

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

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# PHA Plans

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

**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 Henderson

**PHA Number:** KY012

**PHA Fiscal Year Beginning: (mm/yyyy)** 04/2004

**Public Access to Information**

**Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)**

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices

**Display Locations For PHA Plans and Supporting Documents**

The PHA Plans (including attachments) are available for public inspection at: (select all that apply)

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices
- Main administrative office of the local government
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
- PHA website
- Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- Main business office of the PHA
- PHA development management offices
- Other (list below)

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

**A. Mission**

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

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The PHA's mission is: (state mission here)

*The mission of the Housing Authority of Henderson is to promote, without discrimination, affordable quality housing, economic opportunity, and a positive living environment for the residents we serve.*

**B. Goals**

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

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

- PHA Goal: Expand the supply of assisted housing
- Objectives:
- Apply for additional rental vouchers:
- Reduce public housing vacancies: *Maintain to less than 5%*
- Leverage private or other public funds to create additional housing opportunities:
- Acquire or build units or developments: *By 2005, acquire additional property for development*
- Other (list below): *Increase Section 8 landlord participation through outreach programs.*

**Progress Report:** *In FY 2003, we had a public housing vacancy rate of 3%.*

*With the use of Section 8 Administrative Reserve Funds and Public Housing Funds, we purchased three (3) vacant lots to be used for future development.*

*Six new Section 8 landlords were added to the program.*

- PHA Goal: Improve the quality of assisted housing
- Objectives:
- Improve public housing management: (PHAS score)
  - Improve voucher management: (SEMAP score)
  - Increase customer satisfaction:
  - Concentrate on efforts to improve specific management functions:  
(list; e.g., public housing finance; voucher unit inspections)
  - Renovate or modernize public housing units: ***Renovate/modernize to increase marketability and, when feasible, add amenities through Capital Funds.***
  - Demolish or dispose of obsolete public housing:
  - Provide replacement public housing:
  - Provide replacement vouchers:
  - Other: (list below)

***Progress Report:*** ***With the last Capital Program funds, we continued to renovate/modernize current housing stock. As a result, this also enhanced the attractiveness and marketability of our dwelling units.***

- PHA Goal: Increase assisted housing choices
- Objectives:
- Provide voucher mobility counseling:
  - Conduct outreach efforts to potential voucher landlords: ***through public awareness and education presentations and brochures.***
  - Increase voucher payment standards
  - Implement voucher homeownership program:
  - Implement public housing or other homeownership programs:
  - Implement public housing site-based waiting lists:
  - Convert public housing to vouchers:
  - Other: (list below)

***Progress Report:*** ***We held briefing sessions with new tenants and landlords. We mailed newsletters to inform the public of the availability of Section 8 vouchers in public housing.***

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

- PHA Goal: Provide an improved living environment
- Objectives:
- Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments: ***Establish and follow deconcentration policy.***

- Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments: *Establish and follow deconcentration policy.*
- Implement public housing security improvements: *Improve procedures as determined by REAC Customer Service Satisfaction Survey.*
- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
- Other: (list below)

**Progress Report:** *Through marketing and outreach, we have increased the number of families by 11 with incomes greater than fifty(50) but less than eighty (80) percent of median income. Consequently, there has been a decrease in the concentrations of very low-income families as per the requirements of the QHWRA of 1998. (See Attachment A.)*

*The Housing Authority of Henderson has used a comprehensive security and preventive-based approach to attack the problem of drug-related crime. A community policing concept comprised of police patrols coupled with resident neighborhood watch efforts is being used to combat the problem of drug activity in and around our developments. At the Housing Authority of Henderson's Community and Technology Center a comprehensive drug prevention program involving academic and drug education programs, after school/summer programs, teen programs, higher education assistance programs, and employment skills education provides youth and adults alternatives to drug activity.*

*Program specific activities to be undertaken by the City of Henderson includes \$47,100 in CDBG Funds to provide enhanced police protection in areas of concentration of low – and moderate income families particularly focusing on census tracts in which our developments are located.*

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

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

Objectives:

- Increase the number and percentage of employed persons in assisted families: *Increase by 2 families per year (173 now).*

- Provide or attract supportive services to improve assistance recipients' employability: *Ongoing FSS and ROSS programs and community service programs.*
- Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- Other: (list below)

*Annually maintain at least a 20 percent participation rate by elderly/disabled residents in programs of self-sufficiency/supportive services.*

**Progress Report:**     *We increased the number of working families by 11.*

*The Housing Authority of Henderson provides or sponsors classes in job/life skills, résumé, introduction to computer, GED, SAT and ACT preparation; and credit consumer counseling.*

*We maintain a 50% participation rate by elderly/disabled residents in programs of self-sufficiency and supportive services.*

*The Housing Authority of Henderson will retrofit a recently purchased building to house the Community Access to Child Healthcare (CATCH) program. The program will be sponsored by the Methodist Hospital. The hospital will provide license, physicians and physician's insurance. Health care will be provided to individuals with or without insurance.*

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

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

**Progress Report:**     *Housing Authority of Henderson staff attended workshops and conventions We also held in-house training.*

**Other PHA Goals and Objectives: (list below)**

**Annual PHA Plan**  
**PHA Fiscal Year 2004**  
 [24 CFR Part 903.7]

**i. Annual Plan Type:**

Select which type of Annual Plan the PHA will submit.

**Standard Plan**

**Streamlined Plan:**

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

**Troubled Agency Plan**

**ii. Executive Summary of the Annual PHA Plan**

[24 CFR Part 903.7 9 (r)]

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

**iii. Annual Plan Table of Contents**

[24 CFR Part 903.7 9 (r)]

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

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## Attachments

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

### Required Attachments:

- Attachment A--Admissions Policy for Deconcentration and Component 3, (6) Deconcentration and Income Mixing (ky012a01)**
- Included in body of Plans--FY 2004 Capital Fund Program Annual Statement**
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)
- Included in body of Plans after each PHA Goal section--Brief Statement of Progress in Meeting the 5-Year Plan Mission and Goals**
- Attachment D—Resident Member on the PHA Governing Board (ky012d02)**
- Attachment E—Membership of the Resident Advisory Board (ky012e02)**
- Attachment F—Definition of Substantial Deviation and Significant Amendment or Modification (ky012f02)**
- Attachment G-- Component 10 (B) Voluntary Conversion Initial Assessments (ky012g02)**
- Attachment H--FY 2003 Capital Fund Program Performance and Evaluation Report (ky012h02)**
- Attachment I--FY 2002 Capital Fund Program Performance and Evaluation Report (ky012i02)**
- Attachment J--FY 2003 Capital Fund Program Performance and Evaluation Report (ky036p01250203)**

### Optional Attachments:

- PHA Management Organizational Chart
- Included in body of Plans--FY 2004 Capital Fund Program 5 Year Action Plan**
- Attachment B—Comprehensive Drug Prevention Programs (ky012b02)**
- Attachment C--Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text) (ky012c02)**
- Other (List below, providing each attachment name)

## Supporting Documents Available for Review

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

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Applicable Plan Component</b>
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing 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
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Applicable Plan Component</b>
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
NA	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
NA	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
NA	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
NA	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
NA	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
NA	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
NA	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
NA	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
NA	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

## 1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	<b>1792</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>4</b>
Income >30% but <=50% of AMI	<b>1104</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>4</b>
Income >50% but <80% of AMI	<b>1232</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>3</b>
Elderly	<b>1086</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>3</b>
Families with Disabilities	<b>370</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>2</b>	<b>4</b>
Race/Ethnicity <b>W</b>	<b>3790</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>3</b>
Race/Ethnicity <b>B</b>	<b>305</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>3</b>
Race/Ethnicity <b>O</b>	<b>6</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>3</b>
Race/Ethnicity							

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

- Consolidated Plan of the Jurisdiction/s  
Indicate year: **City of Henderson 2000-2005 and Annual Plan 2003**
- U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset
- American Housing Survey data  
Indicate year:
- Other housing market study  
Indicate year:
- Other sources: (list and indicate year of information)

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

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input checked="" type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	93		145
Extremely low income <=30% AMI	79	85	
Very low income (>30% but <=50% AMI)	10	11	
Low income (>50% but <80% AMI)	4	4	
Families with children	49	53	
Elderly families	4	4	
Families with Disabilities	4	4	
Race/ethnicity – W	71	77	
Race/ethnicity – B	19	20	
Race/ethnicity – H	3	3	
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR +0	41	45	62
2 BR	31	33	34
3 BR	17	18	34
4 BR	4	4	4
5 BR	0	0	
5+ BR	0	0	(134)

### Housing Needs of Families on the Waiting List

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

If yes:

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

Does the PHA expect to reopen the list in the PHA Plan year?  No  Yes  
 Does the PHA permit specific categories of families onto the waiting list, even if generally closed?  No  Yes

### Housing Needs of Families on the Waiting List

Waiting list type: (select one)

- Section 8 tenant-based assistance
- Public Housing
- Combined Section 8 and Public Housing
- Public Housing Site-Based or sub-jurisdictional waiting list (optional)

If used, identify which development/subjurisdiction:

	# of families	% of total families	Annual Turnover
Waiting list total	178		70%
Extremely low income <=30% AMI	147	83%	
Very low income (>30% but <=50% AMI)	31	17	
Low income (>50% but <80% AMI)	0	0	
Families with children	88	49	
Elderly families	11	6	
Families with Disabilities	26	15	
Race/ethnicity – W	136	76	
Race/ethnicity – B	41	23	
Race/ethnicity – H	1	1	
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			

### Housing Needs of Families on the Waiting List

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

If yes:

How long has it been closed (# of months)? 9 months

Does the PHA expect to reopen the list in the PHA Plan year?  No  Yes  
Does the PHA permit specific categories of families onto the waiting list, even if generally closed?  No  Yes

### C. Strategy for Addressing Needs

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

#### (1) Strategies

**Need: Shortage of affordable housing for all eligible populations**

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

Select all that apply

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

**Strategy 2: Increase the number of affordable housing units by:**

Select all that apply

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

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

**Strategy 1: Target available assistance to families at or below 30 % of AMI**

Select all that apply

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

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

**Strategy 1: Target available assistance to families at or below 50% of AMI**

Select all that apply

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

**Need: Specific Family Types: The Elderly**

**Strategy 1: Target available assistance to the elderly:**

Select all that apply

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

**Need: Specific Family Types: Families with Disabilities**

**Strategy 1: Target available assistance to Families with Disabilities:**

Select all that apply

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

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

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

Select if applicable

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

**Strategy 2: Conduct activities to affirmatively further fair housing**

Select all that apply

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

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

**(2) Reasons for Selecting Strategies**

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

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA

- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)

## 2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

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

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY 2004 grants)</b>		
a) Public Housing Operating Fund	<i>\$370,004</i>	
b) Public Housing Capital Fund	<i>\$803,116</i>	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	<i>\$2,657,161</i>	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants		
h) Community Development Block Grant		
i) HOME		
Other Federal Grants (list below)		
<b>2. Prior Year Federal Grants (unobligated funds only) (list below) (amounts left to draw)</b>		
<i>CFP KY36P01250102</i>	<i>\$0.00</i>	<i>*Capital Improvement</i>
<i>CFP KY36P01250103</i>	<i>\$542,156</i>	<i>*Capital Improvement</i>
<i>CFP36P01250203</i>	<i>\$133,460</i>	
<i>ROSS KY02RNN012P001</i>	<i>\$11,568</i>	<i>*Resident Opportunity and Self-Sufficiency</i>

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<i>ROSS KY02RSV012P0019</i>	<i>\$48,309</i>	<i>*Resident Opportunity and Self-Sufficiency-Service Coordinator Salary Benefits</i>
<i>ROSS KY01RSE012P0045</i>	<i>\$25,145</i>	<i>*Resident Opportunity and Self-Sufficiency</i>
<i>ROSS KY012-16043</i>	<i>\$50,832</i>	<i>*Resident Opportunity and Self-Sufficiency</i>
<b>3. Public Housing Dwelling Rental Income</b>	<i>\$1,093,040</i>	<i>Operations</i>
<b>4. Other income (list below)</b>		
<b>Other Income</b>	<i>\$29,720</i>	<i>Operations</i>
<b>Excess Utilities</b>	<i>\$56,710</i>	<i>Operations</i>
<b>Non-dwelling Rental</b>	<i>\$ 2,360</i>	<i>Operations</i>
<b>Interest – General Fund</b>	<i>\$15,290</i>	<i>Operations</i>
<b>4. Non-federal sources (list below)</b>		
<b>KY Juvenile Justice Grant</b>	<i>\$17,017</i>	<i>Operations CAT Center</i>
<b>United Way – Venture Grant</b>	<i>\$5,000</i>	<i>Operations CAT Center</i>
<b>Total resources</b>	<i>\$5,860,888</i>	

### **3. PHA Policies Governing Eligibility, Selection, and Admissions**

[24 CFR Part 903.7 9 (c)]

#### **A. Public Housing**

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

##### **(1) Eligibility**

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

- When families are within a certain number of being offered a unit: (state number)
- When families are within a certain time of being offered a unit: (state time)
- Other: - *Upon receipt of application*

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

- Criminal or Drug-related activity
- Rental history
- Housekeeping
- Other - *Landlord preference check*

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

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

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

## **(2)Waiting List Organization**

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

- Community-wide list
- Sub-jurisdictional lists
- Site-based waiting lists
- Other (describe)

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

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

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

1. How many site-based waiting lists will the PHA operate in the coming year?

2.  Yes  No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?

If yes, how many lists?

3.  Yes  No: May families be on more than one list simultaneously?

If yes, how many lists?

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

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

**(3) Assignment**

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

- One
- Two
- Three or More

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

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

**(4) Admissions Preferences**

a. Income targeting:

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

b. Transfer policies:

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

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

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

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

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

Date and Time - *Applied within preferences*

Former Federal preferences:

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

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

### **(5) Occupancy**

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

- The PHA-resident lease
- The PHA's Admissions and (Continued) Occupancy policy
- PHA briefing seminars or written materials
- Other source (list)

b. How often must residents notify the PHA of changes in family composition?

