

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

Small PHA Plan Update

Housing Authority of the City of Gladewater, Texas

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**

PHA Plan Agency Identification

PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER,
TEXAS

PHA Number: TX058

PHA Fiscal Year Beginning: 01/2003

PHA Plan Contact Information:

Name: Stan Dulaney

Phone: 903-845-2493

TDD: 903-845-2493

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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

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
- Main administrative office of the local, county or 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)

PHA Programs Administered:

- Public Housing and Section 8 Section 8 Only Public Housing Only

**Annual PHA Plan
Fiscal Year 2003**

[24 CFR Part 903.7]

i. Table of Contents

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

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<input checked="" type="checkbox"/> Other A&O Policy 12/30/2002 for FY2003 (tx058a01)		

ii. Executive Summary

[24 CFR Part 903.7 9 (r)]

At PHA option, provide a brief overview of the information in the Annual Plan

1. Summary of Policy or Program Changes for the Upcoming Year

In this section, briefly describe changes in policies or programs discussed in last year's PHA Plan that are not covered in other sections of this Update.

GHA WILL REVISE THE A&O POLICY TO IMPLEMENT THE FOLLOWING LOCAL PREFERENCES. RESIDENCY PREFERENCE, DOMESTIC VIOLENCE PREFERENCE AND ELDERLY PREFERENCE. THESE WILL CARRY VARYING WEIGHTS BUT WILL AGGREGATE FOR PLACEMENT ON THE WAITING LIST.

2. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

Exemptions: Section 8 only PHAs are not required to complete this component.

A. Yes No: Is the PHA eligible to participate in the CFP in the fiscal year covered by this PHA Plan?

B. What is the amount of the PHA’s estimated or actual (if known) Capital Fund Program grant for the upcoming year? \$ 218,449

C. Yes No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete the rest of Component 7. If no, skip to next component.

D. Capital Fund Program Grant Submissions

(1) Capital Fund Program 5-Year Action Plan

The Capital Fund Program 5-Year Action Plan is provided as Attachment C

(2) Capital Fund Program Annual Statement

The Capital Fund Program Annual Statement is provided as Attachment B

3. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

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

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

2. Activity Description: DEMOLITION OF PREVIOUS ADMINISTRATION OFFICE FOR THE PURPOSE OF CREATING PARKING FOR SITE TX058003(II). CURBSIDE PARKIING HINDERS EMERGENCY VEHICLES AND SCHOOL BUSSES. BUILDING HAS BECOME A LIABILITY INSTEAD OF ASSET.

**Demolition/Disposition Activity Description
(Not including Activities Associated with HOPE VI or Conversion Activities)**

1a. Development name: GREENWAY TERRACE 1b. Development (project) number: TX058003(II)
2. Activity type: Demolition <input checked="" type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or planned for submission: (03/31/2003)
5. Number of units affected: 0
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Relocation resources (select all that apply) <input type="checkbox"/> Section 8 for 0 units <input type="checkbox"/> Public housing for 0 units <input type="checkbox"/> Preference for admission to other public housing or section 8 <input type="checkbox"/> Other housing for 0 units (describe below)
8. Timeline for activity: a. Actual or projected start date of activity: 06/01/2003 b. Actual or projected start date of relocation activities: NONE c. Projected end date of activity: 12/31/2004

4. Voucher Homeownership Program

[24 CFR Part 903.7 9 (k)]

A. 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 next component; if “yes”, describe each program using the table below (copy and complete questions for each program identified.)

B. Capacity of the PHA to Administer a Section 8 Homeownership Program

The PHA has demonstrated its capacity to administer the program by (select all that apply):

- Establishing a minimum homeowner down payment requirement of at least 3 percent and requiring that at least 1 percent of the down payment comes from the family’s resources
- Requiring that financing for purchase of a home under its section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards
- Demonstrating that it has or will acquire other relevant experience (list PHA experience, or any other organization to be involved and its experience, below):

5. Safety and Crime Prevention: PHDEP Plan

[24 CFR Part 903.7 (m)]

Exemptions Section 8 Only PHAs may skip to the next component PHAs eligible for PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- A. Yes No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- B. What is the amount of the PHA's estimated or actual (if known) PHDEP grant for the upcoming year? \$ _____
- C. Yes No Does the PHA plan to participate in the PHDEP in the upcoming year? If yes, answer question D. If no, skip to next component.
- D. Yes No: The PHDEP Plan is attached at Attachment _____

6. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board (RAB) Recommendations and PHA Response

- 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 Attached at Attachment (File name)
- 3. In what manner did the PHA address those comments? (select all that apply)
 - The PHA changed portions of the PHA Plan in response to comments
A list of these changes is included
 - Yes No: below or
 - Yes No: at the end of the RAB Comments in Attachment _____.
 - Considered comments, but determined that no changes to the PHA Plan were necessary. An explanation of the PHA's consideration is included at the at the end of the RAB Comments in Attachment _____.
 - Other: (list below)

B. 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: **State of Texas**
- 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 specific initiatives contained in the Consolidated Plan. (list such initiatives below)
- Other: (list below)

3. PHA Requests for support from the Consolidated Plan Agency

- Yes No: Does the PHA request financial or other support from the State or local government agency in order to meet the needs of its public housing residents or inventory? If yes, please list the 5 most important requests below:

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

- Promote adequate affordable housing
- Promote economic opportunity
- Promote a suitable living environment without discrimination

C. Criteria for Substantial Deviation and Significant Amendments

1. Amendment and Deviation Definitions

24 CFR Part 903.7(r)

PHAs are required to define and adopt their own standards of substantial deviation from the 5-year Plan and Significant Amendment to the Annual Plan. The definition of significant amendment is important because it defines when the PHA will subject a change to the policies or activities described in the Annual Plan to full public hearing and HUD review before implementation.

- **Substantial Deviation from the 5-year Plan:**
 - Any change to Mission Statement such as:
 - 50% deletion from or addition to the goals and objectives as a whole.
 - 50% or more decrease in the quantifiable measurement of any individual goal or objective.
- **Significant Amendment or Modification to the Annual Plan:**
 - 50% variance in the funds projected in the Capital Fund Program annual Statement.
 - Any increase or decrease over 50% in the funds projected in the Financial Statement and/or the Capital Fund Program Annual Statement.
 - Any change in a policy or procedure that requires a regulatory 30-day posting.
 - Any submission to HUD that requires a separate notification to the residents, such as Hope VI, Public Housing Conversion, Demolition/Disposition, Designated Housing or Homeownership programs.
 - Any change inconsistent with the local, approved Consolidated Plan.

Attachment A Supporting Documents Available for Review

PHAs are to 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	Related 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 (not required for this update)	5 Year and Annual Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction/s in which the PHA is located and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
NA	Any policy governing occupancy of Police Officers in Public Housing <input type="checkbox"/> check here if included in the public housing A&O Policy	Annual Plan: Eligibility, Selection, and Admissions Policies
	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the method for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
	Section 8 rent determination (payment standard) policies <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Results of latest binding Public Housing Assessment System (PHAS) Assessment	Annual Plan: Management and Operations
X	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
	Any required policies governing any Section 8 special housing types <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
	Section 8 informal review and hearing procedures <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for any active grant year	Annual Plan: Capital Needs
X	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing	Annual Plan: Capital Needs
X	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing §504 of the Rehabilitation Act and the Americans with Disabilities Act. See, PIH 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937	Annual Plan: Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
	Policies governing any Section 8 Homeownership program (section _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
X	Cooperation agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies	Annual Plan: Community Service & Self-Sufficiency
	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Section 3 documentation required by 24 CFR Part 135, Subpart E	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
	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report	Annual Plan: Safety and Crime Prevention
	PHDEP-related documentation: <ul style="list-style-type: none"> · Baseline law enforcement services for public housing developments assisted under the PHDEP plan; · Consortium agreement/s between the PHAs participating in the consortium and a copy of the payment agreement between the consortium and HUD (applicable only to PHAs participating in a consortium as specified under 24 CFR 761.15); · Partnership agreements (indicating specific leveraged support) with agencies/organizations providing funding, services or other in-kind resources for PHDEP-funded activities; · Coordination with other law enforcement efforts; · Written agreement(s) with local law enforcement agencies (receiving any PHDEP funds); and · All crime statistics and other relevant data (including Part I and specified Part II crimes) that establish need for the public housing sites assisted under the PHDEP Plan. 	Annual Plan: Safety and Crime Prevention
X	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G) <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Pet Policy
X	The results of 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
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER, TEXAS		Grant Type and Number TX21P05850100 Capital Fund Program: Capital Fund Program Replacement Housing Factor Grant No:			Federal FY of Grant: 2000
<input type="checkbox"/> Original Annual Statement		<input type="checkbox"/> Reserve for Disasters/ Emergencies		<input type="checkbox"/> Revised Annual Statement (revision no:)	
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 11/30/2001		<input type="checkbox"/> Final Performance and Evaluation Report			
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements	2000		1185	1185
4	1410 Administration				
5	1411 Audit	1500		1500	1500
6	1415 liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement	63500		15762	15762
10	1460 Dwelling Structures	26100		15183	15183
11	1465.1 Dwelling Equipment—Nonexpendable	21000		20735	20735
12	1470 Nondwelling Structures	97000		97000	87309
13	1475 Nondwelling Equipment	14736		12390.66	12390.16
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2-20)	225836		163755.66	154064.66
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 Compliance	2000			

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER, TEXAS			Grant Type and Number TX21P05850100 Capital Fund Program #: Capital Fund Program Replacement Housing Factor #:			Federal FY of Grant: 2000		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Proposed Work
				Original	Revised	Funds Obligated	Funds Expended	
HA WIDE	ENERGY STUDY	1408	1	2000		1185	1185	100%
	AUDIT	1411	1	1500		1500	1500	100%
	STOVES AND REFRIGERATORS	1465	40	21000		20735	20735	100%
	BALANCE ON COMMUNITY CENTER	1470	1	97000		97000	87309	95%
	CO TESTER	1475	1	1000		786.50	786.50	100%
	WASHERS AND DRYERS	1475	16	12500		11488	11488	100%
	OFFICE FURNITURE	1475	1	1236		116.16	116.16	10%
TX058001	WATER AND SEWER AT 16-31	1450	1	25000				
	FENCING AT YARDS	1450	1	20000		13528	13528	100%
	BENCHES AT PLAYGROUND	1450	1	1000		924	924	20%
	CEILINGS AT 3 2-STORY UNITS	1460	3	5000		5000	5000	100%
	CO2 DETECTOR/ALARMS	1460		3000				
TX058002	WATER CUTOFFS AT 5 UNITS	1450		1500				
	BENCHES AT PLAYGROUND	1450		1000				
	CO2 DETECTOR/ALARMS	1460		1100				
TX058003	UPGRADE SEWER AT 82-91	1450		8000				
	REGRADE AND 504	1450		2000		1310	1310	60%

	TRIP HAZARDS	1450		3000				
	BENCHES AT PLAYGROUND	1450		2000				
	REPLACE BI-FOLD DOORS	1460		10000		6183	6183	40%
	TRIM AND PAINT 10 UNITS	1460		4000		4000	4000	100%
	CO2 DETECTOR/ALARMS	1460		3000				
TOTALS				225836		163755.66	154064.66	

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER, TEXAS		Grant Type and Number TX21P05850100 Capital Fund Program #:			Federal FY of Grant: 2000		
		Capital Fund Program Replacement Housing Factor #:					
Development Number Name/HA-Wide Activities	All Fund Obligated (Quart Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
HA WIDE	09/30/2002			09/30/2003			
TX058001	09/30/2002			09/30/2003			
TX058002	09/30/2002			09/30/2003			
TX058003	09/30/2002			09/30/2003			

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER, TEXAS			Grant Type and Number TX21P05850100 Capital Fund Program #: Capital Fund Program Replacement Housing Factor #:			Federal FY of Grant: 2000	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quart Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER, TEXAS		Grant Type and Number TX21P05850101 Capital Fund Program: Capital Fund Program Replacement Housing Factor Grant No:			Federal FY of Grant: 2001
<input type="checkbox"/> Original Annual Statement		<input type="checkbox"/> Reserve for Disasters/ Emergencies		<input type="checkbox"/> Revised Annual Statement (revision no:)	
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 11/30/2001		<input type="checkbox"/> Final Performance and Evaluation Report			
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements	5000			
4	1410 Administration	2000		652.78	652.78
5	1411 Audit	3000			
6	1415 liquidated Damages				
7	1430 Fees and Costs	17000		3740	2992
8	1440 Site Acquisition				
9	1450 Site Improvement	38672			
10	1460 Dwelling Structures	130836			
11	1465.1 Dwelling Equipment—Nonexpendable	30000			
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	3000		3000	3000
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER TEXAS		Grant Type and Number TX21P05850102 Capital Fund Program Grant No: Replacement Housing Factor Grant No:		Federal FY of Grant: 2002	
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs				
	Management Improvements Hard Costs				
4	1410 Administration	1000			
5	1411 Audit	3500			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	11000			
8	1440 Site Acquisition				
9	1450 Site Improvement	122500			
10	1460 Dwelling Structures	40000			
11	1465.1 Dwelling Equipment—Nonexpendable	22000			
12	1470 Nondwelling Structures	10000			
13	1475 Nondwelling Equipment	15000			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines.....)	225000			
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER TEXAS		Grant Type and Number TX21P05850102 Capital Fund Program Grant No: Replacement Housing Factor Grant No:		Federal FY of Grant: 2002	
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:)					
<input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line XX Related to Energy Conservation Measures				
	Collateralization Expenses or Debt Service				

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages									
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER TEXAS			Grant Type and Number TX21P05850102 Capital Fund Program Grant No: Replacement Housing Factor Grant No:				Federal FY of Grant: 2002		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
HA WIDE	A&E SERVICES				11000				
	INDUST. MOWERS				15000				
	STOVES/REFRIG				22000				
	CLOTHES POLES				5000				
	BSKETBALL/TENNIS				30000				
	ADVERTISING				1000				
	AUDIT				3500				
	HVAC MAINT				5000				
	LAUNDRY MAINT-MGT				10000				
	PEST CONTROL				3000				
TX058001	REPLACE FLOORING				20000				
	WALKS/DUMPSTER				33500				
	LANDSCAPING				5000				
TX058002	PARKING				4000				
	CYCLIC PAINT				4000				
	WALKS/DUMPSTER				14000				
	LANDSCAPING				3000				
TX058003	CYCLIC PAINT				8000				
	LANDSCAPE				12000				
	WALKS				16000				

