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

PHA Plans

5 Year Plan for Fiscal Years 2000 - 2004
Annual Plan for Fiscal Year 2003

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

HUD 50075
OMB Approval No: 2577-0226
Expires: 03/31/2002

PHA Plan
Agency Identification

PHA Name: Linn-Benton Housing Authority

PHA Number: OR019

PHA Fiscal Year Beginning: (mm/yyyy) 01/2003

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)

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

A. Mission

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

☐ The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

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

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

B. Goals

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

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

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

☒ PHA Goal: Improve the quality of assisted housing
Objectives:
- ☐ Improve public housing management: (PHAS score)
- ☒ Improve voucher management: (SEMAP score)

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

☒ PHA Goal: Increase assisted housing choices

Objectives:

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

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

☐ PHA Goal: Provide an improved living environment

Objectives:

- ☐ Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- ☐ Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- ☐ Implement public housing security improvements:
- ☐ Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
- ☐ Other: (list below)

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

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

Objectives:

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- ☐ Increase the number and percentage of employed persons in assisted families:
- ☐ Provide or attract supportive services to improve assistance recipients' employability:
- ☐ Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- ☒ Other: (list below)
  Full FSS program participation.
  Ten FSS graduates annually.

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

☐ PHA Goal: Ensure equal opportunity and affirmatively further fair housing
Objectives:

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

Other PHA Goals and Objectives: (list below)

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Annual PHA Plan
PHA Fiscal Year 2003
[24 CFR Part 903.7]

i. Annual Plan Type:
Select which type of Annual Plan the PHA will submit.

☐ **Standard Plan**

Streamlined Plan:
- ☐ **High Performing PHA**
- ☐ **Small Agency (<250 Public Housing Units)**
- ☒ **Administering Section 8 Only**

☐ **Troubled Agency Plan**

ii. Annual Plan Table of Contents
[24 CFR Part 903.7 9 (r)]
Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

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Attachments

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

Required Attachments:

☐ Admissions Policy for Deconcentration

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

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

Supporting Documents Available for Review

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

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Applicable Plan Component**
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI))) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Section 8 rent determination (payment standard) policies ☒ check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
	Section 8 informal review and hearing procedures ☒ check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
	Policies governing any Section 8 Homeownership program ☒ check here if included in the Section 8	Annual Plan: Homeownership

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List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Applicable Plan Component**
	Administrative Plan	
	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
X	Statement of Progress in Meeting 5-Year Plan Mission and Goals	Annual Plan
X	Resident Member of the PHA Governing Board	Annual Plan
X	Resident Advisory Board	Annual Plan

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	10,438	5	5	5	N/A	3	3
Income >30% but <=50% of AMI	6,959	3	3	3	N/A	2	2
Income >50% but <80% of AMI	10,438	2	2	2	N/A	1	2
Elderly	17,721	3	4	3	4	4	3
Families with	18,259	5	5	2	5	4	4

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Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Disabilities							
Hispanic	5,641	N/A	N/A	N/A	N/A	N/A	N/A

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

☒ Consolidated Plan of the Jurisdiction/s
Indicate year: 2001

☐ U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset

☐ American Housing Survey data
Indicate year:

☒ Other housing market study
Indicate year: 1999

☐ Other sources: (list and indicate year of information)

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

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one) ☒ Section 8 tenant-based assistance ☐ Public Housing ☐ Combined Section 8 and Public Housing ☐ Public Housing Site-Based or sub-jurisdictional waiting list (optional) If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	1500		90%
Extremely low income <=30% AMI	924	62%	
Very low income (>30% but <=50% AMI)	675	38%	
Low income	0	0%	

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Housing Needs of Families on the Waiting List			
(>50% but <80% AMI)			
Families with children	423	28%	
Elderly families	290	19%	
Families with Disabilities	375	25%	
Hispanic	247	16%	
Asian	41	3%	
Black	58	4%	
Native American	77	5%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			

Is the waiting list closed (select one)? ☒ No ☐ Yes

If yes:

How long has it been closed (# of months)?

Does the PHA expect to reopen the list in the PHA Plan year? ☐ No ☐ Yes

Does the PHA permit specific categories of families onto the waiting list, even if generally closed? ☒ No ☐ Yes

C. Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

Strategy 2: Increase the number of affordable housing units by:
Select all that apply

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

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

Strategy 1: Target available assistance to families at or below 30 % of AMI
Select all that apply

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

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

Strategy 1: Target available assistance to families at or below 50% of AMI
Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:
Select all that apply

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

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:
Select all that apply

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

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

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

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

Strategy 2: Conduct activities to affirmatively further fair housing
Select all that apply

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

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

(2) Reasons for Selecting Strategies
Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

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

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]
List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

Financial Resources: Planned Sources and Uses		
Sources	**Planned $**	**Planned Uses**
1. **Federal Grants (FY 2000 grants)**		
a) Public Housing Operating Fund		
b) Public Housing Capital Fund		
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	$11,761,804.00	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants		
h) Community Development Block Grant		
i) HOME		
Other Federal Grants (list below) FSS Coordinator Grant	$101,073.00	FSS Coordinator salary and benefits
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		
4. Other income (list below)		
Interest	$20,000.00	Administration
5. Non-federal sources (list below)		
Total resources	$11,882,877.00	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

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

B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B.

Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

(1) Eligibility

a. What is the extent of screening conducted by the PHA? (select all that apply)

☒ Criminal or drug-related activity only to the extent required by law or regulation

☐ Criminal and drug-related activity, more extensively than required by law or regulation

☐ More general screening than criminal and drug-related activity (list factors below)

☐ Other (list below)

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

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

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

e. Indicate what kinds of information you share with prospective landlords? (select all that apply)

☒ Criminal or drug-related activity

☒ Other (describe below)

Past Landlord Information

(2) Waiting List Organization

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

☒ None

☐ Federal public housing

☐ Federal moderate rehabilitation

☐ Federal project-based certificate program

☐ Other federal or local program (list below)

b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)

☒ PHA main administrative office
☐ Other (list below)

(3) Search Time

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

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

(4) Admissions Preferences

a. Income targeting

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

b. Preferences

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

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

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

Other preferences (select all that apply)
☐ Working families and those unable to work because of age or disability
☐ Veterans and veterans' families
☐ Residents who live and/or work in your jurisdiction
☐ Those enrolled currently in educational, training, or upward mobility programs

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☐ Households that contribute to meeting income goals (broad range of incomes)
☐ Households that contribute to meeting income requirements (targeting)
☐ Those previously enrolled in educational, training, or upward mobility programs
☐ Victims of reprisals or hate crimes
☒ Other preference(s) (list below)
Terminally Ill
Extremely Low-Income
Homeless Psychiatrically Disabled Participating in Mental Health Program
Families Participating in Transitional Housing Program
Families Participating in Domestic Abuse Survivor Program
Teen Families Participating in a Teen Parent Program

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

4 Date and Time

Former Federal preferences

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

Other preferences (select all that apply)

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

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2 Extremely Low-Income
3 Terminally ill

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

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

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

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

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

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

(5) Special Purpose Section 8 Assistance Programs

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

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

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

☐ Through published notices
☒ Other (list below)

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

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

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

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

☐ At or above 90% but below100% of FMR
☐ 100% of FMR
☒ Above 100% but at or below 110% of FMR
☐ Above 110% of FMR (if HUD approved; describe circumstances below)

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

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

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

☐ FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
☐ Reflects market or submarket
☒ To increase housing options for families
☒ Other (list below)
To overcome 40% limitation at lease-up.

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

☒ Annually
☐ Other (list below)

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

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☒ Success rates of assisted families
☒ Rent burdens of assisted families
☒ Other (list below)
Number of families the PHA is able to assist.

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)
☐ $0
☐ $1-$25
☒ $26-$50

b. ☒ Yes ☐ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)
A family (that falls within the Minimum TTP category) that would otherwise be evicted for non-payment of rent shall be considered for a hardship exception to the minimum TTP. The family must request the exception in writing, stating the reason for the request.

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

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

5. Operations and Management
[24 CFR Part 903.7 9 (e)]

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

A. PHA Management Structure
Describe the PHA's management structure and organization.
(select one)
☒ An organization chart showing the PHA's management structure and organization is attached.
☐ A brief description of the management structure and organization of the PHA follows:

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B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Section 8 Housing Choice Vouchers	2381	360
Section 8 Mod Rehab	35	12
Special Purpose Section 8 Certificates/Vouchers (list individually) Mainstream Vouchers	(These vouchers are included in the total number and turnover of vouchers listed above.) 100	 5

C. Management and Maintenance Policies

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

(2) Section 8 Management: (list below)

Section 8 Administrative Plan

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

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

☒ PHA main administrative office

☐ Other (list below)

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

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

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

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

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

[24 CFR Part 903.7 9 (i)]

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

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

B. Section 8 Tenant Based Assistance

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

2. Program Description:

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a. Size of Program

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

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

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

b. PHA-established eligibility criteria

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

Applicants for the home ownership option are not required to participate in LBHA's Family Self Sufficiency ("FSS") program in order to use the home ownership option. However, preference will be given to FSS participants. When participants using the home ownership option exceed one percent (1%) of LBHA's total voucher program in any fiscal year, the housing authority will keep a waiting list. Applicants on the homeownership option waiting list shall be given preference in the following order:

- Section 8 Family Self Sufficiency (FSS) participant
- Individual Development Accounts (IDA) participant
- Habitat for Humanity selected family
- Affordable Housing Land Trust participant
- Home Ownership Education Program graduate

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (l)]

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

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

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

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

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

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

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

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

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

b. Economic and Social self-sufficiency programs

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

Services and Programs

Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)
Valley IDA Collaborative	20	Waiting List	PHA Main Office	FSS Participants
Financial Literacy Program	100	Waiting List	PHA Main Office	Section 8 Families

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2003 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8	80	95 as of 10/15/2002

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

C. Welfare Benefit Reductions

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

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

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

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

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

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

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

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. ☒ Yes ☐ No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U S.C. 1437c(h))?
   (If no, skip to component 17.)
2. ☒ Yes ☐ No: Was the most recent fiscal audit submitted to HUD?
3. ☐ Yes ☒ No: Were there any findings as the result of that audit?
4. ☐ Yes ☐ No: If there were any findings, do any remain unresolved?
   If yes, how many unresolved findings remain?____
5. ☐ Yes ☐ No: Have responses to any unresolved findings been submitted to HUD?
   If not, when are they due (state below)?