(select all that apply)

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

**(6) Deconcentration and Income Mixing**

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

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

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

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

Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments  
If selected, list targeted developments below:  
***KY012-1, KY012-2, KY012-3, and KY012-4***

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

Other (list policies and developments targeted below)

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

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

- Additional affirmative marketing
- Actions to improve the marketability of certain developments
- Adoption or adjustment of ceiling rents for certain developments
- Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- Other (list below)

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

Not applicable: results of analysis did not indicate a need for such efforts

List (any applicable) developments below:

***KY012-001***

***KY012-002***

***KY012-003***

***KY012-004***

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

Not applicable: results of analysis did not indicate a need for such efforts

List (any applicable) developments below:

## **B. Section 8**

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

### **(1) Eligibility**

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

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

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

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

Other (list below)

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

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

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

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

Criminal or drug-related activity

- Other (describe below)
- 1) *Tenancy history of family members.*
  - 2) *Previous landlord history.*
  - 3) *What amount of rent the tenant will be responsible for.*

**(2) Waiting List Organization**

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

- None
- Federal public housing
- Federal moderate rehabilitation
- Federal project-based certificate program
- Other federal or local program (list below)

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

- PHA main administrative office
- Other (list below)

**(3) Search Time**

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

If yes, state circumstances below:

- 1) *Hospitalization, disabilities, or family emergencies (must be verifiable).*
- 2) *Proof of concerted effort to find house within 60 days and has requested assistance from the Housing Authority.*
- 3) *The family turns in request for lease approval and the unit fails HQS inspection.*

**(4) Admissions Preferences**

a. Income targeting

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

b. Preferences

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

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

Former Federal preferences

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

Other preferences (select all that apply)

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

***Residents who live in Henderson County***

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

***Applied with preferences***      Date and Time

Former Federal preferences

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

Other preferences (select all that apply)

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

- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)

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

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

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

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

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

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

**(5) Special Purpose Section 8 Assistance Programs**

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

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

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

- Through published notices
- Other (list below)

## **4. PHA Rent Determination Policies**

[24 CFR Part 903.7 9 (d)]

### **A. Public Housing**

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

#### **(1) Income Based Rent Policies**

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

a. Use of discretionary policies: (select one)

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

---or---

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

b. Minimum Rent

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

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

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

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

A. *A hardship exists in the following circumstances:*

1. *When the family has lost eligibility for or is waiting for an eligibility determination for a Federal, State, or local assistance program including a family that includes a member who is a non-citizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Act of 1996;*

2. *When the family would be evicted because it is unable to pay the minimum rent;*
3. *When the income of the family has decreased because of changed circumstances, including loss of employment;*
4. *When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;*
5. *When a death has occurred in the family.*

**B.** *No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.*

**C.** *Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the beginning of the suspension of the minimum rent. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with Section 17 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of resident rent owed for the suspension period.*

**D.** *Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.*

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

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

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

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

For the earned income of a previously unemployed household member

For increases in earned income

Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

Fixed percentage (other than general rent-setting policy)

If yes, state percentage/s and circumstances below:

For household heads

For other family members

For transportation expenses

For the non-reimbursed medical expenses of non-disabled or non-elderly families

Other (describe below)

***The Housing Authority of Henderson will not provide exclusions from income in addition to those already provided for by HUD***

e. Ceiling rents

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

Yes for all developments

Yes but only for some developments

No

***Ceiling rent (income based) provide an incentive to remain in public housing to families whose flat rents were reduced because of a hardship to income-based rents and whose incomes then increased so that the income-based rent is unreasonable for the housing being provided. The ceiling rent is thus in effect only for the portion of the year between the family's interim increase in rent and their next annual reexamination (when they can elect the Flat Rent).***

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

For all developments

For all general occupancy developments (not elderly or disabled or elderly only)

For specified general occupancy developments

For certain parts of developments; e.g., the high-rise portion

For certain size units; e.g., larger bedroom sizes

Other (list below)

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

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

1. *The section 8 rent reasonableness study of comparable housing*
2. *Survey of rents listed in local newspaper*
3. *Survey of similar unassisted units in the neighborhood*

f. Rent re-determinations:

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

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

**D. *Families who opt for the flat rent may request to have a reexamination and return to the income-based method at any time for any of the following reasons:***

1. *The family's income has decreased.*
2. *The family's circumstances have changed increasing its expenses for childcare, medical care, etc.*
3. *Other circumstances creating a hardship on the family such that the income method would be more financially feasible for the family.*

**13.6 *Interim Reexaminations***

- A. *A member has been added to the family through birth or adoption or court-awarded custody.*
- B. *A household member is leaving or has left the family unit.*

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

## **(2) Flat Rents**

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

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

## **B. Section 8 Tenant-Based Assistance**

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

### **(1) Payment Standards**

Describe the voucher payment standards and policies.

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

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

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

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

- c. If the payment standard is higher than FMR, why has the PHA chosen this level?  
(select all that apply)
- FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
  - Reflects market or submarket
  - To increase housing options for families
  - Other (list below)
- d. How often are payment standards reevaluated for adequacy? (select one)
- Annually
  - Other (list below)
- e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)
- Success rates of assisted families
  - Rent burdens of assisted families
  - Other (list below)

## **(2) Minimum Rent**

- a. What amount best reflects the PHA's minimum rent? (select one)
- \$0
  - \$1-\$25
  - \$26-\$50
- b.  Yes  No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

## **5. Operations and Management**

[24 CFR Part 903.7 9 (e)]

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

### **A. PHA Management Structure**

Describe the PHA's management structure and organization.

(select one)

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

**B. HUD Programs Under PHA Management**

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

<b>Program Name</b>	<b>Units or Families Served at Year Beginning</b>	<b>Expected Turnover</b>
Public Housing		
Section 8 Vouchers		
Section 8 Certificates		
Section 8 Mod Rehab		
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		

**C. Management and Maintenance Policies**

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

- (1) Public Housing Maintenance and Management: (list below)
- (2) Section 8 Management: (list below)

## **6. PHA Grievance Procedures**

[24 CFR Part 903.7 9 (f)]

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

### **A. Public Housing**

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

If yes, list additions to federal requirements below:

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

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

### **B. Section 8 Tenant-Based Assistance**

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

If yes, list additions to federal requirements below:

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

- PHA main administrative office  
 Other (list below)

## **7. Capital Improvement Needs**

[24 CFR Part 903.7 9 (g)]

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

## **A. Capital Fund Activities**

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

### **(1) Capital Fund Program Annual Statement**

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

Select one:

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

-or-

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

**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 Henderson	Grant Type and Number Capital Fund Program Grant No: <b>KY36P012501-04</b> Replacement Housing Factor Grant No:	Federal FY of Grant: 2004
---	---	------------------------------

Original Annual Statement  Reserve for Disasters/ Emergencies  Revised Annual Statement (revision no: )  
 Performance and Evaluation Report for Period Ending:  Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	<b>\$66,692</b>			
3	1408 Management Improvements	<b>\$90,483</b>			
4	1410 Administration	<b>\$80,311</b>			
5	1411 Audit	<b>\$1,200</b>			
6	1415 Liquidated Damages	<b>\$ 0</b>			
7	1430 Fees and Costs	<b>\$18,230</b>			
8	1440 Site Acquisition	<b>\$ 0</b>			
9	1450 Site Improvement	<b>\$43,500</b>			
10	1460 Dwelling Structures	<b>\$458,700</b>			
11	1465.1 Dwelling Equipment—Nonexpendable	<b>\$ 0</b>			
12	1470 Nondwelling Structures	<b>\$ 0</b>			
13	1475 Nondwelling Equipment	<b>\$43,000</b>			
14	1485 Demolition	<b>\$ 0</b>			
15	1490 Replacement Reserve	<b>\$ 0</b>			
16	1492 Moving to Work Demonstration	<b>\$ 0</b>			
17	1495.1 Relocation Costs	<b>\$1,000</b>			
18	1499 Development Activities	<b>\$ 0</b>			

**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 Henderson	Grant Type and Number Capital Fund Program Grant No: <b>KY36P012501-04</b> Replacement Housing Factor Grant No:	Federal FY of Grant: 2004
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Original Annual Statement  Reserve for Disasters/ Emergencies  Revised Annual Statement (revision no: )  
 Performance and Evaluation Report for Period Ending:  Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
19	1502 Contingency	\$ 0			
	Amount of Annual Grant: (sum of lines.....)	\$803,116			
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				
	Amount of line XX Related to Security –Soft Costs				
	Amount of Line XX related to Security-- Hard Costs				
	Amount of line 10 Related to Energy Conservation Measures	\$145,000			
	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 Henderson		Grant Type and Number Capital Fund Program Grant No: <b>KY36P01250104</b> Replacement Housing Factor Grant No:				Federal FY of Grant: 2004		
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
				Original	Revised	Funds Obligated	Funds Expended	
<b>KY012-3/4 Sites</b>	<b>(1) Bathrooms at 1 Bedroom Elderly, replace</b>	<b>1460</b>	<b>15 units</b>	<b>\$150,000</b>				
	<b>(2) Phone Cable at Elderly, run</b>	<b>1460</b>	<b>15 units</b>	<b>\$7,500</b>				
	<b>(3) Interior Doors at Elderly, replace</b>	<b>1460</b>	<b>15 units</b>	<b>\$24,000</b>				
	<b>(4) Washer Boxes at 1 Bedroom Elderly, replace</b>	<b>1460</b>	<b>15 units</b>	<b>\$4,500</b>				
	<b>(5) Dryer Vents at 1 Bedroom Elderly, install</b>	<b>1460</b>	<b>15 Units</b>	<b>\$3,000</b>				
	<b>(6) Baseboard Heaters, replace</b>	<b>1460</b>	<b>15 units</b>	<b>\$3,000</b>				
	<b>(7) Remodel Front Porch on C-Bldg.</b>	<b>1460</b>	<b>22 Units</b>	<b>\$32,000</b>				
	<b>SUBTOTAL</b>			<b>\$224,000</b>				
<b>KY012-4</b>	<b>(1) Bathtubs, install</b>	<b>1460</b>	<b>2 units</b>	<b>\$7,000</b>				
	<b>(3) Vanities, replace</b>	<b>1460</b>	<b>2 units</b>	<b>\$ 700</b>				
	<b>(4) Black top area in back</b>	<b>1450</b>		<b>\$15,000</b>				
	<b>(5) Seal and Service Road</b>	<b>1450</b>		<b>\$5,000</b>				
	<b>(6) A/C, replace</b>	<b>1460</b>	<b>55 units</b>	<b>\$55,000</b>				
	<b>SUBTOTAL</b>			<b>\$82,700</b>				

**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 Henderson		Grant Type and Number Capital Fund Program Grant No: <b>KY36P01250104</b> Replacement Housing Factor Grant No:				Federal FY of Grant: 2004		
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
				Original	Revised	Funds Obligated	Funds Expended	
<i>HA-wide</i>	<i>(1) A &amp; E</i>	<i>1430</i>		<i>\$15,000</i>				
	<i>(2) Administration</i>	<i>1410</i>		<i>\$80,311</i>				
	<i>(3) Equipment</i>	<i>1475</i>		<i>\$43,000</i>				
	<i>(4) Audit</i>	<i>1411</i>		<i>\$1,200</i>				
	<i>(5) Relocation</i>	<i>1495.1</i>		<i>\$1,000</i>				
	<i>(6) Fees &amp; Costs</i>	<i>1430</i>		<i>\$3,230</i>				
	<i>(7) Landscaping</i>	<i>1450</i>		<i>\$3,500</i>				
	<i>(8) Painting and Restoration</i>	<i>1460</i>		<i>\$20,000</i>				
	<i>(9) Carpet, replace</i>	<i>1460</i>		<i>\$15,000</i>				
	<i>(10) Sidewalk, replace</i>	<i>1450</i>		<i>\$20,000</i>				
	<i>(11) Management Improvements</i>	<i>1408</i>		<i>\$90,483</i>				
	<i>(12) Operations</i>	<i>1406</i>		<i>\$66,692</i>				
	<i>SUBTOTAL</i>			<i>359,416</i>				

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

PHA Name:		Grant Type and Number Capital Fund Program No: <b>KY36P01250104</b> Replacement Housing Factor No:					Federal FY of Grant: 2004	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates	
	Original	Revised	Actual	Original	Revised	Actual		
<i>KY012-1/Lawndale</i>	<i>12/31/05</i>			<i>6/30/2006</i>				
<i>KY012-2/Dixon</i>	<i>12/31/05</i>			<i>6/30/2006</i>				
<i>KY012-3/4 Sites</i>	<i>12/31/05</i>			<i>6/30/2006</i>				
<i>KY012-4/840 N. Adams</i>	<i>12/31/05</i>			<i>6/30/2006</i>				
<i>HA-wide</i>	<i>12/31/05</i>			<i>6/30/2006</i>				

## Capital Fund Program Five-Year Action Plan

### Part I: Summary

PHA Name <u>Housing Authority of Henderson</u>				<input checked="" type="checkbox"/> <b>Original 5-Year Plan</b> <input type="checkbox"/> <b>Revision No:</b>	
<u>Development Number/Name/HA-Wide</u>	<u>Year 1</u>	<u>Work Statement for Year 2</u> FFY Grant: <b>2005</b> PHA FY: <b>2005</b>	<u>Work Statement for Year 3</u> FFY Grant: <b>2006</b> PHA FY: <b>2006</b>	<u>Work Statement for Year 4</u> FFY Grant: <b>2007</b> PHA FY: <b>2007</b>	<u>Work Statement for Year 5</u> FFY Grant: <b>2008</b> PHA FY: <b>2008</b>
<u>KY012-1/Lawndale</u>	<u>Annual Statement</u>	\$163,500	\$99,000	\$48,000	\$70,000
<u>KY012-2/Dixon</u>		\$51,930	\$118,500	\$65,000	\$70,000
<u>KY012-3/4 Sites</u>		\$220,800	\$170,530	\$251,330	\$100,100
<u>KY012-4/840 N. Adams</u>		\$7,700	\$67,400	\$101,100	\$230,330
<u>HA-wide</u>		\$359,186	\$347,686	\$337,686	\$332,686
<u>CFP Funds Listed for 5-year planning</u>		\$803,116	\$803,116	\$803,116	\$803,116
<u>Replacement Housing Factor Funds</u>		\$ 0	\$ 0	\$ 0	\$ 0

## Capital Fund Program Five-Year Action Plan

### Part I: Summary

<u>Activities for Year 1</u>	<u>Activities for Year : 2</u> <u>FFY Grant: 2005</u> <u>PHA FY: 2005</u>			<u>Activities for Year: 3</u> <u>FFY Grant: 2006</u> <u>PHA FY: 2006</u>		
	<u>Development Name/Number</u>	<u>Major Work Categories</u>	<u>Estimated Cost</u>	<u>Development Name/Number</u>	<u>Major Work Categories</u>	<u>Estimated Cost</u>
<u>See</u>	<u>KY012-1/Lawndale</u>	<u>(1) Heaters, replace (99 units)</u>	\$148,500	<u>KY012-1/Lawndale</u>	<u>(1) Storage Building, build (38 units)</u>	\$76,000
<u>Annual</u>		<u>(2) Phone Cable, run (10 units)</u>	\$15,000		<u>(2) Phone Cable, run (10 units)</u>	\$15,000
<u>State-</u> <u>ment</u>		SUBTOTAL	\$163,500		<u>(3) Electric meters, replace</u>	\$8,000
					SUBTOTAL	\$99,000
	<u>KY012-2/Dixon</u>	<u>(1) Phone Cable, run (5 units)</u>	\$7,500			
		<u>(2) Storage Building, build (20 units)</u>	\$40,000	<u>KY012-2/Dixon</u>	<u>(1) Phone Cable, run (10 units)</u>	\$15,000
		<u>(3) Barret Gym Floor, refinish</u>	\$4,430		<u>(2) Construction of New Home</u>	\$100,000
		SUBTOTAL	\$51,930		<u>(3) Electric Meters, replace (66 units)</u>	\$3,500
					SUBTOTAL	\$118,500