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages									
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER TEXAS		Grant Type and Number TX21P05850102 Capital Fund Program Grant No: Replacement Housing Factor Grant No:				Federal FY of Grant: 2002			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
Total CFP Estimated Cost	\$225000								

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER TEXAS		Grant Type and Number TX21P05850103 Capital Fund Program Grant No: Replacement Housing Factor Grant No:		Federal FY of Grant: 2003	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements Soft Costs	25000			
	Management Improvements Hard Costs				
4	1410 Administration	1000			
5	1411 Audit	3500			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	5000			
8	1440 Site Acquisition				
9	1450 Site Improvement	36000			
10	1460 Dwelling Structures	130000			
11	1465.1 Dwelling Equipment—Nonexpendable	17000			
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	7500			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant: (sum of lines.....)	225000			
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary						
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER TEXAS		Grant Type and Number TX21P05850103 Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant: 2003	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report						
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost		
	Amount of line XX Related to Security –Soft Costs					
	Amount of Line XX related to Security-- Hard Costs					
	Amount of line XX Related to Energy Conservation Measures					
	Collateralization Expenses or Debt Service					

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER TEXAS			Grant Type and Number TX21P05850103 Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost	Status of Work
HA WIDE	A&E SERVICES				5000			
	TRAILER				2500			
	SEWER MACHINE				5000			
	ADVERTISING				1000			
	AUDIT				3500			
	MANAGEMENT SOFTWARE				20000			
	MGT CERTIFICATION				5000			
	STOVES/REFRIG				17000			
TX058001	UPGRADE PLAYGROUN				8000			
	CYCLIC PAINT				12000			
	CEILING FANS				17700			
	PLUMBING				21000			
	SCREENS AND DOORS				8000			
TX058002	PLUMBING				17000			
	CYCLIC PAINT				8000			
	SCREENS AND DOORS				8000			
	CEILING FANS				7300			
TX058003	CYCLIC PAINT				10000			
	PARKING				20000			
	CEILING FANS				21000			
	RETAINING WALL				8000			

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages									
PHA Name: HOUSING AUTHORITY OF THE CITY OF GLADEWATER TEXAS			Grant Type and Number TX21P05850103 Capital Fund Program Grant No: Replacement Housing Factor Grant No:				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
Total CFP Estimated Cost					225000				

Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name HOUSING AUTHORITY OF THE CITY OF GLADEWATER, TEXAS					<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
Development Number/Name/ HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: 2004 PHA FY: 2004	Work Statement for Year 3 FFY Grant: 2005 PHA FY: 2005	Work Statement for Year 4 FFY Grant: 2006 PHA FY: 2006	Work Statement for Year 5 FFY Grant: 2007 PHA FY: 2007	
	Annual Statement					
HA WIDE		99500	73500	40000	40000	
TX058001		43000	10000	100000	100000	
TX058002		19500	19000	30000	30000	
TX058003		63000	121500	90000	90000	
CFP Funds Listed for 5- year planning		225000	224000	260000	260000	
Replacement Housing Factor Funds						

Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year 2004 ____ FFY Grant: 2004 PHA FY: 2004			Activities for Year: 2005 FFY Grant: 2005 PHA FY: 2005		
	Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
	HA WIDE	COM CNTR EQUIP	5000	HA WIDE	COM CTR PARKING	3000
		MAINTEN VEHICLE	50000		ADVERTISING	1000
		ADVERTISING	1000		AUDIT	3500
		AUDIT	3500		HVAC MAINT	5000
		HVAC MAINT	5000		LAUNDRY MAINT-MGT	10000
		LAUNDRY MAINT-MGT	10000		STOVES/REF	17000
		PEST CONTROL	3000		PEST CONTROL	3000
		A&E SERVICES	5000		WATER HEATERS	20000
		STOVES/REFRIG	17000		A&E SERVICES	11000
	TX058001	INTERIOR PLUMBING	27000	TX058001	SCREENS AND DOORS	10000
		PARKING	5000	TX058002	FENCING	15000
		CARPET 1-6	4000		CYCLIC PAINT	4000
		INSULATION	7000	TX058003	FENCING	8000
	TX058002	WATER HEATERS	8000		PARKING	6000
		CYCLIC PAINT	4000		CYCLIC PAINT	8000
		CARPET 57-59	1500		ROOFING	99500
		INSULATION	6000			
	TX058003	CYCLIC PAINT	8000			
		ROOFING	50000			
		PLUMBING	5000			
						225,000
	Total CFP Estimated Cost	\$225000				

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

Section 1: General Information/History

A. Amount of PHDEP Grant \$ _____

B. Eligibility type (Indicate with an “x”) **N1**_____ **N2**_____ **R**_____

C. FFY in which funding is requested _____

D. Executive Summary of Annual PHDEP Plan

In the space below, provide a brief overview of the PHDEP Plan, including highlights of major initiatives or activities undertaken. It may include a description of the expected outcomes. The summary must not be more than five (5) sentences long

E. Target Areas

Complete the following table by indicating each PHDEP Target Area (development or site where activities will be conducted), the total number of units in each PHDEP Target Area, and the total number of individuals expected to participate in PHDEP sponsored activities in each Target Area. Unit count information should be consistent with that available in PIC.

PHDEP Target Areas (Name of development(s) or site)	Total # of Units within the PHDEP Target Area(s)	Total Population to be Served within the PHDEP Target Area(s)

F. Duration of Program

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

12 Months_____ **18 Months**_____ **24 Months**_____

G. PHDEP Program History

Indicate each FY that funding has been received under the PHDEP Program (place an “x” by each applicable Year) and provide amount of funding received. If previously funded programs have not been closed out at the time of this submission, indicate the fund balance and anticipated completion date. The Fund Balances should reflect the balance as of Date of Submission of the PHDEP Plan. The Grant Term End Date should include any HUD-approved extensions or waivers. For grant extensions received, place “GE” in column or “W” for waivers.

Fiscal Year of Funding	PHDEP Funding Received	Grant #	Fund Balance as of Date of this Submission	Grant Extensions or Waivers	Grant Start Date	Grant Term End Date
FY 1995						
FY 1996						
FY 1997						
FY1998						
FY 1999						

Section 2: PHDEP Plan Goals and Budget

A. PHDEP Plan Summary

In the space below, summarize the PHDEP strategy to address the needs of the target population/target area(s). Your summary should briefly identify: the broad goals and objectives, the role of plan partners, and your system or process for monitoring and evaluating PHDEP-funded activities. This summary should not exceed 5-10 sentences.

B. PHDEP Budget Summary

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

FFY ____ PHDEP Budget Summary	
Original statement	
Revised statement dated:	
Budget Line Item	Total Funding
9110 – Reimbursement of Law Enforcement	
9115 - Special Initiative	
9116 - Gun Buyback TA Match	
9120 - Security Personnel	
9130 - Employment of Investigators	
9140 - Voluntary Tenant Patrol	
9150 - Physical Improvements	
9160 - Drug Prevention	
9170 - Drug Intervention	
9180 - Drug Treatment	
9190 - Other Program Costs	
TOTAL PHDEP FUNDING	

C. PHDEP Plan Goals and Activities

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

9110 – Reimbursement of Law Enforcement					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDE P Funding	Other Funding (Amount/ Source)	Performance Indicators
1.							

2.							
3.							

9115 - Special Initiative					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount/Source)	Performance Indicators
1.							
2.							
3.							

9116 - Gun Buyback TA Match					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

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

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

9140 – Voluntary Tenant Patrol					Total PHDEP Funding: \$		
Goal(s)							

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

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

9160 - Drug Prevention					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

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

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

9190 - Other Program Costs					Total PHDEP Funds: \$		
Goal(s)							
Objectives							

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

Required Attachment D: Resident Member on the PHA Governing Board

1. Yes No: Does the PHA governing board include at least one member who is directly assisted by the PHA this year? (if no, skip to #2)

A. Name of resident member(s) on the governing board: Elisha Anderson

B. How was the resident board member selected: (select one)?

- Elected
- Appointed

C. The term of appointment is (include the date term expires): **2 years with 2 year renewals. Expiration 02/2004**

2. A. If the PHA governing board does not have at least one member who is directly assisted by the PHA, why not?

- the PHA is located in a State that requires the members of a governing board to be salaried and serve on a full time basis
- the PHA has less than 300 public housing units, has provided reasonable notice to the resident advisory board of the opportunity to serve on the governing board, and has not been notified by any resident of their interest to participate in the Board.
- Other (explain):

B. Date of next term expiration of a governing board member: **02/2004**

C. Name and title of appointing official(s) for governing board (indicate appointing official for the next position): **John Tallent, Mayor of Gladewater, Texas**

Required Attachment E: Membership of the Resident Advisory Board or Boards

List members of the Resident Advisory Board or Boards: (If the list would be unreasonably long, list organizations represented or otherwise provide a description sufficient to identify how members are chosen.)

Ms. Sarah Fox
414 W. Pacific
Gladewater, Texas 75647

Ms. Alice Greer
38 Greenway Village
Gladewater, Texas 75647

Admissions and Occupancy Policy Housing Authority of the City of Gladewater Texas

I. PURPOSE

This Policy is established in order that the Housing Authority of the City of Gladewater Texas will meet its responsibilities pursuant to the United States Housing Act of 1937, as amended, Title VI of the Civil Rights Act of 1964 and all other civil rights requirements, regulations promulgated by the U. S. Department of Housing and Urban Development (HUD), the Annual Contributions Contract between the Housing Authority and HUD, and State and local laws, with respect to admission and occupancy of the Low Rent Public Housing Program.

This Policy governs admission and occupancy of Public Housing administered by the Housing Authority of the City of Gladewater Texas hereafter called the Authority. It is the intent of the Authority to ensure decent, safe and sanitary housing for families of limited income in all Public Housing units owned or operated by the Authority under the United States Housing Act of 1937, as amended. It is the intent of the Authority to provide a suitable living environment, which fosters economic and social diversity and upward mobility. The Authority will periodically review this Policy to assure compliance with housing legislation and civil rights requirements.

II. COMPLIANCE WITH CIVIL RIGHTS LAWS

A. Nondiscrimination

1. It is the policy of the Housing Authority of City of Gladewater Texas to comply with all applicable laws relating to Civil Rights, including
 - a. Title VI of the Civil Rights Act of 1964 *(24 CFR 1)*
 - b. Title VIII of the Civil Rights Act of 1968, as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988. *(24 CFR 100)*
 - c. Executive Order 11063, Section 504 of the Rehabilitation Act of 1973 *(24 CFR 8)*

- d. Age Discrimination Act of 1975 *(24 CFR 146)*
 - e. Title II of the Americans with Disabilities Act, to the extent that it applies; otherwise, Section 504 and the Fair Housing Amendments govern.
 - f. Any applicable state laws or local ordinances
 - g. Any legislation protecting the individual rights of tenants, applicants or staff that may subsequently be enacted *(24 CFR 960.203)*
2. The Authority will not discriminate because of race, color, sex, religion, age, familial status, disability, or national origin in the leasing, or other disposition of housing or related facilities, including land, that is part of any project under the Authority's jurisdiction covered by a contract for annual contributions under the U. S. Housing Act of 1937, as amended, or in the use or occupancy thereof. *(24 CFR 100.5)*
 3. The Authority will not, on account of race, color, sex, religion, age, familial status, disability, or national origin:
 - a. Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs.
 - b. Provide housing which is different from that provided others, unless the housing has been specially adapted for use by persons with disabilities, where applicable and/or required.
 - c. Subject a person to segregation or disparate treatment.
 - d. Restrict a person's access to any benefit enjoyed by others in connection with the housing program.
 - e. Treat a person differently in determining eligibility or other requirements for admission.
 - f. Deny a person access to the same level of services *(services must be accessible to disabled persons, whether services are offered by the Authority or by another service provider on the Authority's property); or*
 - g. Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the housing program.
 4. The Authority will not automatically deny admission to a particular group or category of otherwise qualified applicants (e.g., families with children born to unmarried parents, elderly families with pets, or families whose head or spouse is a student). Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine. *(24 CFR 960.205)*.
 5. The Authority will identify and eliminate situations or procedures that

create a barrier to equal housing opportunity for all. In accordance with Section 504 and the Fair Housing Amendments Act of 1988 the Authority will make structural modifications to its housing and non-housing facilities (*24 CFR 8.21, 8.23, 8.24, and 8.25*), make reasonable accommodations (*24 CFR 100.204*), or combinations of the two to permit people with disabilities to take full advantage of the housing program.

- a. In making reasonable accommodations or structural modifications to existing housing programs (*see 24 CFR 8.24*) or in carrying out Other Alterations (*see 24 CFR 8.23(b)*) for otherwise qualified persons with disabilities, the Authority is not required to:
 - 1) Make each of its existing facilities accessible or make structural alterations when other methods can be demonstrated to achieve the same effect (*24 CFR 8.24*);
 - 2) Make structural alterations that require the removal or altering of a load-bearing structural member (*24 CFR 8.32 (c)*);
 - 3) Provide an elevator in any multifamily housing project solely for the purpose of locating accessible units above or below the grade level (*24 CFR 8.26*);
 - 4) Take any action that would result in a fundamental alteration in the nature of the program (*24 CFR 8.24 (a)(2)*); or
 - 5) Take any action that would result in an undue financial and administrative burden on the Authority. (*24 CFR 8.24 (a)(2)*).
- b. When the Authority is making substantial alterations (defined in 24 CFR 8.23 as Comprehensive Modernization or work in developments with 15+ units, work whose value exceeds 75% of the replacement cost of the facility) to an existing housing facility, Authority is not required to:
 - 1) Provide an elevator in any multifamily housing project solely for the purpose of locating accessible units above or below grade level (*24 CFR 8.26*);
 - 2) Make structural alterations that require the removal or altering of a load-bearing structural member (*24 CFR 8.32(c)*); or

- 3) Make structural alterations to meet minimum accessibility requirements where it is structurally impractical. Structural impracticability is defined as: Changes having little likelihood of being accomplished without removing or altering a load-bearing structural member and/or incurring an increased cost of 50% or more of the value of the element of the building or facility involved.

Note that the undue burdens test is not applicable to housing undergoing substantial alteration.

6. The Authority will not permit these policies to be subverted to do personal or political favors. The Authority will not offer units in an order different from that prescribed by this Policy, since doing so violates the Policy, federal law and the civil rights of the other families on the Waiting List. *[24 CFR 906.204 (a) (3) (ii)]*
7. The Authority will not discriminate in the assignment of managers and other staff responsible for the administration of the dwelling units.