17. PHA Asset Management

[24 CFR Part 903.7 9 (q)]

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

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

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

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
☐ Attached at Attachment (File name)
☐ Provided below:
"I think every looks good in the Housing annual report" – Juanita Whiteas

3. In what manner did the PHA address those comments? (select all that apply)
☐ Considered comments, but determined that no changes to the PHA Plan were necessary.
☐ The PHA changed portions of the PHA Plan in response to comments
List changes below:
☐ Other: (list below)

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

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

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

3. Description of Resident Election Process

a. Nomination of candidates for place on the ballot: (select all that apply)
☐ Candidates were nominated by resident and assisted family organizations
☐ Candidates could be nominated by any adult recipient of PHA assistance
☐ Self-nomination: Candidates registered with the PHA and requested a place on ballot
☐ Other: (describe)

b. Eligible candidates: (select one)
☐ Any recipient of PHA assistance
☐ Any head of household receiving PHA assistance
☐ Any adult recipient of PHA assistance
☐ Any adult member of a resident or assisted family organization

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☐ 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)

   City of Corvallis, Oregon
   State of Oregon

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

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

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

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

☒ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
Priority for serving those with greatest need first.

☐ Other: (list below)

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

   Cooperate with landlord outreach efforts.

D. Other Information Required by HUD

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

Attachments

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

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

Goals	Objectives	Progress
Expand the supply of assisted housing	Apply for additional rental vouchers. Leverage private or other public funds to create additional housing opportunities. Acquire or build units or developments	PHA applied for Fair Share, Mainstream and Reallocated Vouchers. PHA is planning a mixed use building in downtown Albany, OR. PHA is developing 8 units of special needs housing in Lebanon, OR. PHA is partner in development of 50 units of new senior housing in Albany, OR. PHA is partner in development of 56 units of family housing in Corvallis, OR.
Improve the quality of assisted housing	Improve voucher management: (SEMAP score). Increase customer satisfaction	Positive Management Review by HUD of PHA Section program. Scored as High Performer under SEMAP. Increased Voucher payment standards above 100% of FMR.
Increase assisted housing choices	Conduct outreach efforts to potential voucher landlords. Implement voucher homeownership program:	Continued landlord newsletter and created PHA website. Homeownership program adopted by Board of Commissioners.
Promote self-sufficiency and asset development of assisted households	Full FSS program participation. Ten FSS graduates annually.	FFS program at full participation. 45 graduates as of 9/30/02. IDA and Financial Literacy programs offered.

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Attachments

RESIDENT MEMBER OF THE PHA GOVERNING BOARD

The resident member of the PHA Governing Board is:

Sandra Nolan

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

RESIDENT ADVISORY BOARD

The members of the PHA's 2003 Resident Advisory Board are:

Sandra Nolan
Ledeana Lassley
Juanita Whiteis

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Table Library

CHAPTER 1
STATEMENT OF POLICIES AND PROCEDURES

I. PURPOSE

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

II. MISSION STATEMENT

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

III. EQUAL HOUSING OPPORTUNITY

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.

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

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

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

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

IV. VALUES AND ETHICAL STANDARDS IN CONDUCTING BUSINESS

The following requirements are in respect to the values and ethical standards that the Linn Benton Housing Authority holds.

A. CONFLICT OF INTEREST

"Conflict of interest" is defined as any situation where an employee has two or more duties or interests that are mutually incompatible. The Authority requires compliance with the following conflict of interest requirements for the Housing Choice Voucher Program (24 CFR 982.161):

1. Neither the LBHA or any of its employees, contractors or subcontractors may enter into any contract or arrangement in connection with the tenant-based programs in which any of the following classes of persons has any interest, direct or indirect, during tenure or for one year thereafter:

    a) Any present or former member or officer of the LBHA (except a participant commissioner)

    b) Any employee of the LBHA, or any contractor, subcontractor or agent of the LBHA, who formulates policy or who influences decisions with respect to the programs

    c) Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs

    d) Any member of the Congress of the United States

2. Any member of the classes described above must disclose their interest or prospective interest to the LBHA or HUD.

3. The conflict of interest prohibition under this section may be waived by the HUD field office for good cause.

4. No LBHA employee shall hold outside employment that discredits the HA or negatively affects their performance on the job at the Housing Authority.

5. No LBHA employee shall fraternize or socialize with suppliers (including landlords) or participants, when the employee is in a position to make decisions/determinations regarding the landlord's or participant's participation in Authority programs.

B. ACCEPTANCE OF GIFTS

The LBHA prohibits the solicitation or acceptance of gifts or gratuities, in excess of a nominal value, by any officer or employee of the LBHA, or any contractor, subcontractor or agent of the LBHA.

V. REASONABLE ACCOMMODATIONS POLICY [24 CFR 100.202]

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

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

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

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

A history of 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 may be considered disabled. However, a current drug user is not covered. In accordance with 24 CFR 5.403 and paragraph 3 of Section 3(b) of the 1937 Act, (42 U. S. C. 1437a (b) (3)), individuals are not considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence. Individuals whose drug or alcohol addiction is a material factor to their disability are excluded from the definition.

Individuals are considered disabled if disabling mental and physical limitations would persist if drug or alcohol abuse discontinued.

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

The HA reserves the right to propose an alternate accommodation that may more appropriately meet the needs of the disabled family member.

If the HA finds that the requested accommodation creates an undue administrative or financial burden, the HA will deny the request and/or present an alternate accommodation that will still meet the need of the person.

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

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

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

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

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

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

VI. TRANSLATION OF DOCUMENTATION

The Housing Authority has bilingual staff to assist families with limited English proficiency. The Housing Authority has Spanish language versions of many standard housing documents.

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

1. Number of possible applicants and participants in the jurisdiction with limited English proficiency who speak the other language.

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

3. The availability of local services to for persons with limited English proficiency.

4. Availability of bi-lingual staff to provide translation for persons with limited English proficiency.

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

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

VIII. PROVIDING INFORMATION REGARDING FAMILIES TO PROSPECTIVE OWNERS

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

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

A. PROVIDED ON THE REQUEST FOR APPROVAL OF TENANCY:

1. The family's current address

2. Name, address and phone number of family's current and previous landlord (if known)

B. PROVIDED WITH A CALL OF INQUIRY FROM THE LANDLORD AFTER THE REQUEST FOR ASSISTED TENANCY IS RECEIVED:

1. Information about any previous outstanding damage claims paid on behalf of the family

2. Any information about program warnings in the file or past program termination

3. Information in the participant file concerning landlord warning or eviction notices, police reports at an assisted unit, court actions involving restraining orders or FEDs.

4. Information about housekeeping or other special inspections conducted and/or maintenance charges assessed to families who were prior tenants in an Authority managed unit, as it pertained to that unit only, in response to a Landlord inquiry.

IX. DISAPPROVAL OF OWNERS

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

1. Violated obligations under a Housing Assistance Payments Contract with the Housing Authority

2. Committed fraud, bribery or any other corrupt or criminal act in conjunction with any federal housing program

3. Engaged in drug trafficking, or manufacture of a controlled substance

4. A history of non compliance with HQS for units leased under the Authority's Voucher or moderate rehabilitation programs

5. A history of renting units that fail to meet local housing codes

6. A history of non-payment of real estate taxes

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

X. MANAGEMENT OF RECORDS REQUIREMENTS

A. USE

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

1. APPLICANT SCREENING FOR ADMISSION TO HAP PROGRAMS INCLUDING:

    a) *Housing Choice Voucher Program*

    b) *Project-based Moderate Rehabilitation*

2. CONTINUING ELIGIBILITY AND PROGRAM COMPLIANCE

B. DISCLOSURE

The HA may disclose the criminal records that are received from a law enforcement agency only as follows:

1. Officers or employees of the HA

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

C. RESTRICTIONS

The HA will ensure that any criminal record received from a law enforcement agency is:

1. Maintained confidentially

2. Not misused or improperly disseminated

3. Destroyed, once the purpose(s) for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the HA action without institution of a challenge or final disposition of litigation

D. EXCLUSIONS

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

CHAPTER 2
ELIGIBILITY FOR ADMISSION

I. INTRODUCTION

This Chapter defines the LBHA's criteria for admission and denial of admission to the program. Our policy is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The LBHA staff will review all information provided by the family carefully. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the LBHA pertaining to their eligibility.

II. ELIGIBILITY

The PHA accepts applications only from families whose head or spouse is at least 18 years of age or has been emancipated by law.

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

1. Meet the definition of family (see 24 CFR 982.2I0 and the definitions in Section XXV).
2. Be income eligible in accordance with 24 CFR 982.20I.
3. Provide documentation as required by 24 CFR 5.200, 5.500, and 982.201.
4. Be a U.S. citizen or eligible immigrant, as determined by HUD.
5. Fulfill all required family obligations as required by 24 CFR 982.551, and outlined on the Housing Choice Voucher, the HA's Supplement to Family Obligation (the HA interpretation of the Family Obligations) and the Supplement to Family Obligations for Targeted Programs, if applicable. (See SECTION XXXI APPENDIX, C, SECTION 8 FAMILY OBLIGATIONS 24CFR 982.551)
6. If convicted of a serious crime, the applicant is eligible to apply for assistance after five (5) years. This time does not include any period of incarceration.
7. Have an Annual Income at the time of admission that does not exceed the "very low" status of the area median income limits for occupancy established by the LBHA.

III. INELIGIBLE FAMILIES

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 "Complaints and Appeals" chapter for additional information about reviews and hearings.

CHAPTER 3
APPLYING FOR ADMISSION

I. INELIGIBLE FAMILIES

The policy of the LBHA is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply.

II. APPLICATION PROCESS

The purpose of application taking is to permit the PHA to gather information and determine placement on the waiting list. The application will contain questions designed to obtain pertinent program information. The Housing Authority will follow application procedures as given in (24 CFR 982.204(b)).

Families who wish to apply for any one of the PHA's programs must complete a written application form when application-taking is open. Applications will be made available in an accessible format upon request from a person with a disability.

III. OPENING/CLOSING OF APPLICATION TAKING

A. OPENING THE WAITING LIST

The PHA will utilize the following procedures for opening the waiting list:

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

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

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

1. Community Human Services
2. Senior Services / Disability Services Office
3. Community Outreach

B. CLOSING THE WAITING LIST

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

The PHA may stop applications if there are enough applicants to fill anticipated openings for the next 12 months. The LBHA will announce the closing of the waiting list by public notice. The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

C. LIMITS ON WHO MAY APPLY

When the waiting list is open, any family asking to be placed on the waiting list for Section 8 rental assistance will be given the opportunity to complete an application.

When the application is submitted to the LBHA, it establishes the family's date and time of application for placement order on the waiting list.

D. TIME OF SELECTION

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

Based on the PHA's turnover and the availability of funding, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

E. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

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

CHAPTER 4
ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

I. INTRODUCTION

It is the PHA'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.

The PHA uses a single waiting list for admission to its Section 8 tenant-based assistance program.

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

II. SELECTION

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

III. REMOVAL FROM THE LIST

If an applicant fails to respond to a top-of-list notice within the time specified in the letter, their name will be removed from the list. The only exceptions will be for Reasonable Accommodation or an act that is considered beyond the family's control, (i.e., hospitalization, accident, or documented theft of mail, etc.). Documentation will be required to consider a request for an exception. (Incarceration in jail or prison is an unacceptable reason). Applicants who turn down assistance when available will be removed from the Section 8 waiting list. A family will lose its place on the active waiting list permanently and will have to reapply for assistance if they do not respond to a "Top of the List Letter" before the deadline given on the letter.