## Capital Fund Program Five-Year Action Plan

### Part I: Summary

<u>Activities for Year 1</u>	<u>Activities for Year: 2</u> <u>FFY Grant: 2005</u> <u>PHA FY: 2005</u>			<u>Activities for Year: 3</u> <u>FFY Grant: 2006</u> <u>PHA FY: 2006</u>		
<u>KY012-3/4 Sites</u>	(1) Bath at Elderly, remodel (14 units)	\$140,000	<i>KY012-3/4 Sites</i>	(1) Bath at 1 Bedroom-Elderly, remodel (15 units)	\$37,500	
	(2) Phone Cable at Elderly, run (14 units)	\$7,000		(2) Phone Cable at 0 Bedroom, run (15 units)	\$7,500	
	<u>(3) Interior Doors at Elderly, replace (14 units)</u>	\$22,400		(3) Interior Doors at Elderly, replace (15 units)	\$13,500	
	(4) Washer Kits at 1 Bedroom-Elderly, replace (14 units)	\$4,200		(4) Baseboard Heaters, install (15 units)	\$3,000	
	(5) Dryer Vents at 1 Bedroom-Elderly, replace (14 units)	\$2,800		(5) A/C 1 Bedroom-Elderly, replace (10 units)	\$36,000	
	(6) Baseboard Heaters, replace (6 units)	\$1,800		<u>(6) Heater at Madison, replace (21 units)</u>	\$37,800	
	(7) A/C at 750 & 740, replace (10 units)	\$11,800		(7) Doors at Fagan, replace	\$35,230	
	(8) Electric Meters, replace (13 units)	\$5,800		<b>SUBTOTAL</b>	\$170,530	
	(9) Doors at Madison, replace (40 units)	\$25,000				
	<b>SUBTOTAL</b>	\$220,800		<u>(1) Laundry room, remodel (1 unit)</u>	\$67,400	
<u>12-4/840 N. Adams</u>	(1) Bath Tub, install (2 units)	\$7,000		<b>SUBTOTAL</b>	\$67,400	
	(2) Vanities, install (2 units)	\$ 700				
	<b>SUBTOTAL</b>	\$7,700				

## Capital Fund Program Five-Year Action Plan

### Part I: Summary

<u>Activities for Year 1</u>	<u>Activities for Year : 2</u> FFY Grant: <u>2005</u> PHA FY: <u>2005</u>		<u>Activities for Year: 3</u> FFY Grant: <u>2006</u> PHA FY: <u>2006</u>		
<u>HA-wide</u>	<u>(1) A &amp; E</u>	\$10,000	<u>HA-wide</u>	<u>(1) A &amp; E</u>	\$ 0
	<u>(2) Administration</u>	\$80,311		<u>(2) Administration</u>	\$80,311
	<u>(3) Equipment</u>	\$40,000		<u>(3) Equipment</u>	\$40,000
	<u>(4) Audit</u>	\$1,200		<u>(4) Audit</u>	\$1,200
	<u>(5) Relocation</u>	\$1,000		<u>(5) Relocation</u>	\$1,000
	<u>(6) Fees and Costs</u>	\$3,000		<u>(6) Fees and Costs</u>	\$1,500
	<u>(7) Landscaping</u>	\$3,500		<u>(7) Landscaping</u>	\$3,500
	<u>(8) Painting and Restoration</u>	\$20,000		<u>(8) Painting and Restoration</u>	\$20,000
	<u>(9) Carpet, replace</u>	\$20,000		<u>(9) Carpet, replace</u>	\$20,000
	<u>(10) Sidewalk, replace</u>	\$20,000		<u>(10) Sidewalk, replace</u>	\$20,000
	<u>(13) Management Improvement</u>	\$90,483		<u>(11) Management Improvement</u>	\$90,483
	<u>(14) Operations</u>	\$69,692		<u>(12) Operations</u>	\$69,692
	<u>SUBTOTAL</u>	\$359,186		<u>SUBTOTAL</u>	\$347,686
<u>Total CFP Estimated Cost</u>		<u>\$803,116</u>			<u>\$803,116</u>

## Capital Fund Program Five-Year Action Plan

### Part I: Summary

Activities for Year 1	Activities for Year : <u>4</u> FFY Grant: <u>2007</u> PHA FY: <u>2007</u>			Activities for Year: <u>5</u> FFY Grant: <u>2008</u> PHA FY: <u>2008</u>		
	<u>Development Name/Number</u>	<u>Major Work Categories</u>	<u>Estimated Cost</u>	<u>Development Name/Number</u>	<u>Major Work Categories</u>	<u>Estimated Cost</u>
<u>See</u>	<u>KY012-1/Lawndale</u>	<u>(1) Floors in Kitchen and Utility, replace (6 units)</u>	\$10,800	<u>KY012- 1/Lawndale</u>	<u>(1) Floors in Kitchen and Utility, replace (10 units)</u>	\$18,000
<u>Annual</u>		<u>(2) Interior Doors, replace (6 units)</u>	\$9,000		<u>(2) Interior Doors, replace (10 units)</u>	\$15,000
<u>State- ment</u>		<u>(3) Phone Cable, run (10 units)</u>	\$15,000		<u>(3) Phone Cable, run (10 units)</u>	\$15,000
		<u>(4) Baseboards, replace (10 units)</u>	\$13,200		<u>(4) Baseboards, replace (10 units)</u>	\$22,000
		<u>SUBTOTAL</u>	\$48,000		<u>SUBTOTAL</u>	\$70,000
	<u>KY012-2/Dixon</u>	<u>(1) Phone Cable, run (10 units)</u>	\$15,000	<u>KY012-2/Dixon</u>	<u>(1) Phone Cable, run (10 units)</u>	\$15,000
		<u>(2) Roof for Gym, replace (1 units)</u>	\$50,000		<u>(2) Floors in Kitchen and Utility, replace (10 units)</u>	\$18,000
		<u>SUBTOTAL</u>	\$65,000		<u>(3) Interior Doors, replace (10 units)</u>	\$15,000
					<u>(2) Baseboard, replace (10 units)</u>	\$22,000
					<u>SUBTOTAL</u>	\$70,000

## Capital Fund Program Five-Year Action Plan

### Part I: Summary

<u>Activities for Year 1</u>	<u>Activities for Year : 4</u> <u>FFY Grant: 2007</u> <u>PHA FY: 2007</u>			<u>Activities for Year: 5</u> <u>FFY Grant: 2008</u> <u>PHA FY: 2008</u>		
	<u>KY012-3/4 Sites</u>	(2) Storage Buildings, 8 <sup>th</sup> Street, repair siding	\$38,000	<u>KY012-3/4 Sites</u>	(1) A/C at 8 <sup>th</sup> Street (65 units)	\$65,000
		(3) Bath at Elderly, remodel (9 units)	\$27,000		(2) Water Valves at Madison, replace (51 units)	\$7,100
		(4) A/C at Madison, replace (38 units)	\$38,000		(3) Doors 0 BR at Fagan & D&I, replace	\$28,000
		(4) A/C at 0 Bedroom, Elderly, replace (24 units)	\$24,000		SUBTOTAL	\$100,100
		(5) Heaters at 8 <sup>th</sup> Street, replace (32 units)	\$57,600			
		(6) New Electric Service Lines, Madison, install	\$10,000			
		(7) Doors at 8 <sup>th</sup> Street, replace (50 units)	\$56,730			
		SUBTOTAL	\$251,330			

**Capital Fund Program Five-Year Action Plan**  
**Part I: Summary**

<u>Activities for Year 1</u>	<u>Activities for Year : 4</u> <u>FFY Grant: 2007</u> <u>PHA FY: 2007</u>		<u>Activities for Year: 5</u> <u>FFY Grant: 2008</u> <u>PHA FY: 2008</u>		
<u>KY012-4/840 N. Adams</u>	<u>(1) Cabinets, replace (50 units)</u>	\$96,100	<u>KY012-4/840 N. Adams</u>	<u>(1) Range Hoods, install (51 units)</u>	\$5,100
	<u>(2) Range hood (50 units)</u>	\$5,000		<u>(2) Cabinets, replace (51 units)</u>	\$102,000
	<b>SUBTOTAL</b>	<b>\$101,100</b>		<u>(3) Remodel baths, (15 units)</u>	\$49,500
				<u>(4) Stoves, replace (50 units)</u>	\$17,500
				<u>(5) Refrigerators, replace (50 units)</u>	\$22,500
				<u>(6) Elevator, install</u>	\$33,730
<u>HA-wide</u>	<u>(1) A &amp; E</u>	\$ 5,000	<u>HA-wide</u>	<b>SUBTOTAL</b>	<b>\$230,330</b>
	<u>(2) Administration</u>	\$80,311		<u>(1) A &amp; E</u>	\$5,000
	<u>(3) Equipment</u>	\$40,000		<u>(2) Administration</u>	\$80,311
	<u>(4) Audit</u>	\$1,200		<u>(3) Equipment</u>	\$40,000
	<u>(5) Relocation</u>	\$1,000		<u>(4) Audit</u>	\$1,200
	<u>(6) Fees and Costs</u>	\$1,500		<u>(5) Relocation</u>	\$1,000
	<u>(7) Landscaping</u>	\$3,500		<u>(6) Fees and Costs</u>	\$1,500
	<u>(8) Painting and Restoration</u>	\$20,000		<u>(7) Landscaping</u>	\$3,500
	<u>(9) Carpet, replace</u>	\$20,000		<u>(8) Painting and Restoration</u>	\$20,000
	<u>(10) Sidewalk, replace</u>	\$5,000		<u>(9) Carpet, replace</u>	\$20,000
	<u>(13) Management Improvement</u>	\$90,483		<u>(10) Sidewalk, replace</u>	\$0
	<u>(14) Operations</u>	\$69,692		<u>(13) Management Improvement</u>	\$90,483
	<b>SUBTOTAL</b>	<b>\$337,686</b>		<u>(14) Operations</u>	\$69,692
				<b>SUBTOTAL</b>	<b>\$332,686</b>
	Total CFP Estimated Cost	<b>\$803,116</b>		Total CFP Estimated Cost	<b>\$803,116</b>

|

**(2) Optional 5-Year Action Plan**

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

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

b. If yes to question a, select one:

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

-or-

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

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

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

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

1. Development name:
2. Development (project) number:
3. Status of grant: (select the statement that best describes the current status)
  - Revitalization Plan under development
  - Revitalization Plan submitted, pending approval
  - Revitalization Plan approved
  - Activities pursuant to an approved Revitalization Plan underway

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

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

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

## **8. Demolition and Disposition**

[24 CFR Part 903.7 9 (h)]

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

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

### 2. Activity Description

- Yes  No: Has the PHA provided the activities description information in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)

<b>Demolition/Disposition Activity Description</b>
1a. Development name: 1b. Development (project) number:
2. Activity type: Demolition <input type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission: <u>(DD/MM/YY)</u>
5. Number of units affected: 6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:

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

[24 CFR Part 903.7 9 (i)]

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

1.  Yes  No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

Yes  No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.

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

## **10. Conversion of Public Housing to Tenant-Based Assistance**

[24 CFR Part 903.7 9 (j)]

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

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

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

#### 2. Activity Description

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

<b>Conversion of Public Housing Activity Description</b>	
1a.	Development name:
1b.	Development (project) number:
2.	What is the status of the required assessment? <input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)
4.	Status of Conversion Plan (select the statement that best describes the current status) <input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD-approved Conversion Plan underway

5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)

- Units addressed in a pending or approved demolition application (date submitted or approved: \_\_\_\_\_)
- Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: \_\_\_\_\_)
- Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: \_\_\_\_\_)
- Requirements no longer applicable: vacancy rates are less than 10 percent
- Requirements no longer applicable: site now has less than 300 units
- Other: (describe below)

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

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

## **11. Homeownership Programs Administered by the PHA**

[24 CFR Part 903.7 9 (k)]

### **A. Public Housing**

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

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

2. Activity Description

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

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

**B. Section 8 Tenant Based Assistance**

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

2. Program Description:

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

Yes  No: Will the PHA's program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?

If yes, list criteria below:

## **12. PHA Community Service and Self-sufficiency Programs**

[24 CFR Part 903.7 9 (1)]

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

### **A. PHA Coordination with the Welfare (TANF) Agency**

1. Cooperative agreements:

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

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

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

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



**(2) Family Self Sufficiency program/s**

a. Participation Description

<b>Family Self Sufficiency (FSS) Participation</b>		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8		

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

**C. Welfare Benefit Reductions**

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)
- Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
  - Informing residents of new policy on admission and reexamination
  - Actively notifying residents of new policy at times in addition to admission and reexamination.
  - Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
  - Establishing a protocol for exchange of information with all appropriate TANF agencies
  - Other: (list below)

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

### **13. PHA Safety and Crime Prevention Measures**

[24 CFR Part 903.7 9 (m)]

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

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

1. Describe the need for measures to ensure the safety of public housing residents

(select all that apply)

- High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
- Residents fearful for their safety and/or the safety of their children
- Observed lower-level crime, vandalism and/or graffiti
- People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- Other (describe below)

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

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

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

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

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

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

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

**C. Coordination between PHA and the police**

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- Police provide crime data to housing authority staff for analysis and action
- Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- Police regularly testify in and otherwise support eviction cases
- Police regularly meet with the PHA management and residents
- Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- Other activities (list below)

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

**D. Additional information as required by PHDEP/PHDEP Plan**

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- Yes  No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- Yes  No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?
- Yes  No: This PHDEP Plan is an Attachment. (Attachment Filename: \_\_\_\_)

## **14. RESERVED FOR PET POLICY**

[24 CFR Part 903.7 9 (n)]

## **15. Civil Rights Certifications**

[24 CFR Part 903.7 9 (o)]

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

## **16. Fiscal Audit**

[24 CFR Part 903.7 9 (p)]

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

## **17. PHA Asset Management**

[24 CFR Part 903.7 9 (q)]

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

1.  Yes  No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?
2. What types of asset management activities will the PHA undertake? (select all that apply)
  - Not applicable
  - Private management
  - Development-based accounting
  - Comprehensive stock assessment
  - Other: (list below)

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

## **18. Other Information**

[24 CFR Part 903.7 9 (r)]

### **A. Resident Advisory Board Recommendations**

1.  Yes  No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?
2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
- Attachment C-** Attached at Attachment (File name) ky012c01
- Provided below:
3. In what manner did the PHA address those comments? (select all that apply)
- Considered comments, but determined that no changes to the PHA Plan were necessary.
- The PHA changed portions of the PHA Plan in response to comments  
List changes below:
- Other: (list below)

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

1.  Yes  No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)
2.  Yes  No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

#### 3. Description of Resident Election Process

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

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

b. Eligible candidates: (select one)

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

c. Eligible voters: (select all that apply)

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

### **C. Statement of Consistency with the Consolidated Plan**

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

1. Consolidated Plan jurisdiction: (provide name here) *City of Henderson*
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
  - The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
  - The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
  - The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
  - Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
  - Other: (list below)

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

***Activities to be undertaken by the City of Henderson using CDBG funds:***

- ◆ ***\$47,100 to provide enhanced police protection in areas of concentration of low and moderate-income families particularly focusing on census tracts 201, 202, 203, 204, 205.1, and 206.02 BGI.***
- ◆ ***\$85,000 to undertake infrastructure improvements (sidewalks, curb and gutter) in those census tracts benefiting low to moderate-income families (sections of North Adams and/or Martin Luther King, Jr. Boulevard) to continue efforts in providing safe pedestrian passage for children walking to elementary and middle schools and other public facilities.***

**D. Other Information Required by HUD**

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

## **Attachments**

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

# PHA Plan Table Library

## Component 7 Capital Fund Program Annual Statement Parts I, II, and II

### Annual Statement Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number      FFY of Grant Approval: (MM/YYYY)

Original Annual Statement

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

**Annual Statement  
Capital Fund Program (CFP) Part II: Supporting Table**

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost

**Annual Statement**

**Capital Fund Program (CFP) Part III: Implementation Schedule**

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)

## Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

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

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
<b>Total estimated cost over next 5 years</b>				



## ATTACHMENT A

### ADMISSIONS POLICY FOR DECONCENTRATION

**INTRODUCTION:** In an ongoing effort for the Housing Authority to meet or exceed the laws and regulations regarding its public housing programs, the following Deconcentration Policy has been developed in order to comply with the Quality Housing and Work Responsibility Act of 1998, Section 513.