B. Accessibility and Plain Language

1. Application and management offices, hearing rooms, community rooms, laundry facilities, craft and game rooms and other common areas of the Authority will be available for use by residents with a full range of disabilities. If these facilities are not already accessible and located on accessible routes, some must be made so, subject to the undue financial and administrative burden test. *(24 CFR 8.20 and 8.21)*
2. Documents intended for use by applicants and residents will be made available in formats accessible for those with vision and hearing impairments *(24 CFR 8.6)*. The documents will be written simply and clearly to enable participants with learning or cognitive disabilities to understand as much as possible. *(24 CFR 912.5(a) requires that any notice or document relative to citizen or eligible immigration status, where feasible, be provided to an applicant or resident in a language that is understood by the individual if the individual is not proficient in English).*
3. Some of the concepts that must be described relative to eligibility, rent computation, applicant screening, reasonable accommodations and lease compliance are complicated, but Authority staff will offer examples where possible to help applicants/residents understand the issues involved. In writing materials to be used by applicants/residents, the Authority staff will keep in mind that mental retardation, learning disabilities and cognitive disabilities may affect the applicant's ability to read or understand, so rules and benefits may have to be explained verbally, perhaps more than once. *(24 CFR 8.6)*

4. At the point of initial contact, Authority staff will ask all applicants whether they need some form of communication other than plain language paperwork. Alternative forms of communication might include: sign language interpretation, having materials explained orally by staff, either in person or by phone, large type materials, information on tape, and having someone (friend, relative, advocate) accompany the applicant to receive, interpret and explain housing materials. *(24 CFR 8.6)*
5. Some applicants will not be able to read (or to read English), so intake staff must be prepared to read and explain anything that they would normally hand to an applicant to be read and filled out. Applicants who read or understand little English may furnish an interpreter who can explain what is going on. *(PHAs are not required to pay the costs associated with having a foreign language interpreter as they are for a sign language interpreter for the hearing impaired [24 CFR 8.6] because the Fair Housing law makes no such requirement)*
6. At a minimum, the Authority may prepare the following information in plain-language accessible formats:
 - a. Marketing and informational materials
 - b. Information about the application process
 - c. How rents and utility allowances are determined
 - d. Application form and required certifications
 - e. All form letters and notices to applicants/residents
 - f. General statement about reasonable accommodation
 - g. Orientation materials for new residents
 - h. Lease and house rules
 - i. Guidance or instructions about housekeeping and care
 - j. Information about the Waiting List
 - k. All information related to applicants' rights to hearings

III. MARKETING

- A. It is the policy of the Authority to conduct outreach as needed to maintain an adequate application pool representative of the eligible population in the area. All marketing efforts will include outreach to those least likely to apply. Outreach efforts will take into consideration:

1. The number of vacant units
 2. Availability of units through turnover
 3. Waiting List Characteristics
- B. The Authority will periodically assess the factors in order to determine the need for and scope of any marketing efforts.
- C. All marketing and informational materials:
1. may comply with the Fair Housing Act requirements with respect to the Equal Housing Opportunity logo and use of nondiscriminatory language [24 CFR 109.30 (a)];
 2. describe the housing units, application process, Waiting List, priority system and eligibility accurately;
 3. will be in plain language and will use more than strictly English language print media;
 4. will target all agencies that serve and advocate for potential applicants;
 5. will make clear who is eligible: low income individuals and families; working and non-working people; as well as the elderly and disabled.
 6. will make clear that it is the Authority's responsibility to provide reasonable accommodations to people with disabilities.

IV. DEFINITIONS

Accessible Dwelling Units

When used with respect to design, construction or alteration of an individual dwelling unit, means that the unit is located on an accessible route and when designed, constructed, altered or adapted can be approached, entered, and used by individuals with physical handicaps. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in 24 CFR 8.32 and Section 40 (the Uniform Federal Accessibility Standards) is "accessible" within the meaning of this paragraph. When an individual unit in an existing facility is being made accessible for use by a specific individual, the unit will be deemed accessible when it meets the standards that address the impairment of that individual.

Accessible Facility

All or any portion of a facility *other than* an individual dwelling unit used by individuals with physical handicaps (24 CFR 8.21)

Accessible Route

For persons with a mobility impairment, a continuous unobstructed path that complies with space and reach requirements of the Uniform Federal Accessibility Standards. For persons with hearing or vision impairments, the route need not comply with requirements specific to mobility. *(24 CFR 8.3 & 40.3.5)*

Adaptability

Ability to change certain elements in a dwelling unit to accommodate the needs of handicapped and non-handicapped persons; or ability to meet the needs of persons with different types and degrees of disability *(24 CFR 8.3 & 40.3.5)*

Adjusted Income

Adjusted income (income upon which rent is based) means Annual Income less the following deductions and exemptions: *(24 CFR 5.611)*

Non-elderly/Non-disabled Families

1. **Child Care Expenses:** a deduction of amounts anticipated to be paid by the family for the care of dependent children under 13, continually living in the household, for the period for which Annual Income is computed. Allowed ONLY after verification and when such care is necessary to enable a family member to be gainfully employed, to actively seek employment or to further his/her education. Amounts deducted must be un-reimbursed expenses and shall not exceed actual amounts per child or:
 - a. amount of employment income included in the Authority's computation of annual income
 - b. an amount determined to be reasonable by the Authority when the expense is incurred to permit education or to actively seek employment.
2. **Dependent Deduction:** an exemption of \$480 for each member of the family continuously residing in the household (other than the head of household, or spouse, Live-In Aide, foster adult or foster child) who is under eighteen (18) years of age or who is eighteen (18) or older and disabled, handicapped or a full-time student.
3. **Disability Assistance Expense Deduction:** (for families not considered a "disabled family" but which have a member, other than the head or spouse, who is disabled) a deduction of the cost of all un-reimbursed expenses for Disability Assistance less three percent (3%) of Annual Income, provided the amount so calculated does not exceed the employment income earned.

For Elderly and Disabled Families Only (families whose head, co-head, spouse or sole member is elderly or disabled)

1. **Elderly/Disabled Household Exemption:** An exemption of \$400 per household.
2. **Medical Deduction and/or Disability Assistance Expense Deduction (medical expenses of all family members counted)**
 - a. ***For Elderly /Disabled Families with Medical Expenses but without Disability Assistance Expenses:*** total un-reimbursed medical expenses less three percent (3%) of Annual Income.
 - b. ***For Elderly/Disabled Families with both Medical and Disability Assistance Expenses:***
 - 1) If total of all un-reimbursed disability assistance expense is equal to or greater than three percent (3%) of Annual Income, deduction equals the amount of Disability Expenses less 3% of Annual Income, PLUS actual unreimbursed Medical Expense.
 - 2) If total of all un-reimbursed Disability Assistance expense is less than 3% of Annual Income, then the deduction equals the amount by which the sum of Disability Assistance expenses plus Medical Expenses exceeds 3% of Annual Income.

Alteration

Any change in a facility or its permanent fixtures or equipment. Does not include: normal maintenance or repairs, re-roofing, interior decoration or changes to the mechanical systems.

Annual Income

Annual income is the anticipated total income from all sources, including net income derived from assets, received by the family head and spouse (even if temporarily absent) and by each additional adult family member. It includes all net income from assets for the 12-month period following the effective date of initial determination or re-examination of income.

To annualize full-time employment, multiply as follows:

- a. Hourly wages by 2080 hours
- b. Weekly wages by 52
- c. Bi-weekly wages by 26
- d. Semi-monthly wages by 24
- e. Monthly amount by 12

Income includes but is not limited to: (24 CFR 5.609)

1. full amount before any payroll deductions, of wages and salaries overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services
2. net income from operation of a business or profession, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business.
3. interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness will not be used as deductions in determining net income. An allowance for the straight-line depreciation of real or personal property is permitted. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the property.

Where the family has net family assets greater than \$5,000, annual income shall include the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate as determined by the HUD field office, whichever is greater.

4. full amount of *periodic* payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump sum amount or prospective monthly amounts for the delayed start of a periodic amount for other than social security or SSI
5. Payments in lieu of earnings, such as unemployment, disability compensation, worker's compensation and severance pay
6. All welfare assistance payments received by or on behalf of any family member
7. Periodic and determinable allowances, such as alimony and child support payments, and regular cash contributions or gifts received from agencies or persons not residing in the dwelling made to or on behalf of family members. Regular shall be defined as two occurrences within a calendar year.
8. All regular pay, special pay and allowances of a family member in

the Armed Forces.

9. Imputed welfare income amount (see definition) if family has received a specified welfare benefit reduction as a result of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

Does not include: (24 CFR 5.609)

1. Income from the employment of children (including foster children) under the age of 18
2. Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident family, who are unable to live alone)
3. Lump sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance, and worker's compensation), capital gains and settlement for personal property losses
4. Amounts received by the family that are specifically for, or in reimbursement of the cost of medical expenses for any family member
5. Income of a live-in aide, provided the person meets the definition of a live-in aide *(24 CFR 5.403)*
6. Full amount of student financial assistance paid directly to the student or the educational institution
7. Special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
8. Certain types of income related to training:
 - a. amounts received under HUD funded training programs (such as Step-Up; excludes stipends, wages, transportation payments, child care vouchers, etc. for the duration of the training)
 - b. amounts received by a person with disabilities that are disregarded for a limited time for purposes of SSI and benefits that are set aside for use under a Plan to Attain Self-Sufficiency (PASS)
 - c. amounts received by a participant in other publicly assisted programs which are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) to allow participation

in a specific program

- d. a resident services stipend: a modest amount not to exceed \$200/month received by a public housing resident for performing a service for the Authority, on a part-time basis, that enhances the quality of life in public housing. Such services may include but are not limited to fire patrol, hall monitoring, lawn maintenance and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time.
 - e. Compensation from State or local employment training programs and training of family members as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for a limited period as determined in advance by the Authority.
9. Temporary, non-recurring, or sporadic income, including gifts, not to exceed \$100.00 and one occurrence per calender year.
 10. Reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era
 11. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse)
 12. Adoption assistance payments in excess of \$480 per adopted child
 13. Deferred periodic payments of supplemental security income (SSI) and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
 14. Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
 15. Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the disabled family member at home.
 16. Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. Include:
 - a. value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977
 - b. payments to volunteers under Domestic Volunteer Services

Act of 1973 (RSVP, Foster Grandparents, Senior Companion Program; and Older American Committee Service Program, VISTA, Peace Corps, Service Learning program, Special Volunteer Programs; Small Business Administration Programs such as National Volunteer Program to Assist Small Business and Promote Volunteer Service to Persons with Business Experience, Service Corps of Retired Executives (SCORE), and Active Corps of Executives (ACE

- c. first \$2,000 of payments received under the Alaska Native Claims Settlement Act
- d. income derived from certain sub-marginal land of the U. S. that is held in trust for certain Indian tribes
- e. payments or allowances made under Dept. of Health and Human Services Low-Income Home Energy Asst. Prog.
- f. payments received under programs funded in whole or in part under the Job Training Partnership Act
- g. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians
- h. first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims or from funds held in trust for an Indian Tribe by the Secretary of Interior
- i. amounts of scholarships funded under Title IV of Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs (Pell Grants, Supplemental Opportunity Grants, State Student Incentive Grants, College Work Study and Byrd Scholarships.
- j. payments received from programs funded under Title V of the Older Americans Act of 1965 (Senior Community Services Employment Program, National Caucus Center on the Black Aged, National Urban League, Association National Pro Personas Mayors, National Council on Senior Citizens and Green Thumb)
- k. payments received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established in the In Re Orange product liability litigation.
- l. payments received under the Maine Indian Claims Settlement Act of 1980
- m. the value of any child care provided or arranged (or any

amount received a for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990.

- n. Earned Income Tax Credit refund payments received on or after January 1, 1991.
 - o. Amounts earned by temporary census employees, provided the terms of employment do not exceed 180 days.
17. The first twelve (12) months of additional income due to employment, starting on the date of employment for a family:
- a. whose income increased as a result of employment of a family member who was previously unemployed for one or more years. *(For purposes of this section, "previously unemployed" includes a person who has earned, in the previous twelve months, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage).*
 - b. whose income increased during the participation of a family member in any family self-sufficiency or other job training; or
 - c. who, within 6 months previous to new employment, was assisted through TANF (temporary assistance for needy families) in the amount of at least \$500, as verified by the local TANF agency.

Anticipated Annual Income

If it is not feasible to anticipate income for a 12-month period, the Authority may use the annualized income anticipated for a shorter period, subject to an Interim Adjustment at the end of the shorter period. This method would be used for teachers who are paid for only nine (9) months, or for residents receiving unemployment compensation.

Applicant

A person or a family that has applied for admission to housing.

Application

A written form, to be signed and dated by an adult member of the family, which includes information the Authority needs to determine whether the family may be admitted in accordance with Section V of this Policy.

Area of Operation

The municipality for which the authority is created and the area that is within five

miles of the territorial boundaries of the municipality and is not within the territorial boundaries of another municipality. To operate in another jurisdiction requires a resolution from the governing body of that jurisdiction. (*Texas Local Government Code 392*)

Assets

Cash (including checking accounts), stocks, bonds, savings, equity in real property, or the cash value of life insurance policies. Assets **do not** include the value of personal property such as furniture, automobiles and household effects or the value of business assets.

Auxiliary Aids

Services or devices that enable persons with impaired sensory, manual or speaking skills to have an equal opportunity to participate in and enjoy the benefits of programs or activities. (*24 CFR 8.3*)

Care Attendant

A person who regularly visits the unit of an Authority resident to provide supportive or medical services. Care attendants have their own place of residence (and if requested by the Authority, must demonstrate separate residence) and do not live in the public housing unit. Care attendants have no rights of tenancy.

Ceiling Rent

A maximum total tenant payment amount established by the Authority, which may be tied to one or more individual projects, sites or unit sizes.

Child Care Expenses

A deduction of amounts anticipated to be paid by the family for the care of dependent children under 13, continuously living in the household, for the period for which Annual Income is computed. Allowed ONLY when such care is necessary to enable a family member to be gainfully employed, to actively seek employment or to further his/her education. Amounts deducted must be unreimbursed expenses and shall not exceed actual costs per child or:

1. the amount of employment income included in the Authority's computation of annual income.
2. an amount determined to be reasonable by the Authority when the expense is incurred to permit education or to actively seek employment. The Authority will use the average of rates obtained from four **(4)** local child care facilities to determine a reasonable maximum child care expense.
3. when there is an unemployed adult household member in the family, child

care expenses will not be allowed, unless family can provide proof that the available adult member is not physically or mentally capable of providing child care.