IX. WAITING LIST RANKING AND PRIORITY PLACEMENT FOR ASSISTANCE

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

A. THE HOUSING AUTHORITY HAS THREE PREFERENCES:

1. Those qualifying for priority placement for set aside Vouchers when openings occur.

2. Terminally Ill: (a.) A household member who is likely to die within two years in spite of medical treatment.

3. Families with children, pregnant or a disabled member, and singles who are elderly, disabled, or handicapped shall be offered assistance before any non elderly, non handicapped/disabled single, or any family without children or a disabled member.

B. THE HOUSING AUTHORITY HAS FIVE PROGRAMS FOR PRIORITY PLACEMENT USING SET ASIDE VOUCHERS:

1. NON-ELDERLY DISABLED FAMILIES (MAINSTREAM VOUCHERS):
   A total of 100 Vouchers have been received and designated for non-elderly disabled families (a family where head and /or spouse is handicapped or disabled but not elderly). These applicants will be selected from the regular Section 8 waiting list by date and time of application, and shall retain the original Mainstream Voucher the entire time they participate in Section 8, unless the family ceases to be considered a non-elderly, disabled family. In that event, the family would receive a regular Section 8 Voucher, and the Mainstream Voucher will be given to the next disabled, non-elderly family on the waiting list.

2. HOMELESS MENTAL HEALTH (HMH):
   A total of 28 Vouchers have been designated for chronically mental ill or developmentally disabled families who are homeless or under imminent threat of becoming homeless. To be eligible, the household must be under treatment by a mental health agency and must be cooperating with that treatment. The agency making the referral must send a letter stating that the Household is eligible for this priority placement, is cooperating with treatment, and request one of the set aside Vouchers be used for the family (form for letter is supplied by the HA). A completed Section 8 Pre-App must accompany the letter, unless the applicant is already on the waiting list. In cases where the form letter or Pre-App is not included, the information received will be returned to the sending agency to be resubmitted in entirety. (See SECTION XXXI APPENDIX A1 for Targeted Programs Participation Supplemental Family Obligations)

3. FAMILIES IN TRANSITIONAL HOUSING PROGRAMS:
   A total of 23 Vouchers have been designated for families who are participating in or who have successfully completed participation in a recognized community based transitional housing program. 5 of the 23 total are reserved for families participating in the Second Chance Program administered by Community Services Consortium. Families given this priority must be cooperating fully with the transitional housing program. Program administrators will submit a letter requesting that a set aside Voucher be given to the family and acknowledge that the family is eligible and is cooperating with the program (form for letter is supplied by the HA). A completed Section 8 Pre App must accompany the letter, unless the applicant is already on the waiting list. In cases where the form letter or Pre App is not included, the information received will be returned to the sending agency to be resubmitted in entirety. (See

SECTION XXXI APPENDIX A.2 for Targeted Programs Participation Supplemental Family Obligations)

4. SURVIVORS OF DOMESTIC ABUSE (SDA):
   A total of 16 Vouchers have been designated for individuals who are in crisis and are participating in a transitional housing program through Community Outreach and CARDV. Individuals given this priority must be cooperating fully with the transitional housing program. Program administrators will submit a letter requesting that a set aside Voucher be given to the family and that they are eligible and cooperating with the program (form for letter is supplied by the HA). A completed Section 8 Pre App must accompany the letter, unless the applicant is already on the waiting list. In cases where the form letter or Pre App is not included, the information received will be returned to the sending agency to be resubmitted in entirety. (See SECTION XXXI APPENDIX A.3 for Targeted Programs Participation Supplemental Family Obligations)

5. TEEN PARENT PROGRAM:
   A total of 25 Vouchers have been designated for teens participating in teen parent programs. 5 of the 25 total are reserved for teens participating in Community Services Consortium's "Brock Home" for pregnant or parenting teens. The "teen" must be under 21, but if under 18, be fully emancipated or have been designated by Adult and Family Services or Services to Families with Children to be administratively capable of living on their own, and must be fully cooperating with a teen parent program within the Task Force (or CSC). A Teen Parent Task Force member (or CSC Brock Home Casemanager) must send a letter requesting a set aside Vouchers and indicating the teen parent is eligible and cooperating with the program (form for letter is supplied by the HA). A completed Section 8 Pre App must accompany the letter, unless the applicant is already on the waiting list. In cases where the form letter or Pre App is not included, the information received will be returned to the sending agency to be resubmitted in entirety. A teen under 17 WILL NOT be considered for this program unless there is a threat of physical or mental abuse to either the teen or child (children). In this case, a special exception may be considered. ALL HOUSEHOLD MEMBERS who participate in this targeted program must be under 21 years of age. (See SECTION XXXI APPENDIX A4 for Targeted Programs Participation Supplemental Family Obligations)

C. CONDITIONS FOR PRIORITY PLACEMENT

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

After being granted housing assistance in a priority program (2 - 5), a family will continue to receive a designation as participating in a priority FOR A PERIOD OF ONE YEAR. At that time they will no longer be considered to be using a priority Voucher and the priority Voucher will become available for another family participating in that particular program.

CHAPTER 5
SUBSIDY STANDARDS

I. INTRODUCTION

HUD guidelines require that PHA's establish subsidy standards for the determination of family unit size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding.

II. DETERMINING FAMILY UNIT (VOUCHER) SIZE

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

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

The Voucher size issued is based on smallest number of bedrooms (assuming a maximum of two persons per bedroom) that is consistent with the following constraints:

1. Persons of the opposite sex (other than children under the age of six or persons in a spousal type relationship) will not be required to share a bedroom.

2. Persons under the age of 18 will not be required to share a bedroom with an adult. In cases where a child in the household becomes 18 years of age, and there is another adult of the same sex living in the unit, the family will make the transition for the parent/other adult member to share a bedroom with the adult child during the three year time period between when the adult child turns 18 and 21 years of age. If the family moves to another unit during the transition period, the adult child and parent/other adult member will be given 1 bedroom.

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

4. Live in aides will not be required to share a bedroom with a member of the participant family. However, in no case will a live in aide (or the live in aide's family members) be given more than one additional bedroom. A family will be given 6 months to request addition of Live-In Aid. If it is not requested within this time period, the bedroom size will be reduced if no Live-In Aid resides in the household. The HA will decline to approve a particular person as a live-in-aide for a person with disabilities, or will withdraw approval if the proposed live-in-aide:

- Commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program

- Commits drug-related criminal activity or criminal activity as outlined in Section XXII of the Admin Plan.

- Currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Housing Act.

- Has been terminated previously from the Section 8 Program due to program non-compliance.

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

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

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

III. ADDITIONS TO THE HOUSEHOLD

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

1. If HA and Landlord approve addition, the family will complete paperwork with the new person listed.

2. If Addition to Household is denied, the HA will send the participant an ineligibility letter (form letter), stating the reason for denial. Some reasons for denial might be a recent criminal history, owing money for a previous claim, or a history of alcohol or drug abuse (resulting in disruption of the peaceful enjoyment of the neighborhood at a previous address).

II. SPECIAL HOUSING TYPES

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

CHAPTER 6
FACTORS RELATED TO TOTAL TENANT PAYMENT AND FAMILY SHARE DETERMINATION

I. INTRODUCTION

The PHA will use the methods as set forth in this Administrative Plan to verify and determine that family income at admission and at annual 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.

II. MINIMUM INCOME

There is no minimum income requirement. Families who report zero income are required to complete a written certification every month.

Families that report zero income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

III. MINIMUM RENT [24 CFR 5.616]

"Minimum rent" is $50 per month. Minimum rent refers to the Minimum Total Tenant Payment (TTP) and includes the combined amount a family pays towards rent and/or utilities when it is applied.

IV. HARDSHIP EXTENSION

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

Things to be considered when granting a hardship exception:

1. Determination that the family has had no income in which to pay the rent.

2. Extreme medical expenses which, when verified, left the family with no money in which to pay the rent

3. The family, through circumstances beyond their control, are without money to pay the rent

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

V. LENGTH OF ABSENCE FROM THE UNIT

Families who are absent from the unit must notify the Authority in writing within l0 working days at the beginning of their absence. Subsidy may continue on the unit up to 182 days except in the case of voluntary absences. Upon receipt of the notice from the family the Housing Authority will determine the type of absence from the unit.

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

A. VOLUNTARY ABSENCE

Absence in which the family has some control. This includes things such as trips, vacations, employment outside the area, etc. When absences by all adult members of the household exceed 60 consecutive days, it will no longer be considered their principal place of residence. If adults are absent more than 182 non- consecutive days in a 12-month period, it will no longer be considered the principal place of residence, and assistance will be terminated. For the purpose of this section incarceration in a correctional facility or penal institution shall be considered a voluntary absence.

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

B. INVOLUNTARY ABSENCE

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

C. IN ALL CASES

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

CHAPTER 7
VOUCHER ISSUANCE AND BRIEFINGS

I. INTRODUCTION

The LBHA'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.

II. ISSUING VOUCHERS

Appointment letters will be sent to applicants pulled from the waiting list who have responded as directed prior to the deadline, and whose income, assets, and expenses have been verified according to regulations, for a briefing and will advise the applicant what information to bring to the briefing. Applicants must attend a briefing in order to be issued a Voucher. Briefings give applicants information on how the program works. Topics covered are listed in 24 CFR 982.301. An applicant that is unable to attend a briefing, and requests an alternate appointment before the time of the briefing arrives, will be scheduled for another briefing. Failure to attend this second scheduled briefing without prior notice will result in the family being removed from the waiting list. A family will be rescheduled for a briefing only twice; if a family does not attend one of the scheduled briefings, the family will be removed from the waiting list.

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

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

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

A. TERM OF VOUCHER

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

B. SUSPENSIONS

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

III. SUBSIDY IN CASES OF FAMILY BREAKUP

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

The adult:

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

IV. OCCUPANCY POLICY

A. INITIAL TERM OF THE LEASE

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

discretion to limit some participants to a 12 month lease based on previous lease transfer history.

B. EFFECTIVE DATE OF THE LEASE

The effective date of lease addendum and Housing Assistance Payments Contract is the date the unit **PASSES** HQS inspection, or the date the lease actually starts, whichever is later. The Housing Authority is not allowed to begin Housing Assistance Payments until the dwelling passes the HQS inspection.

CHAPTER 8
REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION

I. Introduction:

The LBHA'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. The LBHA's objectives include 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 the PHA, or outside of the PHA'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 the PHA.

II. REQUEST FOR TENANCY APPROVAL

The Request for Approval of Tenancy must be signed by both the owner and voucher holder.