**INCOME MIX TARGETING:** To meet the requirements of the Act and subsequent HUD regulations, at least 40 percent of families admitted in any fiscal year to public housing by the Housing Authority must have incomes that do not exceed 30% of the area median.

**PROHIBITION OF CONCENTRATION OF LOW-INCOME FAMILIES:** The Housing Authority will not, in meeting this income mix targeting, concentrate very low-income families, or other families with relatively low incomes, in public housing units in certain projects or certain buildings. The Housing Authority will review the income and occupancy characteristics of the housing projects and the buildings of each project annually to ensure that a low-income concentration does not occur or, that steps are taken to reduce any concentration of poverty already in existence.

**DECONCENTRATION:** The Housing Authority will make every effort to deconcentrate families of certain income characteristics within the Authority developments. To achieve this, the Housing Authority will offer incentives for eligible families having higher incomes to occupy dwelling units in projects predominantly occupied by eligible families having lower incomes, and provide for occupancy of eligible families having lower incomes in project predominantly occupied by eligible families having higher incomes. Incentives by the Housing Authority allow for the eligible family to have the sole discretion in determining whether to accept the incentive and the Housing Authority will not take any adverse action toward any eligible family for choosing not to accept these incentives. The skipping of a family on the waiting list to reach another family to implement this Deconcentration Policy shall not be considered an adverse action. As such, the Housing Authority will continue to accept applications and place the individuals on a waiting list.

Selection will be made based on a combination of application date and time, and an income target mix. A family may be “skipped over” to offer a vacancy to the first qualifying family with a targeted income. This Authority will define a “higher-income family” as one earning more than the calculated average for that development, and a “lower-income family” as one earning less than the calculated average.

The Housing Authority will track the income mix within each project as an effort to avoid a concentration of higher or lower income families in any one building or development. From the tables below, there is a concentration of Very-Low income families in all the HHA developments.

The HUD FY 2003 Income Limits and Fair Market Rent Data show the thirty, fifty and eighty percents of the Median Income per number in a household are as follows:

# Person	30% of Median	50% Very Low Income	80% Low Income
1	\$11,650	\$19,400	\$31,000
2	\$13,300	\$22,150	\$35,450
3	\$14,950	\$24,950	\$39,900
4	\$16,600	\$27,700	\$44,300
5	\$17,950	\$29,900	\$47,850
6	\$19,300	\$32,150	\$51,400
7	\$20,600	\$34,350	\$54,950
8	\$21,950	\$36,550	\$58,500

On 11/1/2003, the Authority had 416 of its 430 public housing units filled as follows:

% of median	# families	%
30	291	70
50	73	18
80	52	12

Project (Units)	<30% of Median		<50% of Median		<80% of Median		Total Units and Vacancies	
	#	%	#	%	#	%	# Units	#Vacs
KY 012-1(134)	86	65	116	88	132	100.0	134	2
KY 012-2(66)	50	76	57	86	66	100.0	66	0
KY 012-3(131)	79	62	101	80	127	100.0	131	4
KY 012-4(99)	76	84	90	99	91	100.0	99	8

On 11/1/2003 the Authority had 93 families on its waiting list. Of the total, 79 (85%) had incomes under 30% of the median, 10 (11%) had incomes above 30% but below 50% of the median, and 4 (4%) had incomes above 50% but less than 80% of the median income.

All four (4) projects had greater than 60% (percent) of the families with thirty (30) percent or less of the median income. Monitoring is and will continue to be conducted to confirm that at least forty (40) percent of all new leases will be to families that earn an amount equal to or less than thirty (30) percent of median income.

New industry along with an increase in service job positions has caused a rise in the area economy. As a result, we have had an increase of 11 families with income 80% of the AMI in the projects noted above. CHAS data shows the City of Henderson has 3,510 renter families that earn incomes that qualify them for Public Housing assistance. Of these, 2,163 have housing problems and 389 (at any one time) are looking for a house to rent. The Authority's waiting list shows that 96% of the eligible families are earning less than 50% of the AMI. In other words, approximately 96% of the waiting families are in poverty. Obviously, some higher incomes do exist and every effort will be made to attract more to public housing.

**Component 3, (6) Deconcentration and Income Mixing**

- a.  Yes  No: Does the PHA have any general occupancy (family) public housing developments covered by the deconcentration rule? If no, this section is complete. If yes, continue to the next question.
- b.  Yes  No: Do any of these covered developments have average incomes above or below 85% to 115% of the average incomes of all such developments? If no, this section is complete.

If yes, list these developments as follows:

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

## The Housing Authority of Henderson's Comprehensive Drug Prevention Programs

The Housing Authority of Henderson's Community and Technology (CAT Center) after school program began in December 2001. The facility is equipped with a computer lab, cafeteria, game room, media/resource room, tutorial/homework room, and meeting room. The CAT Center is staffed by two full time and three part-time individuals in order to meet the needs of the growing number of participants.

This program is in operation week days from 2:30 – 5:30 PM. The Henderson County School Bus System transports children from school to the facility. At the conclusion of programming children are transported home by CAT Center Staff or they are picked up by family. An after school nutritious snack is provided to the children. The average weekly attendance of programming is 80 children from ages 6-15 years.

Programming includes but is not limited to:

Men-In-The-Making (Martial Arts)	Anti-Drug Presentations/Education
Girl Power!	Tutoring
Boy Scouts	Homework Completion
Girl Scouts	Computer Lab/Computer Instruction
Character Building	4-H Projects/Activities
Community Service Projects	Special Crafts

In order to provide the best possible services to the participants, we maintain regular contact with the school system to track grades, attendance, and behavioral success. Intervention is provided when necessary to aid individuals to reach their highest potential and keep them in school. Meetings are held with family and referrals made when additional external intervention is required. Incentive programs are in place that reward children with good conduct records in programming and also in school.

In addition to the above programs for youth, the Community and Technology center offers a variety of educational/computer programs for adults and senior citizens.

The above programming is funded through the following sources:

Kentucky Juvenile Justice Grant	\$30,460
United Way – Venture Grant	\$10,000
Capital Fund Management Improvements	\$20,000

To aid in drug/crime prevention in the Housing Authority communities the City of Henderson through CDBG funds will be providing \$47,100 for enhanced police protection in the census tracts that include the Housing Authority properties.

**ATTACHMENT C**  
**COMMENTS OF RESIDENT ADVISORY BOARD**  
**PUBLIC HOUSING AGENCY PLANS**

Date: November 25, 2003, 9:00 A.M.  
Location: Boswell Conference Room—111 South Adams Street  
Present: Board: Ms. Willie M. Ballard, President; Ms. Wanda Hawkins, Vice-President; Ms. Nadine Marshall, Secretary; Patricia Jackson, Treasurer; and Ms. Nancy Patterson, Member At Large; Betty Wilkerson, Shirley Oliver, Members; (see attached sign-in sheet)  
Staff: Bobbie Jarrett, Executive Director; Mary Ann Phillips, Administrative Assistant

Ms. Jarrett reviewed with the Board the revised sections of the Public Housing Agency Plans, namely, Admissions and Continued Occupancy Policy; Section 8 Administration Plan; PHA Plans Template; FFY 2004 Capital Fund Program Annual Statement; FFY 2002 and FFY 2003 Performance and Evaluation Report; and Capital Fund Program Five-Year Action Plan.

During the review, the Board members provided the following input:

<i>Page # and Item</i>	<i>Comment from Board Member</i>	<i>HA Response</i>
Template, 5 Year Plan  <b>Objective:</b> Renovate or modernize public housing units: Renovate/modernize to increase marketability and, when feasible, add amenities through Capital Funds.	<b>KY012-1:</b> People are on the playground after dark, (when the playground is closed) cursing and marking the equipment with graffiti.	CDBG funds will provide for extra patrol in the area. The Executive Director will also notify the police (at our Dixon substation) of the disturbance. There have been notices in our newsletters that the playground is closed at dark and the graffiti will not be tolerated.
	<b>KY012-1:</b> Fights and rock throwing have occurred at Lawndale.	The Executive Director advised the residents to call 911. It is the responsibility of the police to deal with this type of situation.
	<b>KY012-1:</b> There aren't enough electrical outlets in the bedrooms and in the kitchen. There isn't enough closet space.	The Executive Director and the Modernization and Maintenance Coordinator will visit the area and determined if more electrical outlets can be installed. The size of the closets can not be changed.
	<b>KY012-1:</b> The clothes line poles at Lawndale are old and rusted.	The Executive Director and the Modernization and Maintenance Coordinator have evaluated the clothes line poles and decided that with the addition of the new storage buildings, the space is limited and the best thing to do is permanently remove the poles.
	<b>KY012-3:</b> The sidewalks at Fagan Square have a pooling of water when there is a substantial amount of rain.	The Executive Director and the Modernization and Maintenance Coordinator evaluated the sidewalks and determined that the sidewalks will be replaced and elevated to alleviate pooling.
	<b>KY012-3:</b> The Residents would like a vent added to the bathrooms at Fagan.	The Executive Director and the Modernization and Maintenance Coordinator will evaluate the possibility of adding vents that go into the attic.
	<b>KY012-3:</b> The Residents at Fagan have observed cars driving too fast through the circle surrounding the units.	The Executive Director will post a warning in the newsletter for residents and their guests to observe the posted speed limit.
	<b>KY012-4:</b> Door handles at 840 N. Adams has been rattled after dark. When the resident goes to the door, no one is there.	CDBG funds will provide for extra patrol in the area. The Executive Director will also notify the police (at our Dixon substation) of the disturbance.
	<b>KY012-4:</b> Residents would like to have a flag pole displaying the American flag in the courtyard at 840 N. Adams.	The Housing Authority has taken down a dead tree (that was in the way) and will erect a flag pole displaying the American flag with lights in the spring.

<i>Page # and Item</i>	<i>Comment from Board Member</i>	<i>HA Response</i>
	<p><b>KY012-4:</b> The Residents at 840 N. Adams would like to see a new elevator to assist the elderly who live on the second floor.</p>	<p>Using Capital Funds, the Housing Authority plans to add an additional elevator to assist the elderly who are living in these units.</p>
	<p><b>HA-wide:</b></p>	<p>We reviewed the changes to the ACOP and the Section 8 Administrative Plan.</p>
	<p>The Board was pleased with the overall management of the Housing Authority and our PHAS score of 98. They felt that the overall appearance of our units is outstanding and are happy with the continued improvements of the property.</p>	
<p>Template, 5 Year Plan</p> <p><b>Objective:</b></p>	<p>The Residents are very pleased with the house built at KY12-3 and are happy to hear that another house is scheduled for construction.</p>	
	<p>We are renovating the building purchased with CDBG funds located at 700-702 Martin Luther King. The building will house Methodist Hospital's Community Access To Child Health (CATCH) Program. Dr. Don Cantley will operate his clinic from the building. Methodist Hospital will staff insure, and provide the supplies.</p>	
<p>Template, FY 2004 Annual Plan</p>		
<p>Capital Fund Program Table (ky012h01)</p>		
<p>Misc.</p>		<p>The Housing Authority has filed for nonprofit status as Barret Center, Inc. (501 C3). Once approved, the Authority will be eligible to apply for additional grants to aid in funding our after school and senior programs.</p>

**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:

***Ms. Willie M. Ballard--President, Resident Advisory Board***

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

Elected —***Invitation was issued for the President elected by peers to serve on the Board.***

Appointed

C. The term of appointment is (include the date term expires): ***two years--August 1, 2002-August 31, 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.
- ther (explain):

B. Date of next term expiration of a governing board member: ***September 30, 2004***

C. Name and title of appointing official(s) for governing board (indicate appointing official for the next position):

***Mayor Henry Lackey***

**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.)

<i>Ms. Willie Ballard</i>	<i>President</i>	<i>Housing Authority</i>
<i>Wanda Hawkins</i>	<i>Vice-President</i>	<i>Housing Authority</i>
<i>Ms. Nadine Marshall</i>	<i>Secretary</i>	<i>Housing Authority</i>
<i>Ms. Patricia Jackson</i>	<i>Treasurer</i>	<i>Housing Authority</i>
<i>Ms. Nancy Patterson</i>		<i>Housing Authority</i>
<i>Betty Wilkerson</i>		<i>Housing Authority</i>
<i>Ms. Shirley Oliver</i>		<i>Housing Authority</i>
<i>Vacancy--Dixon &amp; Ingram</i>		<i>Housing Authority</i>
<i>Vacancy</i>		<i>Section 8</i>

## **Attachment F**

### **Definition of Substantial Deviation and Significant Amendment or Modification**

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

#### **GOALS**

- Additions or deletions of Strategic Goals

#### **PROGRAMS**

- Any change with regard to demolition or disposition, designation of housing, homeownership programs or conversion activities

#### **CAPITAL BUDGET**

- Additions of non-emergency work items (items not included in the current Annual Statement or Five Year Action Plan) or change in use of replacement reserve funds

#### **POLICIES**

- Changes to rent or admissions policies or organization of the waiting list

An exception to the above definition will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements since such changes are not considered significant amendments by HUD.

**Attachment G**  
**Component 10 (B) Voluntary Conversion Initial Assessments**

- a. How many of the PHA's developments are subject to the Required Initial Assessments?

**4**

- b. How many of the PHA's developments are not subject to the Required Initial Assessments based on exemptions (e.g., elderly and/or disabled developments not general occupancy projects)?

**None**

- c. How many Assessments were conducted for the PHA's covered developments?