Co-head of Household

A household where two persons are held responsible and accountable for the family.

Community Service

The performance of voluntary work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community in which the resident resides. Political activity is excluded.

Covered Family

Family who receives welfare assistance or other public assistance from a state or other public agency under a program for which federal, state, or local law requires that a member of the family participate in an economic self-sufficiency program as a condition of such assistance.

Dependent

A member of the household (other than head, spouse, sole member, foster child, foster adults, or Live-in Aide) who is under 18 years of age, or 18 years of age or older and disabled, handicapped, or a full-time student. Dependency shall be verified through legal documentation or resources. *(24 CFR 5.603)*

Designated Family

the category of family for whom a housing authority elects (subject to HUD approval of an Allocation Plan) to designate a project (e.g., elderly family in a project designated for elderly families) in accordance with 1992 Housing Act. *(24 CFR 945.105)*

Designated Housing

a project(s) or portion of a project designated for elderly only or for disabled families only in accordance with 24 CFR 945.105.

Disability Assistance Expense

Amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities where such expenses are necessary to permit a family member or family members, including the disabled person, to be employed. Equipment and auxiliary apparatus may include but are not limited to: wheelchairs, lifts, reading devices for the visually impaired, and equipment added to cars and vans to permit their use by the handicapped or disabled family

member. Also included would be the annualized cost differential between a car and the cost of a van required by the family member with disabilities. (24 CFR 5.603)

Disabled Family

A family whose head/ co-head/ spouse or sole member is a person with disabilities. The term includes two or more persons with disabilities living together, and one or more such persons living with one or more persons including live-in aides determined to be essential to the care and well-being of the person or persons with disabilities. (24 CFR 5.403)

Disabled Person

A person who is under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423), who has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act [U.S.C. 6001(7)], or has a disability as determined by HUD regulations at 24 CFR 5.403 and 8.3.

1. **Section 223:** disability defined as inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months, or in the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial gainful activity requiring skills or ability comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time.
2. **Section 102(7):** developmental disability defined as a severe chronic disability that:
 - a. is attributable to a mental or physical impairment or combination of the two
 - b. is manifested before the person attains age twenty-two(22)
 - c. is likely to continue indefinitely
 - d. results in substantial functional limitation in three or more of the following areas of major life activity: self care, receptive and responsive language, learning, mobility, self-direction, capacity for independent living, economic self-sufficiency.
 - e. reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment or other services which are of lifelong or extended duration and are individually planned and coordinated.

3. A person having a physical, mental or emotional impairment that:
 - a. is expected to be of long, continued and indefinite duration
 - b. substantially impedes the person's ability to live independently
 - c. is of such a nature that such ability could be improved by more suitable housing conditions.

4. For purposes of qualifying for housing programs, the term does not include any individual whose disability is based solely on any drug or alcohol dependence.

5. Individual with handicaps, as defined in 24 CFR 8.3, as follows: means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. As used in this definition, the phrase:
 - (a) Physical or mental impairment includes:
 - (1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
 - (2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
 - (3) The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.
 - (b) Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
 - (c) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
 - (d) Is regarded as having an impairment means:
 - (1) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation;
 - (2) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
 - (3) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment.

6. The definition of handicap in Section 504 of the Rehabilitation Act of 1973 does not include homosexuality, bisexuality, or transvestitism. (*these characteristics do not disqualify an otherwise disabled applicant/resident from being covered*).

Disallowance

An exclusion from annual income for purposes of rent computation.

Displaced Person

A person displaced by government action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise recognized pursuant to Federal disaster relief laws.

Divestiture Income

Imputed income from assets, including business assets, disposed of by applicant or resident in the last two years at less than fair market value.

Domestic Violence

Actual or threatened physical violence of a recent or continuous nature directed against one or more members of the applicant's family by a spouse or other family member.

Due Process Determination

A determination by HUD that specified procedures for judicial eviction under State and local law require that a tenant be given the opportunity for a hearing in court which provides the basic elements of due process before eviction from the unit. (*24 CFR 966.53*)

Elderly Family

A family whose head, co-head, spouse or sole member is at least 62 years of age. It may include two or more elderly persons living together, and one or more such persons living with one or more persons, including live-in aides, determined to be essential to the care and well-being of the elderly person or persons. (*24 CFR 5.403*)

Elderly Person

A person who is at least 62 years of age (*24 CFR 5.100*)

Elements of Due Process

The court procedures for eviction under State and local law require all of the following before eviction from a unit: (*24 CFR 966.53*)

1. the opportunity for a hearing on the existence of serious or repeated lease

violations or other good cause for eviction

2. advance notice of the hearing, and of the alleged reasons for eviction
3. hearing before an impartial party
4. the opportunity to be represented by counsel
5. the opportunity to present evidence and question witnesses
6. a decision on the reasons for eviction before the occupants are evicted

Eligibility Income

This is the applicant's **Annual Income** amount. This figure is compared to the HUD-approved income limits (issued annually) to determine if an applicant family is eligible for admission.

Extremely Low Income Family

A Family whose Annual Income is equal to or less than 30% of Area Median Income, adjusted for family size, as published by HUD.

Eviction

Forcing the occupants to move out of the unit.

Family

Two or more persons (with or without children) regularly living together, related by blood, marriage, adoption, guardianship or operation of law who will live together in Authority housing; OR two or more persons who are not so related, but are "regularly" (defined as continuous habitation with household 5 days of 7 per week) living together, can verify shared income or resources who will live together in Authority housing.

"Family" also includes: Elderly Family, Near Elderly Family, Disabled Family, Displaced Person, Single Person, the remaining member of a tenant family, a foster care arrangement, or a kinship care arrangement. Other persons, including members temporarily absent (e.g., a child temporarily placed in foster care or a student temporarily away at college), may be considered a part of the applicant family's household if they are living or will live regularly with the family *(24 CFR 5.403)*

Family Self Sufficiency

Any approved program established by the Authority to promote self-sufficiency among participating families, including the provision of supportive services, toward the goal of the families' no longer needing public assistance.

Flat Rents

Total Tenant Payments set by the Authority, that are based on market rate rents and comparable to rents in the private sector for similar type and size units.

Foster Child/Adult

A child/adult placed in the care of a Foster Family by a licensed Child Placement Agency or Adult Placement Agency.

Fraud

Fraud as defined under any Federal or State civil or criminal statute, or any other deliberate misrepresentation to this Authority by any member of an applicant or resident family. *(24 CFR 966.2)*

Full-Time Student

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. Educational institutions include but are not limited to: colleges, universities, secondary schools, vocational schools or trade school *(24 CFR 5.603)*

Hardship Waiver (Minimum Rent)

A family may apply for a waiver of the minimum rent if one of the following situations occurs:

1. Family has lost eligibility for or is awaiting approval of federal, state, or local assistance (includes family with member who is a noncitizen who is lawfully admitted for permanent residence)
2. Family's income has decreased because of changes in circumstances, including loss of employment
3. A family member has died

Hate Crimes

Actual or threatened physical violence or intimidation of a recent or continuing nature that is directed against a person or his property that is based on the person's race, age, color, religion, sex, national origin, disability or familial status.

Head of Household

Head of household is the family member (identified by the family) who is held responsible and accountable for the family.

Household

The tenant and other persons who live in a unit with written approval of the

Authority. (24 CFR 966.2)

Imputed Welfare Income

The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

Income - Adjusted

See "Adjusted Income"

Income - Annual

See "Annual Income"

Income - Eligibility

See "Eligibility Income"

Income Limits

The income limits for each county in the state are determined and published by HUD annually. Income limits are based on 30%, 50% and 80% of median for the area.

Income-Based Rent

Total Tenant Payment that is based on the family's income

Kinship Care

An arrangement in which a relative or non-relative becomes the care giver for a child or children but is not the biological parent of the child or children. The primary care giver need not have legal custody of such child or children to be a kinship care giver under this definition, but must provide proper documentation of such care through school, medical, governmental or other records establishing domicile of child/children.

Live-In Aide (24 CFR 5.403)

1. A person who resides with an elderly person(s), near elderly person(s) or person(s) with disabilities and who
 - a. is determined by the Authority to be essential to the care and well being of the person(s)
 - b. is not obligated to support the family member
 - c. would not be living in the unit except to provide the necessary

supportive services

2. A Live-In Aide is not listed on the lease and cannot become a remaining family member for continued occupancy purposes.
3. A Live-In Aide's income is not counted in determining the family's income.

Low Income Family

A family whose annual income does not exceed 80 per cent of the median income for the area as determined by HUD with adjustments for smaller and larger families.

Medical Expense

Medical expenses include but are not limited to:

1. services of physicians and other health care professionals
2. services of health care facilities
3. health insurance premiums, including cost of Medicare
4. prescription and non-prescription medicines
5. transportation to and from treatment
6. dental expense
7. eyeglasses
8. hearing aids and batteries
9. attendant care (unrelated to employment of family members)

These are expenses that are anticipated during the period for which annual income is computed and that are not covered by insurance *(24 CFR 5.603)*

Medical Expense Allowance

For purposes of calculating adjusted income for elderly or disabled families only, medical expense allowance means the medical expense in excess of **3%** of Annual Income, where these expenses are not compensated for or covered by insurance *(24 CFR 5.611)*

Minimum Rent

A family will pay whichever is highest: **10%** of annual (or gross) income; **30%** of adjusted income, or a \$ **25.00** minimum rent established by the housing authority. This minimum rent is the total tenant payment, which is reduced by an allowance for utilities where the tenant pays part or all of the utilities.

Minor

A minor is a person less than 18 years of age. An unborn child will not be considered as a minor. Some minors are permitted to execute contracts, provided a court has declared them “emancipated.”

Mixed Population Project

A public housing project for elderly and disabled families. The Authority is not required to designate this type of project under 24 CFR 945 or prepare an allocation plan.

Mixed Family

A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status. *(24 CFR 5.504)*

Monthly Income

One-twelfth of Annual Income *(24 CFR 5.603)*

Monthly Adjusted Income

One-twelfth of Adjusted Income *(24 CFR 5.603)*

Multifamily Housing Project

For purposes of 504, means a project containing five or more dwelling units *(24 CFR 8.3)*

Near-Elderly Family

A family whose head, spouse, or sole member is a near-elderly person (at least 50 but less than 62 years of age). The term includes two or more near-elderly persons living together, and one or more such persons living with one or more persons who are determined to be essential to the care or well-being of the near-elderly person or persons. A near-elderly family may include other family members who are not near-elderly. *(24 CFR 5.403)*

Negative Rent

See Utility Reimbursement

Net Family Assets *(24 CFR 5.603)*

1. The net cash value, after deducting reasonable costs (e.g., brokerage or legal fees, settlement costs, penalties for early withdrawal) that would be incurred in disposing of:
 - a. Real property (land, houses, mobile homes)

- b. Savings (CD, IRA or KEOGH accounts, checking and savings accounts, precious metals)
 - c. Cash value of whole life insurance policies
 - d. Stocks and bonds (mutual funds, corporate bonds, savings bonds)
 - e. Other forms of capital investments (business equipment) excluding interests in Indian trust lands and excluding equity accounts in HUD home ownership programs
2. In the case of a trust fund not revocable by or controlled by any members of the family or household, the value of the trust fund will not be considered an asset as long as the fund continues to be held in trust. Any income from the trust shall be counted as income.
 3. If a family disposed of an asset within the two years preceding the date of the application or re-certification at less than fair market value, the difference between what they received and what they would have gotten, had they received the fair market value is counted as an asset for purposes of determining net family assets.
 4. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be less than fair market value if the applicant or resident receives important considerations not measurable in dollar terms.

Non-citizen

A person who is neither a United States citizen nor a National of the United States *(24 CFR 5.504)*

Over-income Family

An individual or family who is not a low-income family at the time of initial occupancy.

Portion of project

Includes one or more buildings in a multi-building project; one or more floors of a project or projects; a certain number of dwelling units in a project or projects *(24 CFR 945.105)*

Project (504 Definition)

Means the whole of one or more residential structures and appurtenant structures, equipment, roads, walks and parking lots that are covered by a single contract for federal assistance or application for assistance, or are treated as a whole for processing purposes, whether or not on a common site *(24 CFR 8.3)*

Public Assistance

TANF or other payments to families and individuals, based on need, that are made under programs funded, separately or jointly, by Federal , State or local governments.

Reasonable Accommodation

Reasonable accommodation is making alterations or adaptations to provide access to otherwise qualified individuals with disabilities in the use of the program and facilities, without causing undue financial and administrative hardship or substantially altering the program or activity.

Re-certification

Also called re-examination or re-determination. The checking of family circumstances and income at least annually to determine if family composition or income changes would require a change in rent or unit size.

Regular

Definitions contained in annual income and family definitions as posted.

Annual Income: Item 7

Family: defined as continuous habitation with household 5 days of 7 per week

Residency

Substantiated and or verified dwelling place within a municipality or boundaries set by the State of Texas or Federal Government.

Service Provider

A person or organization qualified and experienced in the provision of supportive services, that is in compliance with any licensing requirements imposed by State or local laws for the type of service or services to be provided. The service provider may provide the service on either a for-profit or not-for-profit basis (*24 CFR 945.105*)

Single Person

A person who lives alone or intends to live alone and is not an elderly person, a person with disabilities, a displaced person or the remaining member of a resident family (*24 CFR 945.105*)

Specified Welfare Benefit Reduction

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

noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

2. does not include a reduction or termination of welfare benefits by the agency
 - (a) at expiration of a lifetime or other time limit on the benefits
 - (b) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self sufficiency or work activities requirements; or
 - (c) because a family member has not complied with other welfare agency requirements.

Spouse

Spouse means the husband or wife of the head of household.

TANF

Temporary Assistance to Needy Families. The term that replaced AFDC.

Tenant Rent

The amount payable monthly by the family as rent to the Authority. Where all utilities (except telephone) and other essential housing services are supplied by the Authority, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the Authority and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance (*24 CFR 5.603*)

Total Tenant Payment (TTP)

1. Income-Based: Total Tenant Payment is the greater of 30% of the Monthly Adjusted Income (as defined in this Policy) and 10% of the Monthly Annual Income (as defined in this Policy), but never less than the Minimum Rent (except for Hardship Waivers) or greater than the Ceiling Rent, if any.
2. Flat Rent: Total Tenant Payment will be the Flat Rent if the family chooses Flat Rent instead of Income-based rent. (See ***Flat Rent***)

If the tenant pays the utilities, the amount of the Utility Allowance is deducted from the TTP. Total Tenant Payment does not include charges for excess utility consumption or other miscellaneous charges.