The PHA will not permit the family to submit more than one RFTA at a time.

The PHA will review the proposed lease and the Request for Tenancy Approval documents to determine whether or not they are approvable under (24 CFR 982.302, 982.305(b)).

III. HOUSING ASSISTANCE PAYMENTS TO OWNER

The housing assistance payment is deemed paid to the owner upon mailing by Linn-Benton Housing Authority.

CHAPTER 9
HOUSING QUALITY STANDARDS AND INSPECTIONS

I. 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.

The Authority uses the regulatory Housing Quality Standards (HQS) as described in 24 CFR 982.401. The Housing Authority also has the following local HQS requirement(s):

A. WELL WATER TEST

A well water test within the last 24 months showing the absence of coliform and E. coli is required for all assisted dwellings that use a well as the domestic water source. Where the well water test includes an elevated level of bacteria and nitrates, the septic tank must be pumped or certified that those levels are not related to septic tank operations. In cases where the water test is unacceptable, the landlord will provide the family with an alternate source of water for drinking and cooking until the well water is acceptable.

B. REPAIR AGREEMENT

If repairs are dependant on weather conditions in order to be completed, the HA will offer the landlord a repair agreement for the repairs to be completed within a specific time frame. If the owner does not return the repair agreement as required, or repairs are not completed as agreed upon, the unit will be considered in HQS violation and the rent will be abated. If repairs are not completed within the following 30 days, the HAP contract will be terminated.

C. LEAD-BASED PAINT REIMBURSEMENT

If deteriorated paint is found during an inspection, it must be stabilized (cleaned up and/or repaired) within 30 days and a certified LBP clearance test passed before we are allowed to pass the unit and continue making Housing Assistance Payments. A Risk Assessment test may be done on the dwelling instead to determine whether the painted surfaces contain lead. If our HQS Inspection requires a Lead Clearance test, the owner or landlord may request reimbursement equal to the cost of the test or $150, whichever is less. To receive this reimbursement, the landlord must:

1. Have a current Housing Assistance Payment (HAP) contract in effect for the following family and dwelling.

2. Submit a copy of the Lead Clearance results or Risk Assessment results (unit must pass) and receipt of payment.

3. Complete a Request for Reimbursement from the Housing Authority.

II. INSPECTIONS

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. Inspections will be conducted on business days only. Reasonable hours to conduct an inspection are between 8:00 a.m. and 4:00 p.m.

CHAPTER 10
RENT REASONABLENESS AND PAYMENT STANDARDS

I. INTRODUCTION

The PHA will determine rent reasonableness in accordance with 24 CFR 982.507(a). It is the PHA'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 24 CFR 982.507(b).

II. RENT REASONABLENESS

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

A. METHOD FOR CONDUCTING THE RENT COMPARISON SURVEY

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

1. Basic Unit Information, such as location, condition of unit, number of bedrooms, type of unit, size of unit in square feet, number of baths, rent amount, etc.

2. Unit accessibility, such as access to transportation, shopping, schools, medical facilities, bus line, etc.

3. Unit Amenities, such as handicapped accessibility, Washer/dryer connection in unit, dishwasher, range and/or refrigerator provided, deck/patio, coin operated washer/dryer, cable included in rent, on-site manager, owner provided washer/dryer, water, sewer, or garbage paid by owner, microwave, carport or covered parking, etc.

4. Facilities included in the rent, such as a playground, parking, storage, swimming pool, rec room, exercise equipment, and maintenance such as lawn or yard care, etc.

B. APPLICATION OF COMPARISONS

1. Prior to execution of a HAP contract, each unit for which we have received a Request for Assisted Tenancy will be compared with two other units within the same general location, of the same unit size and type, similar amenities, accessibility, and facilities to ensure the rent being charged for the proposed assisted unit is reasonable and compares to other units of similar type

2. Each unit will complete a rent reasonableness comparison anytime there is a notice of rent increase given for the unit to ensure the rent is still comparable and isn't excessive.

III. VOUCHER PAYMENT STANDARD

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

IV. UTILITY ALLOWANCE UPDATES

A. AREA UTILITY RATES SURVEY

The Housing Authority will conduct a survey of area utility rates each year and utilities will be adjusted accordingly at each family's Annual Recertification. We will conduct the utility survey by calling all utility companies within our jurisdiction, including companies for water, sewer, garbage, electricity, natural gas, oil, and propane if needed. Results will be compiled in a chart(s) that will be available to the public at the reception desk.

B. UTILITY ALLOWANCE DISPUTES

If a family feels that the rates used to determine the utility allowance for the unit they want assisted under the Section 8 Program are excessive, they have the option of providing documentation of actual utility costs for the unit. The Authority will review all such documentation that is provided, and determine whether an adjustment of utility allowance should be given to the unit.

CHAPTER 11
RECERTIFICATIONS

I. INTRODUCTION

In accordance with HUD requirements, the PHA 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 regulations.

II. ANNUAL RECERTIFICATIONS

A Voucher family's income, assets, and expenses are recertified at least once every l2 months. If the effective date of the lease is a day other than the first of the month, the anniversary month will be the first day of the following month. Families are required to report, in writing (within 10 days of the date of the change), all changes in income, assets and family composition. Families will be notified approximately 120 days prior to the effective date of the Recertification. The HA will make every attempt to complete the recertification at least 30 days prior to the effective date, and will notify the participant and landlord in writing of any change in rent portions. The only exception to this policy will be when the assisted family has not cooperated or provided required verification in a timely manner as required by regulations.

A. CHANGE OF LIVE-IN STATUS:

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

B. AUTOMATIC TERMINATION OF ASSISTANCE ACCORDING TO 24CFR 982.445 (a):

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

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

III. INTERIM RECERTIFICATIONS

All rent reduction requests will be completed with the effective date as the first of the following month when the necessary verifications are received prior to the 20th of the month. Interim Recertifications will be completed in accordance with our Interim Re-Exam Procedure. FSS Families may request a rent increase be completed anytime they have an increase of income,

in order to increase their FSS escrow account deposits. The Authority will conduct determinations of eligibility for all additions to the household prior to giving approval.

A. CATEGORIES FOR INTERIM CHANGES

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

1. DOWNWARD CHANGES

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

2. NO INCOME FAMILIES

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

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

3. INACCORATE/INCOMPLETE REPORTING

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

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

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

4. INCREASE OF INCOME

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

5. A CHANGE IN HOUSEHOLD COMPOSITION

   If required, income will be verified and a change of rent will be completed if there is a change in household composition. The Participant Rent Change Notice will reflect the added household member(s). If the household composition change requires a smaller Voucher size, the family will be allowed to stay at the larger Voucher size until the effective date of the next annual Recertification, if there is less than 6 months remaining. If they move to another unit, they will be issued the appropriate Voucher for the new family composition. Voucher size only changes at recertification.

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

CHAPTER 12
PORTABILITY /MOVES WITH CONTINUED ASSISTANCE

I. INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the LBHA's jurisdiction, or to a unit outside of the LBHA's jurisdiction under portability procedures. XXVII.

II. PORTABILITY

The Authority administers portability in accordance with the regulations as outlined in 24 CFR 982.353, 354 and 355. If an applicant is not a resident of the Authority's jurisdiction at the time of application, the family is not eligible to use portability for l2 months from the time the applicant was first admitted to the program.

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

III. LEASE TRANSFERS WITHIN LBHA JURISDICTION

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

A. LEASE TRANSFER CAUSED BY CHANGE IN FAMILY COMPOSITION

If the HA determines that a unit does not meet subsidy standards because of a change in family composition, the HA will issue the family a new voucher at the next annual recertification that is the appropriate size for the family. A family will have up to 60 days to move to a different unit or request an extension. The only exception to the policy will be in the case of hardship for a family with a disabled member, or the transition of a family member from age 18 to 21 as outlined in Section XVII.B of the Admin Plan.

CHAPTER 13
CONTRACT TERMINATIONS

I. INTRODUCTION

The Housing Assistance Payments (HAP) contract is the contract between the owner and the LBHA which defines the responsibilities of both parties. The LBHA will follow all regulatory practices put into law by (24 CFR 982.311, 982.314).

II. TERMINATION BY OWNER

If an owner wishes to evict an occupant, they must do so with proper documentation, as stated in the lease. Copies of all paperwork must be sent to the Housing Authority.

III. VOLUNTARY TERMINATION

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

IV. TERMINATION BY THE LBHA

The term of the HAP contract terminates when the lease terminates, when the PHA terminates program assistance for the family, when the family moves from the assisted unit and when the owner has breached the HAP contract.

CHAPTER 14
DENIAL OR TERMINATION OF ASSISTANCE

I. INTRODUCTION

The HA may deny or terminate assistance for a family because of the family's action or failure to act. The HA will provide families with a written description of the family obligations under the program, the grounds under which the HA can deny or terminate assistance, and the HA's informal review and hearing procedures.

II. DENIAL OR TERMINATION OF ASSISTANCE:

When the HA receives information that would normally lead to denial or termination of assistance, the HA will notify the household of the proposed action to be based on the information and will provide the subject of such information. The applicant or participant will receive a copy of such information, and be given an opportunity to dispute the accuracy and relevance of the information. This opportunity will be provided before a denial of eligibility decision or termination of assistance decision is made based on the information.

A. MANDATORY GROUNDS FOR DENIAL OR TERMINATION OF ASSISTANCE (24 CFR 982.552(b))

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

1. METHAMPHETAMINE: The HA must permanently deny assistance to applicants, and terminate the assistance of persons convicted of manufacturing or producing Methamphetamine on the premises of federally assisted housing.

2. SEX OFFENDERS: The HA must deny admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

3. EVICTION: The HA must terminate program assistance for a family evicted from housing assisted under the program for a serious violation of the lease.

4. SIGN AND SUBMIT CONSENT FORMS: The HA must deny admission to the program for an applicant or terminate program assistance for a participant, if any member of the family fails to sign and submit consent forms for obtaining information in accordance with Part 5, subparts B and F of this title.

5. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS: The HA must deny admission or terminate program assistance if a family member does not establish citizenship or eligible immigration status according to 24CFR 5.514 (c)

B. OTHER GROUNDS FOR DENIAL OR TERMINATION OF ASSISTANCE (24 CFR 982.552(c))

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

1. If the family violates any family obligations under the program (see 24 CFR 982.551).

2. If any family member has been evicted from federally assisted housing in the past five (5) years.

3. If an HA has ever terminated assistance under the program for any member of the family.

4. If any member of the family has committed (or commits) drug-related criminal activity, or violent criminal activity (see 24 CFR 982.553). Evidence of criminal activity: In determining whether to deny or terminate assistance based on drug-related criminal activity or violent criminal activity, the HA may deny or terminate assistance if the preponderance of evidence indicates that a family member has engaged in such activity, regardless of whether the family member has been arrested or convicted. 24 CFR 982.553 Section (c)

5. If any member of the family had committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program within the last five (5) years.