**One for each development**

- d. Identify PHA developments that may be appropriate for conversion based on the Required Initial Assessments:

**There are no developments appropriate for conversion.**

Development Name	Number of Units

- d. If the PHA has not completed the Required Initial Assessments, describe the status of these assessments:

## CAPITAL FUND PROGRAM TABLES START HERE

<b>Annual Statement/Performance and Evaluation Report</b>					
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary</b>					
PHA Name: Housing Authority of Henderson		Grant Type and Number Capital Fund Program Grant No: <i>KY36P01250103</i> Replacement Housing Factor Grant No:		Federal FY of Grant: 2003	
<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: 12/31/03 <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	<i>\$20,000</i>		<i>\$0.00</i>	<i>\$0.00</i>
3	1408 Management Improvements	<i>\$20,694</i>		<i>\$0.00</i>	<i>\$0.00</i>
4	1410 Administration	<i>\$66,965</i>		<i>\$13,392.00</i>	<i>\$19,156.35</i>
5	1411 Audit	<i>\$1,200</i>		<i>\$0.00</i>	<i>\$0.00</i>
6	1415 Liquidated Damages	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>
7	1430 Fees and Costs	<i>\$1,500</i>		<i>\$0.00</i>	<i>\$0.00</i>
8	1440 Site Acquisition	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>
9	1450 Site Improvement	<i>\$20,500</i>		<i>\$0.00</i>	<i>\$0.00</i>
10	1460 Dwelling Structures	<i>\$506,455</i>		<i>\$111,108.00</i>	<i>\$77,226.69</i>
11	1465.1 Dwelling Equipment—Nonexpendable	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>
12	1470 Nondwelling Structures	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>
13	1475 Nondwelling Equipment	<i>\$31,842</i>		<i>\$3,000.00</i>	<i>\$2,164.44</i>
14	1485 Demolition	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>
15	1490 Replacement Reserve	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>
16	1492 Moving to Work Demonstration	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>
17	1495.1 Relocation Costs	<i>\$ 500</i>		<i>\$0.00</i>	<i>\$0.00</i>
18	1499 Development Activities	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>
19	1502 Contingency	<i>\$ 0</i>		<i>\$0.00</i>	<i>\$0.00</i>

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary</b>					
<b>PHA Name:</b> Housing Authority of Henderson		<b>Grant Type and Number</b> Capital Fund Program Grant No: <i>KY36P01250103</i> Replacement Housing Factor Grant No:		<b>Federal FY of Grant:</b> 2003	
<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: 12/31/03 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
	Amount of Annual Grant: (sum of lines.....)	<b>\$669,656</b>		<b>\$127,500.00</b>	<b>\$98,547.48</b>
	Amount of line XX Related to LBP Activities				
	Amount of line XX Related to Section 504 compliance				
	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 Henderson		Grant Type and Number Capital Fund Program Grant No: <b>KY36P01250103</b> 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
				Original	Revised	Funds Obligated	Funds Expended	
<i>KY012-1 Lawndale</i>	<del>(1) Floors in Kitchen and Utility, replace</del>	<del>1460</del>	<del>10 units</del>	<del>0</del>		<del>\$0.00</del>	<del>\$0.00</del>	<i>Ongoing</i>
	<del>(2) Interior Door, replace</del>	<del>1460</del>	<del>10 units</del>	<del>0</del>		<del>\$0.00</del>	<del>\$0.00</del>	<i>Ongoing</i>
	(3) Metal Porches at D-Building, rebuild	1460	6 units	\$7,000		\$0.00	\$0.00	<i>Ongoing</i>
	(4) Concrete Stoops at D-Building, replace	1450	6 units	\$7,000		\$0.00	\$0.00	<i>Ongoing</i>
	<del>(5) Phone Cable, run</del>	<del>1460</del>	<del>10 units</del>	<del>0</del>		<del>\$0.00</del>	<del>\$0.00</del>	<i>Ongoing</i>
	(6) Storage Buildings, build (carryover 2002)	1460	96 Units	\$26,000		\$26,051.59	\$26,051.59	<i>Ongoing</i>
	<del>(7) Hot Water Heaters, replace</del>	<del>1460</del>	<del>30 units</del>	<del>0</del>		<del>\$0.00</del>	<del>\$0.00</del>	<i>Ongoing</i>
	(8) Porch Soffits	1460	9 Buildings	\$9,000		\$0.00	\$0.00	<i>Ongoing</i>
	<b>SUBTOTAL</b>			<b>\$49,000</b>		<b>\$26,051.59</b>	<b>\$26,051.59</b>	<i>Ongoing</i>
<i>KY012-2/Dixon</i>	<del>(1) Floors in Kitchen and Utility, replace</del>	<del>1460</del>	<del>10 units</del>	<del>0</del>		<del>\$0.00</del>	<del>\$0.00</del>	<i>Ongoing</i>
	<del>(2) Interior Door, replace</del>	<del>1460</del>	<del>10 units</del>	<del>0</del>		<del>\$0.00</del>	<del>\$0.00</del>	<i>Ongoing</i>
	(3) Metal Porches at B-Building, rebuild	1460	4 buildings	\$22,300		\$0.00	\$0.00	<i>Ongoing</i>
	(4) Metal Porches D-Building, rebuild	1460	1 building	\$5,600		\$0.00	\$0.00	<i>Ongoing</i>
	(5) Heaters, Family units	1460	46 Units	55,200		\$0.00	\$0.00	<i>Ongoing</i>

**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 Henderson		Grant Type and Number Capital Fund Program Grant No: <b>KY36P01250103</b> 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
				Original	Revised	Funds Obligated	Funds Expended	
<i>KY012-2/Dixon Continued</i>	<i>(6) Concrete Stoops at B-Building, replace</i>	<i>1450</i>	<i>4 buildings</i>	<i>\$7,500</i>		<i>\$0.00</i>	<i>\$0.00</i>	<i>Ongoing</i>
	<i>(7) Concrete Stoops at D-Building, replace</i>	<i>1450</i>	<i>1 building</i>	<i>\$2,000</i>		<i>\$0.00</i>	<i>\$0.00</i>	<i>Ongoing</i>
	<i>(8) Phone Cable, run</i>	<i>1460</i>	<i>10 units</i>	<i>\$12,000</i>		<i>\$0.00</i>	<i>\$0.00</i>	<i>Ongoing</i>
	<i>(9) Storage Buildings, build</i>	<i>1460</i>	<i>12 buildings</i>	<i>\$68,000</i>		<i>\$0.00</i>	<i>\$0.00</i>	<i>Ongoing</i>
	<i>(10) Porch Soffits</i>	<i>1460</i>	<i>5 buildings</i>	<i>\$5,000</i>		<i>\$0.00</i>	<i>\$0.00</i>	<i>Ongoing</i>
	<i><b>SUBTOTAL</b></i>			<i>\$177,600</i>		<i>\$0.00</i>	<i>\$0.00</i>	
<i>KY012-3/4 Sites</i>	<i>(1) Kitchen Cabinets at Elderly, replace</i>	<i>1460</i>	<i>15 units</i>	<i>\$30,000</i>		<i>\$0.00</i>	<i>\$0.00</i>	<i>Ongoing</i>
	<i>(2) Kitchen Sinks and Faucets at Elderly, replace</i>	<i>1460</i>	<i>15 units</i>	<i>\$3,000</i>		<i>\$0.00</i>	<i>\$0.00</i>	<i>Ongoing</i>
	<i>(3) Bathrooms at 1 Bedroom Elderly, replace</i>	<i>1460</i>	<i>15 units</i>	<i>\$150,000</i>		<i>\$72,623.62</i>	<i>\$38,742.31</i>	<i>Ongoing</i>
	<i>(4) Wire for Cable at Elderly, install</i>	<i>1460</i>	<i>15 units</i>	<i>\$4,500</i>		<i>\$515.61</i>	<i>\$515.61</i>	<i>Ongoing</i>
	<i>(5) Interior Doors at Elderly, replace</i>	<i>1460</i>	<i>15 units</i>	<i>\$23,000</i>		<i>\$7,561.68</i>	<i>\$7,561.68</i>	<i>Ongoing</i>
	<i>(6) Washer Kits at 1 Bedroom Elderly, install</i>	<i>1460</i>	<i>15 units</i>	<i>\$12,000</i>		<i>\$662.10</i>	<i>\$662.10</i>	<i>Ongoing</i>
	<i>(7) Dryer Vents at 1 Bedroom Elderly, install</i>	<i>1460</i>	<i>15 units</i>	<i>\$3,000</i>		<i>\$86.09</i>	<i>\$86.09</i>	<i>Ongoing</i>
	<i>(8) Air Conditioning Units to C Building, replace</i>	<i>1460</i>	<i>8 units</i>	<i>\$0.00</i>		<i>\$0.00</i>	<i>\$0.00</i>	<i>Moved to 2004</i>
	<i><b>SUBTOTAL</b></i>			<i>\$225,500</i>		<i>\$81,449.10</i>	<i>\$47,567.79</i>	

**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 Henderson		Grant Type and Number Capital Fund Program Grant No: <b>KY36P01250103</b> 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
				Original	Revised	Funds Obligated	Funds Expended	
<b>KY012-4/840</b> <b>N. Adams</b>	<b>(1) Bath Tubs, install</b>	<b>1460</b>	<b>2 units</b>	<b>\$5,500</b>		<b>\$3,607.31</b>	<b>\$3,607.31</b>	<b>Ongoing</b>
	<b>(2) Vanities, replace</b>	<b>1460</b>	<b>2 units</b>	<b>\$ 655</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(3) Air Conditioning Units, install</b>	<b>1460</b>	<b>50 units</b>	<b>\$37,500</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>SUBTOTAL</b>			<b>\$43,655</b>		<b>\$3,607.31</b>	<b>\$3,607.31</b>	
<b>HA-wide</b>	<b>(1) A &amp; E</b>	<b>1430</b>		<b>\$0</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(2) Administration</b>	<b>1410</b>		<b>\$66,965</b>		<b>\$13,392.00</b>	<b>\$19,156.35</b>	<b>Ongoing</b>
	<b>(3) Equipment</b>	<b>1475</b>		<b>\$31,842</b>		<b>\$3,000.00</b>	<b>\$2,164.44</b>	<b>Ongoing</b>
	<b>(4) Audit</b>	<b>1411</b>		<b>\$1,200</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(5) Relocation</b>	<b>1495.1</b>		<b>\$ 500</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(6) Fees &amp; Costs</b>	<b>1430</b>		<b>\$1,500</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(7) Landscaping</b>	<b>1450</b>		<b>\$4,000</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(8) Painting and Restoration</b>	<b>1460</b>		<b>\$13,200</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(9) Carpet, replace</b>	<b>1460</b>		<b>\$14,000</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(10) Sidewalk, replace</b>	<b>1450</b>		<b>\$0</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Put in CFP KY36P01250203</b>
	<b>(11) Management Improvements</b>	<b>1408</b>		<b>\$20,694</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>(12) Operations</b>	<b>1406</b>		<b>\$20,000</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>Ongoing</b>
	<b>SUBTOTAL</b>			<b>\$173,901</b>		<b>\$16,39.20</b>	<b>\$21,320.79</b>	

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

PHA Name:		Grant Type and Number Capital Fund Program No: <b>KY36P01250103</b> Replacement Housing Factor No:					Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates	
	Original	Revised	Actual	Original	Revised	Actual		
<i>KY012-1/Lawndale</i>	<i>12/31/04</i>			<i>6/30/2005</i>				
<i>KY012-2/Dixon</i>	<i>12/31/04</i>			<i>6/30/2005</i>				
<i>KY012-3/4 Sites</i>	<i>12/31/04</i>			<i>6/30/2005</i>				
<i>KY012-4/840 N. Adams</i>	<i>12/31/04</i>			<i>6/30/2005</i>				
<i>HA-wide</i>	<i>12/31/04</i>			<i>6/30/2005</i>				

**CAPITAL FUND PROGRAM TABLES START HERE**

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

PHA Name: <i>Housing Authority of Henderson</i>	Grant Type and Number Capital Fund Program Grant No: <i>KY36P01250102</i> Replacement Housing Factor Grant No:	Federal FY of Grant: <i>2002</i>
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Original Annual Statement  Reserve for Disasters/ Emergencies  Revised Annual Statement (revision no: )  
 Performance and Evaluation Report for Period Ending: 12-31-03  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	0			
2	1406 Operations	64,155		64,155.00	64,155.00
3	1408 Management Improvements	29,905		29,905.00	27,938.30
4	1410 Administration	81,389		81,389.00	81,389.00
5	1411 Audit	1,200		1,200.00	1,200.00
6	1415 Liquidated Damages	0		0.00	0.00
7	1430 Fees and Costs	1,500		1,500.00	1,500.00
8	1440 Site Acquisition	0		0.00	0.00
9	1450 Site Improvement	59,463		59,463.00	58,021.51
10	1460 Dwelling Structures	450,631		450,631.00	449,195.44
11	1465.1 Dwelling Equipment—Nonexpendable	16,848		16,848.00	16,848.00
12	1470 Nondwelling Structures	13,952		13,952.00	13,949.37
13	1475 Nondwelling Equipment	94,345		94,345.00	94,151.64
14	1485 Demolition	0		0.00	0.00
15	1490 Replacement Reserve	0		0.00	0.00
16	1492 Moving to Work Demonstration	0		0.00	0.00
17	1495.1 Relocation Costs	500		500.00	418.75
18	1499 Development Activities	0		0.00	0.00
19	1501 Collateralization or Debt Service	0		0.00	0.00
20	1502 Contingency	0			
21	Amount of Annual Grant: (sum of lines 2 – 20)	813,888		813,888.00	808,767.01

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

PHA Name: <i>Housing Authority of Henderson</i>	Grant Type and Number Capital Fund Program Grant No: <i>KY36P01250102</i> Replacement Housing Factor Grant No:	Federal FY of Grant: <i>2002</i>
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Original Annual Statement  Reserve for Disasters/ Emergencies  Revised Annual Statement (revision no: )  
 Performance and Evaluation Report for Period Ending: 12-31-03  Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
22	Amount of line 21 Related to LBP Activities	0		0.00	0.00
23	Amount of line 21 Related to Section 504 compliance	21,000		21,000.00	21,000.00
24	Amount of line 21 Related to Security – Soft Costs	0		0.00	0.00
25	Amount of Line 21 Related to Security – Hard Costs	14,825		14,825.00	14,825.00
26	Amount of line 21 Related to Energy Conservation Measures	40,092		40,092.00	40,051.38

