Emergency items which endanger the family's health or safety must be corrected by the owner within 24 hours of notification.
2. For non-emergency items, repairs must be made within 30 days.
3. For major repairs, the [Section 8 Director or Designee] may approve an extension beyond 30 days.

Rent Increases

Rent to owner increases may not be approved if the unit is in a failed condition.

D. MOVEOUT/VACATE

A moveout inspection will be performed only at the landlord's request.

E. SPECIAL/COMPLAINT INSPECTIONS [24 CFR 982.405(c)]

If at any time the family or owner notifies DCHA that the unit does not meet Housing Quality Standards, DCHA will conduct an inspection.

DCHA may also conduct a special inspection based on information from third parties such as neighbors or public officials.

DCHA will inspect only the items which were reported, but if the Inspector notices additional deficiencies that would cause the unit to fail HQS, the responsible party will be required to make the necessary repairs.

If the anniversary date is within 90 days of a special inspection, the special inspection will be categorized as annual and all annual procedures will be followed.

F. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b)]

Quality Control inspections will be performed by the [Section 8 Director, Assisted Housing Programs Manager or an employee of DCHA Maintenance Department] on the number of files required by SEMAP. The purpose of Quality Control inspections is to ascertain that each inspector is conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in application of the HQS.

G. ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS [24 CFR 982.401 (a)]

DCHA adheres to the HQS and acceptability criteria in the program regulations and HUD Inspection Booklet with no exceptions.

H. EMERGENCY REPAIR ITEMS [24 CFR 982.401(a), 982.401(a)]

The following items are considered of an emergency nature and must be corrected by the owner or tenant (whoever is responsible) within 24 hours of notice by the Inspector:

- Lack of security for the unit
- Water logged ceiling in imminent danger of falling
- Major plumbing leaks or flooding
- Natural gas leak or fumes
- Electrical problem which could result in shock or fire
- No heat when outside temperature is below [32] °F. and

temperature inside unit is below [60] °F
Utilities not in service
No running hot water
Broken glass where someone could be injured
Obstacle which prevents tenant's entrance or exit
Lack of functioning toilet

DCHA may give a short extension (not more than [48] additional hours) whenever the responsible party cannot be notified or it is impossible to effect the repair within the 24-hour period.

In those cases where there is leaking gas or potential of fire or other threat to public safety, and the responsible party cannot be notified or it is impossible to make the repair, proper authorities will be notified by DCHA.

If the emergency repair item(s) are not corrected in the time period required by DCHA, and the owner is responsible, the housing assistance payment will be abated and the HAP contract will be terminated.

If the emergency repair item(s) are not corrected in the time period required by DCHA, and it is an HQS breach which is a family obligation, DCHA will terminate the assistance to the family.

I. CONSEQUENCES IF OWNER IS RESPONSIBLE (NON EMERGENCY ITEMS) [24 CFR 982.405, 982.453]

When it has been determined that a unit on the program fails to meet Housing Quality Standards, and the owner is responsible for completing the necessary repair(s) in the time periods specified by DCHA, the assistance payment to the owner will be [abated].

Abatement

A notice of Abatement will be sent to the owner, and the abatement will be effective from the day after the date of the failed inspection. The notice is generally for [minimum of 10 - maximum of 30] days, depending on the nature of the repair(s) needed.

DCHA will inspect abated units within [14] days of the owner's notification that the work has been completed.

If the owner makes repairs during the abatement period, payment will resume on the day the unit passes inspection.

No retroactive payments will be made to the owner for the period of time the rent was abated and the unit did not comply with HQS. The notice of abatement states that the tenant is not responsible for DCHA's portion of rent that is abated.

Reduction of Payments

DCHA will [grant an extension] in lieu of abatement in the following cases:

- The owner has a good history of HQS compliance.
- There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services.
- The owner makes a good faith effort to make the repairs.
- The repairs must be delayed due to climate conditions.

The [extension] will be made for a period of time not to exceed [14] days. At the end of that time, [At DCHA's discretion,] if the work is not completed [or substantially completed], DCHA will begin the [abatement].

If the owner is responsible for repairs, and fails to correct all the deficiencies cited prior to the end of the abatement period, the owner will be sent a HAP Contract Proposed Termination Notice. Prior to the effective date of the termination, the abatement will remain in effect.

If repairs are completed before the effective termination date, the termination [may] be rescinded by DCHA if the tenant chooses to remain in the unit. Only [1] Housing Quality Standards inspections will be conducted after the termination notice is issued.

J. DETERMINATION OF RESPONSIBILITY [24CFR 982.404, 982.54(d)(14)]

Certain HQS deficiencies are considered the responsibility of the family:

- Tenant-paid utilities not in service
- Failure to provide or maintain family -supplied appliances
- Damage to the unit or premises caused by a household member or guest beyond normal wear and tear.

The owner is responsible for all other HQS violations.

The owner is responsible for vermin infestation even if caused by the family's living

habits. However, if such infestation is serious and repeated, it may be considered a lease violation and the owner may evict for serious or repeated violation of the lease. DCHA may terminate the family's assistance on that basis.

K. CONSEQUENCES IF FAMILY IS RESPONSIBLE [24CFR982.404(b)]

If emergency or non-emergency violations of HQS are determined to be the responsibility of the family, DCHA will require the family make any repair(s) or corrections within [minimum of 10 -maximum of 30] days. If the repair(s) or correction(s) are not made in this time period, DCHA will terminate assistance to the family. Extensions in these cases must be approved by [Section 8 Director or Designee]. The owner's rent will not be abated for items which are the family's responsibility.

If the tenant is responsible and corrections are not made, the HAP Contract will terminate when assistance is terminated.

Chapter 11

**OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS
[24CFR, 982.502, 982.503, 982.504, 982.505, 982.507]**

INTRODUCTION

The policies in this chapter reflect the amendments to the HUD regulations, which were implemented by the Quality Housing and Work Responsibility Act of 1998 for the Section 8 Tenant -Based Assistance Program. These amendments became effective on October 1, 1999, which is referred to as the “merger date”. These amendments complete the merging of the Section 8 Certificate and Voucher Programs into one program called the Housing Choice Voucher Program. In accordance with the regulations, for those Section 8 participant families where there is a HAP Contract in effect entered in prior to October 1, 1999, DCHA will continue to uphold the rent calculation methods of the pre merger Regular Certificate, and Voucher tenancies until the 2nd regular re -examination of family income and composition following the “merger date”. However, all new leases, moves and new admissions taking effect on or after October 1, 1999 will be subject to the regulations of the new Housing Choice Voucher Program.

DCHA will determine rent reasonableness in accordance with 24CFR982.507(a). It is DCHA’s responsibility to ensure that the rents charged by owners are reasonable based upon unassisted comparables in the rental market, using the criteria specified in 24CFR982.507(b).

This chapter explains DCHA’s procedures for determination of rent -reasonableness, payments to owners, adjustments to the Payment Standards, and rent adjustments.

A. RENT TO OWNER IN THE HOUSING CHOICE VOUCHER PROGRAM

The Rent to Owner is limited only by rent reasonableness. DCHA must demonstrate that the Rent to Owner is reasonable in comparison to rent for other comparable unassisted units.

The only other limitation on rent to owner is the maximum rent standard at initial occupancy (24CFR982.508). At the time a family initially receives tenant -based assistance for occupancy of a dwelling unit, whether it is a new admission or a move to a different unit, the family share may not exceed 40 percent of the family’s monthly adjusted income.

B. MAKING PAYMENTS TO OWNERS [24CFR982.451]

Once the HAP contract is executed, DCHA begins processing payments to the landlord. A HAP Register will be used as a basis for monitoring the accuracy and timeliness of payments. Checks are disbursed by the Finance Department to the owner each month. Checks may not be picked up by owner at DCHA.

Excess Payments

The total of rent paid by the tenant plus DCHA's housing assistance payment to the owner may not be more than the rent to owner. The owner must immediately return any excess payment to DCHA.

Owners who do not return excess payments will be subject to penalties as outlined in the "Owner or Family Debt to DCHA" chapter of this Administrative Plan.

Late Payments to Owners

DCHA will pay a late fee to the owner for housing assistance payments that are not mailed to the owner by the 15th of the month, if requested by the owner.

DCHA will not be obligated to pay any late payment penalty if HUD determines that late payment is due to factors beyond DCHA's control, such as a delay in the receipt of program funds from HUD. DCHA will use administrative fee income or the administrative fee reserve as its only source for late payment penalty.

DCHA will not use any program funds for the payment of late fee penalties to the owner.

C. RENT REASONABLENESS DETERMINATIONS [24CFR982.507]

DCHA will determine and document on a case-by-case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. This applies to all programs.

DCHA will not approve a lease until DCHA determines that the initial rent to owner is a reasonable rent. DCHA must redetermine the reasonable rent before any increase in the rent to owner, and if there is a five percent decrease in the published FMR in effect 60 days before the contract anniversary (for the units sized by the family) as compared with the FMR in effect one year before the contract anniversary.

DCHA must redetermine if directed by HUD and based on a need identified by DCHA's auditing system. DCHA may elect to redetermine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or redetermined by DCHA.

The owner will be advised that by accepting each monthly housing assistance payment, he will be certifying that the rent to owner is not more than rent charged

by the owner for comparable unassisted units in the premises.

If requested, the owner must give DCHA information on rents charged by the owner for other units in the premises or elsewhere.

The data for other unassisted units will be gathered from [newspapers, Realtors, professional associations, inquiries, market surveys and other available resources.]

The following items will be used for rent reasonableness documentation:

- Size (number of Bedrooms/square footage)
- Location
- Quality
- Amenities (bathrooms, dishwasher, air conditioning, etc.)
- Housing Services
- Age of unit
- Unit Type
- Utilities
- Maintenance

Rent Reasonableness Methodology

DCHA maintains [a notebook] which includes data on unassisted units for use by staff in making rent reasonableness determinations. The data is updated on an ongoing basis and purged when it is more than [24] months old.

D. PAYMENT STANDARDS FOR THE VOUCHER PROGRAM [24CFR982.503]

The Payment Standard is used to calculate the housing assistance payment for a family. In accordance with HUD regulation, and at DCHA's discretion, the Voucher Payment Standard amount is set by DCHA between 90 percent and 110 percent of the HUD published FMR. This is considered the basic range. DCHA reviews the appropriateness of the Payment Standard annually when the FMR is published. In determining whether a change is needed, DCHA will ensure that the Payment Standard is within the range of 90 percent to 110 percent of the new FMR, unless an exception payment standard has been approved by HUD.

E. ADJUSTMENT TO PAYMENT STANDARDS [24CFR982.505]

Payment Standards may be adjusted, within HUD regulatory limitations, to increase Housing Assistance Payments in order to keep families' rents affordable. DCHA will not raise the Payment Standard solely to make "high end" units available to voucher holders.

DCHA may use some or all of the measures below in making its determination whether an adjustment should be made to the Payment Standards.

Quality of Units Selected

DCHA will review the quality of units selected by participant families before determining any change to the Payment Standard to ensure that Payment Standard increases are only made when needed to reach the mid-range of the market.

HA Decision Point

DCHA will review that average percent of income the families in the program are paying for rent. If more than [40%] of families are paying more than 30% of monthly adjusted income for a particular unit size, DCHA will determine whether families are renting units larger than their voucher size, and whether families are renting units which exceed HUD's HQS and any additional standards added by HA in this Administrative Plan.

If families are paying more than 30% of their income for rent due to the selection of larger bedroom size units, DCHA may decline to increase the payment standards.

Rent to Owner Increases

DCHA may review a sample of the units to determine how often owners are increasing rents after the first year of the lease and the average percent of increase by bedroom size.

Lowering of the Payment Standard

Lowering of the FMR may require an adjustment of the Payment Standard. Additionally, statistical analysis may reveal that the Payment Standards should be lowered. In any case, the Payment Standard will not be set below 90 percent of the FMR without authorization from HUD.

Financial Feasibility

Before increasing the Payment Standard, DCHA may review the budget to determine the impact projected subsidy increases would have on funding available for the program and number of families served.

For this purpose, DCHA will compare the number of families who could be served under a higher Payment Standard with the number assisted under current Payment Standards.

File Documentation

A file will be retained by DCHA for at least three years to document the analysis and findings to justify whether or not the Payment Standard was changed.

F. EXCEPTION PAYMENT STANDARDS

If the dwelling unit is located in an exception area, DCHA must use the appropriate payment standard amount established by DCHA for the exception area in accordance with regulation 24CFR982.503(c).

G. OWNER PAYMENT IN THE HOUSING CHOICE VOUCHER PROGRAM **[(24cfr982.308(g))]**

The owner is required to notify the PHA, in writing, at least sixty days before any change in the amount of rent to owner is scheduled to go into effect. Any requested change in rent to owner will be subject to rent reasonableness requirements. See 24 CFR 982.503.

Chapter12

RECERTIFICATIONS

[24CFR982.516]

INTRODUCTION

In accordance with HUD requirements, DCHA will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Recertifications and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulation. It is a HUD requirement that families report all changes in household composition. This Chapter defines DCHA's policy for conducting annual recertifications and coordinating annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ANNUAL ACTIVITIES [24CFR982.516,982.405]

There are three activities DCHA must conduct on an annual basis:

1. Recertification of Income and Family Composition
2. HQS Inspection
3. Rent to Owner Adjustment (following HUD requirements [Regular Tenancy])

DCHA produces a monthly listing of units under contract to ensure that timely reviews of contract rent, housing quality, and factors related to Total Tenant Payment can be made.

Reexamination of the family's income and composition must be conducted at least annually.

Annual inspections: See Chapter 10, "Housing Quality Standards and Inspections."

Rent Adjustments: See Chapter 11, "Owner Rents, Rent Reasonableness and Payment Standards."

B. ANNUAL RECERTIFICATION/REEXAMINATION [24CFR982.516]

Families are required to be recertified at least annually. At the first interim or annual certification on or after June 19, 1995, family members must report and verify their U.S. citizenship/eligible immigrant status.

Pre-Merger Reexamination Issues

For all pre-merger tenancies the rental calculation methods will not change until the effective date of the second regular reexamination of family income and composition, following the merger date, unless the family moves or accepts a new lease from the owner.

If there has been an increase in the payment standard prior to the effective date of the first regular reexamination of a pre-merger Voucher or Over Fair Market Rent Tenancy Certificate following the merger date, the family will receive the benefit of the higher payment standard, provided there has not been a change in family size or composition that would require DCHA to adjust the family unit size.

Moves Between Reexaminations

When families move to another dwelling unit:

An annual recertification will be scheduled (unless a recertification has occurred in the last [90] days) and the anniversary date will be changed.

Income limits are not used as a test for continued eligibility at recertification unless the family is moving under portability and changing their form of assistance.