Uniform Federal Accessibility Standards

Standards for the design, construction and alteration of publicly owned residential structures to insure that physically handicapped persons will have ready access to and use of such structures. Standards are in Appendix A to 24 CFR 40.

Utilities

Water, electricity, gas, other heating, refrigeration and cooking fuels, trash collection and sewerage services. Telephone service is not considered a utility.

Utility Allowance *(24 CFR 5.603)*

If the cost of utilities (except telephone) for an assisted unit is not included in the Tenant Rent but is the responsibility of the family, an amount equal to the estimate made, as approved by the Authority or HUD, of the monthly costs of a reasonable consumption of such utilities for the unit, consistent with the requirements of a safe, sanitary and healthful living environment.

Utility Reimbursement *(24 CFR 5.603)*

The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the Total Tenant Payment for the Family occupying the unit. In such a case, the amount will be reimbursed to the family on a monthly basis or directly to the utility company on behalf of the family.

Very Poor Family

See "Extremely Low Income Family"

Very Low Income Family

Family whose Annual Income does not exceed fifty (50) per cent of the median income for the area.

V. ELIGIBILITY FOR ADMISSION

- A. It is the Authority's policy to admit only qualified applicants.
- B. An applicant is qualified if he or she meets all of the following criteria:
 - 1. Is a family as defined in Section IV of this Policy;
 - 2. Is a family that meets the HUD requirements on citizenship or immigration status; *(24 CFR 5.500 - 5.528)*
 - a. A family is not eligible for full housing assistance unless every member of the family in the unit is determined to be either a U. S. citizen or have eligible immigrant status as defined by the regulations.
 - b. A Mixed Family (in which one or more family members is

determined to be ineligible on the basis of immigration status) may be eligible for prorated assistance.

3. Has an Annual Income at the time of admission that does not exceed the low income limits for occupancy established by HUD, and posted separately in the Authority office.
4. Provides a documented Social Security number for all family members, age 6 or older, or certifies that they do not have Social Security numbers *(24 CFR 5.216)*
5. Meets or exceeds the Applicant Suitability Screening set forth in Section XI of this Policy *(24 CFR 960.205)*, including attending and successfully completing an Authority preoccupancy orientation.

VI. APPLICATIONS FOR ADMISSION

A. General Conditions

1. Under no circumstances will anyone be denied the right to request or submit an application for housing.
2. Applications will be accepted Monday through Friday, 9:00 to 11:00 AM and 1:30 to 4:30 PM on the days from the 11th to the 23rd of each month.
3. A completed written application form, signed by Head, Co-Head or Spouse or anyone over the age of 18 of the applicant family, will be obtained from all applicants seeking admission to housing.
4. No application will be accepted by mail, unless special arrangements are requested and approved by the Authority, based on a person's disability or other extenuating circumstance that would prevent him/her from coming into the office to fill out the application. Applications received by mail will be dated as of the date of the next regularly scheduled application-taking day and marked with the beginning time of the next regularly scheduled application-taking day. On that date, the applicant will then be placed on the Waiting List.
5. At the time the applicant comes to the office to return an application and complete a counseling session, the Authority staff will interview the applicant and explain the application, verification and screening process.
6. The application package may consist of, but not be limited to:
 - a. Application Form
 - b. Personal Declaration

- c. Applicant Certification
 - d. Information Concerning Citizenship Verification
 - e. Citizenship Declaration Form/Certification off Non-eligible. Immigrant Status (if applicable)
 - f. Authorization for Release of Information/Privacy Act Notice
 - g. Criminal History Check Acknowledgment Form
 - h. Waiting List Policy Statement
 - i. "Things You Should Know" Brochure
 - j. Applicable Verification Forms
 - k. Community Service Policy/Exempt Forms
 - l. (Mandatory) Class Member Desegregative Housing Opportunities Booklet
7. At the initial visit, the family will complete and sign the application form and sign all certifications and releases. It is important at the first visit that enough information is obtained to make a preliminary determination of eligibility.
 8. The Authority will work on the assumption that the facts certified to by the applicant in the application are correct, although all those facts will be subject to verification later in the application process.
 9. As soon as the Authority has a completed, signed application form, the application will be marked with the date, time and income priority (if applicable to Young Court Order) and immediately placed on the Waiting List, which is subdivided according to number of bedrooms and type (elderly/non-elderly).
 10. **Every applicant who submits a completed, signed application form will immediately be placed on the Waiting List, regardless of whether or not all other application documents have been submitted and regardless of whether or not the applicant initially appears eligible.**
- B. Preliminary Determination of Eligibility
1. Within approximately 30 days following the interview, a preliminary review of the applicant's file will take place to check for apparent

eligibility or ineligibility based on the statements made on the application and signed certifications.

3. A review of Authority internal records will be made to determine if an applicant has participated in any of the programs administered by this Authority or any other Housing Authority and left the program owing unpaid rent, damages, vacancy loss, or other charges. Such an applicant will not be determined eligible until all funds are repaid in full. A record of previous tenancy that exhibits detrimental actions shall be grounds for ineligibility.

3. **Applicant Determined Preliminarily Ineligible:**

- a. An applicant who is determined to be ineligible because of information on the application (e.g., over income) or a record of a prior eviction from public housing or debts owing, or record of previous detrimental tenancy, will be notified in writing of the ineligibility. Notice will:

- 1) specify reasons why ineligible
- 2) inform applicant that he or she has fourteen (14) days after receipt of this notice to request a hearing (see Section XII)

- a. Applicant is removed from Waiting List.
- b. Once the decision to deny is made, the application will be filed and kept for three years.

4. **Applicant Determined Eligible**

Eligible applicants will be notified in writing or by telephone

- a. that they have been placed on the Waiting List according to the date and time of their application.
- b. that it is their responsibility to submit the rest of their documents, if applicable, within the next 15 days, as well as report any deviance from original application.

- c. Applicant must respond to update letter within 10 days from date of letter to remain active on the waiting list (*unless they have, at initial application, requested assistance with communication as a reasonable accommodation of their disability. Such assistance in updating the Waiting List could include the Authority contacting the applicant with a disability or a designated friend, relative or representative, rather than requiring the applicant to contact the Authority.*)

C. The Waiting List will reflect for each application the following information and will be consistent with Title VI objectives and other requirements:

1. the date and time of receipt; race and ethnicity of head of household
2. Income priority status (Not Applicable for Young PHAs). 07/01/2001
3. the determination by the Authority as to preliminary eligibility or ineligibility
4. date determined eligible or ineligible
5. the unit size(s) for which eligible
6. the date, location, identification and circumstances of each vacancy offered and accepted or denied.

D. Time Table for Final Verifications

1. If there are applicants on the Waiting List, final verification (process outlined in Section X) of all application information submitted by the family will be conducted no earlier than 120 days prior to the estimated time the applicant will be offered a unit.
2. Verifications and screening will begin immediately after all completed application paperwork has been submitted by the family.

VII. ADMISSION PRIORITIES AND SPECIAL CIRCUMSTANCES

A. Deconcentration and Income Targeting (Not applicable for Young PHAs).

In its assignment of units, the Authority will, to the maximum extent possible,

avoid concentration of the most economically and socially deprived families in any one or all of its developments, in an attempt to achieve a broad range of incomes.

1. Applicants will be grouped according to the following priorities based on income ranges:
 - a. Priority 1: Families with incomes between 0% and 30% of the area median income
 - b. Priority 2: Families with incomes between 31% and 80% of the area median income (target is 60% of admissions)
 2. As required by the *Quality Housing Responsibility Act of 1998*, at least **40 percent** of the families admitted during the fiscal year **must be** admitted from Priority 1. In order to ensure that at any given time the Authority has not fallen below the required 40%, the following test (see worksheet in Addendum B) will be performed prior to each new admission:
 - a. Determine total number of admissions since start of the fiscal year
 - b. Add one to this total (the applicant about to be housed)
 - c. Determine number of families housed to-date with incomes at or below 30% of median
 - d. Divide 3) by 2)
 - 1) if the result is .40 or greater, next admission may have an income greater than 30%
 - 2) If the result is less than .40, the next admission must have an income at or below 30% of median.
 3. In order to prevent or correct concentrations of the lowest income families in any one project or portion of project, the Authority may skip over a Priority 1 family on the Waiting List in order to house a Priority 2 family with higher income.
- B. When selecting a family for a unit in housing designated for elderly families, the Authority will give a priority to elderly and near elderly; in housing designated for disabled families only disabled families will be admitted.
- C. When selecting a family for a unit with accessible features, the Authority will give priority to families that include disabled persons who can benefit from the unit's features.
- D. If no family needing accessible features can be found for a unit with

accessible features, the Authority will house a family not needing the features, subject to the procedures described in the Tenant Selection and Assignment plan, described in Section XIII Under this Policy. A non-disabled family in an accessible unit will be required to move so that a family needing the unit features can take advantage of the unit.

- E. Over-Income Families (for PHAs under 250 units). (If Applicable for Young PHAs). If there are vacant units and there is no one on the waiting list
1. the Authority will advertise the availability of the unit in the local newspaper
 2. a family wanting to lease the unit may do so on a month to month basis until an eligible family applies.
 3. if an over-income family becomes available to fill the unit before the advertising period is up, the Authority will move the family into the unit immediately.
 4. A market rate rent will be charged for the unit.
 5. When an eligible family becomes available, the over-income family will be given 30 days notice to vacate
- F. If determined necessary to increase security within a project, the Authority may rent a unit to a police officer who is not otherwise eligible.
1. Rent and terms of the lease will be negotiated between the Authority and the officer.
 2. Officer must be employed full-time as a professional officer licensed by a federal, state or local government agency.

VIII. OCCUPANCY STANDARDS

- A. It is the Authority's policy that units should be occupied by families of the appropriate size. This policy maintains the usefulness of the units while preserving them from excessive wear and tear.
- B. The following minimum and maximum number of persons per unit guide will govern the number of bedrooms required to accommodate a family of a given size and composition:

Occupancy Guidelines

<u>Number of Bedrooms</u>	<u>Minimum</u>	<u>Maximum</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8

- C. Families may choose to be placed on the waiting list for a unit one bedroom size smaller than that designated on the chart. A family that chooses to occupy a smaller size unit must agree not to request a transfer until their family size changes.
- D. Under the minimum-number-of-persons-per-unit standard, generally two people will share a bedroom, except that units will be so assigned that:
1. It will not be necessary for persons of different generations or opposite sex, other than husband and wife, to occupy the same bedroom **except at the request of the family.**
 2. Exceptions to these standards may be made in the case of reasonable accommodations for a person with disabilities.
 3. An unborn child will not be counted as a person in determining unit size. A single pregnant woman may be assigned to a one bedroom unit.
 4. In determining unit size, the Authority will consider a child who is temporarily away from home because of placement in foster care, kinship care or away at school.
 5. Two children of the opposite sex will not be required to share a bedroom **except at the request of the family.** Two children of the same sex are expected to share a bedroom, regardless of their ages.
 6. The living room or dining room will not be considered as a bedroom when determining the minimum size unit for which a family qualifies.
 7. A single head of household parent will not be required (but may choose) to share a bedroom with his/her child.
 8. A live-in attendant may be assigned a bedroom.
 9. For verified reasons of medical or health problems, a separate bedroom may be provided for an individual family member.

10. A single person who is not elderly or disabled may not be placed in a larger than one bedroom unit.
11. A child aged 6 years or above may be assigned a bedroom
- E. At the discretion of the Authority, families may be permitted to exceed the maximum as shown on the chart when the family requests such occupancy, and when the Authority determines that the unit in question is large enough.
- F. At the GHA discretion, no larger unit will be held vacant due to lack of appropriate sized family on the Waiting List, if it is not financially feasible to do so.
- G. In assigning unit sizes, the Authority will take into account different cultural standards, length of time the family would have to wait for smaller versus larger units, and the age, relationship and sex of family members. *(related language recommended by HUD)*

IX. THE WAITING LIST

- A. General Management
 1. It is the policy of the Authority to administer its Waiting List as required by the regulations at 24 CFR 960.
 2. At the time of initial intake, the Authority will advise families of their responsibility to notify the Authority when their circumstances, mailing address or phone numbers change.
- B. Removal of Applications from Waiting List
 1. The Authority will remove an applicant's name from the Waiting List and require new and updated verifications under the following circumstances:
 - a. The applicant requests that the name be removed.
 - b. The applicant has failed to advise the Authority of his/her continued interest in being on the Waiting List. The Authority requires applicants to notify the Authority of continued interest on a six **(6) month** basis *(subject to reasonable accommodation for persons with disabilities--see Section VI B 4 d)* This includes advising the Authority of any changes in family status, priority

status, or in physical or mailing address.

- c. The Authority has made reasonable efforts to contact the applicant to schedule interviews or obtain information necessary to complete the application process and the applicant has failed to respond. In this case, the Authority will notify the applicant in writing or by telephone that he/she has ten **(10) days** within which to request that they remain on the waiting list. If applicant fails to respond within that period, the application will be withdrawn.
 - d. The applicant has failed to pay an outstanding balance owed to the Authority.
 - e. The Authority has notified the applicant of its intention to remove the applicant's name because the applicant was determined ineligible based on preliminary information on the application or pursuant to the verification process. In this case, the applicant may request an Informal Hearing for Denials (see Section XII), if he/she responds within fourteen **(14) days** of receipt of the written notification.
 - f. The Authority may purge non-updated applications from the Waiting List every six months after proper notification.
 - g. The Authority has rescinded an offer because an applicant has failed to update pertinent and required information of their application within 10 days from the occurrence
2. The Authority may consider mitigating circumstances such as disabilities, health problems or lack of transportation in determining if the application should be withdrawn.