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

PHA Name: <i>Housing Authority of Henderson</i>		Grant Type and Number Capital Fund Program Grant No: <i>KY36P01250102</i> Replacement Housing Factor Grant No:			Federal FY of Grant: <i>2002</i>			
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
				Original	Revised	Funds Obligated	Funds Expended	
<i>KY012-1/Lawndale</i>	<del>(1) Washer Kits, install</del>	<del>1460</del>	<del>40 units</del>	<del>0</del>		<i>0.00</i>	<i>0.00</i>	<i>Put off until 2004</i>
	<i>(2) Siding on C-Building, replace</i>	<i>1460</i>	<i>6 building</i>	<i>13,000</i>		<i>13,000.00</i>	<i>13,000.00</i>	<i>Completed Oct. 2003</i>
	<i>(3) Metal Porches at C-Building, rebuild</i>	<i>1460</i>	<i>6 buildings</i>	<i>16,000</i>		<i>16,000.00</i>	<i>16,000.00</i>	<i>Completed Oct. 2003</i>
	<i>(4) Concrete Stoops at C-Building, replace</i>	<i>1450</i>	<i>6 buildings</i>	<i>10,000</i>		<i>10,000.00</i>	<i>10,000.00</i>	<i>Completed Sept. 2003</i>
	<i>(5) Metal Porches at B-Building, rebuild</i>	<i>1460</i>	<i>- 7 buildings</i>	<i>36,000</i>		<i>36,000.00</i>	<i>36,005.18</i>	<i>Completed Nov. 2003</i>
	<i>(6) Concrete Stoops at B-Building, replace</i>	<i>1450</i>	<i>7 buildings</i>	<i>12,000</i>		<i>12,000.00</i>	<i>13,864.70</i>	<i>Completed Nov. 2003</i>
	<i>(7) Storage Buildings, build</i>	<i>1460</i>	<i>24 buildings</i>	<i>80,000</i>		<i>80,000.00</i>	<i>80,000.00</i>	<i>Completed Oct. 2003</i>
	<i>(8) Carbon Monoxide Detectors, install</i>	<i>1460</i>	<i>134 units</i>	<i>14,000</i>		<i>14,000.00</i>	<i>14,000.00</i>	<i>Completed Sept. 2003</i>
	<i>(9) Hot Water Heaters, replace</i>	<i>1460</i>	<i>40 units</i>	<i>22,000</i>		<i>22,000.00</i>	<i>21,960.01</i>	<i>Completed Nov. 2003</i>
	<i>SUBTOTAL</i>			<i>203,000</i>		<i>203,000.00</i>	<i>204,829.89</i>	

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b> <b>Part II: Supporting Pages</b>								
PHA Name: <i>Housing Authority of Henderson</i>		Grant Type and Number Capital Fund Program Grant No: <i>KY36P01250102</i> Replacement Housing Factor Grant No:			Federal FY of Grant: <i>2002</i>			
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
				Original	Revised	Funds Obligated	Funds Expended	
<i>KY012-2/ Dixon</i>	<del>(1) Washer Kits, install</del>	<del>1460</del>	<del>16 units</del>	<del>0</del>		<i>0.00</i>	<i>0.00</i>	<i>Not needed at this time</i>
	(2) Carbon Monoxide Detectors, install	1460	66 units	5,000		5,000.00	5,000.00	Completed Sept. 2003
	(3) Barrett Center, remodel	1470	1 building	10,000		10,000.00	9,997.59	Completed Nov. 2003
	<del>(4) House, build</del>	<del>1460</del>	<del>1 house</del>	<del>0</del>		<i>0.00</i>	<i>0.00</i>	<i>Deferred to 2004</i>
	<del>(5) Hot Water Heaters, replace</del>	<del>1460</del>	<del>25 units</del>	<del>0</del>		<i>0.00</i>	<i>0.00</i>	<i>Deferred to 2004</i>
	(6) Wire for Cable, replace	1460	6 units	6,850		6,850.00	6,850.00	Completed Aug. 2003
	(7) Fence (1A-17D), install	1450		8,000		8,000.00	8,000.00	Completed Sept. 2003
	<b>SUBTOTAL</b>			<b>29,850</b>		<b>29,850.00</b>	<b>29,847.59</b>	
<i>KY012-3/ 4 Sites</i>	(1) House (Cont. from CF 2001)	1460	1 house	24,884		24,884.00	24,883.72	Completed Feb. 2003
	(2) Washer Kits at 1-Bedroom Elderly, install	1460	10 units	8,000		8,000.00	7,999.62	Completed Nov.. 2003
	(3) Carbon Monoxide Detectors, install	1460	53 units	4,000		4,000.00	4,000.00	Completed Sept. 2003
	(4) Section 504 Units at Fagan Sq, 1-Bedroom Elderly, install	1460	3 units	21,000		21,000.00	21,000.00	Completed Aug. 2003

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

PHA Name: <i>Housing Authority of Henderson</i>		Grant Type and Number Capital Fund Program Grant No: <i>KY36P01250102</i> Replacement Housing Factor Grant No:			Federal FY of Grant: <i>2002</i>			
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
				Original	Revised	Funds Obligated	Funds Expended	
<i>KY012-3/4 Sites Cont</i>	<i>(5) Baseboard Heaters at 1-Bedroom Elderly, install</i>	<i>1460</i>	<i>10 units</i>	<i>2,314</i>		<i>2,314.00</i>	<i>2,313.81</i>	<i>Completed May 2003</i>
	<i>(6) Ranges and Range Hoods at Elderly, replace</i>	<i>1465.1</i>	<i>78 units</i>	<i>16,848</i>		<i>16,848.00</i>	<i>16,848.00</i>	<i>Completed Feb. 2003</i>
	<i>(7) Kitchen Cabinets, Sinks, and Faucets at Fagan Square, replace</i>	<i>1460</i>	<i>50 units</i>	<i>35,300</i>		<i>35,300.00</i>	<i>35,300.00</i>	<i>Completed Sept. 2003</i>
	<i>(8) Interior Doors, replace</i>	<i>1460</i>	<i>10 units</i>	<i>17,020</i>		<i>17,020.00</i>	<i>17,019.68</i>	<i>Completed Nov. 2003</i>
	<i>(9) Bathrooms, remodel</i>	<i>1460</i>	<i>10 units</i>	<i>74,000</i>		<i>74,000.00</i>	<i>74,000.00</i>	<i>Completed October 2003</i>
	<i>(10) Wire for Cable, install</i>	<i>1460</i>	<i>10 units</i>	<i>3,400</i>		<i>3,400.00</i>	<i>3,400.00</i>	<i>Completed Sept. 2003</i>
	<i>(11) Range Hoods at Elderly, replace</i>	<i>1460</i>	<i>64 units</i>	<i>3,134</i>		<i>3,134.00</i>	<i>3,134.28</i>	<i>Completed May 2003</i>
	<i>(12) Hot Water heaters at D&amp;I &amp; 750 (low-boy), replace</i>	<i>1460</i>	<i>8 units</i>	<i>2,778</i>		<i>2,778.00</i>	<i>2,777.56</i>	<i>Completed June 2003</i>
	<i>(13) Fence, Fagan, Install</i>	<i>1450</i>	<i>1 unit</i>	<i>6,825</i>		<i>6,825.00</i>	<i>6,825.00</i>	<i>Completed Sept. 2002</i>
	<i>SUBTOTAL</i>			<i>219,503</i>		<i>219,503.00</i>	<i>219,501.67</i>	
<i>KY012-4/840 N. Adams</i>	<i>(1) Laundry Room at Apt. 140, build</i>	<i>1470</i>	<i>1 unit</i>	<i>3,952</i>		<i>3,952.00</i>	<i>3,951.78</i>	<i>Completed May 2003</i>
	<i>(2) Bath Tubs, install</i>	<i>1460</i>	<i>7 units</i>	<i>11,200</i>		<i>11,200.00</i>	<i>11,200.00</i>	<i>Completed October 2003</i>
	<i>(3) Vanities, replace</i>	<i>1460</i>	<i>7 units</i>	<i>1,176</i>		<i>1,176.00</i>	<i>1,176.00</i>	<i>Completed Jan. 2003</i>
	<i>SUBTOTAL</i>			<i>16,328</i>		<i>16,328.00</i>	<i>16,327.78</i>	

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

PHA Name: <b>Housing Authority of Henderson</b>	Grant Type and Number Capital Fund Program No: <b>KY36P01250102</b> Replacement Housing Factor No:	Federal FY of Grant: <b>2002</b>
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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
				Original	Revised	Funds Obligated	Funds Expended	
<b>HA-wide</b>	<b>(1) A &amp; E</b>	<b>1430</b>		<b>0</b>		<b>0.00</b>	<b>0.00</b>	
	<b>(2) Administration</b>	<b>1410</b>		<b>81,389</b>		<b>81,389.00</b>	<b>81,389.00</b>	
	<b>(3) Equipment</b>	<b>1475</b>		<b>94,345</b>		<b>94,345.00</b>	<b>94,151.64</b>	
	<b>(4) Audit</b>	<b>1411</b>		<b>1,200</b>		<b>1,200.00</b>	<b>1,200.00</b>	
	<b>(5) Relocation</b>	<b>1495.1</b>		<b>500</b>		<b>500.00</b>	<b>418.75</b>	
	<b>(6) Fees &amp; Costs</b>	<b>1430</b>		<b>1,500</b>		<b>1,500.00</b>	<b>1,500.00</b>	
	<b>(7) Landscaping</b>	<b>1450</b>		<b>5,000</b>		<b>5000.00</b>	<b>5,415.88</b>	
	<b>(8) Painting and Restoration</b>	<b>1460</b>		<b>21,668</b>		<b>21,668.00</b>	<b>20,225.83</b>	
	<b>(9) Carpet, replace</b>	<b>1460</b>		<b>27,907</b>		<b>27,907.00</b>	<b>27,949.75</b>	
	<del><b>(10) Sidewalk, replace</b></del>	<del><b>1450</b></del>		<del><b>0</b></del>		<del><b>0.00</b></del>	<del><b>0.00</b></del>	
	<b>(11) Management Improvements</b>	<b>1408</b>		<b>29,905</b>		<b>29,905.00</b>	<b>27,938.30</b>	
	<b>(12) Trees, remove</b>	<b>1450</b>		<b>17,638</b>		<b>17,638.00</b>	<b>13,915.93</b>	
	<b>(13) Operations</b>	<b>1460</b>		<b>64,155</b>		<b>64,155.00</b>	<b>64,155.00</b>	
	<b>SUBTOTAL</b>			<b>345,207</b>		<b>345,207.00</b>	<b>338,260.08</b>	



<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b> <b>Part III: Implementation Schedule</b>							
PHA Name: <b>Housing Authority of Henderson</b>		Grant Type and Number Capital Fund Program No: <b>KY36P01250102</b> Replacement Housing Factor No:				Federal FY of Grant: <b>2002</b>	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
<b>KY012-1/Lawndale</b>	<b>3/31/2004</b>			<b>9/30/2005</b>			
<b>KY012-2/Dixon</b>	<b>3/31/2004</b>			<b>9/30/2005</b>			
<b>KY012-3/4 Sites</b>	<b>3/31/2004</b>			<b>9/30/2005</b>			
<b>KY012-4/840 N. Adams</b>	<b>3/31/2004</b>			<b>9/30/2005</b>			
<b>HA-wide</b>	<b>3/31/2004</b>			<b>9/30/2005</b>			

<b>Annual Statement/Performance and Evaluation Report</b>					
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary</b>					
<b>PHA Name:</b> Housing Authority of Henderson January 8, 2004		<b>Grant Type and Number</b> Capital Fund Program Grant No: <i>KY36P01250203</i> Replacement Housing Factor Grant No:			<b>Federal FY of Grant:</b> 2003
<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: 12/31/03 <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	<b>\$26,692</b>			
3	1408 Management Improvements	<b>\$26,692</b>			
4	1410 Administration	<b>\$13,346</b>			
5	1411 Audit	<b>\$ 0</b>			
6	1415 Liquidated Damages	<b>\$ 0</b>			
7	1430 Fees and Costs	<b>\$1,500</b>			
8	1440 Site Acquisition	<b>\$ 0</b>			
9	1450 Site Improvement	<b>\$10,000</b>			
10	1460 Dwelling Structures	<b>\$10,000</b>			
11	1465.1 Dwelling Equipment—Nonexpendable	<b>\$0</b>			
12	1470 Nondwelling Structures	<b>\$7,230</b>			
13	1475 Nondwelling Equipment	<b>\$38,000</b>			
14	1485 Demolition	<b>\$ 0</b>			
15	1490 Replacement Reserve	<b>\$ 0</b>			
16	1492 Moving to Work Demonstration	<b>\$ 0</b>			
17	1495.1 Relocation Costs	<b>\$ 0</b>			
18	1499 Development Activities	<b>\$ 0</b>			
19	1502 Contingency	<b>\$ 0</b>			
	Amount of Annual Grant: (sum of lines.....)	<b>\$133,460</b>			

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary</b>				
<b>PHA Name:</b> Housing Authority of Henderson January 8, 2004		<b>Grant Type and Number</b> Capital Fund Program Grant No: <i>KY36P01250203</i> Replacement Housing Factor Grant No:		<b>Federal FY of Grant:</b> 2003
<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: 12/31/03 <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 LBP Activities			
	Amount of line XX Related to Section 504 compliance			
	Amount of line XX Related to Security –Soft Costs			
	Amount of Line XX related to Security-- Hard Costs			
	Amount of line 10 Related to Energy Conservation Measures	<b><i>\$10,000</i></b>		
	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 Henderson		Grant Type and Number Capital Fund Program Grant No: <b>KY36P01250203</b> 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
				Original	Revised	Funds Obligated	Funds Expended	
<i>HA-wide</i>	<i>(1) A &amp; E</i>	<i>1430</i>		<i>0</i>				
	<i>(2) Administration</i>	<i>1410</i>		<i>\$13,346</i>				
	<i>(3) Equipment</i>	<i>1475</i>		<i>\$38,000</i>				
	<i>(4) Audit</i>	<i>1411</i>		<i>\$00</i>				
	<i>(5) Relocation</i>	<i>1495.1</i>		<i>\$00</i>				
	<i>(6) Fees &amp; Costs</i>	<i>1430</i>		<i>\$1,500</i>				
	<i>(7) Landscaping</i>	<i>1450</i>		<i>\$00</i>				
	<i>(8) Painting and Restoration</i>	<i>1460</i>		<i>\$00</i>				
	<i>(9) Carpet, replace</i>	<i>1460</i>		<i>\$00</i>				
	<i>(10) Barret Center Remodel</i>	<i>1470</i>		<i>\$7,230</i>				
	<i>(11) Sidewalk, replace</i>	<i>1450</i>		<i>\$10,000</i>				
	<i>(12) Management Improvements</i>	<i>1408</i>		<i>\$26,692</i>				
	<i>(13) Operations</i>	<i>1406</i>		<i>\$26,692</i>				
	<b><i>SUBTOTAL</i></b>			<b><i>\$123,460</i></b>				

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

PHA Name:		Grant Type and Number Capital Fund Program No: <b>KY36P01250203</b> Replacement Housing Factor No:					Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates	
	Original	Revised	Actual	Original	Revised	Actual		
<i>KY012-1/Lawndale</i>	<i>12/31/05</i>			<i>6/30/2006</i>				
<i>KY012-2/Dixon</i>	<i>12/31/05</i>			<i>6/30/2006</i>				
<i>KY012-3/4 Sites</i>	<i>12/31/05</i>			<i>6/30/2006</i>				
<i>KY012-4/840 N. Adams</i>	<i>12/31/05</i>			<i>6/30/2006</i>				
<i>HA-wide</i>	<i>12/31/05</i>			<i>6/30/2006</i>				

Housing Authority of Henderson

Revised November 13, 2003

**HOUSING AUTHORITY OF HENDERSON**  
**ADMISSIONS AND CONTINUED OCCUPANCY POLICY**

**PREPARED**

**BOARD APPROVED**

**Mission Statement:** The Mission of the Housing Authority of Henderson is to promote, without discrimination, affordable quality housing, economic opportunity, and a positive living environment for the residents we serve

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## **1.0 FAIR HOUSING**

It is the policy of the Housing Authority of Henderson to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U.S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity. The Housing Authority of Henderson shall affirmatively further fair housing in the administration of its public housing program.