6. If the family currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 act.

7. If the family has not reimbursed any HA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.

8. If the family breaches an agreement with the HA to pay amounts owed to an HA, or amounts paid to an owner by an HA. (The HA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to an HA or amounts paid to an owner by an HA. The HA may prescribe the terms of the agreement.)

9. If a family participating in the FSS program fails to comply, without good cause, with the family's FSS contract of participation.

10. If the family has engaged in or threatened abusive or violent behavior toward any HA personnel.

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

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

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

C. CONSIDERATION OF CIRCUMSTANCES (24 CFR 982.552)

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

1. The Housing Authority may consider all relevant circumstances such as the seriousness of the case, the extent of the participation or responsibility of individual family members, mitigating circumstances relating to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

2. The Housing Authority may impose, as a condition of continued assistance for other family members, a requirement that other family members who participated in or were responsible for the action or failure will not reside in the unit. The Housing Authority may permit the other members of a participant family to continue to receive assistance.

3. In determining whether to deny admission or terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the HA may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. For this purpose the HA may require the applicant or participant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

4. If the family includes a person with disabilities, and consideration is requested by the participant family, the HA decision concerning such action is subject to consideration of reasonable accommodation.

5. The Housing Authority's admission and termination actions will be consistent with fair housing and equal opportunity provisions.

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

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

a) Consider whether the household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. The Housing Authority may require the applicant or participant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

b) Choose not to consider whether the person has been rehabilitated.

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

A. OPPORTUNITY TO DISPUTE

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

1. INVOLUNTARY TERMINATION

Termination of Eligibility for Section 8 rental assistance is an action taken by LBHA as a direct result of the participant's action or inaction. The participant violates one or more of the Section 8 Family Obligations if:

a) Participant has failed to provide information or verification, complete paperwork as requested, keep appointments, or if three (3) letters are sent asking the participant to take the necessary action. The third letter will be a "Final Warning" letter, stating that unless they take the action described, their assistance will be terminated.

b) The assisted unit fails to meet HQS. Because of a participant responsibility, two (2) letters requesting participant action will be sent, not to exceed the 30 day period allowed by HQS Regulations. The first one being the "Fail Letter" from inspection; the last one being the "Final Warning" letter stating that unless they take the action described, their assistance will be terminated. For serious or life threatening violations, (2) two requests may be waived.

c) A participant fails to be home (or fails to have an alternate person over 18 years of age be available) for two scheduled inspections, and has not called to reschedule in advance, termination of assistance will proceed.

d) The participant has violated other family obligations, termination may proceed with or without warnings as circumstances indicate, and at the discretion of the HA.

e) It is the first occurrence of a violation of family obligations, and the violation was believed by the HA to be unintentional, and depending on the severity of the circumstances, the participant may be allowed to remain on the program, by signing a Program Violation Warning, and Repayment Agreement if necessary. If the participant violates the same obligation twice, termination will proceed. In no case shall a participant be offered more than a total of two Program Violation Warnings during their participation.

2. TERMINATION DATE

The date of termination may vary. Generally, the notice is for thirty (30) days or to the last day of the month following the date the termination letter is sent. In some cases where the participant has moved out of the assisted unit, and a landlord is not involved, the termination date will be immediate, with the participant being given the opportunity for an informal hearing.

3. EVIDENCE

There will be a preponderance of evidence in the file to support the reasons for termination.

4. REPAYMENT
Whenever the termination is due to failure of the participant family to report income or change of family composition resulting in an overpayment of assistance, demand for repayment of said money will be stated in the termination letter.

5. LANDLORD WILL RECEIVE LETTER

If the participant is still in the unit, the Landlord is sent the Termination of Housing Assistance Payments letter at the same time the participant letter is mailed.

6. HEARINGS

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

IV. INELIGIBILITY AND TERMINATION OF ASSISTANCE SANCTIONS

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

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

C. Applicants who engage in any form of violent or drug related criminal activity will be ineligible to apply for housing assistance for a period of five (5) years from the date of the last commission of said activity. Applicants convicted of possession of a controlled substance for personal use only, are eligible after 12 months or the completion of a drug rehabilitation program, whichever comes first.

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

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

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

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

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

c) There is evidence that there has been a PATTERN OF ILLEGAL USE OF A CONTROLLED SUBSTANCE OR A PATTERN OF ABUSE OF ALCOHOL that interferes with the health and safety of the public at large (including

property), including, but not limited to, repeated DUII's, or repeated arrests that involve such patterns of abuse.

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

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

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

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

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

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

H. Mandatory Denial and Ineligibility

a) METHAMPHETAMINE: The HA MUST permanently deny assistance to applicants, and terminate the assistance of persons convicted of manufacturing or producing Methamphetamine on the premises of federally assisted housing.

b) SEX OFFENDERS: The HA MUST deny admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

CHAPTER 15
OWNER OR FAMILY DEBTS TO THE PHA

I. INTRODUCTION

It is the LBHA'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 the LBHA's claim that the debt is owed. When families or owners owe money to the LBHA, the LBHA will make every effort to collect it. The LBHA will use a variety of collection tools to recover debts and will follow procedures as laid out in (24 CFR 982.552).

II. AMOUNTS OWED TO THE AUTHORITY BY PARTICIPANTS

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

If an applicant owes any Housing Authority for amounts owed as a previous Section 8 participant, a Public Housing participant, or participation under another housing program funded under the Housing Act of l937 (the l937 Act), the Authority will NOT place the applicant's name on the waiting list. The applicant will be sent a letter stating that they are ineligible to apply until the amounts owed to LBHA or any other HA is paid in full. When the amount owed is PAID IN FULL, their application will be accepted, unless a separate sanction waiting period exists due to termination from the program for a breach (or breaches) of Family Obligations.

If a participant owes any Housing Authority for amounts owed as a Section 8 participant, a Public Housing participant, or a participant under another l937 Act assisted housing program, the Authority will not issue a new Voucher, approve a lease, or enter into a new Housing Assistance Payments Contract for the participant until the full amount has been paid, or the participant has entered into a repayment agreement and is in good standing (not more than one month in arrears).

CHAPTER 16
COMPLAINTS AND APPEALS

I. INTRODUCTION

The informal hearing requirements defined in HUD regulation are applicable to participating families who disagree with an action, decision, or inaction of the LBHA. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the LBHA to ensure that all families have the benefit of all protections due to them under the law.

II. COMPLAINTS TO THE LBHA

The LBHA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The LBHA does require that complaints other than HQS violations be put in writing. HQS complaints may be reported by telephone.

III. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION

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

IV. INFORMAL REVIEWS AND HEARINGS

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

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

A. INFORMAL REVIEW FOR AN APPLICANT (24 CFR 982.554)

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

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

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

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

    b) The applicant must be given an opportunity to present written or oral objections to the HA decision.

    c) The HA must notify the applicant of the HA final decision after the informal review, including a brief statement of the reasons for the final decision. Generally this will be done within 10 working days of the date of the review.

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

    a) Discretionary administrative determinations by the HA

    b) General policy issues or class grievances

    c) Establishment of the PHA schedule of utility allowances for families in the program

    d) An HA determination not to approve an extension or suspension of a Voucher Term

    e) An HA determination not to approval a unit or tenancy

    f) An HA determination that a unit selected by the applicant is not in compliance with HQS

    g) An HA determination that a unit selected by the applicant is not in compliance with HQS because of the family size or composition

    h) A determination by the HA to exercise or not to exercise any right or remedy against the owner under a HAP contract.

B. INFORMAL HEARING FOR A PARTICPANT (24 CFR 982.555)

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

1. *When a hearing is required*

   a) An HA must give a participant family an opportunity for an informal hearing to consider whether the following HA decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD Regulations and HA policies:

      (i) A determination of the family's annual or adjusted income, and use of such income to compute the housing assistance payment.

      (ii) A determination of the appropriate utility allowance (if any) for participant paid utilities from the HA utility allowance schedule.

      (iii) A determination of the family unit size under the HA subsidy standards.

      (iv) A determination that a certificate program family is residing in a unit with a larger number of bedrooms than appropriate for the family size under HA subsidy standards, or the HA determination to deny the family's request for an exception from the standards.

      (v) A determination to terminate assistance for a participant family because of the family's action or failure to act (see 24 CFR 982.552)

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

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

2. *When a hearing is not required*

   The HA is not required to provide a participant family an opportunity for an informal hearing for any of the following:

   a) Discretionary administrative determinations by the HA

   b) General policy issues or class grievances

c) Establishment of the HA schedule of utility allowances for families in the program

d) HA determination not to approve an extension or suspension (tolling) of a Certificate or Voucher term

e) HA determination not to approve a unit or lease

f) HA determination that an assisted unit is not in compliance with HQS. However, the HA must provide the opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS caused by the family as described in 24 CFR 982.551.

g) HA determination that the unit is not in accordance with HQS because of the family size

h) A determination by the HA to exercise or not exercise any right or remedy against the owner under a HAP contract.

3. *Notice to the family*

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

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

(i) Contain a brief statement of the reasons for the decision;

(ii) State that if the family does not agree with the decision, the family may request an informal hearing on the decision; and

(iii) State the deadline for the family to request an informal hearing in writing (within 10 days of the date of the notice).

4. *Expeditious hearing process*

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

5. *Hearing Procedures*

The hearing procedure will be as follows:

a) The hearings officer will call the hearing to order and state the issue to be decided.

b) Each person present shall then state his or her name for the record, beginning with the hearings officer. The HA may record the hearing for further review.

c) After each person has stated his or her name, testimony will be taken regarding the issue, beginning with the Housing Authority.

d) After the Housing Authority has stated its case, the participant will state its case.

e) The participant may question the Housing Authority's testimony and examine any evidence presented.

f) The Housing Authority may question the participant's testimony and examine any evidence it presents.

g) After all testimony has been heard, and all evidence presented, the hearing will be adjourned.

h) Generally, within 10 working days, the LBHA hearings officer will send written notification of the hearing determination to the participant. The decision of the Hearings Officer must be in writing, must be based solely on evidence provided at the hearing, and must state the legal and evidentiary grounds for the decision.

6. *Discovery*

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

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

7. *Documents*

The term "documents" includes records and regulations.

a) Representation of the Family

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

b) Hearings Officer: Appointment and Authority

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

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

c) Evidence

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

d) Issuance of decision

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

8. *Effect of decision*

The HA is not bound by a hearing decision:

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

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

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

C. 504 GRIEVANCE PROCEDURE

Any participant in the Linn-Benton Housing Authority's Section 8 and or Moderate Rehabilitation program who believes she/he has been discriminated against because of a disability may request a hearing with the Linn-Benton Housing Authority on the basis of disability, may file a complaint with a government agency, or both. A hearing request

may involve an allegation against any person alleged to be engaged, or to have been engaged, about to engage, in a discriminatory housing practice as prohibited in Section 504 of the Rehabilitation Act of 1973, as amended by the Fair Housing Act.