Reexamination Notice to the Family

DCHA will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview at least [60-90] days in advance of the anniversary date. If requested as an accommodation by a person with a disability, DCHA will provide the notice in an accessible format. DCHA will also mail the notice to a third party, if requested as a reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Procedure

DCHA's procedure for conducting annual recertifications will be:
Schedule the date and time of appointments and mail a notification to the family.

Completion of Annual Recertification

DCHA will have all recertifications for families completed before the anniversary date. This includes notifying the family of any changes in rent at least 30 days before the scheduled date of the change in family rent.

Persons with Disabilities

Persons with disabilities who are unable to come to DCHA's office will be granted an accommodation by conducting the interview [by mail], upon verification that the accommodation requested meets the need presented by the disability.

Collection of Information

DCHA will require the family to complete a recertification form prior to all interviews, then review the form with the family. This system utilizes the Personal Declaration Forms so that the HA has information in the family representative's own handwriting.

Requirements to Attend

The following family members will be required to attend the recertification interview:

All adult household members

If the head of household is unable to attend the interview:

The appointment will be rescheduled

Failure to Respond to Notification to Recertify

The written notification must state which family members are required to attend the interview. The family may call to request another appointment date up to [2] days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with DCHA, DCHA [will] reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, DCHA will:

Send family notice of termination and offer them an informal

hearing

Exceptions to these policies may be made by [Housing Manager or Section 8 Director] if the family is able to document an emergency situation that prevented them from canceling or attending the appointment or if requested as a reasonable accommodation for a person with a disability.

Documents Required From the Family

In the notification letter to the family, DCHA will include instructions for the family to bring the following:

Documentation of all assets
Documentation of any deductions/allowances
Personal Declaration Form completed by head of household
Documentation of All Income

Verification of Information

DCHA will follow the verification procedures and guidelines described in this Plan. Verifications for reexaminations must be less than [90] days old.

Tenant Rent Increase

If tenant rent increases, at twenty day notice is mailed to the family prior to the anniversary date.

If less than twenty days are remaining before the anniversary date, the tenant rent increase will be effective on the first of the month following the twenty day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the anniversary date.

Tenant Rent Decreases

If tenant rent decreases, it will be effective on the anniversary date.

If the family causes a delay so that the processing of the reexamination is not complete by the anniversary date, rent change will be effective on the first day of the month following completion of the reexamination processing by DCHA.

C. REPORTING INTERIM CHANGES [24CFR982.516]

Program participants must report all changes in household composition to DCH between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain DCHA approval prior to all other additions to the household. A

If any new family member is added, family income must include any income of the new family member. DCHA will conduct a reexamination to determine such additional income and will make the appropriate adjustments in the housing assistance payment and family unit size.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required at the first interim or regular recertification after moving into the unit.

Increases in Income

Interim Reexamination Policy

DCHA [will] conduct interim reexaminations when families have an increase in income.

Families will be required to report all increases in income/assets [immediately/within (14) days of the increase].

Decreases in Income

Participants may report a decrease in income and other changes which would reduce the amount of tenant rent, such as an increase in allowances or deductions. DCHA must calculate the change if a decrease in income is reported.

HA Errors

If DCHA makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted, if necessary, to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable, retroactive to when the decrease for the change would have been effective if calculated correctly.

Other Interim Reporting Issues

An interim reexamination does not affect the date of the annual recertification.

An interim reexamination will be scheduled for families with [zero] income every [90] days.

D. NOTIFICATION OF RESULTS OF RECERTIFICATIONS [HUD Notice PIH98 -6]

The HUD form 50058 will be completed and transmitted as required by HUD.

The Notice of Rent Change is mailed to the owner and the tenant. Signatures [are not] required by DCHA. If the family disagrees with the rent adjustment, they may request an informal review or hearing.

E. INCOME CHANGES RESULTING FROM WELFARE PROGRAM
[24CFR5.615]
REQUIREMENTS

DCHA will not reduce the family share of rent for families whose welfare assistance is reduced specifically because of:

- Fraud; or
- Failure to participate in an economic self-sufficiency program; or
- Non-compliance with a work activity requirement.

However, DCHA will reduce the rent if the Welfare assistance reduction is a result of:

- The expiration of a lifetime limit on receiving benefits; or
- A situation where the family has complied with Welfare program requirements but cannot or has not obtained employment.

DCHA will notify affected families that they have the right to an informal hearing regarding these requirements.

Cooperation Agreements [24CFR5.613]

DCHA and the local welfare agency have mutually agreed to exchange information regarding any economic self-sufficiency and/or other appropriate programs or services that would benefit Section 8 tenant-based assistance families.

F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)
[24CFR982.516(c)]

Standard for Timely Reporting of Changes

DCHA requires that families report interim changes to DCHA within [14] days of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within [14] days of the change.

If the change is not reported within the required time period, or if the family fails to provide documentation or signatures, it will be considered untimely reporting.

Procedures when the Change is Reported in a Timely Manner

DCHA will notify the family and the owner of any change in the Housing Assistance Payment to be effective according to the following guidelines:

Increases in the Tenant Rent are effective on the first of the month following at least twenty days' notice.

Decreases in the Tenant Rent are effective the first of the month following that in which the change is reported. However, no rent reductions will be processed until all the facts have been verified, even if a retroactive adjustment results.

Procedures when the Change is Not Reported by the Tenant in a Timely Manner

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim reexamination processing and the following guidelines will apply:

Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any overpaid housing assistance and may be required to sign a Repayment Agreement.

Decrease in Tenant Rent will be effective on the first of the month following the month that the change was reported.

Procedures when the Change is Not Processed by the HAI in a Timely Manner

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by DCHA in a timely manner.

In this case, an increase will be effective after the required twenty days' notice prior to the first of the month after completion of processing by DCHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

G. REPORTING OF CHANGES IN FAMILY COMPOSITION [24CFR 982.516(c)]

All changes in family composition must be reported within [14] days of the occurrence.

Increases in Family Size

Increases other than by birth, adoption or court -awarded custody must have the prior approval of the owner and DCHA.

If the addition would result in overcrowding according to HQS maximum occupancy standards:

DCHA will not approve the addition other than birth, adoption or court -awarded custody.

DCHA will issue a larger Certificate or Voucher or put the family on the Transfer List.

DCHA will issue a larger Certificate or Voucher (if needed under the Subsidy Standards) for additions to the family in the following cases:

Addition by marriage or marital -type relation.

Addition of an HA -approved live -in attendant.

Addition of any relation of the Head or Spouse.

Addition due to birth, adoption or court -awarded custody.

If a change due to birth, adoption, court -awarded custody, or need for a live -in attendant requires a larger size unit due to overcrowding, the change in Certificate/Voucher shall be made effective immediately. DCHA may determine whether to issue a Certificate or Voucher in this instance based on funding

availability. If there is no funding availability in either program, the family will be placed on the Transfer list.

H. CHANGES IN VOUCHER SIZE AS A RESULT OF FAMILY COMPOSITION CHANGES [24CFR 982.516(c)]

See "Subsidy Standards" chapter.

I. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24CFR 5.518]

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants as of June 19, 1995, shall continue receiving full assistance if they meet all of the following criteria:

1. The HA implemented the Non-Citizen Rule prior to November 29, 1996 AND
2. The head of household or spouse is a U.S. citizen or has eligible immigrant status; AND
3. All members of the family other than the head, the spouse, parents of the head or the spouse, and children of the head or spouse are citizens or eligible immigrants. The family may change the head of household to qualify under this provision.

If the HA implemented the Non-Citizen Rule on or after November 29, 1996, mixed families may receive prorated assistance only.

J. MISREPRESENTATION OF FAMILY CIRCUMSTANCES

If any participant deliberately misrepresents the information on which eligibility or tenancy is established, DCHA may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition (see Program Integrity Addendum)

Chapter 13

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY [24 CFR 982.314, 982.353, 982.355 (a)]

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within DCHA's jurisdiction, or to a unit outside of DCHA's jurisdiction under Portability procedures. The regulations also allow DCHA the discretion to develop policies which define any limitations or restrictions on moves. This Chapter defines the procedure for moves, both within and outside of, DCHA's jurisdiction, and the policies for restriction and limitations on moves.

A ALLOWABLE MOVES

A family may move to a new unit with continued assistance if:

1. The assisted lease for the old unit has terminated because the HA has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.
2. The owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the family

(unless assistance to the family will be terminated).

3. The family has given proper notice of lease termination (if the family has a right to terminate the lease on notice to owner) for owner breach or otherwise.

B. RESTRICTIONS ON MOVES [24CFR982.314,982.552(a)]

Families [will] be permitted to move within DCHA's jurisdiction during the initial year of assisted occupancy.

Families [will] not be permitted to move outside DCHA's jurisdiction under portability procedures during the initial year of assisted occupancy.

Families [will] be permitted to move more than once in a 12-month period.

DCHA will deny permission to move if there is insufficient funding for continued assistance.

DCHA [may] deny permission to move if:

The family has violated a Family Obligation.
The family owes DCHA money.

The [Section 8 Manager or Section 8 Designee] may make exceptions to these restrictions if there is an emergency reason for removal over which the participant has no control.

C. PROCEDURE FOR MOVES [24CFR982.314]

Issuance of Voucher

Subject to the restrictions on moves, if the family has not been recertified within the last [90] days, DCHA will issue the certificate or voucher to move [after conducting the recertification].

If the family does not locate a new unit, they may remain in the current unit as long as the owner permits.

The annual recertification date will be changed to coincide with the new lease date. -up

Notice Requirements

Briefing sessions emphasize the family's responsibility to give the owner and DCHA proper written notice of any intent to move.

The family must give the owner the required number of days written notice of intent to vacate specified in the lease and must give a copy to DCHA simultaneously.

For units under a Certificate HAP contract effective before October 2, 1995, if the family vacates the unit without proper notice in writing to the owner, the family will be responsible for any vacancy loss paid by DCHA.

Time of Contract Change

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move [except that there will be no overlapping assistance].

In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy, unless proper notice was given to end a lease mid-month. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves.

D. PORTABILITY [24CFR982.353]

Portability applies to families moving out of or into the HA's jurisdiction within the United States and its territories.

- 1. In the same state as the initial HA;**
- 2. In the same metropolitan statistical area (MSA) as the initial HA, but in a different state;**
- 3. In an MSA adjacent to the MSA of the initial HA, but in a different state.**
- 4. In the jurisdiction of an HA anywhere within the United States that administers a tenant-based program.**

E. OUTGOING PORTABILITY [24CFR982.353, 982.355]

Within the limitations of the regulations and this policy, a participant family has the

right to receive Tenant -Based Voucher assistance to lease a unit outside the HA's jurisdiction, anywhere in the United States, in the jurisdiction of a HA with a tenant based program. When a family requests to move outside of the HA's jurisdiction, the request must specify the area to which the family wants to move.

Restrictions on Portability

Families will not be permitted to exercise portability during the initial 12 month period after admission to the program, if neither the head or spouse had a domicile (legal residence) in DCHA's jurisdiction at the date of their initial application for assistance [unless the receiving and initial HA agree to allow the move].

2. If the family is in violation of a family obligation.
3. If the family owes money to DCHA.

Outgoing Portability Procedures

DCHA will provide pre -portability counseling for those families who express an interest in portability. If the family is utilizing portability for their initial lease -up, DCHA will determine if the family is within the very low income limit of the receiving HA.

DCHA will notify the Receiving HA that the family wishes to relocate into its jurisdiction.

DCHA will advise the family how to contact and request assistance from the receiving HA.

DCHA will notify the receiving HA that the family will be moving into its jurisdiction.

DCHA will provide the following documents and information to the Receiving HA:

1. Information on the HUD portability form, including a copy of the family's Certificate or Voucher with issue and expiration dates and formal recognition of the family's ability to move under portability.
2. The most recent HUD 50058 form and verifications.

Payment to the Receiving HA

DCHA will requisition funds from HUD based on the anticipated lease -up of portable Certificates or Vouchers in other HA's jurisdictions. Payments for families in other jurisdictions will be made to other HAs when billed or in accordance with other HUD approved procedures for payment.

When billed, the HA will reimburse the Receiving HA for 100% of the Housing Assistance Payment, 100% of the Special Claims paid on HAP contract effective prior to 10/2/95, and 80% of the Administrative Fee (at the initial HA's rate).

Claims

DCHA will be responsible for collecting amounts owed by the family for claims paid and for monitoring the repayment. DCHA will notify the Receiving HA if the family is in arrears or if the family has refused to sign a Payment Agreement, and the Receiving HA will be asked to terminate assistance to the family as allowed by this Administrative Plan.

Receiving HA's will be required to submit hearing determinations to DCHA within [30] days.

F. INCOMING PORTABILITY [24CFR982.354,982.355]

Absorption or Administration

DCHA will accept a family with a valid Voucher from another jurisdiction and administer or absorb the Voucher. If administering, the family will be issued a "Portability" Voucher by DCHA with the same start date. DCHA may grant extensions in accordance with this Administrative Plan.

DCHA will absorb incoming Vouchers in cases where the Initial HA absorbs an equal number of DCHA's outgoing Vouchers.

When DCHA does not absorb the incoming Vouchers, it will administer the Initial HA's Voucher and DCHA's policies will prevail.

For initial lease -up, the family must be within DCHA's Very -Low Income limits. For participants, DCHA may issue either a Voucher but if the form of assistance changes, the family must be within DCHA's Low Income limits. If the family is ineligible under DCHA's low income limit because the form of assistance offered causes the family to change programs, HA must absorb the family without a change in the form of assistance, or administer the family without a change in the form or assistance, or administer the family's current form of assistance.

DCHA will issue a "Portability Voucher" according to its own Subsidy Standards. I f

the Family has a change in family composition which would change the Voucher size, DCHA will change to the proper size based on its own Subsidy Standards.

DCHA will decide whether to extend the "Portability Voucher" and for what period of time. However, if the Family decides not to lease -up in the HA's jurisdiction, the Family must request an extension from the Initial HA.

For Old Rule contracts, DCHA's unpaid rent, damage and vacancy loss claim policies prevail.

Income and TTP of Incoming Portables

As receiving HA, DCHA will conduct a recertification interview but only verify the information provided if the documents are missing or are over [90] days old, whichever is applicable, or there has been a change in the family's circumstances.

If the family's income exceeds the income limit of DCHA, the family will not be denied assistance unless the family is an applicant and over the Very -Low Income Limit.

If the family's income is such that a \$0 subsidy amount is determined prior to lease -up in DCHA's jurisdiction, DCHA will refuse to enter into a contract on behalf of the family at \$0 assistance.

Requests for Approval of Tenancy

A briefing will be mandatory for all portability families.

When the Family submits a Request for Tenancy Approval, it will be processed using DCHA's policies. If the Family does not submit a Request for Tenancy Approval or does not execute a lease, the Initial HA will be notified within [30] days by the DCHA.

If the Family leases up successfully, DCHA will notify the Initial HA within [30] days, and the billing process will commence.

If DCHA denies assistance to the family, DCHA will notify the Initial HA within [30] days and the family will be offered a review or hearing.