No person shall, on the grounds of race, color, sex, sexual orientation, marital status, age, religion, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Housing Authority of Henderson's programs.

To further its commitment to full compliance with applicable Civil Rights laws, the Housing Authority of Henderson will provide Federal/State/local information to applicants/residents of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Housing Authority of Henderson office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

The Housing Authority of Henderson will assist any family that believes it has suffered illegal discrimination by providing it copies of the appropriate housing discrimination forms. The Housing Authority of Henderson will also assist it in completing the forms if requested, and will provide the address of the nearest HUD office of Fair Housing and Equal Opportunity.

## **2.0 REASONABLE ACCOMMODATION**

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Housing Authority of Henderson housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability.

This policy clarifies how people can request accommodations and the guidelines the Housing Authority of Henderson will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the Housing Authority of Henderson will ensure that all applicants/residents are aware of the opportunity to request reasonable accommodations.

### **2.1 COMMUNICATION**

Anyone requesting an application will also receive a Request for Reasonable Accommodation form.

All decisions granting or denying requests for reasonable accommodations will be in writing.

### **2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION**

- A. Is the requestor a person with disabilities? For this purpose, the definition of a person with disabilities is different from the definition used for admission. The Fair Housing definition used for this purpose is:

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. (The disability may not be apparent to others, e.g., heart condition.)

If the disability is apparent or already documented, the answer to this question is yes. It is possible that the disability for which the accommodation is being requested is a disability other than the apparent disability. If the disability is not apparent or documented, the Housing Authority of Henderson will obtain verification that the person **requesting the accommodation** is a person with a disability.

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the Housing Authority of Henderson will obtain documentation that the requested accommodation is needed due to the disability.
- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:

1. Would the accommodation constitute a fundamental alteration? The Housing Authority of Henderson's business is housing.
  2. If the request would alter the fundamental business that the Housing Authority of Henderson conducts, that would not be reasonable. For instance, the Housing Authority of Henderson would deny a request to have the Housing Authority of Henderson do grocery shopping for a person with disabilities.
  3. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the Housing Authority of Henderson may request a meeting with the individual to investigate and consider equally effective alternatives.
- D. Generally, the individual knows best what it is he/she needs; however, the Housing Authority of Henderson retains the right to be shown how the requested accommodation enables the individual to access or use the Housing Authority of Henderson's programs or services.

If more than one accommodation is equally effective in providing access to the Housing Authority of Henderson's programs and services, the Housing Authority of Henderson retains the right to select the most efficient or economic choice.

The cost necessary to carry out approved requests, including requests for physical modifications, will be borne by the Housing Authority of Henderson if there is no one else **available** to pay for the modifications. If another party pays for the modification, the Housing Authority of Henderson will seek to have the same entity pay for any restoration costs.

Any request for an accommodation that would enable a resident to materially violate essential lease terms will not be approved, e.g., allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

### **3.0 RIGHT TO PRIVACY**

All adult members of both applicant and resident households are required to sign HUD Form 9886, **and the Housing Authority of Henderson and Privacy Notice** for Release of Information. The Authorization for Release of Information and Privacy Act Notice states how family information will be released and includes the Federal Privacy Act Statement.

Any request for applicant or resident information will not be released unless there is a signed release of information request from the applicant or resident.

## **4.0 REQUIRED POSTINGS**

In each of its offices, the Housing Authority of Henderson will post, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. A listing of all the developments by name, address, number of units, address of all project offices, office hours, telephone numbers, TDD numbers, and Resident Facilities and operation hours
- C. Income Limits for Admission
- D. Utility Allowance Schedule
- E. Current Schedule of Routine Maintenance Charges
- F. Dwelling Lease
- G. Grievance Procedure
- H. Fair Housing Poster
- I. Equal Opportunity in Employment Poster
- J. Any current Housing Authority of Henderson Notices

## **5.0 TAKING APPLICATIONS**

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications will be accepted on Tuesdays, Wednesdays, and Thursdays from 8:00 am to 11:00 am and 1:00 PM to 4:00 PM at:

**Housing Authority of Henderson  
111 South Adams Street  
Henderson, Kentucky 42420**

All admissions to public housing shall be made based on a written application in such form as the Authority shall prescribe. The Application for Admission shall constitute the basic legal record of each family applying for admission and shall support the Authority's determinations of eligibility status, priority status, rent, and size of unit for which the applicant is qualified. All supplemental materials pertaining to eligibility shall be considered a part of the application record and carefully recorded.

This includes verifications of income and family composition and such other data as may be required. The following conditions shall govern the taking and processing of applications.

1. The Authority shall not discriminate based upon race, color, creed, religion, national origin, sex, sexual orientation, marital status, age, handicap or disability, familial status, or recipients of public assistance and shall comply with all nondiscrimination requirements of Federal, State and local law.
2. Applications for public housing will be in writing on a form provided by the Housing Authority of Henderson. Authority staff will complete the application and all related forms based on information provided by the applicant. The applicant shall sign and certify, subject to civil and criminal penalties, to the accuracy of all statements made therein. The Authority reserves the right to require the signature of any or all-adult members of the applicant household.
3. Any changes to the application are to be made by drawing a single line through the original entries and entering the correct data. The reason and authority for each change shall be noted in the record, which shall be dated and initialed by the person making the change.
4. Applicants will be required to submit verification documentation as part of the application process. Applicants will be given a list of required verifications at the time of their interview with Housing Authority of Henderson personnel for the purpose of determining eligibility.

5. Applicants who provide all required verification documentation will be placed on the waiting list based on the family's verified preference and the date and time all verifications and completed application were received by the Housing Authority. Application shall be considered complete when all required verifications are received and all application questions are completed. No blanks shall be left on the application. The application shall be signed by the applicant and designated Housing Authority staff person.
6. The Authority reserves the right to establish times for taking applications, including by appointment. The Authority staff may at its discretion provide for application interviews outside normal hours when necessary.
7. Applications shall be updated as applicants report changes in income and family circumstances. All modifications to applications shall be properly documented and the transaction initialed by the staff member making the change.
8. All active applications will be purged as necessary or as practical. Notification shall be sent to each applicant informing the applicant that unless he/she confirms his/her continued interest, his/her application will be removed from the active file.

A returned notification will be attached to the respective application as evidence of unsuccessful effort to locate the applicant. All applicants will be instructed to notify the Housing Authority of Henderson whenever there is a change in family composition, income, address, and any other factors relative to their eligibility status. In addition, applicants will be instructed to notify the Authority if the applicants no longer desire consideration for public housing.

9. The Authority shall maintain such records as are necessary to document the disposition of all applications and to meet Department of Housing and Urban Development audit requirements.

## **5.1 MISREPRESENTATION BY THE APPLICANT OR RESIDENT**

If an applicant or public housing resident is found to have made willful misrepresentations at any time, the applicant or public housing resident may be declared ineligible and the participant may be terminated because of the act of fraud. If such misrepresentation resulted in the public housing resident paying a lower rent than was appropriate, the public housing resident shall be required to pay the difference between the actual payments and the amount that should have been paid. In justifiable instances, the PHA may take such other actions as it deems appropriate, including referring the public housing resident to the proper authorities for possible criminal prosecution.

## 6.0 ELIGIBILITY FOR ADMISSION

### 6.1 INTRODUCTION

There are five eligibility requirements for admission to public housing:

- A. Qualifies as a family as defined in Section 6.2.
- B. Has an income within the income limits as defined in Section 6.2.
- C. Meets citizenship/eligible immigrant criteria.
- D. Provides documentation of Social Security numbers.
- E. Sign consent authorization documents.
- F. **Be eligible according to the** Housing Authority of Henderson screening criteria in order to be admitted to public housing.
- G. The head-of-household must be at least 18 years of age at time of making application.

### 6.2 ELIGIBILITY CRITERIA

- A. Family status:
  - 1. **Family with or without children.** Two or more persons related by blood, marriage, or by operation of law. A family with or without children who live regularly together as a single household in the dwelling unit. By definition, a family must contain a competent adult willing to enter into a contract and capable of functioning as the head of the household. There must be some concept of family living beyond the mere sharing or intention to share housing accommodations by two or more persons to constitute them as a family within the meaning of this policy. Some recognized and acceptable basis of family relationship must exist as a condition of eligibility.
    - a. Children temporarily absent from the home due to placement in foster care are considered family members.
    - b. Unborn children and children in the process of being adopted are considered family members for determining bedroom size but are not considered family members for determining income limit.
  - 2. An **elderly family**, which is:
    - a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;

- b. Two or more persons who are at least 62 years of age living together; or
  - c. One or more persons who are at least 62 years of age living with one or more live-in aides.
3. A **near elderly family**, which is:
- a. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;
  - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
  - c. One or more persons, who are at least 50 years of age, but below the age of 62, living with one or more live-in aides.
4. A **disabled family**, which is:
- a. A family whose head, spouse, or sole member is a person with disabilities;
  - b. Two or more persons with disabilities living together; or
  - c. One or more persons with disabilities living with one or more live-in aides.

For purpose of qualifying for low-income housing, **disabled** does not include a person whose disability is based solely on any drug or alcohol dependence.

5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed because of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
6. A **remaining member of a resident family**, who is at least 18 years of age or older and is listed on the dwelling lease and who continues to live in the unit after all other members have left. The remaining member will be subject to all eligibility requirements.
7. A **single person** 18 years of age or older, who is not an elderly or displaced person with disabilities, or the remaining member of a resident family.

B. Income Eligibility

1. To be eligible for admission to developments or scattered-site units that were available for occupancy before 10/1/81, the family's annual income must be within the low-income guidelines set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.

2. Income guidelines apply only at admission and are not applicable for continued occupancy.
3. A family may not be admitted to the public housing program from another assisted housing program (e.g., Tenant-Based/Project Based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the Housing Authority of Henderson.
4. Income limit restrictions do not apply to families transferring within our Public Housing Program.
5. The Housing Authority of Henderson may allow up to four (4) police officers that would not otherwise be eligible for occupancy in public housing to reside in public housing dwelling units. Prior approval for said occupancy must be obtained from the Executive Director of the Housing Authority of Henderson. Such occupancy is needed to increase security for public housing residents. The police officer's rent will be the lesser of the cost to operate the public housing unit or the flat rent for the type of dwelling unit.
6. **If the Housing Authority of Henderson acquires a property for federal public housing purposes, the families living there must have incomes within the low income limit in order to be eligible to remain as public housing residents.**

C. Citizenship/Eligibility Status

1. To be eligible **for public housing** each member of the family must be a citizen, national, or a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).
2. Family eligibility for assistance.
  - a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exceptions noted below.
  - b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.6 for calculating rents under the noncitizen rule.)
  - c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

To be eligible, all family members 3 months of age and older must provide a Social Security card or documentation they have applied for one.

E. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse, shall sign one or more consent forms.
2. The consent form must contain, at a minimum, the following:
  - a. A provision authorizing HUD or the Housing Authority of Henderson to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; and
  - b. A provision authorizing HUD or the Housing Authority of Henderson to verify with previous or current employers or other sources of income information pertinent to the family's eligibility for or level of assistance;
  - c. A provision authorizing HUD or the Housing Authority of Henderson to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
  - d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.
  - e. A statement allowing the Housing Authority of Henderson permission to access the applicant's criminal record with any and all police or law enforcement agencies.

### 6.3 *SUITABILITY*

- A. Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The Housing Authority of Henderson will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other residents, Housing Authority of Henderson employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.

B. The Housing Authority of Henderson will consider objective and reasonable aspects of the family's background, including the following:

1. History of meeting financial obligations, especially rent;
2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other residents;
3. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well-being of other residents or staff or cause damage to the property;
4. History of disturbing neighbors or destruction of property;
5. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; and
6. History of abusing alcohol or drugs in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.
7. Committed acts, which would constitute fraud in connection with and/or has been evicted from any federally assisted housing program.

C. The Housing Authority of Henderson will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The Housing Authority of Henderson will verify the information provided. Such verification may include but may not be limited to the following:

1. A credit check of all adult household members;
2. A rental history check of all adult family members;
3. Criminal backgrounds check on all adult household members, including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. Where the individual has lived outside the local area, the Housing Authority of Henderson may require the applicant and other household members to contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);

This criminal background check will proceed after each adult household member has signed a consent form designed by the Housing Authority of Henderson.

The information received as a result of the criminal background check shall be used solely for screening, lease enforcement and eviction purposes. The information derived from the criminal background check shall be shared only with employees of the Housing Authority of Henderson who have a job-related need to have access to the information. The information shall be maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose(s) for which it was requested has been accomplished and the period for filing a challenge to the Housing Authority of Henderson's action has expired without a challenge or final disposition of any litigation has occurred;

4. Home visit. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
5. A check of the State's lifetime sex offender registration program for each adult household member, including live-in aides. No household with an individual registered under a State sex offender registration will be admitted to public housing. The Housing Authority of Henderson will check with our State registry and if the applicant has resided in another State(s) with the State(s)'s list.

#### **6.4 GROUND FOR DENIAL OR TERMINATION OF ASSISTANCE FOR APPLICANT/RESIDENT**

The Housing Authority of Henderson may deny an applicant admission to participate or, with respect to a current resident terminate the current lease or, may refuse to approve a new lease, if the applicant or resident: (Ref: 24 CFR 982.552)

- A. Owes rent, other amounts, or judgments to any PHA or any other federally subsidized housing program, the applicant will be declared ineligible. At the PHA's discretion, the applicant may be declared eligible upon payment of the debt, with the date and time of application being the time of payment and meeting other criteria.