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

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

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

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

CHAPTER 17
HOMEOWNERSHIP

I. SECTION 8 HOMEOWNERSHIP OPTION

A. GENERAL PROVISIONS

The Section 8 Home Ownership Option permits eligible participants in the Section 8 housing choice voucher program, including participants with portable vouchers, the option of purchasing a home with their Section 8 assistance rather than renting. The home ownership option is limited to one percent (1%) of the total Section 8 voucher program administered by LBHA in any fiscal year, provided that elderly and disabled families shall not be subject to the 1% limit. Participants shall receive priority for the home ownership option as set forth in Section 2.F.(2).

Eligible applicants for the Section 8 home ownership option must have completed an initial 12 month Section 8 lease term, may not owe LBHA or any other Housing Authority an outstanding debt, and must meet the eligibility criteria set forth herein.

Section 8 home ownership assistance may be used to purchase the following type of homes within the Linn & Benton counties: new or existing single-family, condominium, cooperatives, land trust, live/work units, or manufactured homes. LBHA also will permit portability of Section 8 home ownership assistance to another jurisdiction, provided the receiving jurisdiction offers the Section 8 home ownership option and is accepting new home ownership families.

B. FAMILY ELIGIBILITY REQUIREMENTS

Participation in the Section 8 home ownership option is voluntary. Each Section 8 home ownership participant must meet the general requirements for admission to the Section 8 housing choice voucher program as set forth in LBHA's Administrative Plan. Such Section 8 family also must be "eligible" to participate in the home ownership option. The additional eligibility requirements for participation in LBHA's Section 8 home ownership option include that the family must: (A) be a first-time homeowner or have a member who is a person with disabilities; (B) with the exception of elderly and disabled households, meet a minimum income requirement without counting income from "welfare assistance" sources; (C) with the exception of elderly and disabled households, meet the requisite employment criteria; (D) have completed an initial 12 moth lease term in the Section 8 housing choice voucher program; (E) have fully repaid any outstanding debt owed to LBHA or any other Housing Authority; (F) not defaulted on a mortgage securing debt to purchase a home under the home ownership option; and (G) not have any member who has a present ownership interest in a residence at the commencement of home ownership assistance.

1. FIRST-TIME HOMEOWNER
   A Section 8 family exercising the Homeownership option, except families with a disabled member, must be a first-time homeowner. A "first-time homeowner" means that no member of the household has had an ownership interest in any residence during the three years preceding commencement of home ownership assistance. However, a single parent or displaced homemaker who, while married, owned a home with a spouse (or resided in a home owned by a spouse) is considered a "first-time homeowner" for purposes of the Section 8 homeownership option; and the right to purchase title to a residence under a lease-purchase agreement is not considered an "ownership interest." A member of a cooperative (as defined in § 982.4) also qualifies as a "first time homeowner".

2. MINIMUM INCOME REQUIREMENT

   a) Amount of Income
   At the time the family begins receiving homeownership assistance, the head of household, spouse, and/or other adult household members who will own the home, must have a gross annual income at least equal to the Federal minimum hourly wage multiplied by 2000 hours.

   b) Exclusion of Welfare Assistance Income.
   With the exception of elderly and disabled families, LBHA will disregard any "welfare assistance" income in determining whether the family meets the minimum income requirement. Welfare assistance includes assistance from Temporary Assistance for Needy Families ("TANF"); Supplemental Security Income ("SSI") that is subject to an income eligibility test; food stamps; general assistance; or other welfare assistance specified by HUD. The disregard of welfare assistance income under this section affects the determination of minimum monthly income in determining initial qualification for the home ownership option. It does not affect the determination of income-eligibility for admission to the Section 8 housing choice voucher program, calculation of the family's total tenant payment, or calculation of the amount of home ownership assistance payments.

3. EMPLOYMENT HISTORY
   With the exception of disabled and elderly households, each family must demonstrate that one or more adult members of the family who will own the home at commencement of home ownership assistance is employed full-time (an average of 30 hours per week) and has been so continuously employed for one year prior to execution of the sales agreement. In order to reasonably accommodate a family's participation in the program, LBHA will exempt families that include a person with disabilities from this requirement. LBHA's Executive Director may also consider whether and to what extent an employment interruption is considered permissible in satisfying the employment requirement. The Executive Director may also consider successive employment during the one-year period and self-employment in a business.

4. COMPLETION OF INITIAL LEASE TERM
   Applicants for and new participants in the Section 8 housing choice voucher program

shall be ineligible for participation in the Section 8 home ownership option until completion of an initial Section 8 lease term of 12 months and the participant's first annual re-certification in the Section 8 housing choice voucher program. Nothing in this provision will preclude Section 8 participants that have completed an initial lease term in another jurisdiction from participating in the Section 8 home ownership option.

5. REPAYMENT OF ANY HOUSING AUTHORITY DEBTS
   Participants in the Section 8 housing choice voucher program shall be ineligible for the Section 8 home ownership option in the event any debt or portion of a debt remains owed to LBHA or any other Housing Authority. Nothing in this provision will preclude Section 8 participants that have fully repaid such debt(s) from using the Section 8 home ownership option.

6. ADDITIONAL ELIGIBILITY FACTORS

   a) *Elderly and Disabled Households*
      Elderly and disabled families are exempt from the employment requirements set forth in Section 2. C above. In the case of an elderly or disabled family, LBHA will consider income from all sources, including welfare assistance in evaluating whether the household meets the minimum income required to purchase a home using the Section 8 home ownership option.

   b) *Preference for Home Ownership Option Participation*
      Applicants for the home ownership option are not required to participate in LBHA's Family Self Sufficiency ("FSS") program in order to use the home ownership option. However, preference will be given to FSS participants. When participants using the home ownership option exceed one percent (1%) of LBHA's total voucher program in any fiscal year, the housing authority will keep a waiting list. Applicants on the homeownership option waiting list shall be given preference in the following order:

      - Section 8 Family Self Sufficiency (FSS) participant
      - Individual Development Accounts (IDA) participant
      - Habitat for Humanity selected family
      - Affordable Housing Land Trust participant
      - Home Ownership Education Program graduate

   c) *Prior Mortgage Defaults*
      If a head of household, spouse, or other adult household member who will execute the contract of sale, mortgage and loan documents has previously defaulted on a mortgage obtained through the Section 8 home ownership option, the family will be ineligible to use the home ownership option.

   d) *Conviction of a Crime*

If convicted of violent or drug related criminal activity, the applicant is eligible to apply for assistance after five (5) years. The time does not include any period of incarceration.

C. FAMILY PARTICIPATION REQUIREMENTS

Once a family is determined to be eligible to participate in the program, it must comply with the following additional requirements: (A) complete a home ownership counseling program approved by LBHA prior to commencement of home ownership assistance; (B) within a specified time, locate the home it proposes to purchase; (C) submit a sales agreement containing specific components to LBHA for approval; (D) allow LBHA to inspect the proposed home ownership dwelling to assure that the dwelling meets appropriate housing quality standards; (E) obtain an independent inspection covering major building systems; (F) obtain LBHA approval of the proposed mortgage (which must comply with generally accepted mortgage underwriting requirements); and (G) enter into a written agreement with LBHA to comply with all of its obligations under the Section 8 program.

1. HOME OWNERSHIP COUNSELING PROGRAM

   A family's use of the home ownership option is conditioned on the family attending and successfully completing a home ownership and housing counseling program provided or approved by LBHA prior to commencement of home ownership assistance. The home ownership and counseling program will include education for home maintenance; budgeting and money management; credit counseling; negotiating purchase price; securing mortgage financing; finding a home; predatory lending issues, the Real Estate Settlement Procedures act, and fair housing.

   The counseling agency providing the counseling program shall either be approved by HUD or the program shall be consistent with the home ownership counseling provided under HUD's Housing Counseling program. LBHA may require families to participate in an LBHA-approved home ownership-counseling program on a continuing basis.

2. LOCATING AND PURCHASING A HOME

   a) *Locating a Home*

      Upon approval for the Section 8 home ownership option, a family shall have one hundred eighty (180) days to locate a home to purchase. A home shall be considered located if the family submits a proposed sales agreement with the requisite components to LBHA. For good cause, LBHA may extend a Section 8 family's time to locate the home for additional thirty (30) day increments. During a Section 8 participant's search for a home to purchase, their Section 8 rental assistance shall continue pursuant to the Administrative Plan. If a Section 8 participant family is unable to locate a home within the time approved by LBHA, their Section 8 rental assistance through the Section 8 housing choice voucher program shall continue.

   b) *Type of Home*

      A family approved for the Section 8 home ownership option may purchase the following type of homes within the Linn & Benton counties: a new or existing home, a single-family home, a condominium, a cooperative, a land trust home, a live/work unit, or a manufactured home to be situated on a privately owned

lot. The home must already exist or under construction at the time LBHA determines the family eligible for home ownership assistance to purchase the unit. The family also may purchase a home in a jurisdiction other than Linn & Benton counties, provided the Housing Authority in the receiving jurisdiction offers the Section 8 home ownership option and is accepting new home ownership families. A family's use of the Section 8 home ownership option will be subject to the Section 8 home ownership program and policies of the receiving jurisdiction.

c) *Purchasing a Home*
Once a home is located and a sales agreement approved by LBHA is signed by the family, the family shall have up to three (3) months, or such other time as is approved by LBHA's Executive Director or set forth in the LBHA-approved sales agreement, to complete the purchase the home.

d) *Failure to Complete Purchase*
If a Section 8 participant is unable to purchase the home within the maximum time permitted by LBHA, LBHA shall continue the family's participation in the Section 8 housing choice voucher program. The family may not re-apply for the Section 8 home ownership option until they have completed an additional year of participation in the Section 8 housing choice voucher program following the initial determination of their eligibility for the home ownership option.

e) *Lease-Purchase*
Families may enter into lease-purchase agreements while receiving Section 8 rental assistance. All requirements of the housing choice voucher program apply to lease-purchase agreements, except that families are permitted to pay an extra amount out-of-pocket to the owner for purchase related expenses-- a "home ownership premium." Any "home ownership premium," defined as an increment of value attributable to the value of the lease-purchase right or agreement, is excluded from LBHA's rent reasonableness determination and subsidy calculation, and must be absorbed by the family. When a lease purchase participant family is ready to exercise their option, they must notify LBHA and apply for the home ownership option. If determined eligible for home ownership option, the family must meet all the requirements of these policies.