DCHA will notify the Family of its responsibility to contact the Initial HA if the Family wishes to move outside the HA's jurisdiction under continued portability.

Regular Program Functions

DCHA will perform all program functions applicable to the tenant-based assistance program, such as:

- Annual reexamination of family income and composition.
- Annual inspection of the unit; and
- Interim Examinations when requested or deemed necessary by the HA

Terminations

DCHA will notify the Initial HA in writing of any termination of assistance within [30] days of the termination. If an Informal Hearing is required and requested by the Family, the hearing will be conducted by DCHA, using the regular hearing procedures included in this Plan. A copy of the hearing decision will be furnished to the Initial HA.

The Initial HA will be responsible for collecting amounts owed by the Family for claims paid and for monitoring repayment. If the Initial HA notifies DCHA that the Family is in arrears or the Family has refused to sign a Payment Agreement, the HA will terminate assistance to the family.

Required Documents

As Receiving HA, DCHA will require the documents listed on the HUD Portability Billing Form from the Initial HA.

Billing Procedures

As Receiving HA, DCHA will bill the Initial HA [monthly] for Housing Assistance Payments. The billing cycle for other amounts, including Administrative Fees and Special Claims will be [monthly/quarterly] unless requested otherwise by the Initial HA.

DCHA will bill 100% of the Housing Assistance Payment, 100% of Special Claims and 80% of the Administrative Fee (at the Initial HA's rate) for each "Portability" Certificate/Voucher leased as of the first day of the month.

DCHA will notify the Initial HA of changes in subsidy amounts and will expect the Initial HA to notify DCHA of changes in the Administrative Fee amount to be billed.

Chapter 14

CONTRACT TERMINATIONS [24 CFR 982.311, 982.314]

INTRODUCTION

The Housing Assistance Payments (HAP) Contract is the contract between the owner and DCHA which defines the responsibilities of both parties. This Chapter describes the circumstances under which the contract can be terminated by DCHA and the owner, and the policies and procedures for such terminations.

A. CONTRACT TERMINATION [24 CFR 982.311]

The term of the HAP Contract is the same as the term of the lease. The Contract between the owner and DCHA may be terminated by DCHA, or by the owner or tenant terminating the lease.

No future subsidy payments on behalf of the family will be made by DCHA to the owner after the month in which the Contract is terminated. The owner must reimburse DCHA for any subsidies paid by DCHA for any period after the contract termination date.

If the family continues to occupy the unit after the Section 8 contract is terminated, the family is responsible for the total amount of rent due to the owner. The owner will have no right to claim compensation from DCHA for vacancy loss under the provisions of Certificate HAP contract effective before October 2, 1995.

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease -up in another unit. The contract for the new unit may begin during the month in which the family moved from the old unit.

B. TERMINATION BY THE FAMILY: MOVES [24 CFR 982.314(c)(2)]

Family termination of the lease must be made in accordance with the terms of the lease.

C. TERMINATION OF TENANCY BY THE OWNER: EVICTIONS [24 CFR 982.310, 982.455]

If the owner wishes to terminate the lease, the owner is required, under the lease to provide proper notice as stated in the lease using the notice procedures in the HUD

regulations and State/local law. The owner must provide DCHA with a copy of the eviction notice.

During the term of the lease, the owner may not terminate the tenancy except for the grounds stated in the HUD regulations.

During the term of the lease the owner may only evict for:

1. Serious or repeated violations of the lease; including but not limited to failure to pay rent or other amounts due under the lease, or repeated violations of the terms and conditions of the lease;
2. Violations of federal, state or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises;
3. Criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises.
4. Any drug -related criminal activity on or near the premises.
5. Tenant history of disturbance of neighbors, destruction of property, or behavior resulting in damage to the premises.
6. Other good cause.
7. During the initial term of the lease, the owner may not terminate the tenancy for "Other good cause" unless the owner is terminating the tenancy because of something the family or failed to do (see 982.310)

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy at or before the commencement of the eviction action. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

The eviction notice must specify the cause for the eviction.

Housing assistance payments are paid to the owner under the terms of the HAP Contract. If the owner has begun eviction and the family continues to reside in the unit, DCHA must continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict

the tenant.

DCHA will continue housing assistance payments until the family moves or is evicted from the unit.

DCHA must continue making housing assistance payments to the owner in accordance with the Contract as long as the tenant continues to occupy the unit and the Contract is not violated. By endorsing the monthly check from DCHA, the owner certifies that the tenant is still in the unit, the rent is reasonable and s/he is in compliance with the contract.

If an eviction is not due to a serious or repeated violation of the lease, and if DCHA has no other grounds for termination of assistance, DCHA may issue a new certificate or voucher so that the family can move with continued assistance.

D. TERMINATION OF THE CONTRACT BY HA (DCHA)
[24CFR 982.404(a), 982.453, 982.454, 982.552(a)(3)]

The term of the HAP contract terminates when the lease terminates, when DCHA terminates program assistance for the family, and when the owner has breached the HAP contract.

(See "Owner Disapproval and Restriction" chapter)

DCHA may also terminate the contract if:

- DCHA terminates assistance to the family.
- The family is required to move from a unit when the subsidy is too big for the family size (Premerger Certificate Program) or the unit does not meet the HQS space standards because of an increase in family size or a change in family composition. (Certificate and Voucher Programs).
- Funding is no longer available under the ACC.

The contract will terminate automatically if 180 days have passed since the last housing assistance payment to the owner.

Termination of Premerger Certificate HAPS [24CFR 982.502(d)]

DCHA must not terminate program assistance under any outstanding HAP contract for a regular tenancy under the premerger certificate program at the effective date of the second regular reexamination of family income and composition on or after the merger date. At such termination of assistance the HAP contract will automatically terminate. DCHA will give the owner and family at

least 120 days written notice of such termination. DCHA will offer the family the opportunity for continued tenant based assistance under the Voucher program.

Notice of termination

When DCHA terminates the HAP contract under the violation of HQS space standards, DCHA will provide the owner and family written notice of termination of the contract, and the HAP contract terminates at the end of the calendar month that follows the calendar month in which DCHA gives such notice to the owners.

Chapter 15

DENIAL OR TERMINATION OF ASSISTANCE

[24CFR982.552,982.553,24CFR5.902,5.903,5.905,982.4,982.54,982.552,982.553]

INTRODUCTION

DCHA may deny or terminate assistance for a family because of the family's action or failure to act. DCHA will provide families with a written description of the Family Obligations under the program, the grounds under which DCHA can deny or terminate assistance, and DCHA's informal hearing procedures. This Chapter describes when DCHA is required to deny or terminate assistance, and DCHA's policies for the denial of a new commitment of assistance and the grounds for termination of assistance under an outstanding HAP contract.

A. GROUNDS FOR DENIAL/TERMINATION [24CFR982.552,982.553,982.54]

If denial or termination is based upon behavior resulting from a disability, DCHA will delay the denial or termination in order to determine if there is an accommodation which would negate the behavior resulting from the disability.

Form of Denial/Termination

Denial of assistance for an applicant may include any or all of the following:

Denial for placement on DCHA's waiting list

Denying or withdrawing a certificate or voucher

Refusing to enter into a HAP contract or approve a lease

Refusing to process or provide assistance under portability procedures

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

Refusing to process or provide assistance under portability procedures

Mandatory Denial and Termination [24CFR 982.54(d), 982.552(b), 982.553(a), 982.553(b)]

DCHA must deny assistance to applicants, and terminate assistance for participants if the family is under contract and 180 days (or 12 months, depending on the HAP contract used) have elapsed since the PHA's last housing assistance payment was made. (See "Contract Terminations" chapter.)

DCHA 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.

DCHA must deny admission to the program for applicants, and terminate assistance for program participants if the PHA determines that any household member is currently engaging in illegal use of a drug. See section B of this chapter for the PHA's established standards.

DCHA must deny admission to the program for applicants, and terminate assistance of program participants if the PHA determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. See Section B of this chapter for the PHA's established standards.

DCHA must deny admission to an applicant if the PHA determines that any member of the household is subject to a lifetime registration requirement under a State's sex offender registration program. See section B of this chapter for the PHA's established standards regarding criminal background investigation and determining whether a member of the household is subject to a lifetime registration requirement under a State's sex offender registration program.

DCHA must terminate program assistance for a family evicted from housing under the program for serious violation of the lease.

DCHA 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.

DCHA must deny admission or terminate assistance when required under the regulations to establish citizenship or eligible immigration status.

Grounds for Denial or Termination of Assistance [24CFR982.552(c)]

DCHA will deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following reasons:

The family violates any family obligation under the program as listed in 24 CFR 982.551.

Any member of the family has ever been evicted from public housing.

If any member of the family commits drug -related criminal activity, or violent criminal activity. (See "One Strike" Policy)

If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

The family currently owes rent or other amounts to DCHA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.

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.

The family breaches an agreement with DCHA to pay amounts owed to an HA, or amounts paid to an owner by an HA.

If a family participating in the FSS program fails to comply, without good cause, with the family's FSS contract of participation.

The family has engaged in or threatened abusive or violent behavior toward DCHA personnel.

"Abusive or violent behavior towards DCHA 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.

Actual physical abuse or violence will always be cause for termination.

Any member of the family whose drug or alcohol abuse interferes with the health, safety or peaceful enjoyment of other project residents.

Crime by Family Member ("One Strike" Policy)

Refer to "Eligibility for Admission" chapter, "Other Criteria for Admission" section for further information.

Family Self Sufficiency (FSS)

Failure to fulfill the obligations and conditions of the FSS contract is grounds for termination of assistance.

DCHA [will] terminate assistance to FSS families who fail to comply with the FSS Contract of Participation without good cause.

B. SCREENING AND TERMINATION FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

Purpose

All federally assisted housing is intended to provide a place to live and raise families, not to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of DCHA to fully endorse and implement a policy designed to:

Help create and maintain a safe and drug -free community

Keep our program participants free from threats to their personal and family safety

***Support parentaleffortsto instill values of personal responsibility and hard work**

***Help maintain an environment where children can live safely, learn and grow up to be productive citizens**

***Assist families in their vocational/educational goals in the pursuit of self sufficiency**

Administration

All screening and termination of assistance procedures shall be administered fairly and in such a way as not to violate rights to privacy or discriminate on the basis of race, color, nationality, religion, familial status, disability or other legally protected groups.

***To the maximum extent possible, DCHA will involve other community and governmental entities in the promotion and enforcement of this policy.**

Screening of Applicants

In an effort to prevent future drug related and other criminal activity, as well as other patterns of behavior that pose a threat to the health, safety or right to peaceful enjoyment of the premises by other residents, and as required by 24CFR982, Subpart L and CFR Part 5, Subpart J, DCHA will endeavor to screen applicants as thoroughly and fairly as possible for drug -related and violent behavior.

Such screening will apply to any member of the household who is 18 years of age or older.

HUD Definitions

***Covered person*, for purposes of 24CFR Part 982 and this chapter, means a tenant, any member of the tenant's household, a guest or another person under the tenant's control.**

***Drug* means a controlled substance as defined in section 102 of the Controlled Substance Act (21 U.S.C. 802).**

***Drug related criminal activity* means the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with the intent to manufacture, sell, distribute or use the drug.**

Guest, for purposes of this chapter and 24 CFR part 5, subpart A and 24 CFR Part 982, means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. The requirements of part 982 apply to a guest as so defined.

Household, for the purposes of 24 CFR part 982, and this chapter, means the family and DCHA approved live-in aide.

Other person under the tenant's control, for the purposes of the definition of *covered person* and for 24 CFR Parts 5 and 982 and for this chapter, means that the person, although not staying as a guest (as defined in this chapter) in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not *under the tenant's control*.

Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonable likely to cause, serious bodily injury or property damage.

Standard for Violation

DCHA will deny participation in the program to applicants and terminate assistance to participants in cases where DCHA determines there is reasonable cause to believe that a household member is illegally using a drug or if 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, including cases where DCHA determines that there is a pattern of illegal use of a drug or a pattern of alcohol abuse.

“Engaged in or engaging in” violent criminal activity means any act within the past three years by an applicant or participant or household member which involved criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or to be reasonable likely to cause, serious bodily injury or property damage, which did or did not result in the arrest and/or conviction of the applicant, participant, or household member.

The activity is being engaged in by any family member.

The existence of the above -reference behavior by any household member, regardless of the applicant or participant's knowledge of the behavior, shall be grounds for denial or termination of assistance.

In evaluating evidence of negative past behavior, DCHA will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation.

Drug Related and Violent Criminal Activity

Ineligibility for admission if Evicted for Drug -Related Activity: Persons evicted from federally assisted housing because of drug -related criminal activity are ineligible for admission to the Section 8 program for a three year period beginning on the date of the eviction.

Denial of Assistance for Sex Offenders

DCHA will deny admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In screening applicants, DCHA will perform criminal history background checks to determine whether any household member is subject to a lifetime sex offender registration requirement.

Termination of Assistance for Participants

Termination of Assistance for Drug -related Criminal Activity or Violent Criminal Activity:

Under the family obligations listed at 24CFR982.551, the members of the household must not engage in drug -related criminal activity or violent criminal activity 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. HUD regulations at 24CFR982.553(b) require DCHA to establish standards for termination of assistance when this family obligation is violated. DCHA has established the following standards for termination of assistance for the family when a household member has violated the family obligation to refrain from participating in drug -related or violent criminal activity.

Assistance will be terminated for participants who have been:

arrested/convicted/evicted from a unit assisted under any Federally assisted housing program for drug -related or violent criminal activity during

participation in the program, and within the last three years prior to the date of the notice to terminate assistance.

*If any member of the household violates the family obligations by engaging in drug related or violent criminal activity, DCHA will terminate assistance.

*In appropriate cases, DCHA may permit the family to continue receiving assistance provided that family members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, DCHA may consider individual circumstances with the advice of Juvenile Court officials.

*DCHA will waive the requirement regarding drug -related criminal activity if:

*The person demonstrates successful completion of a credible rehabilitation program approved by DCHA, or

*The circumstances leading to the violation no longer exist because the person who engaged in drug -related criminal activity or violent criminal activity is no longer in the household due to death or incarceration.

Terminating Assistance for Alcohol Abuse by Household Members

Under the family obligations listed at 24 CFR 982.551, 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. Assistance will be terminated due to violation of a family obligation if DCHA determines that a member of the Household has demonstrated a pattern of alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

*Assistance will be terminated if a household member is arrested/convicted/incarcerated for any alcohol -related criminal activity on or near the premises within any twelve month period.

*In appropriate cases, DCHA may permit the family to continue receiving assistance provided that household members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, DCHA may consider individual circumstances with the advice of Juvenile Court officials.

Notice of Termination of Assistance

In any case where DCHA decides to terminate assistance to the family, DCHA must give the family written notice which states:

The reason(s) for the proposed termination,

The effective date of the proposed termination,

The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.

The date by which a request for an informal hearing must be received by DCHA.