X. VERIFICATIONS

- A. Verification is required for all information related to admission, annual re-examination, interim re-examination, transfer and any other changes in occupancy. To the maximum extent possible, the Authority will use the forms in the application packet for obtaining verifications.
- B. Applicants must cooperate fully in obtaining or providing the necessary verifications. Upon application, the Authority will begin to verify the following items:
 1. Family Composition and type

2. Annual Income
 3. Assets and Asset Income
 4. Deductions from Income
 5. Social Security Numbers of all Family Members Age 6+
 6. Information used in Applicant Screening
 7. Citizenship or eligible immigration status
- C. The Authority's first choice is a **written third party** verification to substantiate applicant or resident claims. All family members for whom deductions or other claims are being made by the family must sign verification forms to be sent to the appropriate source. The Authority may also use:
1. phone verification with the results recorded in the file, dated, and signed by Authority staff
 2. review of documents, and
 3. if no other form of verification is available, applicant certification. Each file will be documented to show that the Authority staff attempted to obtain third-party written documentation before relying on a less acceptable form of information.
- D. Forms of Verification may include:
1. Checklists completed as part of the interview process and signed by applicant
 2. Verification forms completed and signed by third parties
 3. Reports of interviews
 4. Letters
 5. Notes of telephone conversations with reliable sources, dated and signed
 6. Legal and/or notarized verification of domicile, guardianship, kinship care, adoption
 7. Domestic violence verification may require law enforcement reports, shelter referrals that establish a present or historical element of danger to the applicant

- E. Verification of citizenship or eligible immigration status will be carried out in accordance with 24 CFR 5.500 - 5.528, the HUD Non-citizen Guidebook and the Immigration and Naturalization Service's (INS) SAVE system manual .
1. Each family member, regardless of age, must submit the following:
 - a. Citizens
 - 1) Signed declaration form (for a child, the responsible party signs)
 - 2) Proof of U. S. Citizenship (US birth certificate, US passport, Social Security Number, Voter Registration or other appropriate documentation).
 - b. Non-citizens claiming legal status
 - 1) Signed declaration form indicating kind of legal immigration status (for a child, the responsible party signs)
 - 2) Applicable INS documents
 - 3) Signed verification consent form (for a child, the responsible party signs)
 - c. Non-citizens 62 or older (applying for assistance on or after September 30, 1996)
 - 1) Signed declaration of eligible immigration status indicating kind of status
 - 2) Proof of age
 2. In the case of a "Mixed Family" applicant, a member who is a non-citizen not claiming to have eligible status must sign, or must have another family member sign, a certification that they do not have eligible status.
 3. Verification Process
 - a. Primary verification
 - 1) Primary verification of the immigration status of a person is conducted through the INS automated system [INS

Systematic Alien Verification for Entitlements (SAVE)].

- 2) If INS SAVE system does not confirm eligible immigration status, secondary verification must be performed
- b. Secondary verification
- 1) A manual search by the INS of its records to determine an individual's immigration status will be requested by the Authority within 10 days of receiving the results of the primary verification if primary verification does not confirm eligible status
 - 2) To request the search, the Authority will send, to a designated INS office for review, photocopies of both sides of the original INS documents required for the immigration status being declared and the INS document verification request form G-845S (available from local INS office), or such other form specified by the INS.
 - 3) If secondary verification fails to confirm eligible status, Authority will notify family of its right to appeal to the INS or request an informal hearing with the Authority.
4. Restrictions on Denial, Delay or Termination of Assistance.

Assistance **may not** be denied or delayed (or in case of re-examinations, reduced or terminated) on the basis of immigration status if:

- a. primary and secondary verifications were submitted in a timely manner but INS has not been completed the procedure
- b. the family member for whom required evidence has not been submitted has moved from the assisted unit(*applicable to re-examinations*)
- c. the family member who is determined not to be eligible following verification process has moved from the assisted unit (*applicable to re-examinations*)
- d. the INS appeals process has not been completed (*24 CFR 5.514*)
- e. Assistance is prorated according to 24 CFR 5.520 for a mixed family (see Section XX and Addendum F)
- f. Assistance for a mixed family is continued in accordance with

24 CFR 5.516 and 5.518 (*applicable to re-examinations*)

- g. Deferral of termination of assistance is granted in accordance with 24 CFR 5.516 and 5.518 (*applicable to re-examinations*)
- h. Informal hearing process has not been completed (*24 CFR 5.514*)

5. Denial or Termination of Assistance.

Assistance ***shall be*** denied (or in the case of existing residents, terminated) if

- a. Evidence of citizenship and eligible immigration status is not submitted by the family within the required time frame or within any extension granted.
 - 1) Extensions may be granted, in writing, for no more than 30 days
 - 2) Denial of extensions will also be in writing, with reasons provided.
- b. Evidence of citizenship and eligible immigration status was timely submitted but INS verifications do not verify eligible immigration status and
 - 1) family does not pursue INS appeal or informal hearing rights, or
 - 2) INS appeal and informal hearing rights are pursued but final decisions are against the family
- c. Authority determines that a family member has knowingly permitted another ineligible individual to reside on a permanent basis in the assisted unit (without the Authority's knowledge and without the assistance having been prorated because of this individual) *In such case, termination will be for at least 24 months.*

6. Notice of Denial (or termination). Notice shall state:

- a. that assistance will be denied or terminated and give the reason
- b. that family may be eligible for prorated assistance
- c. in case of existing resident, the criteria and procedures for obtaining relief under the provisions for preservation of families.

- d. that family has right to appeal the INS verifications and submit additional documentation supporting the appeal
- e. that family has right to request an informal hearing with the Authority either upon completion of INS appeal or in lieu of INS appeal.
- f. for applicants, that assistance may not be delayed until the conclusion of the INS appeal, but may be delayed during the pending of the informal hearing process.

7. Appeal to INS

- a. After the Authority notifies family of the results of the INS verification, the family has 30 days to send to INS for an appeal:
 - 1) a cover letter indicating their request for an appeal of the verification results
 - 2) any additional documentation supporting the appeal and a copy of the verification request form used to process the secondary verification
- b. Family must provide the Authority with a copy of the written request and proof of mailing.
- c. Within 30 days of receipt of the request, INS will render a decision or notify the family of the reasons for any delay.
- d. Upon receipt of INS decision, the Authority will notify the family of its right to request an informal hearing on the ineligibility determination.

8. Informal Hearing

- a. Family may request a hearing in lieu of an INS appeal or following it.
- b. Family must request the hearing within 30 days of the notice of ineligibility determination based on immigration status by the Authority, if it does not wish to appeal to INS; if it has appealed to INS, then the family must request the hearing within 30 days of the INS appeal decision.
- c. The hearing will be conducted according to the Authority's informal hearing procedure as outlined in Section XII.
- d. The Authority will provide the family with a written final decision

and the reasons for that decision, based solely on the facts presented at the hearing, within fourteen (14) days of the date of the informal hearing.

9. Retention of documents. The Authority will retain for a minimum of 5 years all of the documents related to the INS appeal or informal hearing process. (24 CFR 5.514)
- F. Social Security Numbers *(24 CFR 5.210)*
1. Families are required to provide a Social Security Number for all family members if they have been issued a number by the Social Security Administration. All applicable members of the family must either
 - a. submit Social Security Number documentation; or
 - b. sign a certification if they have never been issued or assigned a Social Security Number
 2. If the individual is under 18, the certification must be executed by his or her parent or guardian.
 3. If the family member who has signed a certification later obtains a number, it must be disclosed at the next regularly scheduled income reexamination (for residents)

XI. APPLICANT SUITABILITY SCREENING

- A. It is the Authority's policy that all applicants will be screened in accordance with HUD regulations *(24 CFR 960)* and sound management practices. Otherwise eligible applicants will be screened and those who meet the screening criteria will be considered suitable for housing, as follows:
1. Past performance in meeting financial obligations, particularly rent, is satisfactory
 2. No record of disturbance of neighbors, destruction of property, or living or housekeeping habits which adversely affect the health, safety or welfare of other residents *(this includes alcohol abuse where the abuse results in behavior which interferes with the health, safety, or right to peaceful enjoyment of premises by other residents)*
 3. No person shall be admitted to the Housing Authority of the City of Gladewater Texas if they are presently required to report to parole or probationary offices until the term is completely finished.
 4. No history of criminal activity involving crimes of physical violence to persons

or property; possession, sale or use of illegal substances; or any other criminal acts that adversely affect the health, safety or welfare of themselves or other residents

- B. Methods of screening: Authority may:
1. complete a credit check and rental history check on all applicants.
 2. complete a criminal background check on all applicants 18 years of age or older.
 4. conduct personal interviews
 5. At no time will criminal records be kept in tenant or applicant file. All criminal records will be kept confidential.
- C. **Persons convicted for manufacture or production of methamphetamine (Speed) are permanently barred from admission to the Authority's housing.**
- D. Persons who have been evicted from Public Housing, Indian Housing, Section 23 or Section 8 housing because of drug-related criminal activity are ineligible for admission to public housing for a three (3) year period beginning on the date of such eviction. This may be waived by the Authority if
1. the person demonstrates successful completion of a rehabilitation program approved by the Authority
 2. circumstances leading to the eviction no longer exist, e.g., the individual involved in the drug-related activity is no longer in the household because the person is incarcerated.
- E. In the event of receipt of any unfavorable information regarding conduct of the applicant, the Authority will give consideration to the time, nature and extent of applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct or financial prospects in determining eligibility of the applicant. Factors to be considered will include:
1. evidence of rehabilitation;
 2. evidence of applicant family's participation or willingness to participate in social service or other appropriate counseling service programs and the availability of such program;
 3. evidence of the applicant's willingness to attempt to increase family income and the availability of training or employment programs in the

locality.

- F. **Persons with Disabilities:** The Authority may not compel any applicant to reveal information about the nature and extent of an applicant's disability as a routine part of the application process. However, the Authority may.
1. ask all applicants whether they need any special features in their units or any special processing (reasonable accommodation) because of a disability *(to qualify for the special unit features or reasonable accommodation, the applicant must document that the family includes someone who needs the unit features or the reasonable accommodation)*
 2. ask all applicants whether the head or spouse is a person with a disability for the purposes of qualifying the family for
 - a. the \$400 disabled family deduction from income
 - b. if a non-elderly family, the deduction of non-reimbursed medical expenses *(unless the head or spouse is documented to be a person with a disability, the family cannot receive this deduction)*
 3. ask all applicants claiming work-related disability expenses to provide documentation of the presence of a person with a disability.
- G. It will be the Authority's policy to encourage resident participation in the application and screening process.
- H. **Misrepresentations:** If misrepresentations on the Application for Admission result in housing an ineligible or unsuitable family, the family may be required to vacate even though currently eligible. If misrepresentation or failure to provide facts has resulted in payment of a lower Total Tenant Payment than should have been paid, the family will be required to pay the difference between the Total Tenant Payment paid and the amount which should have been paid. In justifiable cases, the Authority may take such other action as deemed reasonable. If misrepresentation on an application results in an offer of housing, the offer shall be rescinded before a lease is effected.

XII. INFORMAL HEARING FOR DENIALS

- A. All applicants who are denied by the Authority will receive a letter that informs them of their right to request, within **fourteen (14)** days of receipt of the denial letter, a hearing with the Executive Director or his/her designee.
- B. A hearing may be requested as a result of denial based on preliminary application information or on results of the final verification and screening

process.

- C. Upon receipt of the applicant's written request, the Authority and applicant will agree on a time for an informal hearing, which should occur within the 30-day period following the denial date.
- D. During the hearing, the applicant will be afforded an opportunity to present evidence rebutting the grounds for denial.
- E. The hearing will conform to the following procedures:
1. If the decision to deny admission is based on allegations by a third party, the Authority **will attempt** to have the third party present.
 2. The Authority staff person who made the decision must be present to provide available facts and to be questioned.
 3. The decision must be based solely on evidence presented at the hearing.
 4. The applicant has a right to inspect his/her file.
- F. If, as a result of information presented by the applicant at the Informal Hearing, the Authority reverses its decision to deny the applicant, no new application is required and the applicant will be returned to the appropriate spot on the Waiting List.
- G. If the applicant does not request a hearing within the designated period, he/she waives his/her right to a hearing.

XIII. TENANT SELECTION AND ASSIGNMENT PLAN **Applicable to Young Housing Authorities**

(Most recent court ordered TSAP)

A. Organization of the Waiting List

It is GHA policy that each applicant shall be assigned his/her appropriate place on single jurisdiction-wide, cross-jurisdictional or merged waiting list in sequence based upon:

- Any waiting list initiatives required by HUD;
- Type and size of unit needed and selected by the family

- Factors affecting preference or priority, date and time the application is received; and
- The racial composition of the development in which the unit to be offered is located.

This exception to the standard race-neutral Tenant Selection and Assignment Plan is authorized to comply with the Final Consent Decree in Young vs. Martinez and has been approved in advance by the Assistant Secretary for Fair Housing and Equal Opportunity.

B. Method of Applicant Selection

1. No applicant will receive an offer of a unit until the applicant has been determined to be eligible and has passed the GHA screening requirements.
2. HA will first match the characteristics of the applicant to the vacant unit available, including the size, type and special features of the unit (if any) and any priorities for admission required for designated or mixed population housing (if the HA has a HUD-approved Allocation Plan). Applicable preferences as described earlier in this policy will then be used to determine the order of selection from the waiting list.

Further, in the selection of a family for a unit with accessible features HA will give preference to families that include a person with disabilities who can benefit from the unit features.

Finally, the HA will consider the race of the applicant only when more than one vacant unit of the appropriate size and type is available to offer at the same time.

3. Federal preferences have been repealed. PHAs may opt to continue to use the former Federal preferences or may adopt local preferences, so long as such local preferences do not have a disparate impact on Young class members.

The Housing Authority of the City of Gladewater Texas has elected to recognize preferences. Preferences shall be ranked by a point system and shall aggregate.

1. Residency within 2-mile radius of the city limits of Gladewater, Texas or possess a Gladewater, Texas residential mailing address. A Post Office box will not be counted as a residence. Applicants may also be gainfully employed, attend job training or school within these limits. This preference shall carry 30 points
2. Victim of Domestic violence. Presence of danger or violence to a family shall be verified with appropriate law enforcement and shelter agencies. This preference shall carry 20 points
3. *Elderly households shall take preference over single-family*

households. Elderly is defined as 62 YOA and older. This preference shall carry 10 points.

4. **Making Offers to Applicants:** To assure equal opportunity and nondiscrimination on grounds of race, color, sex, religion, or national origin, the plan for selection of applicants and assignment of dwelling units is a modified version of PLAN "A". Under this plan each qualified applicant first in sequence on the waiting list is made one offer of a unit of appropriate size without regard to the race of the applicant.

If more than one unit is available and one of the units is a desegregative housing opportunity, the desegregative housing opportunity unit should be offered to the applicant. If more than one desegregative housing opportunity is available, the offer should be made of the desegregative housing opportunity unit that has been ready the longest. If no desegregative housing opportunity is available, the unit that has been ready the longest should be offered. A desegregative housing opportunity is defined as an offer at a development located in a non-minority census block (as defined in the Young decree), and is located outside an area where a reasonable African American would perceive racial hostility.

Except for the "good cause" reasons listed below, the applicant must accept the vacancy offered within ten working days of the date the offer is communicated (by phone, mail, or the method of communication designated by the applicant and/or housing authority) or be dropped from the qualified applicant list. (See good cause discussion below). Applicants who are removed from the waiting list because they refuse unit offers without good cause may not reapply for housing for 12 months.