3. SALES AGREEMENT
Prior to execution of the offer to purchase or sales agreement, the family must provide the financing terms to LBHA for approval**.** The sales agreement must provide for inspection by LBHA and the independent inspection referred to in Section 3(D) and must state that the purchaser is not obligated to purchase unless such inspections are satisfactory to LBHA. The contract also must provide that the purchaser is not obligated to pay for any necessary repairs without approval by LBHA. The sales agreement must provide that the purchaser is not obligated to purchase if the mortgage financing terms are not approved by LBHA pursuant to Section 3(E). The sales agreement must also contain a seller certification that the seller is not debarred,

suspended, or subject to a limited denial of participation under 24 CFR part 24.

4. INDEPENDENT INITIAL INSPECTION CONDUCTED
   To assure the home complies with the housing quality standards of the Section 8 program, home ownership assistance payments may not commence until LBHA first inspects the home. A professional, licensed inspector selected by the family and approved by LBHA also must complete an independent inspection of existing homes covering major building systems. LBHA will not pay for the independent inspection. The independent inspection report must be provided to LBHA. LBHA may disapprove the unit due to information contained in the report or for failure to meet federal housing quality standards.

5. FINANCING REQUIREMENTS
   The proposed financing terms must be submitted to and approved by LBHA prior to close of escrow. LBHA shall determine the affordability of the family's proposed financing. In making such determination, LBHA may take into account other family expenses, including but not limited to child care, unreimbursed medical expenses, education and training expenses and the like. Certain types of financing, including but not limited to, land sales contracts, balloon payment mortgages, unless convertible to a variable rate mortgage, are prohibited and will not be approved by LBHA. Seller-financing mortgages shall be considered by LBHA on a case-by-case basis. If a mortgage is not FHA-insured, LBHA will require the lender to comply with generally accepted mortgage underwriting standards consistent with those of HUD/ FHA, Ginnie Mae, Fannie Mae, Freddie Mac, USDA Rural Housing Services, the Federal Home Loan Bank, or other private lending institution, including adequate reserves for real estate taxes and homeowner's insurance.

6. COMPLIANCE WITH FAMILY OBLIGATIONS
   A family must agree, in writing, to comply with all family obligations under the Section 8 program and LBHA's home ownership policies. These obligations include (1) attending ongoing home ownership counseling, if required by LBHA; (2) complying with the mortgage terms; (3) not selling or transferring the home to anyone other than a member of the assisted family who resides in the home while receiving home ownership assistance; (4) not refinancing or adding debt secured by the home without prior approval by LBHA; (5) not obtaining a present ownership interest in another residence while receiving home ownership assistance; and (6) supplying all required information to LBHA, including but not limited to annual verification of household income, notice of change in home ownership expenses, notice of move-out, and notice of mortgage default. LBHA's Home Ownership Family Obligation policies are set forth in Appendix A hereto.

7. COMPLIANCE LIEN
   Upon purchase of a home, the family must execute documentation as required by HUD and LBHA, consistent with State and local law, securing LBHA's right to recapture the home ownership assistance in accordance with Section 5. C. below. The lien securing the recapture of home ownership subsidy may be subordinated to a refinanced mortgage.

8. MOVING WITH ASSISTANCE

Moving to another home in LBHA's jurisdiction, as well as buying another home in another PHA jurisdiction, is permitted with continued use of homeownership assistance. LBHA restricts home ownership families to one move within any 12-month period. LBHA may deny permission to move with continued rental or home ownership assistance if it determines that it does not have sufficient funding to provide continued assistance.

D. AMOUNT OF ASSISTANCE

The amount of the monthly assistance payment will be based on three factors: the voucher payment standard for which the family is eligible, the monthly home ownership expense, and the family's household income. LBHA will pay the lower of either the payment standard minus the total family contribution ("TFC") or the family's monthly home ownership expenses minus the TFC. The Section 8 family will pay the difference.

1. DETERMINING THE PAYMENT STANDARD
   The voucher payment standard is the maximum subsidy amount the LBHA annually establishes based on the HUD published Fair Market Rents for units of a particular size located within the LBHA jurisdiction. For the home ownership option, the initial payment standard will be the lower of either (1) the payment standard for which the family is eligible based on family size; or (2) the payment standard which is applicable to the size of the home the family decides to purchase. The payment standard for subsequent years will be based on the higher of: (1) the payment standard in effect at commencement of the home ownership assistance; or (2) the payment standard in effect at the most recent regular reexamination of the family's income and size. The initial payment standard, for purposes of this comparison, shall not be adjusted even if there is a subsequent decrease in family size. LBHA will request HUD approval of a higher payment standard, up to 120% of the published Fair Market Rent limit, where warranted as a reasonable accommodation for a family that includes a person with disabilities.

2. DETERMINING THE MONTHLY HOME OWNERSHIP EXPENSE
   Monthly home ownership expense includes all of the following: principal and interest on the initial mortgage and any mortgage insurance premium (MIP) incurred to finance the purchase and any refinancing of such debt; real estate taxes and public assessments; homeowner's insurance; maintenance expenses per LBHA allowance; costs of major repairs and replacements per LBHA allowance (replacement reserves); utility allowance per LBHA's schedule of utility allowances; principal and interest on mortgage debt incurred to finance major repairs, replacements or improvements for the home including changes needed to make the home accessible; and homeowner association dues, fees or regular charges assessed, if any. Home ownership expenses for a cooperative member may only include LBHA approved amounts for the cooperative charge under the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home; principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such debt; home insurance; the allowances for maintenance expenses, major repairs and replacements and utilities; and principal and interest on debt incurred to finance major repairs, replacements, or improvements, including changes needed to make the home accessible.

3. DETERMINING THE TOTAL FAMILY CONTRIBUTION
   The TFC is that portion of the home ownership expense that the family must pay. It is generally 30% percent of the family's adjusted income, plus any gap between the payment standard and the actual housing cost. All family income (including public assistance) will be counted to determine the family's adjusted monthly income for purposes of determining the amount of assistance.

4. PAYMENT TO FAMILY OR LENDER
   LBHA will provide the lender with notice of the amount of the housing assistance payment prior to close of escrow. Unless authorized by the lender to make payment directly to the family, LBHA's contribution towards the family's homeowner expense will be paid directly to the lender. The family will be responsible to submit the balance of the mortgage payment. If home ownership assistance exceeds the amount due the lender, LBHA will pay the excess directly to the family.

E. TERMINATION OF SECTION 8 HOME OWNERSHIP ASSISTANCE

1. GROUNDS FOR TERMINATION OF HOMEOWNERSHIP ASSISTANCE

a) *Failure to Comply with Family Obligations Under Section 8 Program or LBHA's Home Ownership Policies*
   A family's home ownership assistance may be terminated if the family fails to comply with its obligations under the Section 8 program, LBHA home ownership policies, or if the family defaults on the mortgage. If required, the family must attend and complete ongoing home ownership and housing counseling classes. The family must comply with the terms of any mortgage incurred to purchase and/or refinance the home. The family must provide LBHA with written notice of any sale or transfer of any interest in the home; any plan to move out of the home prior to the move; the family's household income and home ownership expenses on an annual basis; any notice of mortgage default received by the family; and any other notices which may be required pursuant to LBHA home ownership policies. Except as otherwise provided in this Section, the family may not convey or transfer the home to any entity or person other than a member of the assisted family while receiving home ownership assistance.

b) *Occupancy of Home*
   Home ownership assistance will only be provided while the family resides in the home. If the family moves out of the home, LBHA will not continue home ownership assistance commencing with the month after the family moves out. Neither the family nor the lender is obligated to reimburse the LBHA for home ownership assistance paid for the month the family moves out.

c) *Changes in Income Eligibility*
   A family's home ownership assistance may be changed in the month following annual recertification of the household income, but participation using the Section 8 Home Ownership option shall continue until such time as the assistance payment amounts to $0 for a period of six (6) consecutive months.

d) Maximum Term of Home Ownership Assistance
Notwithstanding the provisions of Section 5(A), subparagraphs 1 through 3, except for disabled and elderly families, a family may receive Section 8 home ownership assistance for not longer than ten (10) years from the date of close of escrow unless the initial mortgage incurred to finance purchase of the home has a term that is 20 years or longer, in which case the maximum term is 15 years. Families that qualify as elderly at the commencement of home ownership assistance are not subject to a maximum term limitation. Families that qualify as disabled families at the commencement of home ownership assistance or at any time during the provision of home ownership assistance are not subject to a maximum term limitation. If a disabled family or elderly family ceases to qualify as disabled or elderly, the appropriate maximum term becomes applicable from the date home ownership assistance commenced; provided, however, that such family shall be eligible for at least six additional months of home ownership assistance after the maximum term becomes applicable. The time limit applies to any member of the household who has an ownership interest in the unit during any time that home ownership payments are made, or is a spouse of any member of the household who has an ownership interest.

2. PROCEDURE FOR TERMINATION OF HOME OWNERSHIP ASSISTANCE
A participant using the Section 8 Home Ownership option shall be entitled to the same termination notice and informal hearing procedures as set forth in the Administrative Plan of the LBHA for the Section 8 housing choice voucher program.

3. RECAPTURE OF HOME OWNERSHIP ASSISTANCE
In certain circumstances the home ownership assistance provided to the family is subject to total or partial recapture upon the sale or refinancing of the home. Sales proceeds that are used by the family to purchase a new home with Section 8 home ownership assistance are not subject to recapture. Further, a family may refinance to take advantage of better terms without any recapture penalty, provided that no proceeds are realized ("cash-out"). Only "cash-out" proceeds from refinancing and sales proceeds not used to purchase a new home with Section 8 assistance less those amounts provided for in §982.640 are subject to recapture. Further, the amount of home ownership assistance subject to recapture shall automatically be reduced in annual increments of 10% beginning one year from the purchase date. At the end of 10 years the amount of home ownership assistance subject to recapture will be zero.

F. CONTINUED PARTICIPATION IN SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

1. DEFAULT ON FHA-INSURED MORTGAGE
If the family defaults on an FHA-insured mortgage, LBHA may permit the family to move with continued Section 8 housing choice rental assistance if the family demonstrates that it has (a) conveyed title to the home to HUD or its designee, as required by HUD; and (b) moved from the home within the period established or approved by HUD.

2. DEFAULT ON NON-FHA INSURED MORTGAGE
If the family defaults on a mortgage that is not FHA-insured, LBHA may permit the family to move with continued Section 8 housing choice voucher rental assistance if the family

demonstrates that it has (a) conveyed title to the home to the lender, to LBHA or to its designee, as may be permitted or required by the lender; and (b) moved from the home within the period established or approved by the lender and/or LBHA.

G. LBHA ADMINISTRATIVE FEE

For each month that home ownership assistance is paid by LBHA on behalf of the family, LBHA shall be paid the ongoing administrative fee described in 24 C.F.R. §982.152(b).

H. WAIVER OR MODIFICATION OF HOME OWNERSHIP POLICIES

The Executive Director of LBHA shall have the discretion to waive or modify any provision of the Section 8 home ownership option policies not governed by statute or regulation for good cause or to comply with changes in HUD regulations or directives.