If DCHA proposes to terminate assistance for criminal activity as shown by a criminal record, DCHA will provide the subject of the record and the tenant with a copy of the criminal record.

DCHA will simultaneously provide written notice of the contract termination to the owners so that it will coincide with the Termination of Assistance. The Notice to the owner will not include any details regarding the reason for termination of assistance.

Required Evidence

***Preponderance of evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the facts sought to be proved are more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.**

***Credible evidence* may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.**

DCHA will terminate assistance for criminal activity by a household member, as described in this chapter, if DCHA determines, based on a preponderance of the evidence that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted for such activity.

DCHA will pursue fact-finding efforts as needed to obtain credible evidence.

DCHA may terminate assistance for criminal activity by a household member under this section if DCHA has determined that the household member has engaged in the criminal activity, regardless of whether the household member has been arrested or convicted for such activity.

Confidentiality of Criminal Records

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

*Misuse of the above information by any employee will be grounds for termination of employment. Legal penalties for misuses are contained in Pennsylvania codes.

*If the family's assistance is denied or terminated, the criminal record information shall be shredded immediately upon completion of the review or hearing procedures and a final decision has been made.

C. FAMILY OBLIGATIONS [24CFR982.551]

The family must supply any information that DCHA or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status (as provided by 24CFR982.551).

“Information” includes any requested certification, release or other documentation.

The family must supply any information requested by DCHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.

The family must disclose and verify Social Security Numbers (as provided by 24CFR 5.216) and must sign and submit consent forms for obtaining information in accordance with 24CFR5.230..

All information supplied by the family must be true and complete.

The family is responsible for and HQS breach caused by the family as described in 982.404(b).

The family must allow DCHA to inspect the unit at reasonable times and after reasonable notice.

The family may not commit any serious or repeated violations of the lease.

The family must notify the owner and, at the same time, notify DCHA before the family moves out of the unit or terminates the lease upon notice to the owner.

The family must promptly give DCHA a copy of any ownereviction notice.

The family must use the assisted unit for residence by the family. The unit must be the family's only residence.

The composition of the assisted family residing in the unit must be approved by DCHA, the family must promptly inform DCHA of the birth, a adoption or court - awarded custody of a child. The family must request DCHA approval to add any other family member as an occupant of the unit.

The family must promptly notify DCHA if any family member no longer resides in the unit.

If DCHA has given approval, a foster child or live -in aid may reside in the unit. If the family does not request approval or DCHA approval is denied, the family may not allow a foster child or live -in aid to reside with the assisted family.

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 as a residence by members of the family.

The family must not assign the lease or transfer the unit.

The family must supply any information or certification requested by DCHA to verify that the family is living in the unit, or relating to family absence from the unit, including any DCHA requested information or certification on the purposes of family absences. The family must cooperate with DCHA for this purpose. The family must promptly notify DCHA of absence from the unit.

The family must not own or have any interest in the unit.

The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with any Federal housing program.

The household members may not engage in drug -related criminal activity or violent criminal activity 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. 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. An assisted family, or members of the family, may not receive Section 8 tenant -based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance program.

Housing Authority Discretion

In deciding whether to deny or terminate assistance because of an action or failure to act by members of the family, DCHA has discretion to consider all of the circumstances in each case, including the seriousness of the case. DCHA will use its discretion in reviewing the extent of participation or culpability of individual family members and the length of time since the violation occurred. DCHA may also review the family's more recent history and record of compliance, and the effects that denial or termination of assistance may have on other family members who were not involved in the action or failure to act.

DCHA may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in, or were culpable for the action or failure to act, will not reside in the unit. DCHA may permit the other members of a family to continue in the program.

Enforcing Family Obligations

Explanations and Terms

The term "Promptly" when used with the Family Obligations always means "within [14] days." Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

HQS Breach

The [inspector and/or supervisor] will determine if an HQS breach has identified in 24 CFR 982.404(b) is the responsibility of the family. Families may be given extensions to cure HQS breaches by [Section 8 Director or Designee].

Lease Violations

The following criteria will be used to decide if a serious or repeated violation of the lease will result in termination of assistance:

If the owner terminates tenancy through court action for serious or repeated violation of the lease.

If the owner notifies the family of termination of tenancy assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and DCHA determines that the cause is a serious or repeated violation of the lease based on available evidence.

If the owner notifies the family of termination of tenancy assistance for

serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and

If there are police reports, neighborhood complaints or other third party information, that has been verified by DCHA.

Notification of Eviction

If the family requests assistance to move and they did not notify DCHA of an eviction within [14] days of receiving the Notice of Lease Termination, the move will be denied.

Proposed Additions to the Family

DCHA will deny a family's request to add additional family members who are:
Persons who have been evicted from public housing.

Persons who have previously violated a family obligation listed in 24 CFR 982.51 of the HUD regulations.

Persons who have been part of a family whose assistance has been terminated under the Certificate or Voucher program.

Persons who commit drug -related criminal activity or violent criminal activity.

Persons who commit fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

Persons who currently owe rent or other amounts to DCHA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.

Persons who have engaged in or threatened abusive or violent behavior toward DCHA personnel.

Families are required to notify DCHA if any family member leaves the assisted household. When the family notifies DCHA, they must furnish the following information:

The date the family member moved out.

The new address, if known, of the family member.

Limitation on Profit -making Activity in Unit

If the business activity area results in the inability of the family to use any of the critical living areas, such as a bedroom utilized for a business which is not available for sleeping, it will be considered a violation.

If DCHA determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a program violation.

If DCHA determines the business is not legal, it will be considered a program violation.

The owner may not reside in the assisted unit regardless of whether(s) he is a member of the assisted family, unless the family owns the mobile home and rents the pad under the Certificate Program.

Fraud

In each case, DCHA will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent members.

In the event of false citizenship claims: (Refer to Section D.)

D. PROCEDURES FOR NON -CITIZENS [24CFR 5.514, 5.516, 5.518]

Applicant or participant families in which all members are either U.S. citizens or eligible immigrants are not eligible for assistance and must have their assistance terminated. DCHA must offer the family an opportunity for a hearing. (See Chapter 2, Section D.)

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

When the HA has clear, concrete, or substantial documentation (such as a permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual given an opportunity to present relevant information.

If the individual is unable to verify their citizenship, DCHA may give him/her an opportunity to provide a new declaration as an eligible immigrant or to elect not to contend their status. DCHA will then verify eligible status, deny, terminate, or prorates as applicable.

DCHA will deny or terminate assistance based on the submission of false information or misrepresentation.

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with DCHA either after the INS appeal or in lieu of the INS appeal.

After DCHA has made a determination of ineligibility, the family will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable).

E. ZERO(\$0) ASSISTANCE TENANTS

HAP Contracts Prior to 10/2/95

For contracts which were effective prior to 10/2/95, DCHA is liable for unpaid rent and damages if the family vacates during the allowable 12 months after the last HAP payment. DCHA must perform all of the functions normally required, such as reexaminations and inspections.

The participant will be notified of the right to remain on the program at \$0 assistance for 12 months. If the family is still in the unit after 12 months, the assistance will be terminated.

In order for a family to move to another unit during the 12 month, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

HAP Contracts On or After 10/2/95 [24CFR982.455(a)]

For contracts effective on or after 10/2/95, DCHA has no liability for unpaid rent or damages, and the family may remain in the unit at \$0 assistance for up to 180 days after the last HAP payment. If the family is still in the unit after 180 days, the assistance will be terminated. If, within the 180 day timeframe, a new rent increase or a decrease in the Total Tenant Payment causes the family to be eligible for a housing assistance payment, DCHA will resume assistance payments for the family.

In order for a family to move to another unit during the 180 days, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

F. OPTION NOT TO TERMINATE FOR MISREPRESENTATION

[24CFR982.551, 982.552(c)]

If the family has misrepresented any facts that caused DCHA to overpay assistance, DCHA may choose not to terminate and may offer to continue assistance provided that the family executes a Repayment Agreement and makes payments in accordance with the agreement or reimburses DCHA in full.

G. MISREPRESENTATION IN COLLUSION WITH OWNER

[24CFR982.551,982.552(c)]

If the family intentionally, willingly, and knowingly commits fraud or is involved in any other illegal scheme with the owner, DCHA will deny or terminate assistance.

In making this determination, DCHA will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

H. MISSED APPOINTMENTS AND DEADLINES

[24CFR982.551,982.552(c)]

It is a Family Obligation to supply information, documentation, and certification as needed for DCHA to fulfill its responsibilities. DCHA schedules appointments and sets deadlines in order to obtain the required information. The Obligations also require that the family allow DCHA to inspect the unit, and appointments are made for this purpose.

An applicant or participant who fails to keep an appointment, or to supply information required by a deadline without notifying DCHA, may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow DCHA to inspect the unit.

The family will be given information about the requirement to keep appointments and the number of times appointments will be rescheduled, as specified in this Plan.

Appointments will be scheduled and time requirements will be imposed for the following events and circumstances:

- Eligibility for Admissions
- Verification Procedures
- Certificate/Voucher Issuance and Briefings
- Housing Quality Standards and Inspections
- Recertifications
- Appeals

Acceptable reasons for missing appointments or failing to provide information by deadlines are:

Medical emergency

Family emergency

Procedure when Appointments are Missed or Information not Provided

For most purposes in this Plan, the family will be given [1] opportunity before being issued a notice of termination or denial for breach of a family obligation.

After issuance of the termination notice, if the family offers to correct the breach within the time allowed to request a hearing:

The termination will be rescinded after the family cures the breach.

Chapter 16

OWNER DISAPPROVAL AND RESTRICTION

[24CFR 9.82.54, 982.306, 982.453]

INTRODUCTION

It is the policy of DCHA to recruit owners to participate in the Voucher program. DCHA will provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of DCHA. The regulations define when DCHA must disallow an owner participation in the program, and they provide DCHA discretion to disapprove or otherwise restrict the participation of owners in certain categories. This Chapter describes the criteria for owner disapproval, and the various penalties for owner violations.

A. DISAPPROVAL OF OWNER [24CFR982.306,982.54(d)(8)]

The owner does not have a right to participate in the program. For purposes of this section, "owner" includes a principal or other interested party.

DCHA will disapprove the owner for the following reasons:

HUD [or other agency directly related] has informed DCHA that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24CFR part 24.

HUD has informed DCHA that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.

HUD has informed DCHA that a court or administrative agency has determined that the owner has violated the Fair Housing Act or other federal equal opportunity requirements.

Unless their lease was effective prior to June 17, 1998, the owner may not be a parent, child, grandparent, grandchild, sister or brother of any family member. DCHA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

In cases where the owner and tenant bear the same last name, DCHA may, at its discretion, require the family and/or owner to certify whether they are related to each other in any way.

The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).

The owner has violated any obligation under the HAP contract

for the dwelling unit, including the owner's obligation to maintain the unit to HQS, including any standards DCHA has adopted in this policy.

The owner has committed fraud, bribery or any other corrupt act in connection with any federal housing program.

The owner has engaged in drug related criminal activity or any violent criminal activity.

The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other Federal Housing Programs.

The owner has a history or practice of renting units that fail to meet State or local housing codes.

The owner has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8 or any other Federally Assisted Housing program for activity by the tenant, any member of the household, a guest or another person under the control of any member of the household that:

Threaten the right to peaceful enjoyment of the premises by other residents;

Threaten the health or safety of other residents of employees of DCHA, or of owner employees or other persons engaged in management of the housing;

Threaten the health and safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or

Is Drug-related criminal activity or Violent criminal activity.

The owner has not paid State or local real estate taxes, fines or assessments.

The owner has failed to comply with regulations, the mortgage note, or the regulatory agreement for projects with mortgages insured by HUD or loans made by HUD.

B. OWNER RESTRICTIONS AND PENALTIES [24CFR982.453]

If an owner has committed fraud or abuse or is guilty of frequent or serious contract violations, DCHA will restrict the owner from future participation in the program for a period of time commensurate with the seriousness of the offense. DCHA may also terminate some or all contracts with the owner.

Before imposing any penalty against an owner DCHA will review all relevant factors pertaining to the case, and will consider such factors as the owner's record of compliance and the number of violations.

See Program Integrity Addendum for guidance as to how owner fraud will be handled.

A change in ownership [may] require execution of a new contract.

DCHA will process a change of ownership only upon the written request of the new owner and only if accompanied by a copy of the escrow statement or other document showing the transfer of title recorded deed and the Employee Identification Number or Social Security number of the new owner.

C. CHANGE IN OWNERSHIP:

If the owner does not want an assignment of the contract, DCHA will terminate the HAP contract with the old owner, since they are no longer the owner. The new owner may offer the family a new assisted lease. The family may elect to enter into the new lease or move to another unit.

Chapter 17

CLAIMS, MOVE -OUT AND CLOSE -OUT INSPECTIONS (For HAP Contracts Effective Before October 2, 1995)

INTRODUCTION

This Chapter describes DCHA's policies, procedures and standards for servicing HAP Contracts which were effective before October 2, 1995. Certificate and Voucher contracts in this category have provisions for the HA's liability to owners when families move out. Vouchers and Certificates have a provision for damages, and Certificates, in addition, have a provision for vacancy loss.

A. OWNER CLAIMS

Under HAP Contract effective prior to October 2, 1995, owners may make "special claims" for damages, unpaid rent, and vacancy loss (vacancy loss cannot be claimed in the Voucher Program) after the tenant has vacated the unit.

Owner claims for payment for unpaid rent, damages, or vacancy loss will be reviewed for accuracy and completeness and compared with records in the file. DCHA establishes standards by which to evaluate claims, but the burden of proof rests with the owner.

If vacancy loss is claimed, DCHA will ascertain whether or not the family gave proper notice of its intent to move. The file will also be reviewed to verify owner compliance at the time the contract was terminated.

The HA will pay properly filed claims to the owner as a function of the contract, but the tenant is ultimately responsible to reimburse DCHA for claims paid to the owner.

B. UNPAID RENT

Unpaid rent only applies to the tenant's portion of rent while the tenant is in residence under the assisted lease. It does not include the tenant's obligation for rent beyond the termination date of the HAP Contract.

Separate agreements are not considered a tenant obligation under the lease and

DCHA will not reimburse the owner for any claims under these agreements.

C. DAMAGES

All claims for damages must be supported by the actual bills or estimates for materials and labor.

Invoices or bills from individuals providing labor must include their name, address and telephone number.

Owners must institute appropriate legal action to obtain judgement for damages.

D. VACANCY LOSS IN THE PREMERGER CERTIFICATE PROGRAM

Vacancy Loss is applicable to the Certificate Program only. Vacancy loss is paid if the move was in violation of the notice requirements in the lease, or the result of an eviction.