5. If an applicant is willing to accept the unit offered but is unable to move either at the time of the offer or because of the circumstances of the offer and presents to the satisfaction of HA, clear evidence ("good cause") that acceptance of the offer of a suitable vacancy will result in undue hardship or handicap not related to considerations of race, color, sex, religion or national origin, the applicant will be demoted on the waiting list using the date of rejection as the date of application.

Examples of good cause reasons for the refusal of an offer of housing (public housing or alternative housing opportunity) include, but are not limited to:

- (a) Inaccessibility to source of employment, education, or job training, children's day care, or educational program for children with disabilities when the applicant has a child participating in such a program, that would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities;
- (b) Presence of lead paint in the unit offered when the applicant has children

under the age specified by current law;

- (c) The family demonstrates to GHA satisfaction that accepting the offer will place a family member's life, health or safety in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency or a threat assessment that verifies danger from criminal activity. Reasons offered must be specific to the family (including the race of the family.) Refusals due to location alone are not good cause.
- (d) The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30 day notice to move
- (e) An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing.
- (f) A reasonable African American would perceive significant racial hostility at the site where the vacant unit is located.

Examples of good cause related to an applicant's willingness to accept an offer but inability to move at the time of the offer include:

- (a) A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (each as listed on final application) or live-in aide necessary to the care of the principal household member;

The family head, spouse or sole member is serving on an empanelled jury.

6. Except for (f) above, the applicant must be able to document the claimed good cause for refusing an offer of housing. Where good cause is verified to GHA satisfaction, the refusal of the offer shall not require that the applicant be dropped to the bottom of the waiting list or otherwise affect the family's position on the waiting list. In effect, documentation of good cause is the same as no offer of housing.
7. HA will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or rejection, including the reason for the rejection.

C. Dwelling Units with Accessible/Adaptable Features

1. Before offering a vacant accessible unit to a non-disabled applicant, HA will offer such units:

- (a) First, to a current occupant of another unit of the same development, or other public housing developments under HA;s control, having a disability that requires the special features of the vacant unit (in effect, a transfer of the occupant with disabilities from a non-adapted unit to the vacant accessible/adapted unit).
- (b) Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

2. When offering an accessible/adaptable unit to a non-disabled applicant, HA will require the applicant to sign an agreement to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit. This requirement will be reflected in the lease agreement signed with the applicant

D. Leasing and Occupancy of Dwelling Units

Applications may be processed centrally at the HA making the offer or they may be processed by a Central Administrator acting for a group of HAs participating in one of the Young v. Martinez Waiting List Initiatives. Initial intake, waiting list management, screening, and offers of housing (including transfers) will be made from central office. Offers may be made in person, in writing or by phone.

XIV. TRANSFERS

TRANSFER POLICY

APPLICABLE FOR YOUNG PHAS (Last court approved Transfer Policy)

A. General Transfer Policy

The Housing Authority of the City of Gladewater Texas has five types of transfers:

Emergency

Administrative – Category 1, Category 2 and Category 3,

Incentive.

All transfers will take priority over new admissions. The specific definitions of each type of transfer are covered below.

In making transfers, the HA shall offer residents units at developments where their race does not predominate when units are vacant at such developments.

This transfer requirement shall apply to all categories of transfers including administrative transfers to correct over-housing or under-housing.

1. It is GHA policy that transfers will be made without regard to race, color, national origin, sex, religion, or familial status. Residents can be transferred to accommodate a disability.
2. Residents will not be transferred to a dwelling unit of equal size within a site or between sites except to alleviate hardship of the resident or other undesirable conditions as determined by the Executive Director or designee.
3. Residents will receive one offer of a transfer. Refusal of that offer without good cause will result in lease termination for mandatory transfers or the removal of the household from the transfer list for voluntary transfers. The good cause standard applicable to new admissions shall apply to transfers.

B. Types of Transfers

1. This policy sets forth several categories of transfers. Priority for transfer and the order in which families are transferred shall be subject to the hierarchy by category set forth below.
 - (a) Emergency Transfers are mandatory when the unit or building conditions pose an immediate threat to resident life, health or safety, as determined by HA. Emergency transfers within sites or between sites may be made to:
 - Permit repair of unit defects hazardous to life, health, or safety;
 - Alleviate verified medical problems of a life threatening nature; or,
 - Based on threat assessment by a law enforcement agency, protect members of the household from attack by the criminal element in a particular property or neighborhood.

These transfers shall take priority over new admissions.

- (b) Category 1 Administrative Transfers include mandatory transfers to:
 - Remove to safety residents who are witnesses to crimes and may face reprisals (as documented by a law enforcement agency),
 - Provide housing options to residents who are victims of hate crimes or extreme harassment,

- Alleviate verified medical problems of a serious nature,
- Permit modernization of units
- Permit a family that requires a unit with accessible features to occupy such a unit.

These transfers shall take priority over new admissions.

Requests for medical transfers will be made to the manager. The Resident shall provide the manager with the necessary documentation to substantiate the need for a medical transfer. Medical transfers may also be offered by HA (e.g., moving a person with mobility problems to a unit with accessible features).

(c) Category 2 Administrative Transfers: Transfers within sites or between sites may be made to:

- Correct occupancy standards (mandatory; over or under the GHA standards; under housed takes precedence over housed).
- Offer incentive transfers (voluntary) as described below,
- Desegregative transfers to achieve racial balance of sites

These transfers will take priority over new admissions.

Category 2 transfers to correct occupancy standards will only be made if the family size is smaller than the GHA minimum number of persons per unit standard for the household or larger than the maximum number of persons per unit standard for the unit the family is occupying. These transfers are mandatory.

If a family's size is between the minimum and maximum occupancy limits for the unit, the family may request a transfer, but it shall be considered a Category 3 transfer.

(d) Category 3 Administrative Transfers: Mandatory transfers within sites or between sites may be made to:

- Correct and avoid concentration of the most economically and socially deprived families; or
- Correct occupancy standards (voluntary if the family is between the minimum and maximum occupancy standard but the family requests a transfer, e.g. to permit older children of opposite sexes to have a separate bedrooms)

- Address situations such as neighbor disputes that are not criminal but interfere with the peaceful enjoyment of the unit or common areas.

(e) Incentive Transfers:

- Residents request to move to other units. The resident shall pay all incurred moving costs. Unit damages shall be assessed and charged if applicable.
-

These transfers will take priority over new admissions.

C. Processing Transfers

1. A centralized transfer waiting list will be administered.
2. The central transfer administrator will sort requests for transfer into categories. Admissions will be made in the following order:
 - First emergency transfers, then
 - Category 1 Administrative Transfers, and finally
 - Category 2 Administrative Transfers
 - Category 3 Administrative Transfers
 - Incentive Transfers
 - Applicants

Within each category, transfer applications will be sorted by the date the completed file (including any verification needed) is received.

3. Category 2 transfers to correct occupancy standards may be recommended at time of re-examination or interim re-determination. This is the only method used to determine over/under-housed status.
4. Residents in a Category 2 over/under housed status will be advised in their 30 day “notice of Result of Re-examination” that a transfer is recommended and that the family has been placed on the transfer list.
5. When a head of household, originally housed in a bedroom by him/herself, has or adopts a child, the family will not be approved for a Category 2 transfer until the child is ___1___ years of age. Exceptions: spouse or partner returns to the unit, marriage takes place, or family decides to remain in the unit and the unit is large enough (using the maximum persons per unit standard) to accommodate the number of persons now in the household. (Other than for births that occur during tenancy, GHA prior approval of additions to the household is required.)

D. Good Record Requirement for Transfers

1. In general, and in all cases of resident-requested transfers, residents will be considered for transfers only if they;
 - (a) Do not owe back rent or other charges, or evidence a pattern of late payment; or
 - (b) Meet reasonable housekeeping standards and have no housekeeping lease violations.

2. Exceptions to the good record requirements may be made for emergency transfers or when it is to GHA advantage (e.g. a single persons is living alone in a three bedroom unit and does not want to move) to move forward with the transfer. The determination to make an exception to the good record requirement will be made by the central transfer administrator with recommendation by the Manager.

Absent a determination of exception the following policy applies to transfer:

- (a) If back rent is owed the resident will not be transferred until a payment plan is established, or if prior payment plans have failed, back rent is paid in full.
- (b) A resident with housekeeping standards violations will not be transferred until he/she passes a follow-up housekeeping inspection.

E. Incentive Transfers

1. Incentive transfers are offered to residents without regard to their race, color, national origin, religion, sex, disability or familial status, who have good rental histories and want to move to units other than those they currently occupy.
 - (a) Incentive Transfers – HA will occupy recently modernized and scattered site units through incentive transfers. No applicants shall be admitted directly to scattered site units. Depending on GHA vacant unit status, modernized units will be filled with incentive transfers, new applicants, or a combination of both. HA reserves the right to fill modernization units in a manner that has the least impact on vacant units.
 - (b) Resident requests for incentive transfers should be made to the Housing Manager. Managers may also recommend a resident for an incentive transfer. In order for a resident to be considered for an incentive transfer the following conditions must be met:
 - (1) Residency in a HA development for at least three years.
 - (2) No repayment agreement or unpaid balance at any time

- in the past two (2) years.
- (3) No history of disturbances that resulted in lease violations or violence toward staff or neighbors as indicated by notices of lease violation in the applicant's file.
 - (4) Good housekeeping record.
2. Incentive transfers are Category 2 administrative transfers. Scattered site incentive transfers will take precedence over new admissions and modernization incentive transfers may take precedence over new admissions.
 3. No exceptions will be granted to the good record requirement for incentive transfers.

F. Cost of Transfers

1. Residents shall bear the cost of transfers to correct occupancy standards, however, where there is a hardship due to health, disability, or other factors, the manager may recommend that families be reimbursed their out of pocket expenses for an occupancy standards transfer. When transfers are requested or required by HA, reasonable costs will be paid for or made by the HA.

XV. LEASING PROCEDURE (24 CFR 966)

- A. It is the Authority's policy that all units must be occupied pursuant to a lease that complies with HUD's regulations (24 CFR 966)
- B. The Authority shall utilize a Lease which:
 1. Does not contain unreasonable terms and conditions;
 2. Obligates the Authority to maintain the project in a decent, safe and sanitary condition;
 3. Requires the Authority to give adequate written notice of termination of the Lease which will be:
 - a. Fourteen **(14) days** in the case of nonpayment of rent or chronic late payment of rent
 - b. Three **(3) days** in the case of creation or maintenance of a threat to the health, safety or security of any resident, guest or Housing Authority employee.
 - c. Thirty **(30) days** in any other case

4. Requires that the Authority may not terminate the tenancy except for serious and repeated violations of the terms or conditions of the Lease or for other good cause.
 5. At annual re-examination, the Authority may terminate the tenancy for noncompliance with the Community Service requirement.
- C. Each Lease will specify the
1. unit to be occupied
 2. the date of admission
 3. the size of the unit to be occupied
 4. all family members who will live in the unit
 5. the Total Tenant Payment (gross rent) and security deposit to be charged
 6. the utility allowances
 7. other charges under the Lease
 8. terms of occupancy
- D. The Lease will be explained in detail to the applicant family before its execution.
- E. The Lease will be kept current at all times.
- F. Each adult member of the family accepted as a resident is required to sign the Lease prior to actual admission.
- G. One copy of the Lease will be given to the family and the original will be filed as part of the permanent records established for the family.
- H. The Lease package given to the family may include:
1. A copy of the Pet Policy and Pet Agreement, if applicable
 2. Lawn Care Agreement
 3. Lead Based Paint Brochure and Certification
 4. Smoke Detector Certification
 5. Housekeeping Policy

6. Grievance Policy
 7. Schedule of Other Charges
 8. Community Service/Self Sufficiency Policy and Certification Forms
 9. Rent Choice Certification
- I. If a resident family transfers to a different unit, the existing Lease will be canceled and a new Lease for the new unit will be executed by each adult member of the family.
 - J. If any change in a family's status results in the need to change or amend any provisions of the Lease, or if the Authority desires to waive a Lease provision with respect to a family
 1. the existing Lease is to be canceled and a new Lease executed, or
 2. A Notice of Rent Adjustment is to be issued, or
 3. an appropriate rider to the Lease is to be prepared and executed by the Authority and the adult family members and made a part of the existing Lease.
 - K. Cancellation of a family's Lease will be in accordance with the provisions of the Lease.
 - L. The current Grievance Procedure is incorporated into the Lease by reference.

XVI. ADDITIONS TO HOUSEHOLD AND VISITORS

- A. Only those persons listed on the Lease will be permitted to occupy the unit
- B. Except for natural births to or adoptions by family members, any family seeking to add a new member must request approval in writing prior to the new member occupying the unit
- C. Following receipt of a family's request for approval to add a new person to the Lease, the Authority will conduct a pre-admission screening of the proposed new member. Subject to the screening process and occupancy standards, the Authority will approve or disapprove the request.
- D. Children born to or adopted by a family member, under the age below which Juvenile Justice records are made available, or children added through a kinship care arrangement are exempt from the pre-admission screening

process.

- E. Examples of situations where the addition of a family or household member is subject to screening are:
1. Resident plans to be married and files a request to add new spouse to Lease
 2. Resident is awarded custody of a child or desires to take in a foster child over the age for which Juvenile Justice records are available
 3. Resident desires to add a live-in aide
 4. A unit is occupied by a remaining family member(s) under age (who is not an emancipated minor) and an adult, not a part of the original household, requests permission to take over as the head of household.
- F. Resident families who fail to notify the Authority of additions to the household or permit persons to join the household without undergoing screening are in violation of the Lease. Such persons are considered unauthorized occupants by the Authority and the entire household will be subject to eviction.
- G. Visitors:
1. may be permitted in a dwelling unit so long as the visitors have no previous history of behavior on Authority premises that would be a Lease violation or have any conflict with GHA's Domestic Violence rules.
 2. Guests or visitors are permitted for a period not to exceed 3 consecutive days or 14 days per calendar year (January to January) unless the Authority has provided prior written approval.
- H. Roomers or lodgers will not be permitted to occupy a unit, nor will they be permitted to move in with any family occupying a unit.
- I. Family members 18 or older who move from the unit to establish new households will be removed from the Lease. The resident has the responsibility to report the move-out within thirty (30) calendar days of its occurrence.
- J. Residents will not be given permission to allow ex-residents of the Authority who have been evicted to occupy the unit for any period of time.
- K. Applicable income(see Section IV, Annual Income) of individuals added to the Lease will be included in Annual Income and subsequently used in

determining new rent amounts.