CHAPTER 18
FAMILY SELF-SUFFICIENCY

I. FAMILY SELF-SUFFICIENCY (FSS) PROGRAM

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

CHAPTER 19
DEFINITIONS

I. DEFINITIONS

See 24 CFR 5.100, and 982.4 for additional definitions.

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

ADULT - A person who is at least l8 years of age, or who has been convicted of a crime as an adult under any Federal, State, or tribal law.

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

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

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

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

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

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

CHAPTER 20
APPENDIX

I. APPENDIX

A. CONDITIONS FOR PRIORITY PLACEMENT

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

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

1. HOMELESS MENTAL HEALTH (HMH)

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

Initial: _____

28 total Vouchers have been designated for chronically mentally ill or developmentally disabled families who are homeless or under imminent threat of becoming homeless. To be eligible, the household must be under treatment by a mental health agency and must be cooperating with that treatment. The agency making the referral must send a letter stating that the Household is eligible for this priority placement, is cooperating with treatment, and that they request one of the targeted Vouchers be used for the family.

Initial: _____

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

Initial: _____

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

CASE MANAGEMENT AGREEMENTS:

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

I have read and I agree:
Initial: _____

HOME AGREEMENTS:

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

I have read and I agree:
Initial: _____

NEIGHBORHOOD AGREEMENTS:

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

I have read and I agree:
Initial: _____

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

_____ _____
HMH Applicant/Participant Date

_____ _____
HMH Applicant/Participant 2 Date

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

_____ _____
Mental Health Casemanager Date

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

Initial: _____

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

Initial: _____

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

Initial: _____

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

CASE MANAGEMENT AGREEMENTS:

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

I have read and
I agree:
Initial: _____

CHILDCARE AGREEMENTS:

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

I have read and
I agree:
Initial: _____

HOME AGREEMENTS:

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

I have read and
I agree:
Initial: _____

NEIGHBORHOOD AGREEMENTS:

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

I have read and
I agree:
Initial: _____

- Follow rental agreement rules.

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

_____	_____
Families in Transition Applicant/Participant	Date
_____	_____
Families in Transition Applicant/Participant 2	Date
_____	_____
Transitional Program Casemanager	Date

3. SURVIVORS OF DOMESTIC ABUSE (SDA)

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

Initial: _____

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

Initial: _____

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

Initial: _____

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

CASE MANAGEMENT AGREEMENTS:

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

I have read and I agree:
Initial: _____

CHILDCARE AGREEMENTS:

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

I have read and I agree:
Initial: _____

HOME AGREEMENTS:

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

I have read and I agree:
Initial: _____

NEIGHBORHOOD AGREEMENTS:

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

I have read and I agree:
Initial: _____

- No previous abuser will be allowed to move into the unit acquired under this program.
- Persons not approved by the HA, referring agency, and the Landlord, will not be allowed to move into unit.
- Follow rental agreement rules.

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

_____ _____
Survivor of Domestic Abuse Applicant/Participant Date

_____ _____
Survivor of Domestic Abuse Applicant/Participant 2 Date

_____ _____
COI, CARDV, SFC Casemanager Date

4. TEEN PARENT PROGRAM

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

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

Initial: _____

Participants receiving a teen parent targeted voucher agree to continue participation in the referring agency's program after the Voucher is issued. If at any time after referral the teen refuses to participate/cooperate with that program, or any

Initial: _____

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

Initial: _____

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

CASE MANAGEMENT AGREEMENTS:

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

I have read and I agree:
Initial: _____

CHILDCARE AGREEMENTS:

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

I have read and I agree:
Initial: _____

HOME AGREEMENTS:

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

I have read and I agree:
Initial: _____

NEIGHBORHOOD AGREEMENTS:

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

I have read and I agree:
Initial: _____

FINANCIAL AGREEMENTS:

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

I have read and I agree:
Initial: _____

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

_____ _____
Teen Applicant/Participant Date

_____ _____
Teen Applicant/Participant 2 Date

_____ _____
Designated Teen Task Force Member Date

_____ _____
Wendy Younger, FSS Coordinator/Section 8 Casemanager Date

C. SECTION 8 FAMILY OBLIGATIONS

Department of Housing and Urban Development regulations for the Housing Choice Voucher Program permits LBHA to terminate assistance to participants in these programs if any household members or guests do not abide by the following family obligations once the unit is approved and the HAP contract has been executed.

1. THE FAMILY MUST:

a) Supply any information that LBHA or HUD determines to be necessary including evidence of citizenship or eligible immigration status, and information for use in regularly scheduled re-examination or interim re-examination of family income and composition. Two missed appointments to supply LBHA with this information is considered a breach of a family responsibility. Change in household income must be reported in writing within 10 days of the change.

b) Disclose and verify social security numbers and sign and submit consent forms for obtaining information.

c) Supply any information requested by LBHA to verify that the family is living in the unit or information related to family absence from the unit.

d) Promptly notify LBHA in writing when the family is away from the unit for an extended period of time (10 days or more) in accordance with LBHA policies.

e) Notify LBHA and the owner in writing before moving out of the unit or terminating the lease.

f) Allow LBHA to inspect the unit at reasonable times and after reasonable notice. Two missed appointments for inspection are considered a breach of this family responsibility.

g) Use the assisted unit for residence by the family. The unit must be the family's only residence.

h) Promptly notify LBHA in writing of the birth, adoption, or court-awarded custody of a child.

i) Request LBHA written approval to add any other family member as an occupant of the unit (should receive landlord's permission first).

j) Promptly notify LBHA in writing if any family member no longer lives in the unit.

k) Give LBHA a copy of any owner eviction notice.

l) Pay utility bills and supply appliances that the owner is not required to supply under the lease.

2. THE FAMILY (INCLUDING EACH FAMILY MEMBER) MUST NOT:

a) Own or have any interest in the unit (other than in a cooperative, or the owner of a manufactured home leasing a manufactured home space).

b) Commit any serious or repeated violations of the lease.

c) Commit fraud, or bribery or any other corrupt or criminal act in connection with the program.

d) Participate in illegal drug or violent criminal activity.

e) Sublease or let the unit or assign the lease or transfer the unit.

f) Receive Housing Choice Programs tenant-based housing assistance while receiving another housing subsidy, for the same unit or a different unit under any other Federal, State or Local housing assistance program.

g) Damage the unit or premises (other than damage from ordinary wear and tear) or permit any guest to damage the unit or premises.

h) Engage in threatening, abusive or violent behavior toward any LBHA personnel.

i) Be related to the landlord. The landlord cannot be the parent, child, grandparent, grandchild, sister or brother of any member of the participating family. The only exemption that may be approved by LBHA is if a family member is a person with disabilities.

j) Engage in illegal use of a controlled substance; or abuse of alcohol that threatens the health and safety or right to peaceful enjoyment of the premises by other residents.

Any information the family supplies must be true and complete.

If LBHA terminates the assistance of a participant, LBHA will give said participant the opportunity to contest LBHA's decision in accordance with the Hearing Procedures for participants.

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

Signatures (EVERYONE 18 AND OLDER MUST SIGN):

1._____Date:_____

2._____Date:_____

3._____Date:_____

D. SECTION 8 HOME OWNERSHIP OBLIGATIONS

This form is to be signed by the home buyer(s) in the presence of the Linn-Benton Housing Authority's (LBHA) Home Ownership Coordinator. The Coordinator will explain any and all clauses which you, the home buyer(s), may not understand.

The following paragraphs describe your responsibilities under the Section 8 Home Ownership Option. If you or members of your household do not meet these responsibilities, through your actions or your failure to act, you may be terminated from the Section 8 Program.

1. FAMILY OBLIGATIONS
   You must comply with all Family Obligations of the Section 8 Housing Choice Voucher Program, excepting only the prohibition against owning or having an interest in the unit. Family Obligations §§ 982.551(c),(d),(e),(f),(g) and (j) do not apply to the Section 8 Homeownership Option.

2. HOUSING COUNSELING
   All participating family members (i.e. those signing the purchase offer and loan documents) must satisfactorily complete a LBHA provided or approved counseling program prior to commencement of home ownership assistance. LBHA may require any or all participating family members to attend additional housing counseling classes as a condition of continued assistance.

3. PURCHASE CONTRACT
   You must include contract conditions in any Offer to Purchase that give LBHA a reasonable time (a) to inspect the home for compliance with HUD's Housing Quality Standards; (b) to review and approve a professional home inspection report obtained by you from a LBHA approved inspector; and (c) approve the terms of your proposed financing. Advise your Realtor of these requirements.

4. MORTGAGE OBLIGATIONS
   You must comply with the terms of any mortgage incurred in the purchase of the property and must notify LBHA's Home Ownership Counselor within five (5) days of receipt of any late payment or default notice.

5. OCCUPANCY
   You must occupy the unit as your principal residence. You may not transfer, sell, or assign any interest in the property without LBHA's prior written consent. You may not rent or lease any part of the premises without LBHA's prior written consent. You must notify LBHA in writing at least 30 days prior to moving out of the house for a period of 30 days or longer or prior to any sale, transfer, assignment, lease or other form of alienation of the assisted property.

6. MAINTENANCE
   You must maintain the property in a decent, safe and sanitary manner. You must allow LBHA to inspect the property within 48 hours of notice by LBHA to conduct an

inspection. You must correct any notice of deficiency issued by LBHA within the time limit specified in the notice. If you fail to adequately maintain the property, LBHA may divert the maintenance and replacement reserves portions of the Home Ownership Assistance Payment to an escrow account to be used to pay for reasonable and necessary maintenance expenses.

7. ANNUAL RE-EXAMINATION
   You must annually provide LBHA with current information regarding family income and composition in a format required by LBHA.

8. REFINANCING
   You must notify LBHA in writing of any proposal to refinance the original purchase mortgage or of any proposal to encumber the property with secondary financing and obtain LBHA's written approval of such financing prior to executing any loan documents.

9. DEFAULT
   In the event of a default on your mortgage obligation, you must cooperate with LBHA and the lender to minimize any loss to the lender in order to maintain your eligibility to continue as a participant in the Section 8 Housing Choice Voucher Program.

10. RECAPTURE
    You must sign and have recorded a lien, in a form required by HUD, securing LBHA's right to recapture a percentage of home ownership assistance provided to you upon your sale or refinancing of the home within a 10 year period after the purchase date. The amount of recapture shall be calculated in accordance with HUD regulations and shall be subject to automatic reduction in 10% increments annually beginning one year from the purchase date.

By signing below, I attest that I have read and understood my obligations as a participant using the Section 8 Home Ownership Option and I agree to abide by these responsibilities. I understand that LBHA may terminate my home ownership assistance if I violate any of these obligations, but that I may request an informal review of any proposed notice of termination prior to it becoming effective.

_____
Section 8 Homeownership Option Participant

_____
Section 8 Homeownership Option Participant

_____
Section 8 Homeownership Option Participant

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