In order to claim vacancy loss, the unit must be available for lease and the landlord must:

1. Notify DCHA within [48] hours upon learning of the vacancy, or prospective vacancy, and
2. Pursue all possible activities to fill the vacancy, including, but not limited to:
 - a. Contacting applicants on the owner's waiting list, if any;
 - b. Seeking eligible applicants by listing the unit with the HA,
 - c. Advertising the availability of the unit, and
 - d. Not rejecting potentially eligible applicants except for good cause.

In the event that a unit becomes vacant because of death, DCHA will permit the owner to keep the HAP for the month in which the tenant died.

If the tenant moves *after* the date given on their notice of intent to vacate, the

landlord may claim vacancy loss by providing acceptable documentation that there was a bona fide prospective tenant to whom the unit could have been rented.

The owner must be present during the move-out inspection and only damages claimed by the owner are reimbursable.

All claims for damages must be supported by the actual bills for materials and labor and a copy of the canceled checks or other receipts documenting payment. Estimates [are not] acceptable.

DCHA may require verification of purchase date, quality, and price of replaced items in order to calculate depreciation.

Damages which were caused during tenancy, were repaired and billed, but remain unpaid at move-out, can be considered "other items due under the lease" and included in the claim.

Eligible items to be included on the damage claim must have been a tenant responsibility under the lease or State law. Owners must institute court action and have a judgment entered in their behalf.

Claims for unpaid utility bills cannot be approved as part of a claim.

Claims for normal wear and tear, previously existing conditions, routine turnover preparation, [cleaning and cyclical interior painting] are not paid.

E. MOVE-OUT AND CLOSE -OUT INSPECTIONS

Move-out inspections are performed after the tenant has vacated the unit. These inspections are performed to assess the condition of the unit, not to evaluate the HQS.

There will be no move-out inspections of units with contracts effective on or after October 2, 1995.

The owner must notify DCHA of the move-out and request an inspection within [48] hours of learning of the move-out in order to submit a claim for damages.

A damage claim will not be approved *unless* the move-out inspection is requested and completed prior to any work being done.

In the event that DCHA is unable to inspect within [14] days, the owner will be

permitted to use date -stamped photographs to substantiate the claim.

F. PROCESSING CLAIMS

Any amount owed by the tenant to the owner for unpaid rent or damages will first be deducted from the maximum security deposit which the owner could have collected under the program rules. If the maximum allowable security deposit is insufficient to reimburse the owner for the unpaid tenant rent or other amounts which the family owes under the lease, the owner may request reimbursement from DCHA up to the limits for each program.

If the owner claims vacancy loss, the security deposit that s/he collected or could have collected [will] be deducted from the vacancy loss claim.

After a determination has been made, DCHA will notify the family in writing of the decision. If it has been determined that the family owes money, DCHA will pursue collection to repay either in a lump sum or through a payment agreement. The notice will warn the family that their assistance may be terminated and they may be denied future participation in the program if they do not reimburse DCHA as required.

Other Requirements for Claim Processing

DCHA will require proof that the owner has complied with State and local laws applicable to security deposits before making payment on any claim.

All notices to tenants during the processing of a claim must include proof of mailing or of personal delivery.

Costs of filing eviction to remove the tenant or any other legal fees, may not be reimbursed.

No claims will be paid for a unit which is vacant as the result of the landlord voluntarily moving a family to another unit owned by the same landlord.

All unpaid rent, damage, and vacancy loss claims must be submitted within 30 days of the date the owner learned of the move-out.

Chapter 18

OWNER OR FAMILY DEBT TO THE HA [24CFR982.552]

INTRODUCTION

This Chapter describes DCHA's policies for the recovery of monies which have been overpaid for families, and to owners. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is DCHA's policy to meet the informational needs of owners and families, and to communicate the program rules in order to avoid owner and family debts. Before a debt is assessed against a family or owner, the file must contain documentation to support DCHA's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the owner, the family or other interested parties.

When families or owners owe money to DCHA, DCHA will make every effort to collect it. DCHA will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Civil suits
- Payment agreements
- Abatements
- Reductions in HAP to owner
- Collection agencies
- Credit bureaus

A. PAYMENT AGREEMENT FOR FAMILIES [24CFR982.552 (b)(c)(6-8)(v-viii)]

A Payment Agreement as used in this Plan is a document entered into between DCHA and a person who owes a debt to DCHA. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of payment, any

special provisions of the agreement, and the remedies available to DCHA upon default of the agreement.

The maximum length of time DCHA will enter into a payment agreement with a family is [24 months].

Payment Schedule for Monies Owed to DCHA

Initial Payment Due

<u>(% of Total Amount)</u>	<u>Amount Owed</u>	<u>Maximum Term</u>
[30%]	0 - \$500	3 - 12 months
[30%]	\$501 - \$1,000	12 - 18 months
[30%]	\$1,001 - \$2,500	18 - 24 months

There are some circumstances in which DCHA will not enter into a payment agreement. They are:

If the family already has a Payment Agreement in place

If a family owes money to DCHA for claims paid to an owner:

The HA [will] enter into a Payment Agreement.

A payment will be considered to be in arrears if:

The payment is not received by the close of the business day [5] days after the due date.

If the family's payment agreement is in arrears, DCHA will:

**Require the family to pay the balance in full
Pursue civil collection of the balance due
Terminate the housing assistance
Grant an extension of [30] days**

If the family requests a move to another unit and has a payment agreement in place for the payment of an owner claim, and the payment agreement is not in arrears:

The family will be permitted to move.

If the family requests a move to another unit and is in arrears on a payment agreement for the payment of an owner claim:

If the family pays the past due amount, they will be permitted to move.

C. DEBT DUE TO MISREPRESENTATIONS/NON-REPORTING OF INFORMATION [24CFR982.163]

HUD's definition of program fraud and abuse is a single act or pattern of actions that:

Constitutes a false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead, and that results in payment of Section 8 program funds in violation of Section 8 program requirements.

Family Error/Late Reporting

Families who owe money to DCHA due to the family's failure to report increases in income will be required to repay in accordance with the guidelines in the Payment Agreement Section of this Chapter.

Program Fraud

Families who owe money to DCHA due to program fraud will be required to repay in accordance with the guidelines in the Payment Agreement Section of this Chapter.

If a family owes an amount which equals or exceeds [\$5,000.] as a result of program fraud, the case will be referred to the Inspector General. Where appropriate, DCHA will refer the case for criminal prosecution.

D. GUIDELINES FOR PAYMENT AGREEMENTS [24CFR982.552(b)(8)]

Payment Agreements will be executed between DCHA and the [head of household/co-head only/head of household and spouse].

A Payment Agreement will be considered to be in default when it is in arrears for [2 months].

Monthly payments may be decreased in cases of family hardship and if requested with reasonable notice from the family, verification of the hardship, and the approval of the [Section 8 Manager or Section 8 Director].

Additional Monies Owed : If the family already has a Payment Agreement in place and incurs an additional debt to DCHA:

DCHA [will not] enter into more than one Payment Agreement with the family.

Additional amounts owed by the family will be added to the existing payment agreement.

E. OWNER DEBT TO THE HA [24CFR982.453(b)]

If DCHA determines that the owner has retained Housing Assistance or Claim Payments the owner is not entitled to, DCHA may reclaim the amounts from future Housing Assistance or Claim Payments owed the owner for any units under contract.

If future Housing Assistance or Claim Payments are insufficient to reclaim the amounts owed, DCHA may:

Require the owner to pay the amount in full within [30] days.

Enter into a Payment Agreement with the owner for the amount owed.

Pursue collection through the local courts system.

Restrict the owner from future participation.

F. WRITING OFF DEBTS

Debts will be written off if:

The debtor's whereabouts are unknown and the debt is more than [2] years old.

A determination is made that the debtor is judgment proof.

The debtor is deceased.

Chapter 19

COMPLAINTS AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulation are applicable to participating families who disagree with an action, decision, or inaction of DCHA. This Chapter describes the policies, procedures and standards to be used when families disagree with DCHA's decision. The procedures and requirements are explained for preferred denial meetings, informal reviews and hearings. It is the policy of DCHA to ensure that all families have the benefit of all protections due to them under the law.

A. COMPLAINTS TO THE HA

DCHA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. DCHA [does not] require that complaints other than HQS violations be put in writing. HQS complaints may be reported by telephone.

Categories of Complaints

1. **Complaints from families:** If a family disagrees with an action or inaction of DCHA or owner.

Complaints from families will be referred to [Section 8 Designee or Section 8 Director]

2. Complaints from owners: If an owner disagrees with an action or inaction of DCHA or a family.

Complaints from owners will be referred to [Section 8 Designee or Section 8 Director]

3. Complaints from staff: If a staff person reports an owner or family either violating or not complying with program rules.

Complaints from staff will be referred to [Section 8 Designee or Section 8 Director]

4. Complaints from the general public: Complaints or referrals from persons in the community in regard to DCHA, a family or an owner.

Complaints from the general public will be referred to [Section 8 Designee or Section 8 Director]

The HA hearing procedures will be provided to families in the briefing packet.

B. PREFERENCE DENIALS

When DCHA denies a preference to an applicant, the family will be notified in writing of the specific reason for the denial and offered the opportunity for a meeting with DCHA staff to discuss the reasons for the denial and to dispute DCHA's decision.

The person who conducts the meeting must be:

Any officer or employee of DCHA including the person who made the decision.

C. INFORMAL REVIEW PROCEDURES FOR APPLICANTS

[24 CFR 982.54(d)(12), 982.554]

Reviews are provided for applicants who are denied assistance before the effective date of the HAP Contract. The exception is that when an applicant is denied assistance for citizen or eligible immigrant status, the applicant is entitled to an informal hearing.

When DCHA determines that an applicant is ineligible for the program, the family

must be notified of their ineligibility in writing. The notice must contain:

The reason(s) they are ineligible,

The procedure for requesting a review if the applicant does not agree with the decision and

The time limit for requesting a review.

DCHA must provide applicants with the opportunity for an Informal Review of decisions denying:

Listing on the HA's waiting list

Issuance of a Voucher

Participation in the program

Informal Reviews are not required for established policies and procedures and DCHA determinations such as:

1. Discretionary administrative determinations by DCHA
2. General policy issues or class grievances
3. A determination of the family unit size under DCHA's subsidy standards
4. Refusal to extend or suspend a Voucher
5. Disapproval of lease
6. Determination that unit is not in compliance with HQS
7. Determination that unit is not in accordance with HQS due to family size or composition

Procedure for Review

A request for an Informal Review must be received [in writing] by the close of the business day, no later than [5] days from the date of DCHA's notification of denial of assistance. The informal review will be scheduled within [30] days from the date the request is received.

The Informal Review may not be conducted by the person whom made or approved the decision under review, nor a subordinate of such person.

The applicant will be given the option of presenting oral or written objections to the decision. Both DCHA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

A Notice of the Review findings will be provided in writing to the applicant within [30] days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

D. INFORMAL HEARING PROCEDURES [24CFR982.555(a-f), 982.54(d)13]

When DCHA makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. DCHA will give the family prompt notice of such determinations which will include:

- The proposed action or decision of DCHA;
- The date the proposed action or decision will take place;
- The family's right to an explanation of the basis for DCHA's decision.
- The procedures for requesting a hearing if the family disputes the action or decision;
- The time limit for requesting the hearing.

DCHA must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following DCHA's determinations:

Determination of the family's annual or adjusted income and the computation of the housing assistance payment

2. Appropriate utility allowance used from schedule
3. Family unit sized determination under HA subsidy standards
4. Determination that the Voucher program family is under occupied in their current unit and a request for exception is denied
5. Determination to terminate assistance for any reason.
6. Determination to terminate a family's FSS Contract, withhold support services, or propose forfeiture of the family's escrow account.

DCHA must always provide the opportunity for an informal hearing before termination of assistance.

Informal Hearings are not required for established policies and procedures and DCHA determinations such as:

- 1. Discretionary administrative determinations by DCHA**
- 2. General policy issues or class grievances**
- 3. Establishment of DCHA's schedule of utility allowances for families in the program**
- 4. DCHA's determination not to approve an extension or suspension of a voucher term**
- 5. DCHA's determination not to approve a unit or lease**
- 6. DCHA's determination that an assisted unit is not in compliance with HQS (DCHA must provide hearing for family breach of HQS because that is a family obligation determination)**
- 7. DCHA's determination that the unit is not in accordance with HQS because of the family size**
- 8. DCHA's determination to exercise or not exercise any right or remedy against the owner under a HAP contract**

Notification of Hearing

It is DCHA's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, DCHA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When DCHA receives a request for an informal hearing, a hearing shall be scheduled within [30] days. The notification of hearing will contain:

- 1. The date and time of the hearing**
- 2. The location where the hearing will be held**
- 3. The family's right to bring evidence, witnesses, legal or other representation at the family's expense**

4. The right to view any documents or evidence in the possession of DCHA upon which DCHA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing.

5. A notice to the family that DCHA will request a copy of any documents or evidence the family will use at the hearing.

The HA's Hearing Procedures

If the family does not appear at the scheduled time, and did not make arrangements in advance, the DCHA will automatically terminate assistance.

Families have the right to:

Present written or oral objection to DCHA's determination.

Examine the documents in the file which are the basis for DCHA's action, and all documents submitted to the Hearing Officer;

Copy any relevant documents at their expense;

Present any information or witnesses pertinent to the issue of the hearing;

Request that DCHA staff be available or present at the hearing to answer questions pertinent to the case; and

Be represented by legal counsel, advocate, or other designated representative at their own expense.

In addition to other rights contained in this Chapter, DCHA has a right to:

Present evidence and any information pertinent to the issue of the hearing;

Be notified if the family intends to be represented by legal counsel, advocate, or another party;

Examine and copy any documents to be used by the family prior to the hearing;

Have its attorney present; and

Have staff persons and other witnesses familiar with the case present.

The Informal Hearings shall be conducted by the Hearing Officer appointed by DCHA who is neither the person whom made or approved the decision, nor a subordinate of that person. The HA appoints:

The Assistant Executive Director or Executive Director

The hearings shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations.

The Hearing Officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of the DCHA shall take effect and another hearing will not be granted.

The Hearing Officer will determine whether the action, inaction or decision of DCHA is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the Hearing Findings shall be provided in writing to DCHA and the family within [30] days and shall include:

A clear summary of the decision and reasons for the decision;

If the decision involves money owed, the amount owed;

The date the decision goes into effect.

DCHA is not bound by hearing decisions:

Which concern matters in which the HA is not required to

provide an opportunity for a hearing

Which conflict with or contradict HUD regulations or requirements;

Which conflict with or contradict Federal, State or local laws; or

Which exceed the authority of the person conducting the hearing.

DCHA shall send a letter to the participant if it determines DCHA is not bound by the Hearing Officer's determination within [30] days. The letter shall include the DCHA's reasons for the decision.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTION ON ASSISTANCE TO NON-CITIZENS" [24 CFR Part 5, Subpart E]

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while DCHA's hearing is pending but assistance to an applicant may be delayed pending DCHA's hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INSSAVE system and manual search do not verify the claim, DCHA notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with DCHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the DCHA a copy of the appeal and proof of mailing or DCHA may proceed to deny or terminate. The time period to request an appeal may be extended by DCHA for good cause.