XVII. INSPECTIONS

A. Units shall be inspected:

1. ***At move-in prior to occupancy:*** dwelling unit and premises will be inspected jointly by the applicant and Authority staff; at this time, both parties will agree on the move-in condition of the unit by signing an inspection check sheet. The original check sheet will be kept by the Authority and a copy will be given to the family.
 2. ***Every twelve (12) months*** (but not less than annually) Follow-up Inspections will be scheduled within **45** days if housekeeping practices or other circumstances require. The inspection will serve as a guide in the determination of needed maintenance or repairs and to assess damage over and above normal wear and tear. Failure to maintain a safe, decent and sanitary dwelling unit and premises may result in Lease termination.
 3. ***At move-out*** inspection should be done with family, unless family has previously vacated the unit and is unavailable. In the latter case, Authority staff will conduct inspection independently.
 4. ***Special Inspections***, if deemed necessary, may be performed after proper notice.
 5. **Emergency or Critical Need.** In the event of an emergency or critical need, the unit may be inspected without notice.
- B. Appropriate notice to the family prior to annual inspections will be two weeks.

XVIII. SECURITY DEPOSITS

A security deposit will be charged to resident families, payable prior to occupancy unless other arrangements are made, to cover the cost of property damage and/or abuse that is noted when the family vacates the unit. Amount of security deposit and provisions for refund are contained in the Authority's Security Deposit Policy,

XIX. RESIDENT ORIENTATION

Eligible applicants selected for admission will be required to participate in an orientation program conducted by the Authority to acquaint new resident families with such items as

- A. the Authority policies, including Community Service Policy
- B. the Lease
- C. maintenance procedures
- D. services provided by the Authority
- E. grievance procedures
- F. resident rights
- G. responsibilities and obligations
- H. the operation of appliances and equipment in the unit
- I. The Housekeeping Policy

XX. RENTS AND RENT ADJUSTMENTS

- A. **Computations**
 - 1. Rent will be calculated according to instructions in the lease agreement.
 - 2. If a mixed family requests prorated rent, the Authority will make it available as required in 24 CFR 5.520
 - 3. The family will have a choice of Total Tenant Payment which will be either an income-based rent or the flat rent
 - a. **Income-Based Rent** - Total Tenant Payment will be the greatest of the following:
 - 1) 10% of Annual Income
 - 2) 30% of Adjusted Annual Income

3) Authority's minimum rent of \$ 25.

b. Flat Rent - the flat rents are as follows:

1) 1-Bedroom Unit = 334

2) 2-Bedroom Unit = 459

3) 3-Bedroom Unit = 495

4) 4-Bedroom Unit = 399

B. Hardship Cases

1. The family may apply for a waiver of the minimum rent if one of the following situations occurs
 - a. The family has lost eligibility for or is awaiting federal, state or local assistance, including a family that includes a member who is a noncitizen lawfully admitted for permanent residence.
 - b. Income has decreased because of a change in circumstances, including loss of employment
 - c. A family member has died
 - d. When the family would be evicted as a result of the imposition of the minimum rent requirement
2. When the family requests a hardship waiver, the minimum rent requirement will be immediately suspended pending determination by the Authority of the family's eligibility for the suspension.
3. Family determined ineligible for hardship waiver:
 - a. If it is determined by the Authority that the family does not qualify for the hardship, the minimum rent will be reinstated plus any back minimum rent owed for the period the rent was suspended.
 - b. Family may appeal the determination through the Authority's Grievance Procedure.
 - c. A family who appeals a financial hardship determination through the Grievance Procedure is exempt from any escrow deposit required.
4. Family determined eligible for hardship waiver

- a. If the Authority determines that the hardship is temporary, the minimum rent will be imposed, including back payment for minimum rent from the time of suspension.
 - 1) Family will not be evicted for nonpayment of rent during the 90-day period beginning on the date of the family's request for waiver.
 - 2) The Authority will negotiate a repayment agreement with the family if necessary for any rent not paid during this period.
 - 3) If the family thereafter demonstrates that the financial hardship is of long-term duration, the Authority will retroactively exempt the family from the minimum rent requirement.
- b. If it is determined that the family qualifies for the long-term hardship waiver of the minimum rent, the family will report regularly to the Authority according to Section C below

C. Provisional Rent

If the family is placed on "Provisional" rent, either at admission or following an interim or regularly scheduled re-examination, the family must report to management every thirty (30) days.

D. Interim Adjustments

1. Rent will not be changed between admission and regularly scheduled re-examinations except for reasons and according to procedures outlined in the Lease.
2. **If the family has lost or had its public assistance reduced as a result of fraud or failure to participate in an economic self sufficiency program or comply with a work activities requirement, the rent will not be reduced.**
 - a. If the family has received a specified welfare benefit reduction the amount of imputed welfare income will be included in family income for rent computation purpose.
 - b. The amount of imputed welfare income will be determined by the Authority using information received from the welfare agency.
 - c. When additional income earned by the family from other

sources reaches an amount at least equal to the imputed welfare income amount, the imputed welfare income will be reduced to "0".

- d. The Authority may include imputed welfare income in annual income if the family was not receiving housing assistance at the time of the sanction by the welfare agency.
 - e. If the family disputes the Authority's calculated amount of imputed welfare income and the Authority denies the family's request to modify the amount, the Authority must give the family written notice stating:
 - 1) the basis for the determination of the imputed welfare income amount
 - 2) that the family may request a hearing under the Authority's **Grievance Procedure** (the family is not required to pay an escrow deposit in this case, in order to obtain a hearing)
3. If the family has been on a twelve (12) month income disregard program and the period has expired, rent payable by the family for the next 12 months will be increased due to the continued employment but the increase will not be greater than 50% of the amount of the rent increase. *For example: Family has been paying \$100 rent. Without income disregard, it would have been paying \$200. At the end of the disregard period, the rent is increased due to the increased income; however, instead of the rent being raised to \$200, it is raised to \$150— or by 50% of the increase amount.*
- a. The first full disallowance is for a maximum of 12 cumulative months.
 - b. The second 50% disallowance is also for a maximum of 12 cumulative months.
 - c. The 12 months can start and stop, but in no case can an individual family member get the disallowance after 48 months from the date of initial exclusion.
4. Interim rent changes will become effective as follows:
- a. **Increases** in rent: first day of the second month following the month which the change occurred, unless the increase is a result of false or incomplete information supplied by the family.
 - b. **Decreases** in rent: first day of the month following the month in which the change was reported and verified.

E. Rent Collections

Rents are due and payable in accordance with provisions of the Lease and the Rent Collection Policy.

XXI. UTILITIES

- A. Family and Authority responsibilities for utilities are outlined in the Lease and in the Utility Allowance Schedule.
- B. In Authority housing developments where the resident pays all or part of the utilities, total tenant payment minus the utility allowance may result in a negative figure. In this case, HUD regulations require that the Authority reimburse this amount (called "utility reimbursement") directly to the resident or directly to the utility company on the resident's behalf. If the Authority elects to pay the utility company directly, it will notify the resident of the amount paid.

XXII. OTHER CHARGES

- A. **Maintenance charges:** Families will be charged for cost of services repairs due to intentional or negligent damage to the unit beyond normal wear and tear, caused by the resident, other household members or guests. Charges will be made in accordance with Schedule of Other Charges.
- B. **Excess Utilities:** In the case of Authority-provided utilities, residents using more than the consumption-based utility allowance will be charged for excess utility usage.
- C. **Transfer Noncompliance:** If tenant fails to transfer utilities to their responsibility in a timely manner (5 days) the Authority may pursue any means to collect reimbursement.
- C. Payment for such charges is due and collectible two weeks after the Authority provides written notice of the charges.

XXIII. RE-EXAMINATIONS AND CONTINUED OCCUPANCY

- A. Annual Re-examinations
1. The Authority will re-examine the income and family composition of all

resident families at least once every twelve (12) months (coincidental with end of lease term) to determine any changes in required unit size and rent and to re-certify the family for continued occupancy.

2. All adult members of the family will be asked to participate in the annual re-examination interview.
3. Families will be notified in writing 90 - 120 days in advance of the re-examination anniversary date so that verifications can be completed by that time. Residents shall be sent an initial re-certification interview notice. Resident's failure to respond within the ten-day notice shall cause a second notice to be sent. Failure to respond within second ten-day period shall be grounds for lease termination and subsequent eviction.
4. Verified information will be analyzed and a determination made with respect to:
 - a. Eligibility of the resident as a family or as the remaining member of a family;
 - b. Unit size required for the family
 - c. Rent the family should pay
 - d. Compliance with the Community Service requirement
5. The same procedures used at admission for obtaining verifications will be used; however, fixed items need not be re-verified.
6. The income of a family opting to remain on flat rent need not be re-verified unless it has been three (3) years since the last verification.
7. If there is any change in rent, a "Notice of Rent Adjustment" will be sent to the resident and this written notice will serve as an amendment to the Lease.
8. If there is any change in the size unit required, the resident will be placed on the transfer list in accordance with the transfer policy.

Residents shall be required to satisfy household management forms when reporting very low and zero income.

B. Special Re-examinations

1. When it is not possible to estimate projected family income with any degree of accuracy at the time of admission or regular re-examination, a temporary determination will be made with respect to income.
2. A special re-examination will be scheduled every 90 days until reasonably accurate estimate of income can be made.

3. Resident's will be notified in advance as to the date of the special re-examination(s).

C. Eligibility for Continued Occupancy

1. Residents who meet the following criteria will be eligible for continued occupancy.
 - a. Qualify as a family as defined in Section IV of this Policy. For purposes of continued occupancy, remaining family members qualify as family.
 - b. Are in full compliance with the resident obligations and responsibilities as described in the Lease.
 - c. Whose family members, age 6 and older, each have Social Security numbers or have certifications on file indicating they have no Social Security number.
 - d. Who meet HUD requirements on citizenship and immigration status (*24 CFR 5.500 - 5.528*)
 - e. Who are in compliance with the Authority's 8 hour per month community service requirement (*applicable to certain adults who are neither elderly, disabled, working nor participating in qualifying educational or job training programs*)

D. Special procedures related to citizenship and immigration status (24 CFR Part 5.501-518)

1. Verification procedures for existing residents are the same as for new applicants, although evidence of eligible immigrant status is require only one time during continuously assisted occupancy.
2. Family Preservation Assistance Options
 - a. A mixed family may receive continued full assistance if
 - 1) family was receiving assistance as of June 19,1995;
 - 2) either the husband or spouse has eligible immigrant status or is a U. S. citizen; and
 - 3) the only other individuals in the household without eligible immigrant status or U. S. citizenship are the parents or children of the head and/or spouse

- b. A mixed family may receive prorated assistance based on the number of eligible family members if the family first received assistance after November 29, 1996.
 - c. Temporary Deferral of Termination of Assistance is available to the following families to allow time for orderly transition to other affordable housing. In order to receive the deferral, the family must demonstrate reasonable efforts to find other affordable housing but be unable to locate comparable housing (*defined as unassisted, not substandard, appropriate size, and can be rented for an amount not to exceed the amount the family is paying for rent and utilities, plus 25%, and vacancy rate in community for affordable housing is 5%*).
 - 1) mixed families who are eligible for but decide that they do not want prorated assistance
 - 2) families with no U. S. citizens or members with eligible immigration status
3. Procedure for Temporary Deferral of Termination of Assistance
- a. The time limit for deferrals is six months, with renewals allowed for up to 3 years for families granted deferrals prior to November 29, 1996; 18 months for families granted deferrals on or after November 29, 1996. *These time periods do not apply to a family which includes a refugee under Section 207 of the Immigration and Naturalization Act or an individual seeking asylum under Section 208 of that Act.*
 - b. The Authority will notify the family at the beginning of the deferral period that they are ineligible for financial assistance and that they are being granted the deferral time to find other affordable housing. *(The Authority will offer the family information on and referrals to assist in the location of other housing.)*
 - c. Prior to the end of the deferral period, the Authority will, using local market data, determine the availability of alternative affordable housing for the family. At least 60 days prior to the expiration date of the deferral period, the Authority will notify the family in writing:
 - 1) the termination of assistance will be deferred for another six months and that there was a determination made that there is no affordable housing available for them provided the extension will not exceed an aggregate of 18 months *(3 years, if deferral was granted prior to November 29,*

1996).

or

- 2) the termination of assistance will not continue to be deferred because either the aggregate period of renewals has reached the maximum time limit or a determination has been made that there is affordable housing available.
- d. If the family was originally eligible for prorated assistance and chose to take the temporary deferral instead, the Authority will inform the family that it may request pro-ration of assistance at the end of the temporary deferral period if a good faith effort has been made to locate other affordable housing.
4. For any new occupant of an assisted unit (e.g., a new family member comes to live in the unit), the required evidence of eligible status must be submitted at the first interim or regular reexamination following the person's occupancy.
5. All notifications to the family regarding status of prorated assistance eligibility or deferral of assistance termination must be in writing, stating reasons for decisions and providing opportunity for a hearing.

XXIV. GRIEVANCE PROCEDURE

To assure that a resident family is afforded an opportunity for a hearing if the resident disputes, within a reasonable amount of time, any Authority action or failure to act, involving the resident's Lease or Authority regulations which adversely affect the individual resident's rights, duties, welfare or status, a Grievance Procedure for the Authority is incorporated into this policy. Evictions resulting from criminal activity, including drug-related criminal activity on or off Housing Authority premises, are excluded from the Grievance Procedure. Also excluded are termination cases involving any activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or by Authority employees.

XXV. PET POLICY

Pets will be allowed in Authority housing but pet owners must abide by the provisions and requirements of the Pet Policy .

XXVI. EVICTIONS

Serious or repeated violations by a resident family of the material provisions of the Lease shall cause the Authority to begin eviction proceedings in accordance with State Law and the lease provisions. Families are entitled to utilize provisions of the Authority's Grievance Procedure to attempt settlement of disputes with the Authority.

XXVII. COMPLAINTS OF DISCRIMINATION

For those individuals who believe themselves to be the subjects of discrimination, a Fair Housing and Equal Opportunity poster, containing information on filing complaints with HUD, will be conspicuously posted in the Authority office.

XXVIII. CONFLICT WITH FEDERAL STATUTE, REGULATION OR HUD POLICY

This Policy is to be interpreted in accordance with federal statutes and regulations and in compliance with HUD policy, and any conflict between this Policy and federal statutes and regulations will be resolved in favor of federal law and policy.

Most recent revision December 30, 2002