The request for an HA hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in section D of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the DCHA will:

Deny the applicant family

Defer termination if the family is a participant and qualifies for deferral

Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, DCHA will offer to prorated assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.

Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

F. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES [24CFR982.204,982.552(c)]

When applicants are denied placement on the waiting list, or DCHA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.

Examples of mitigating circumstances are:

A person with a cognitive disorder may not have understood the requirement to report increases in income,

A person may not understand the need to make regular repayments on a promissory note,

Minor criminal records for public drunkenness may be due to medication; prior incarcerations for being disorderly may be emotional disorder.

Chapter 20

SPECIAL HOUSING TYPES [24CFR982.601]

INTRODUCTION

DCHA will permit the use of [shared housing] units program only if the applicant/participant can demonstrate that it is needed as a reasonable accommodation for a person with a disability. Acceptable demonstration will include documentation from one or more knowledgeable professionals who are familiar with the applicant/participant and the type of special housing requested as an accommodation.

Verification of Need for Reasonable Accommodation

An example of acceptable documentation as verification of the need for reasonable accommodation would be a letter to the HA describing how the special housing type requested provides the accommodation that the person is in need of. The request and documentation will be reviewed by [Housing Manager or Section 8 Director or Designee] and a written response stating approval or disapproval will be sent to the applicant/participant within [30] days of receipt of the request.

A. SHARED HOUSING [24CFR982.615]

Occupancy

An assisted family may reside in shared housing. In shared housing, an assisted family may share a unit with another resident or residents of a unit. The unit may be a house or an apartment.

The DCHA may approve a live-in aide to reside with a family in order to care for a person with a disability. The DCHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

Other persons who are assisted or not assisted under the tenant-based program may reside in a shared housing unit. The owner of a shared housing unit may reside in the unit.

A resident owner may enter into a HAP contract with DCHA. However, housing assistance may not be paid on behalf of an owner. DCHA will not approve assistance for a person or family that is related by blood or marriage to a resident owner.

There will be a separate housing assistance payment contract and lease for each assisted family residing in a shared housing unit.

Rent and HAP Contract

For shared housing, the term "pro-rata portion" means the ratio derived by dividing the number of bedrooms in the private space available for occupancy by a family by the total number of bedrooms in the unit. For example, for a family entitled to occupy three bedrooms in a five-bedroom unit, the ratio would be 3/5.

The rent to owner for the family may not exceed the pro-rata portion of the reasonable rent for the shared housing dwelling unit. The reasonable rent must be in accordance with the guidelines set in Chapter Eleven, Section E.

Maximum Subsidy

For a family that resides in a Shared Housing unit the Payment Standard is the lower of the payment standard amount on the HAP payment standard schedule for the family unit size or the pro-rata portion of the payment standard amount on the HAP payment standard for the shared housing unit size.

If DCHA approves a live-in aide, the live-in aide will be counted in determining the family unit size.

Utility Allowance

The utility allowance for an assisted family living in shared housing is the pro-rata portion of the utility allowance for the shared housing unit.

Housing Quality Standards

DCHA will ensure that all shared housing units approved for the program are in compliance with all of the Housing Quality Standards for shared housing as regulated in 24CFR982.618.

B. MANUFACTURED HOMES [24CFR 982.620]

DCHA will permit a family to lease a manufactured home and space with assistance under the program. DCHA [will not] provide assistance for a family that owns the manufactured home and leases only the space.

DCHA may approve a live-in aide to reside with a family to care for a person with disabilities. DCHA will approve a live-in aide if needed as a reasonable accommodation so that the program is accessible to and usable by persons with disabilities. If DCHA approves a live-in aide, the live-in aide must be counted when determining the family unit size.

C. HOMEOWNERSHIP [24CFR 982.625]

The homeownership option is used to assist a family residing in a home purchased and owned by one or more members of the family.

DCHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

DCHA may make homeownership available to all who qualify or restrict homeownership to families or purposes defined by DCHA. DCHA may also limit the number of families assisted with homeownership.

DCHA will offer the homeownership option to participating families who meet the eligibility requirements.

Eligibility Requirements [24CFR982.627]

The family must meet all of the requirements listed below before the commencement of homeownership assistance.

The family must be eligible for the Housing Choice Voucher program.

The family must qualify as a first-time homeowner, or may be a co-operative member.

The family must meet the Federal minimum income requirement. The family must have a gross annual income equal to the Federal minimum wage multiplied by 2000, based on the income of adult family members who will own the home. Unless the family is elderly or disabled, income from welfare assistance will not be counted toward this requirement.

The family must meet the Federal minimum employment requirement.

At least one adult family member who will own the home must be currently employed full time and must have continuously employed for one year prior to homeownership assistance.

HUD regulations define "full time employment" as not less than an average of 30 hours per week.

The Federal minimum employment requirement does not apply to elderly or disabled families.

Any family member who has previously defaulted on a mortgage obtained through the homeownership option is barred from receiving future homeownership

assistance.

The PHA will impose the following additional initial requirements:

The family has had no family -caused violations of HUD's Housing Quality standards within the last [1 year].

The family is not within the initial 1 -year period of a HAP Contract.

The family has not committed any serious or repeated violations of a DCHA - assisted lease within the past [1 year].

Preference will be given to Families enrolled in DCHA's Family Self Sufficiency Program.

Homeownership Counseling Requirements [24CFR982.630]

When the family has been determined eligible, they must attend and complete homeownership counseling sessions. Such counseling shall be consistent with HUD - approved counseling.

The following topics will be included in the homeownership counseling sessions:

**Budgeting and money management;
Credit counseling**

Eligible Units [24CFR982.628]

The unit must meet all of the following requirements:

The unit must meet HUD's "Eligible Housing" requirements. The unit may not be of any of the following:

A public housing or Indian housing unit;

A unit receiving Section 8 project -based assistance;

A nursing home, board and care home, or facility providing continual psychiatric, medical or nursing services;

A college or other school dormitory;

On the grounds of penal, reformatory, medical, mental or similar public or private institutions.

The unit was already existing or under construction at the time the family was determined eligible for home ownership assistance.

The unit is a one -unit property or a single dwelling unit in a cooperative or condominium.

The unit has been inspected by the PHA and by an independent inspector designated by the family.

The unit meets HUD Housing Quality Standards.

DCHA will not approve the seller of the unit if DCHA has been informed that the seller is debarred, suspended, or subject to a limited denial of participation.

DCHA Search and Purchase Requirements [24CFR982.629]

The family's deadline date for locating a home to purchase will be 6 months from the date the family's eligibility for the home ownership program is determined.

The family must obtain financing for the home within 6 months of [the date eligibility for the home ownership program is determined/locating a home to purchase.]

DCHA will require periodic reports on the family's progress in finding and purchasing a home.

If the family is unable to purchase a home within the maximum time limit, the DCHA will issue the family a voucher to lease a unit.

Inspection and Contract [24CFR982.631]

The unit must meet Housing Quality Standards and must also be inspected by an independent professional inspector selected and paid by the family.

The independent inspection must cover major building systems and components. The inspector must be qualified to identify physical defects and report on property conditions, including major building systems and components. These systems and components include, but are not limited to:

Foundation and structure;

Housing interior and exterior;

Roofing;

Plumbing, electrical and heating systems

The independent inspector must not be a DCHA employee or contractor. DCHA will not require the family to use an independent inspector selected by DCHA, but DCHA has established the following standards for qualification of inspectors selected by the family.

DCHA requires independent inspectors must be members in good standing of the American Society of Home Inspectors and perform ASHI certified inspections)

Copies of the independent inspection report will be provided to the family and DCHA. Based on the information in this report, the family and DCHA will determine whether any pre-purchase repairs are necessary.

DCHA may disapprove the unit for home ownership assistance because of information in the report.

The family must enter into a contract of sale with the seller of the unit. A copy of the contract must be given to DCHA. The contract of sale must specify the price and terms of sale, and provide that the purchaser will arrange for a pre-purchase independent inspection of the home. The contract must also:

Provide that the purchaser is not obligated to buy the unit unless the inspection is satisfactory;

Provide that the purchaser is not obligated to pay for necessary repairs; and

Contain the seller's certification that he or she has not been debarred, suspended or subject to a limited denial of participation.

Financing [24CFR982.632]

The family is responsible for securing financing. DCHA has established financing requirements, listed below, and may disapprove proposed financing if DCHA determines that the debt is unaffordable.

DCHA requires a minimum cash down payment of 1% of the purchase price to be paid from the family's own resources. The minimum cash down payment may be less than \$1,000.00 if the family is participating in a first-time home buyers or below market interest rate mortgage program approved by DCHA. DCHA must determine that the financing is affordable to the family.

Continued Assistance [24CFR982.633]

Homeownership assistance may only be paid while the family is residing in the home. The family or lender is not required to refund homeownership assistance for the month when the family moves out.

The family must comply with the following obligations:

The family must comply with the terms of the mortgage securing debt incurred to purchase the home or any refinancing of such debt.

The family may not convey or transfer ownership of the home, except for purposes of financing, refinancing or pending settlement of the estate of a deceased family member. Use and occupancy of the home are subject to CFR 982.551(h) and (i).

The family must supply information to the DCHA or HUD as specified in CFR 982.551(b).

The family must further supply any information required by the DCHA or HUD concerning mortgage financing or refinancing, sale or transfer of any interest in the home or homeownership expenses.

The family must notify the DCHA before moving out of the home.

The family must notify the DCHA if the family defaults on the mortgage used to purchase the home.

No family member may have any ownership interest in any other residential property.

The family must attend and complete ongoing homeownership counseling.

Before commencement of homeownership assistance, the family must execute a statement in which the family agrees to comply with all family obligations under the homeownership option.

Maximum Term of Homeownership Assistance [24CFR982.634]

Except in the case of elderly or disabled families, the maximum term of homeownership assistance is:

15 years, if the initial mortgage term is 20 years or longer, or

10 years in all other cases.

The elderly exception only applies if the family is qualified as elderly at the start of homeownership assistance. The disabled exception applies if, at any time during receipt of homeownership assistance, the family qualifies as disabled.

If the family ceases to qualify as elderly or disabled during the course of homeownership assistance, the maximum term becomes applicable from the date assistance commenced. However, such a family must be afforded at least 6 months of homeownership assistance after the maximum term becomes applicable.

If the family receives homeownership assistance for different homes, or from different PHA's, the total is subject to the maximum term limitations.

Homeownership Assistance Payments and Homeownership Expenses [24CFR 982.635]

The monthly homeownership assistance payment is the lower of: the voucher payment standard minus the total tenant payment, or the monthly homeownership expenses minus the total tenant payment.

In determining the amount of the homeownership assistance payment, the DCH A will use the same payment standards schedule, payment standard amounts, and subsidy standards as those described in this plan for the Housing Choice Voucher program.

DCHA will pay the homeownership assistance payment to a lender approved by DCHA on behalf of the family.

Some homeownership expenses are allowances or standards determined by DCHA in accordance with HUD regulations. These allowances are used in determining expenses for all homeownership families and are not based on the condition of the home.

Homeownership expenses include:

Principal and interest on mortgaged debt

Mortgage insurance premium

Taxes and insurance

The PHA utility allowance used for the voucher program

The PHA allowance for routine maintenance costs

The PHA allowance for major repairs and replacements

Principal and interest on debt for improvements

Portability [24CFR982.636, 982.353(b) and (c), 982.553]

Subject to the restrictions on portability included in HUD regulations and in Chapter 13 of this plan, the family may exercise portability if the receiving PHA is administering a voucher homeownership program and accepting new homeownership families.

The receiving PHA may absorb the family into its voucher program, or bill the initial PHA. The receiving PHA arranges for housing counseling and the receiving PHA's homeownership policies apply.

Moving With Continued Assistance [24CFR982.637]

A family receiving homeownership assistance may move with continued tenant -based assistance. The family may move with voucher rental assistance or with voucher homeownership assistance. Continued tenant -based assistance for a new unit cannot begin so long as any family member holds title to the prior home.

DCHA will deny permission to move with continued rental or homeownership assistance if DCHA determines that it does not have sufficient funding to provide continued assistance.

DCHA will require the family to complete additional homeownership counseling prior to moving to a new unit with continued assistance under the homeownership option.

Denial or Termination of Assistance [24CFR982.638]

Termination of homeownership assistance is governed by the policies for the Housing Choice Voucher program contained in chapter 15 of the Administrative Plan. However, the provisions of CFR 982.551(c) through (j) are not applicable to

homeownership.

DCHA will terminate homeownership assistance if the family is dispossessed from the home due to a judgment or order of foreclosure.

DCHA will permit such a family to move with continued voucher rental assistance. However, rental assistance will be denied if the family defaulted on an FHA -insured mortgage, and the family fails to demonstrate that:

The family conveyed title to the home as required by HUD, and

The family moved within the period required by HUD.

DCHA will terminate homeownership assistance if the family violates any of the family obligations contained in this section.

DCHA will terminate homeownership assistance if the family violates any of the following obligations:

Transfer or conveyance of ownership of the home;

Providing requested information to DCHA or HUD;

Notifying the DCHA before moving out of the home.

Recapture of Homeownership Assistance [24CFR982.640]

DCHA will comply with CFR 982.640 in recapturing a percentage of the homeownership assistance provided to the family upon sale or refinancing of the home.

Upon purchase of the home, the family shall execute documentation securing DCHA's right to recapture homeownership assistance.

Housing Quality Standards [24CFR982.621]

A manufactured home must meet all the HQS requirements outlined in Chapter Ten and regulated by 24CFR982.401. In addition, the manufactured home also must meet the following requirements:

A manufactured home must be placed on the site in a stable manner, and must be free from hazards such as sliding or wind damage.

A manufactured home must be securely anchored by a tie-down device that distributes and transfers the loads imposed by the unit to appropriate ground anchors to resist wind overturning and sliding.

GLOSSARY

A. ACRONYMS USED IN SUBSIDIZED HOUSING

AAF	Annual Adjustment Factor. A factor published by HUD in the Federal Register which is used to compute annual rent adjustment.
ACC	Annual Contributions Contract
BR	Bedroom
CDBG	Community Development Block Grant
CFR	Code of Federal Regulations. Commonly referred to as "the regulations". The CFR is the compilation of Federal rules which are first published in the Federal Register and define and implement a statute.
CPI	Consumer Price Index. CPI is published monthly by the Department of Labor as an inflation indicator.
ELI	Extremely Low Income
FDIC	Federal Deposit Insurance Corporation
FHA	Federal Housing Administration
FICA	Federal Insurance Contributions Act - Social Security taxes
FmHA	Farmers Home Administration

FMR	FairMarketRent
FY	FiscalYear
FYE	FiscalYearEnd
GAO	GovernmentAccountingOffice
GFC	GrossFamilyContribution.Note:HasbeenreplacedbythetermTotalTenantPayment(TTP).
GR	GrossRent
HA	HousingAgency
HAP	HousingAssistancePayment
HAPPlan	HousingAssistancePlan
HCDA	HousingandCommunityDevelopmentAct
HQS	HousingQualityStandards
HUD	TheDepartmentofHousingandUrbanDevelopmentorits designee.
HURRA	HousingandUrban/RuralRecoveryActof1983
IG	InspectorGeneral
IGR	IndependentGroupResidence
IPA	IndependentPublicAccountant
IRA	IndividualRetirementAccount
MSA	MetropolitanStatisticalAreaestablishedbytheU.S.Census Bureau
PMSA	APrimaryMetropolitanStatisticalAreaestablishedbytheU.S. CensusBureau
PS	PaymentStandard
QC	QualityControl
RFAT	RequestforApprovalofTenancy
RFP	RequestforProposals
RRP	RentalRehabilitationProgram
SRO	SingleRoomOccupancy
SSMA	StandardStatisticalMetropolitanArea.Hasbeenreplacedby MSA,MetropolitanStatisticalArea.
TR	TenantRent
TTP	TotalTenantPayment
UA	UtilityAllowance
URP	UtilityReimbursementPayment

B. GLOSSARY OF TERMS IN SUBSIDIZED HOUSING

ADMINISTRATIVE PLAN. The HUD required written policy of the HA governing its administration of the Section 8 Certificate and Voucher program. The Administrative Plan and any revisions must be approved by the HA's board and a copy submitted to HUD.

ABSORPTION. In portability, the point at which a receiving HA stops billing the initial HA for assistance on behalf of a portability family. The receiving HA uses funds available under the receiving HA consolidated ACC.

ACCRESERVE ACCOUNT (FORMERLY "PROJECT RESERVE"). Account established by HUD from amounts by which the maximum payment to the HA under the consolidated ACC (during an HA fiscal year) exceeds the amount actually approved and paid. This account is used as the source of additional payments for the program.

ADJUSTED INCOME. Annual income, less allowable HUD deductions.

ADMINISTRATIVE FEE. Fee paid by HUD to the HA for administration of the program.

ADMINISTRATIVE FEE RESERVE (Formerly "Operating reserve"). Account established by HA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMISSION. The effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A written contract between HUD and a HA. Under the contract HUD agrees to provide funding for operation of the program, and the HA agrees to comply with HUD requirements for the program.

ANNUAL INCOME. The anticipated total Annual Income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) less the HUD-approved allowances.

APPLICANT (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

"AS-PAID" STATES. States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS. (See Net Family Assets.)

ASSISTED TENANT. A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Section 8 assistance and all other 236 and 221(d)(3) BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

BUDGET AUTHORITY. An amount authorized and appropriated by the Congress for payment to HA under the program. For each funding increment in an HA program, budget authority is the maximum amount that may be paid by HUD to the HA over the ACC term of the funding increment.

CERTIFICATE. A Certificate issued by the HA under the pre-merger Rental Certificate Assistance Program, declaring a family to be eligible for participation in this program and stating the terms and conditions for such participation.

CERTIFICATE OR VOUCHER HOLDER. A family holding a voucher or pre-

merger certificate with unexpired search time.

CERTIFICATE PROGRAM. Rental certificate program.

CHILDCARE EXPENSES. Amounts paid by the family for the care of minors under 13 years of age where such care is necessary to enable a family member to be employed or for a household member to further his/her education.

CO-HEAD. An individual in the household whose equally responsible for the lease with the Head of Household. (A family never has a Co-head and a Spouse and; a Co-head is never a Dependent).

CONGREGATE HOUSING. Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing.

COOPERATIVE. A dwelling unit owned and/or shared by a group of individuals who have individual sleeping quarters and share common facilities such as kitchen, living room and some bathrooms.

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT. (Consolidated ACC). See 24 CFR 982.151.

CONTIGUOUS MSA. In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial HA is located.

CONTINUOUSLY ASSISTED. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the certificate or voucher program.

CONTRACT. (See Housing Assistance Payments Contract.)

CONTRACT AUTHORITY. The maximum annual payment by HUD to an HA for a funding increment.

CONTRACT RENT. In the Section 8 Certificate Program, Contract Rent is the total rent paid to the owner, including the tenant payment and the HAP payment from the PHA.

DEPENDENT. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a full-time student 18 years of age or over.

DISABILITY ASSISTANCE EXPENSE. Anticipated costs for care attendants and

auxiliary apparatus for disabled family members which enable a family member (including the disabled family member) to work.

DISABLED PERSON. A person who is any of the following:

- (1) A person who has a disability as defined in section 223 of the Social Security Act. (42 U.S.C. 423).
- (2) A person who has a physical, mental, or emotional impairment that:
 - (i) Is expected to be of long -continued and indefinite duration;
 - (ii) Substantially impedes his or her ability to live independently; and
 - (iii) Is of such a nature that a ability to live independently could be improved by more suitable housing conditions.
- (3) A person who has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)).

DISABLED FAMILY. A family where the head or spouse meet any of the above criteria for disabled person.

DISPLACED PERSON/FAMILY. A person or family displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY. The illegal manufacture, sale, distribution, use, or the possession with intent to manufacture, sell, distribute or use, of a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802)).

DRUG TRAFFICKING. The illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute or use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

ELDERLY HOUSEHOLD. A family whose head or spouse or whose sole member is at least 62 years of age ; may include two or more elderly persons living together or one or more such persons living with another person who is determined to be essential to his/her care and wellbeing.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBILITY INCOME. May 10, 1984, regulations deleted Eligibility Income, because Annual Income is now for eligibility determination to compare to income limits.

ELIGIBLE FAMILY (Family). A family is defined by the HA in the administrative Plan, which is approved by HUD.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES. Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889 which exceeded 25% of the Annual Income. It is no longer used.

EXCEPTION RENT. In the pre-merger certificate program an initial rent (contract rent plus any utility allowance) in excess of the published FMR.

EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly or disabled families only in excess of 3% of Annual Income which are not reimbursable from any other source. e

FAIR MARKET RENT (FMR). The rent including the cost of utilities (except telephone) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of modest (non luxury) nature with suitable amenities. Fair market rents for existing housing are established by HUD for housing units of varying sizes (number of bedrooms) and are published in the Federal Register. -

FAMILY. "Family" includes but is not limited:

- (a) An Elderly Family or Single Person as defined in 24 CFR 5.403(b),
- (b) The remaining member of a tenant family, and
- (c) A Displaced Person

FAMILY OF VETERAN OR SERVICE PERSON. A family is a "family of veteran or service person" when:

1. The veteran or service person (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a family member at the time of death.
2. The veteran or service person, unless deceased, is living with the family or is only temporarily absent unless he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the family contains one or more persons for whose supports/he is legally responsible and the spouse has not

remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILYSELF -SUFFICIENCYPROGRAM(FSSPROGRAM). The program established by an HA to promote self-sufficiency of assisted families, including the provision of support services.

FAMILYSHARE. The amount calculated by subtracting the housing assistance payment from the gross rent.

FAMILYUNITSIZE. The size of the Certificate or Voucher issued to the family based on the HA's subsidy standards.

FMR/EXCEPTIONRENTLIMIT. The fair market rent published by HUD headquarters or any exception rent. In the pre-merger certificate program the initial contract rent for a dwelling unit plus any utility allowance may not exceed the FMR/exception rent limit (for the dwelling unit or for the family unit size). In the voucher program the HA may adopt a payment standard up to the FMR/exception rent limit.

FOSTERCHILDCAREPAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIMESTUDENT. A person who is carrying a subject load that is considered full time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

FUNDINGINCREMENT. Each commitment of budget authority by HUD to an HA under the consolidated annual contributions contract for the HA program.

GROSSFAMILYCONTRIBUTION. Changed to Total Tenant Payment.

GROSSRENT. The sum of the Contract Rent and the utility allowance. If there is no utility allowance, Contract Rent equals Gross Rent.

GROUPHOME. A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide).

HAPCONTRACT. (See Housing Assistance Payments contract.)

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HOUSING AGENCY. A state, country, municipality or other governmental entity or public body authorized to administer the program. The term "HA" includes an Indian housing authority (IHA). ("PHA" and "HA" mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. Act in which the U.S. Housing Act of 1937 (sometimes referred to as the Act) was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PAYMENT. The monthly assistance payment by an HA. The total assistance payment consists of:

- (1) A payment to the owner for rent to owner under the family's lease.
- (2) An additional payment to the family if the total assistance payment exceeds the rent to owner. The additional payment is called a "utility reimbursement" payment.

HOUSING ASSISTANCE PAYMENTS CONTRACT (HAP contract). A written contract between an HA and an owner in the form prescribed by HUD headquarters, in which the HA agrees to make housing assistance payments to the owner on behalf of an eligible family.

HOUSING ASSISTANCE PLAN. (1) A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. (2) A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the tenant-based programs.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME. HUD passbook rate total cash value of assets. Calculation used when asset exceeds \$5,000.

INITIALHA.In portability, the term refers to both:

- (1) An HA that originally selected a family that later decides to move out of the jurisdiction of the selecting HA; and
- (2) An HA that absorbed a family that later decides to move out of the jurisdiction of the absorbing HA.

INITIAL PAYMENT STANDARD. The payment standard at the beginning of the HAP contract term.

INITIAL RENT TO OWNER. The rent to owner at the beginning of the HAP contract term.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME FOR ELIGIBILITY. Annual Income.

INDIAN. Any person recognized as an Indian or Alaska Native by an Indian Tribe, the federal government, or any State.

INDIAN HOUSING AUTHORITY (IHA). A housing agency established either:

- (1) By exercise of the power of self-government of an Indian Tribe, independent of State law, or
- (2) By operation of State law providing specifically for housing authorities for Indians.

INTEREST REDUCTIONS SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221(d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

JURISDICTION. The area in which the HA has authority under State and local law to administer the program.

LANDLORD. This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

LARGE VERY LOW INCOME FAMILY. Prior to the 1982 regulations, this meant a very low income family which included six or more minors. This term is no longer used.

LEASE.

- (1) A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the HA.
- (2) In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement establishes the conditions for occupancy of the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the HA.

LEASE ADDENDUM. See Tenancy Addendum.

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who:

- (1) Is determined to be essential to the care and well-being of the person.
- (2) Is not obligated for the support of the person.
- (3) Would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the HA to select among applicant families without regard to their federal preference status.

LOW-INCOME FAMILY. A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. For admission to the certificate program, HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing level of construction costs or unusually high or low family incomes.

MANUFACTURED HOME. A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type. See 24 CFR 982.620 and 982.621.

MANUFACTURED HOME SPACE. In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See 24 CFR 982.622 to 982.624

MARKET RENT. The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is rental or cooperative.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. A deduction for Elderly Household only. These allowances are given when calculating adjusted income for medical expenses in excess of 3% of Annual Income.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MIXED FAMILY. A family with citizens and eligible immigration status and without citizens and eligible immigration status as defined in 24 CFR 5.504 (b)(3)

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances or Adjusted Income.

MONTHLY INCOME. 1/12 of the Annual Income.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NEGATIVE RENT. Now called Utility Reimbursement. A negative Tenant Rent results in a Utility Reimbursement Payment (URP).

NET FAMILY ASSETS. Value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

NET FAMILY CONTRIBUTION. Former name for Tenant Rent.

NONCITIZEN. A person who is neither a citizen nor a national of the United States.

OCCUPANCY STANDARDS. [Now referred to as Subsidy Standards] Standards established by an HA to determine the appropriate number of bedrooms for families of different sizes and compositions.

OVER-FMR TENANCY (OFTO). In the pre-merger Certificate program: A tenancy for which the initial gross rent exceeds the FMR/exception rent limit.

OWNER. Any person or entity having the legal right to lease or sublease a unit to a participant.

PARTICIPANT. A family that has been admitted to the HA's certificate program or

voucher program. The family becomes a participant on the effective date of the first HAP contract executed by the HA for the family (First day of initial lease term).

PAYMENT STANDARD. In a voucher or over -FMR tenancy, the maximum subsidy payment for a family (before deducting the family contribution). For a voucher tenancy, the HA sets a payment standard in the range from 80 to 100 percent of the current FMR/exception rent limit. For an over -FMR tenancy, the payment standard equals the current FMR/exception rent limit.

PERSONS WITH DISABILITIES. Individuals with any condition or characteristic that renders a person an individual with a handicap as defined in 24 CFR 8.2.

PHAPLAN. The Annual plan and the 5 year plan as adopted by the HA and approved by HUD in accordance with 903 of this chapter.

PORTABILITY. Renting a dwelling unit with Section 8 tenant -based assistance outside the jurisdiction of the initial HA

PREMISES. The building or complex in which the dwelling unit is located, including common areas and grounds.

PRIVATE SPACE. In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

PROGRAM. The Section 8 Tenant Based assistance program under this part.

PROGRAM RECEIPTS. HUD payments to the PHA under the consolidated ACC, and any other amounts received by the PHA in connection with the program.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA). PHA includes any state, county, municipality, or other governmental entity or public body authorized to administer the programs. (or an agency or instrumentality of such an entity), or any of the following:

A consortia of housing agencies, each of which meets the qualifications in paragraph (1) of this definition, that HUD determines has the capacity and capability to efficiently administer the program (in which case, HUD may enter into a consolidated ACC with any legal entity authorized to act as the legal representative of the consortia members):
Any other public or private non-profit entity that was administering a Section

8tenant -based assistance program pursuant to a contract with the contract administrators such program (HUD or PHA) on October 21, 1998; or

For any area outside the jurisdiction of a PHA that is administering a tenant -based program, or where HUD determines that such PHA is not administering the program effectively, a private non -profit entity or a governmental entity or public body that would otherwise lack jurisdiction to administer the program in such area.

REASONABLE RENT. Rent to own er that is not more than rent charged:

- (1) For comparable units in the private unassisted market; and
- (2) For comparable unassisted units in the premises.

RECEIVING HA. In portability: An HA that receives a family selected for participation in the tenant -based program of another HA. The receiving HA issues a certificate or voucher and provides program assistance to the family.

RECERTIFICATION. Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported. There are annual and interim recertifications.

REGULAR TENANCY. In the pre -merger Certificate program: A tenancy other than an over -FMR tenancy.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RENT TO OWNER. The total monthly rent payable to the owner under the lease for the unit. Rent to owner covers payment for any house -sings services, maintenance and utilities that the owner is required to provide and pay for.

RESIDENCY PREFERENCE. A PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area")

RESIDENCY PREFERENCE AREA. The specified area where families must reside to qualify for a residency preference.

RESIDENT ASSISTANT. A person who lives in an Independent Group Residence and provides on a daily basis some or all of the necessary services to elderly, handicapped, and disabled individuals receiving Section 8 housing assistance and who is essential to these individuals' care or well -being. A Resident Assistant shall

not be related by blood, marriage or operation of law to individuals receiving Section 8 assistance nor contribute a portion of his/her income or resources toward the expenses of these individuals.

SECRETARY. The Secretary of Housing and Urban Development.

SECURITY DEPOSIT. A dollar amount which can be applied to unpaid rent, damages or other amounts to the owner under the lease.

SERVICE PERSON. A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON. A person living alone or intending to live alone.

SPECIAL ADMISSION. Admission of an applicant that is not on the HA waiting list or without considering the applicant's waiting list position.

SPECIAL HOUSING TYPES. See Subpart M of 24 CFR 982, which states the special regulatory requirements for SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured homes for rental).

SPOUSE. The husband or wife of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

1. Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or
2. Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or
3. Direct loans pursuant to Section 202 of the Housing Act of 1959; or
4. Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;
5. Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency;
6. A Public Housing Project.

SUBSIDY STANDARDS. Standards established by an HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUBSTANDARD UNIT. Substandard housing is defined by HUD for use as a federal reference.

SUSPENSION/TOLLING. Stopping the clock on the term of a family's certificate or voucher, for such period as determined by the HA, from the time when the family submits a request for HA approval to lease a unit, until the time when the HA approves or denies the request.

TENANCY ADDENDUM. In the lease between the tenant and the owner, the lease language required by HUD.

TENANT. The person or persons (other than a live-in-aide) who executes the lease as lessee of the dwelling unit.

TENANT RENT. The amount payable by the family as rent to the owner (Section 8 owner or PHA) in public housing.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UNIT. Residential space for the private use of a family.

UNUSUAL EXPENSES. Prior to the change in the 1982 regulations, this was the term applied to the amounts paid by the family for the care of minors under 13 years of age or for the care of disabled or handicapped family household members, but only where such care was necessary to enable a family member to be gainfully employed.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. If the cost of utilities (except telephone) including range and refrigerator, and other housing services for an assisted unit is not included in the Contract Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD of a reasonable consumption of such utilities and other services for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthy living environment.

UTILITY REIMBURSEMENT PAYMENT. The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VACANCY LOSS PAYMENT S. (For contract effective prior to 10/2/95) When a family vacates its unit in violation of its lease, the owner is eligible for 80% of the Contract Rent for a vacancy period of up to one additional month, (beyond the month in which the vacancy occurred) if s/he notifies the PHA as soon as s/he learns of the vacancy, makes an effort to advertise the unit, and does not reject any eligible applicant except for good cause.

VERY LARGE LOWER -INCOME FAMILY. Prior to the change in the 1982 regulation this was described as a lower -income family which included eight or more minors. This term is no longer used.

VERY LOW INCOME FAMILY. A Lower -Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit for the Certificate and Voucher Programs.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

VIOLENT CRIMINAL ACTIVITY. Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

VOUCHER HOLDER. A family holding a voucher with a unexpired term (search time).

VOUCHER PROGRAM. The housing choice voucher program.

WAITING LIST ADMISSION. An admission from the HA waiting list.

WAITING LIST. A list of families organized according to HUD regulations and HA policy who are waiting for subsidy to become available.

WELFARE ASSISTANCE. Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, state, or local governments.

WELFARE RENT. This concept is used ONLY for Section 8 Certificate tenants who receive welfare assistance on an "AS -PAID" basis. It is not used for the Housing Voucher Program.

(1) If the agency does NOT apply a table reduction, this is the maximum

public assistance agency COULD give a family for shelter and utilities, NOT the amount the family is receiving at the time the certification or recertification is being processed.

- (2) If the agency applies a rate reduction, welfare rent is a percentage of the maximum the agency could allow.

C. GLOSSARY OF TERMS USED IN THE NONCITIZEN RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen or national of the United States.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents which must be submitted to evidence citizenship or eligible immigration status.

HA. A housing authority - either a public housing agency or an Indian housing authority or both.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NONCITIZEN. A person who is neither a citizen nor a national of the United States.
PHA. A housing authority who operates Public Housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status (the HA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for noncitizens unless they meet one of the categories of eligible immigration status specified in Section 214.

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or "Co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

PROGRAM INTEGRITY ADDENDUM [24CFR 792.101 to 792.204, 982.54]

INTRODUCTION

The US Department of HUD conservatively estimates that 200 million dollars is paid annually to program participants who falsify or omit material facts in order to gain more rental assistance than they are entitled to under the law. HUD further estimates that 12% of all HUD-assisted families are either totally ineligible, or are receiving benefits which exceed their legal entitlement.

The HA is committed to assuring that the proper level of benefits is paid to all participating families, and that housing resources reach only income-eligible families so that program integrity can be maintained.

The HA will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This Chapter outlines the HA's policies for the prevention, detection and investigation of program abuse and fraud.

A. CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

Under no circumstances will the HA undertake an inquiry or an audit of a participating family arbitrarily. The HA's expectation is that all participating families

will comply with HUD requirements, provisions of the certificate or voucher, and other program rules. The HA staff will make every effort (formally and informally) to orient and educate all families in order to avoid unintentional violations. However, the HA has a responsibility to HUD, to the Community, and to eligible families in need of housing assistance, to monitor participants and owners for compliance and, when indicators of possible abuse come to the HA's attention, to investigate such claims.

The HA will initiate an investigation of a participating family only in the event of one or more of the following circumstances:

1. **Referrals, Complaints, or Tips.** The HA will follow up on referrals from other agencies, companies or persons which are received by mail, by telephone or in person, which allege that a family is in non-compliance with, or otherwise violating the family obligations or any other program rules. Such follow-up will be made providing that the referral contains at least one item of information that is independently verifiable. A copy of the allegation will be retained in the family's file.
2. **Internal File Review.** A follow-up will be made if HA staff discovers (as a function of a certification or recertification, an interim redetermination, or a quality control review), information or facts which conflict with previous file data, the HA's knowledge of the family, or is discrepant with statements made by the family.
3. **Verification of Documentation.** A follow-up will be made if the HA receives independent verification or documentation which conflicts with representations in the family's file (such as public record information or credit bureau reports, reports from other agencies).

B. STEP THE HA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The HA management and staff will utilize various methods and practices (listed below) to prevent program abuse, non-compliance, and willful violations of program rules by applicants and participating families. This policy objective is to establish confidence and trust in the management by emphasizing education as the primary means to obtain compliance by families.

1. ***Things You Should Know.*** This program integrity bulletin (created by HUD's Inspector General) will be furnished and explained to all applicants to promote understanding of program rules, and to clarify the HA's expectations for cooperation and compliance.

2. **Program Orientation Session.** Mandatory orientation sessions will be conducted by the HA staff for all prospective program participants, either prior to or upon issuance of a certificate or voucher. At the conclusion of all Program Orientation Sessions, the family representative will be required to sign a "Program Briefing Certificate" to confirm that all rules and pertinent regulations were explained to them.
3. **Review and explanation of Forms.** Staff will explain all required forms and review the contents of all (re)certification documents prior to signature.
4. **Use of Instructive Signs and Warnings.** Instructive signs will be conspicuously posted in common areas and interview areas to reinforce compliance with program rules and to warn about penalties for fraud and abuse.

C. STEP THE HA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The HA Staff will maintain a high level of awareness to indicators of possible abuse and fraud by assisted families.

1. **Quality Control File Reviews.** Prior to initial certification, and at the completion of all subsequent recertifications, [5% of files] will be reviewed. Such reviews shall include, but are not limited to:
 - Assurance that verification of all income and deductions is present.
 - Changes in reported Social Security Numbers or dates of birth.
 - Authenticity of filed documents.
 - Review of signatures for consistency with previously signed file documents.
 - All forms are correctly dated and signed.
2. **Observation.** The HA Management and Occupancy Staff (to include inspection personnel) will maintain high awareness of circumstances which may indicate program abuse or fraud, such as unauthorized persons residing in the household and unreported income.
3. **Public Record Bulletins** may be reviewed by Management and Staff.
4. **State Wage Data Record Keepers.** Inquiries to State Wage and Employment record keeping agencies as authorized under Public Law 100-628, the Stewart B. McKinley Homeless Assistance Amendments Act of 1988, may be made annually in order to detect unreported wages or unemployment compensation benefits.

5. Credit Bureau Inquiries. Credit Bureau inquiries may be made (with proper authorization by the participant) in the following circumstances:

At the time of final eligibility determination

When an allegation is received by the HA where unreported income sources are disclosed.

When a participant's expenditures exceed his/her reported income, and no plausible explanation is given.

D. THE HA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The HA staff will encourage all participating families to report suspected abuse to [Section 8 Manager or Section 8 Director]. All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented and placed in the participant's file. All allegations, complaints and tips will be carefully evaluated in order to determine if they warrant follow-up. The [HA] will not follow up on allegations which are vague or otherwise non-specific. They will only review allegations which contain one or more independently verifiable facts.

1. File Review. An internal file review will be conducted to determine:

If the subject of the allegation is a client of the HA and, if so, to determine whether or not the information reported has been previously disclosed by the family.

It will then be determined if the HA is the most appropriate authority to do a follow-up (more so than police or social services). Any filed documentation of past behavior as well as corroborating complaints will be evaluated.

2. Conclusion of Preliminary Review. If at the conclusion of the preliminary file review there is/are fact(s) contained in the allegation which conflict with file data, and the fact(s) are independently verifiable, the [Section 8 Manager or Section 8 Director] will initiate an investigation to determine if the allegation is true or false.

E. OVERPAYMENTS TO OWNERS

If the landlord has been overpaid as a result of fraud, misrepresentation or violation of the Contract, the HA may terminate the Contract and arrange for restitution to the HA and/or family as appropriate.

The HA will make every effort to recover any overpayments made as a result of landlord fraud or abuse. Payments otherwise due to the owner may be debited in order to repay the HA or the tenant, as applicable.

F. HOW THE HA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the HA determines that an allegation or referral warrants follow-up, either the staff person who is responsible for the file, or a person designated by the Executive Director to monitor the program compliance will conduct the investigation. The steps taken will depend upon the nature of the allegation and may include, but are not limited to, the items listed below. In all cases, the HA will secure the written authorization from the program participant for the release of information.

Credit Bureau Inquiries. In cases involving previously unreported income sources, a CBI inquiry may be made to determine if there is financial activity that conflicts with the reported income of the family.

Verification of Credit. In cases where the financial activity conflicts with filed data, a *Verification of Credit* form may be mailed to the creditor in order to determine the unreported income source.

Employers and Ex -Employers. Employers or ex -employers may be contacted to verify wages which may have been previously undisclosed or misreported.

Neighbors/Witnesses. Neighbors and/or other witnesses may be interviewed who are believed to have direct or indirect knowledge of facts pertaining to the HA's review.

Other Agencies. Investigators, caseworkers or representatives of other benefit agencies may be contacted.

Public Records. If relevant, the HA will review public records kept in any jurisdictional courthouse. Examples of public records which may be checked are: real estate, marriage, divorce, uniform commercial code financing statements, voter registration, judgments, court or police records, state wage records, utility records and postal records.

Interviews with Head of Household or Family Members. The HA will discuss the allegation (or details thereof) with the Head of Household or family member by

scheduling an appointment at the appropriate HA office.

G. PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS OBTAINED BY THE HA

Documents and other evidence obtained by the HA during the course of an investigation will be considered "work product" and will either be kept in the participant's file, or in a separate "workfile." In either case, the participant's file or workfiles shall be kept in a locked file cabinet. Such cases under review will not be discussed among HA Staff unless they are involved in the process, or have information which may assist in the investigation.

H. CONCLUSION OF THE HA'S INVESTIGATIVE REVIEW

At the conclusion of the investigative review, it will then be determined whether a violation has occurred, a violation has not occurred, or if the facts are inconclusive.

I. EVALUATION OF THE FINDINGS

If it is determined that a program violation has occurred, the HA will review the facts to determine:

1. The type of violation (procedural, non-compliance, fraud).
2. Whether the violation was intentional or unintentional.
3. What amount of money (if any) is owed by the family.
4. If the family is eligible for continued occupancy.

J. ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED

Once a program violation has been documented, the HA will propose the most appropriate remedy based upon the type and severity of the violation.

1. **Procedural Non-compliance.** This category applies when the family "fail to" observe a procedure or requirement of the HA, but does not misrepresent a material fact, and there is no retroactive assistance payments owed by the family.

Examples of non-compliance violations are:

Failure to appear at a pre-scheduled appointment.

Failure to return verification in time periods specified by the HA.

(a) Warning Notice to the Family. In such cases a notice will be sent to the family which contains the following:

The consequences of repeated (similar) violations.

2. Procedural Non-compliance - Overpaid Assistance. When the family owes money to the HA for failure to report changes in income or assets, the HA will issue a Notification of Overpayment of Assistance. This Notice will contain the following:

- A description of the violation and the date(s).

- Any amounts owed to the HA.

- A [14] day response period.

- The right to disagree and to request an informal hearing with instructions for the request of such hearing.

(a) Participant Fails to Comply with HA's Notice. If the Participant fails to comply with the HA's notice, and a family obligation has been violated, the HA will initiate termination of assistance.

(b) Participant Complies with HA's Notice. When a family complies with the HA's notice, the staff person responsible will meet with him/her to discuss and explain the Family Obligation or program rule which was violated. The staff person will complete a Participant Counseling Report, give one copy to the family and retain a copy in the family's file.

3. Intentional Misrepresentations. When a participant falsifies, misstates, omits or otherwise misrepresents a material fact which results (or would have resulted) in an overpayment of housing assistance by the HA, the HA will evaluate whether or not:

- The participant had knowledge that his/her actions were wrong, and

- The participant willfully violated the family obligations or the law.

Knowledge that the action or inaction was wrong. This will be evaluated by determining if the participant was made aware of program requirements and prohibitions. The participant's signature on various certification, briefing certificate, Personal Declaration and Things You Should Know are adequate to establish knowledge of wrong -doing.

The participant will fully violate the law. Any of the following circumstances will be considered adequate to demonstrate willful intent:

- (a) An admission by the participant of the misrepresentation.**
- (b) That the act was done repeatedly.**
- (c) If a false name or Social Security Number was used.**
- (d) If there were admissions to others of the illegal action or omission.**
- (e) That the participant omitted material facts which were known to him/her (e.g., employment of self or other household member).**
- (f) That the participant falsified, forged or altered documents.**
- (g) That the participant uttered and certified to statements at a interim (re)determination which were later independently verified to be false.**

4. Dispositions of Cases Involving Misrepresentations. In all cases of misrepresentations involving effort to recover monies owed, the HA may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:

- (a) Criminal Prosecution: If the HA has established criminal intent, and the case meets the criteria for prosecution, the HA will:**

Refer the case to the local State or District Attorney, notify HUD's RIGI, and terminate rental assistance.

Refer the case to HUD's RIGI, and terminate rental assistance.

- (b) Administrative Remedies: The HA will:
Terminate assistance and demand payment of restitution in full.**