Note: Applicants **who** owe a PHA or any other federally subsidized program funds will not be processed for receiving assistance. If the applicant owes money as a prior participant, the applicant will not be accepted nor placed on the waiting list, until payment is made in full. Re-paying funds that are due does not necessarily qualify an applicant for housing assistance. Such payments will be considered along with other factors in the application process. However, the Housing Authority of Henderson reserves the right to enter into repayment agreements with applicants for any past due balances owed to the PHA. Such repayment agreements must be executed prior to processing the application for housing assistance;

- B. As a previous participant in the Public Housing Program, the applicant has been evicted or has not reimbursed the PHA or another PHA for any amounts paid to an owner under a housing assistance contract for rent or other amounts owed by the family under its lease and for a vacated unit;
- C. Engage in drug-related criminal activity or violent criminal activity, including criminal activity by the family member; (Ref: 24 CFR 982.553(a) (1) (2))
- D. Breaches a repayment agreement to the PHA and/or landlord;
- E. Committed acts that would constitute fraud in connection with and/or has been evicted from any federally assisted housing program;
- F. Did not provide information required with the time frame specified (the applicable dates are contained in the letters from the PHA to the applicant) during the application process;
- G. The PHA shall deny the admission of a family, if the applicant, or any member of the applicant's family does not sign and submit consent form that are provided by the PHA for the purpose of verifying employment and income information;
- H. The applicant family must have properly completed all application requirements, including verifications. Misrepresentation of income, family composition, or any other information affecting eligibility will result in the family being declared ineligible. In the event the misrepresentation is discovered after admission, the assistance will be terminated for such misrepresentation;
- I. The applicant and all adults must sign a release allowing the PHA to request a copy of a police report from the National Crime Information Center, Police Department, and Administrative Office of the Courts, Pretrial Services, or other Law Enforcement Agencies. If the PHA uses the information to deny or terminate assistance the PHA must provide a copy of the report;
- J. Committed acts which would constitute fraud in connection with any state or federally assisted welfare program;

- K. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other residents;
- L. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including alcohol and drug-related criminal activity that would adversely affect the health, safety, or well-being of other residents or staff or cause damage to the property;
- M. Have a history of disturbing neighbors or destruction of property;
- N. Evicted from federally assisted housing within three (3) years of the projected date of admission because of drug-related criminal activity involving the personal use or possession for personal use;
- O. Evicted from federally assisted housing within five years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, or distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;
- P. If the PHA determines that person is illegally using a controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents, the PHA will deny admission. The PHA may waive this requirement if:
  - (1) The person demonstrates to the PHA's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
  - (2) Has successfully completed a supervised drug or alcohol rehabilitation program;
  - (3) Has otherwise been rehabilitated successfully; or
  - (4) Is participating in a supervised drug or alcohol rehabilitation program.
- Q. Have engaged in or threatened abusive or violent behavior towards any Housing Authority of Henderson staff or residents;
- R. Have a household member who has ever been evicted from public housing; or any federally assisted program;
- S. Have a family household member who has been terminated under the Section 8 project based or voucher program;
- T. Fleeing to avoid prosecution, custody, or confinement after conviction, for a crime or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees.

- U. If an applicant is denied admissions, the PHA will notify the applicant, in writing, of its determination and inform the applicant that they have an opportunity for an informal review on such determination. The denial letter will allow the applicant (10) calendar days to request an informal review (in writing) with the PHA. A PHA representative will hear the appeal and issue a decision within (10) ten calendar days of the review.
- V. Applicants/residents will be denied admission to public housing programs for the following periods:
  - (1) Denied admission for (2) two years for violations involving:
    - (a) Having an arrest record that indicates that the applicant/resident has been found guilty of engaging in illegal use, or possession for personal use, of a controlled substance including involvement with drug paraphernalia (subject to P (1) above) or repeated violent criminal activity;
    - (b) Breaking the lease if prior Section 8 participant;
    - (c) Leaving any federally assisted program with damage to the assisted unit beyond normal wear and tear; or being terminated for tenant caused HQS violations.
    - (d) Being evicted if prior Section 8 participant or Public Housing resident.
  - (2) Denied admission for (3) three years for the following:
    - (a) Fraud (giving false information on the application, during an interim or annual reexamination is considered fraud);
    - (b) Applicant has committed fraud against any Federal or State assisted program; or
    - (c) Evicted or terminated from any PHA or any federally assisted housing for drug-related or violent criminal activity.

Persons evicted or terminated from Public Housing, Indian Housing, Section 8, or Section 23 programs because of drug-related criminal activity or violent criminal activity are ineligible for admission to assisted housing for a three -year period beginning on the date of such eviction or termination.

The PHA can waive this requirement if; the person demonstrates to the PHA's satisfaction successful completion of a rehabilitation program approved by the PHA, or the circumstances leading to the eviction no longer exist.

- 7.0 Denied admission for (10) ten years for a conviction of drug trafficking, drug cultivation or drug manufacturing.

As noted above these times frames are only guideline and the PHA may admit persons who exhibit evidence of rehabilitation earlier as indicated in section (3) above.

- W. **Denied for Life:** If any family member has been convicted of manufacturing or producing methamphetamine (speed) in a housing development or in a federally assisted property;

- X. **Denied for Life:** Has a **current** registration under a State sex offender registration program.

All decisions to deny or terminate assistance will be based on credible evidence. Examples include evidence provided by law enforcement officials and the court system, such as drug raids, drugs found in the dwelling unit, evidence that is tied to the activity, arrest warrants issued, and any other credible evidence including testimony from neighbors.

**6.5 APPLICANT DENIED ASSISTANCE AND PROVIDED OPPORTUNITY FOR INFORMAL REVIEW OR PARTICIPANT ASSISTANCE IS TERMINATED AND PROVIDED OPPORTUNITY FOR INFORMAL HEARING**

**A. Informal Review Procedures for all applicants**

If an applicant is denied admission, this PHA will notify the applicant, in writing, of its determination and inform the applicant that he/she has an opportunity for an informal review on such determination. The denial letter will allow the applicant ten (10) calendar days to request, in writing, an informal review. A representative of this PHA will hear the appeal and issue a decision including a brief statement of the reason for the final decision within ten (10) calendar days of the meeting.

**B. Informal Hearing Procedures for Participants**

If a Participant is terminated from the program, this PHA will notify the applicant, in writing, of its determination and inform the Participant that he/she has an opportunity for an informal hearing on such determination. The termination letter will allow the Participant ten (10) calendar days to request, in writing, an informal hearing. A representative of this PHA will hear the appeal and issue a decision including a brief statement of the reason for the final decision within ten (10) calendar days of the meeting.

The informal hearing will be conducted by a person designated by the PHA, other than a person who made or approved the decision under review.

The applicant/participant will be given an opportunity to present written or oral objection at the hearing.

**C. Request for Informal Hearing**

The participant family may request that the Housing Authority of Henderson provide for an Informal Hearing after the family has notification of an INS decision on their citizenship status on appeal, or in lieu of request of appeal to the INS. The participant family must make this request within 30 **calendar** days of receipt of the Notice of Denial or Termination of Assistance, or within 30 **calendar** days of receipt of the INS appeal decision.

For the participant families, the Informal Hearing Process above will be utilized with the exception that the participant family will have up to 30 days of receipt of the Notice of Denial or Termination of Assistance, or of the INS appeal decision.

## **7.0 WAITING LIST**

### **7.1 ORGANIZATION OF THE WAITING LIST**

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

- A. The Authority shall maintain such records as are necessary to document the disposition of all applications and to meet Department of Housing and Urban Development audit requirements;
- B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and
- C. Any contacts between the Housing Authority of Henderson and the applicant will be documented in the applicant file.

### **7.2 PURGING THE WAITING LIST**

The Housing Authority of Henderson will update and purge its waiting list at least quarterly to ensure that the pool of applicants reasonably represents the interested families for whom the Housing Authority of Henderson has current information, i.e., applicant's address, family composition, income category, and preferences.

### **7.3 REMOVAL OF APPLICANTS FROM THE WAITING LIST**

The Housing Authority of Henderson will not remove **prior to quarterly purging unless:**

- A. The applicant requests that the application be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.

### **7.4 MISSED APPOINTMENTS**

All applicants who fail to keep a scheduled appointment with the Housing Authority of Henderson will be sent a notice of termination of the process for eligibility.

The Housing Authority of Henderson will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, the Housing Authority of Henderson will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

## **7.5 NOTIFICATION OF NEGATIVE ACTIONS**

Any applicant whose name is being removed from the waiting list will be notified by the Housing Authority of Henderson, in writing, that he/she has ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request, **in writing**, an informal review. The letter will also indicate that his/her name will be removed from the waiting list if he/she fails to respond within the timeframe specified. The Housing Authority of Henderson system of removing applicant names from the waiting list will not violate the rights of persons with disabilities.

If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Housing Authority of Henderson will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. If the disability is not apparent, the PHA may request the applicant to have a doctor submit a written statement indicating that the applicant did not respond due to their disability. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

## 8.0 RESIDENT SELECTION AND ASSIGNMENT PLAN

### 8.1 Preferences

A. Residency Preference:

Applicants who reside in Henderson County

B. Working Family Preference:

A working family is defined as a family whose head or spouse has been regularly employed for the last ninety-(90) days. Regularly employed means full-time or part-time employment, which required the employee to work on a regular basis, which is not considered as temporary, nonrecurring, or sporadic. A working family also includes a family whose head, spouse, or sole member is age 62 or older or is receiving social security disability, supplemental security income disability benefits, or any other payments based on an individual's inability to work.

C. Displaced Person(s):

Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster Relief Laws.

D. Veteran's Preference: Applicants who are United States Veterans or a family member of a Veteran.

E. All other applicants

The date and time of application will be noted and utilized to determine the sequence within the above-prescribed preferences.

**Buildings Designed for the Elderly and Disabled:** Preference will be given to elderly and disabled families. If there are no elderly or disabled families on the list, preference will then be given to near-elderly families.

8.2 **ASSIGNMENT OF BEDROOM SIZES**

The following guidelines will determine each family’s unit size without overcrowding or overhousing:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

These occupancy standards are based on the assumption that each bedroom will accommodate no more than two (2) persons.

In determining bedroom size, the Housing Authority of Henderson will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, **children currently under a 50% or more joint custody decree**, children who are temporarily away at school, or children who are temporarily in foster care.

In addition, the following considerations may be taken in determining bedroom size:

- A. Children of the same sex **may** share a bedroom.
- B. Children of the opposite sex, both under the age of four (**4**) may share a bedroom.
- C. Adults and children may not be required to share a bedroom.
- D. Foster adults or foster children will not be required to share a bedroom with family members.
- E. Live-in aides will get a separate bedroom.

Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The Housing Authority of Henderson will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned.
- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Housing Authority of Henderson will allow the larger size unit if the family provides a verified medical or disability related need that the family be housed in a larger unit.
- C. If there are no families on the waiting list for a larger size, smaller families may be housed if they agree to transfer (at the family’s own expense) to the appropriate size unit when an eligible family needing the larger unit applies.
- D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

### **8.3 SELECTION FROM THE WAITING LIST**

The Housing Authority of Henderson shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income.

### **8.4 DECONCENTRATION POLICY**

It is the Housing Authority of Henderson's policy to provide for de-concentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Toward this end, we will skip families on the waiting list to reach other families with a lower or higher income. We will accomplish this in a uniform and non-discriminating manner.

The Housing Authority of Henderson will affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and de-concentration incentives to implement. The worksheet for the analysis can be found in **Appendix 1**.

## 8.5 *OFFER OF A UNIT*

When the Housing Authority of Henderson discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development and whose income category would help to meet the deconcentration goal and/or the income-targeting goal.

The family will be offered the opportunity to view the unit or a similar unit if available. After the opportunity to view the unit, the family will have one (1) business day to accept or reject the unit. This verbal offer and the family's decision must be documented in the resident file. If the family rejects the offer of the unit, the Housing Authority of Henderson will document the offer and the rejection. Offers of a unit will be made three (3) times before the applicant is moved to the bottom of waiting list or removed entirely from the waiting list.

## 8.6 *REJECTION OF UNIT*

If in making the offer to the family, the Housing Authority of Henderson skipped over other families on the waiting list in order to meet their de-concentration goal and the family rejects the unit, the family will not lose their place on the waiting list and will not be otherwise penalized.

If the Housing Authority of Henderson did not skip over other families on the waiting list to reach this family, and the family rejects the unit without good cause, the family will forfeit their application's date and time. The family will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected.

If the family rejects with good cause any unit offered, they would not lose their place on the waiting list. Good cause includes reasons related to health, proximity to work, school, and childcare (for those working or going to school). The family will be offered the right to an informal review of the decision to alter their application status.

## 8.7 *ACCEPTANCE OF UNIT*

The family will be required to sign a lease that will become effective on the date of acceptance.

The applicant will be provided copies of: **the dwelling lease, grievance procedure, a booklet on lead based paint titled "Protect Your Family from Lead in Your Home", current schedule of routine maintenance charges, Residents Handbook, Community Service Packet, Fire and Safety literature, move-in inspection sheet, Pet Policy, a Request for Reasonable Accommodation form** and a Verification of Ability to Comply with the PHA Lease Terms form. These documents will be explained in detail. The applicant by signing the dwelling lease acknowledges receipt of the above-mentioned documents.

The signing of the lease and the review of financial information are to be privately handled. The head of household and all adult family members will be required to execute the lease prior to admission. One executed copy of the lease will be furnished to the head of household, and the Housing Authority of Henderson will retain the original executed lease in the resident's file. A copy of the grievance procedure will be attached to the resident's copy of the lease.

The family will pay a security deposit at the time of lease signing.

Effective January 1, 2001, a \$200 security deposit will be required for all units. Current residents living in elderly developments will be excluded from the additional \$100 security deposit requirement. However, after January 1, 2001, those residents that move to another unit for any reason will be subject to the \$200 security deposit requirement.

The \$200 security deposit requirement will apply to the following developments:

- A. 12-1 (Lawndale), 12-2 (Dixon);
- B. 12-3 (Madison Court, 8<sup>th</sup> Street and 8<sup>th</sup> Street Court, Fagan Square, North Adams Street Apartments, Dixon & Ingram Apartments) and 12-4 (840 North Adams)

In exceptional situations, the Housing Authority of Henderson reserves the right to allow a new resident to pay their security deposit in two (2) payments. One-half shall be paid in advance; the balance will be paid the next full month after signing the lease. This shall be at the sole discretion of the Housing Authority. In the case of a move within public housing, the security deposit for the first unit will be transferred to the second unit.

In the event there are costs attributable to the family for bringing the first unit into condition for re-renting, the family shall be billed for these charges.

## 9.0 INCOME, EXCLUSIONS, AND DEDUCTIONS FROM INCOME

To determine annual income, the Housing Authority of Henderson counts the income of all family members, except for the types and sources of income that are specifically excluded. Once the annual income is determined, the Housing Authority of Henderson subtracts all allowable deductions (allowances) to determine the Total Resident Payment.

### 9.1 INCOME

Annual income means all amounts, monetary and non-monetary, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.
- D. If it is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income), or the Housing Authority of Henderson believes that past income is the best available indicator of expected future income, the Housing Authority of Henderson may annualize the income anticipated for a shorter period, subject to a redetermination at the end of the shorter period.
- E. Annual income includes, but is not limited to [the amounts specified in the federal regulations currently found in 24 CFR 5.609](#):
  - A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions fees, tips and bonuses, and other compensation for personal services.
  - B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income.

An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family. Current IRS form 1040 can serve as documentation for the above.

- C Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations.
- D. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD. **Income that could have been derived from assets worth more than \$1000 that were disposed of for less than fair market value within the past two years will be counted as income.**
- E The full amount of periodic amounts 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. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump-sum amount or in prospective monthly amounts are excluded.)
- F. Payments in lieu of earnings, such as unemployment and disability compensation, workers' compensation, and severance pay. (However, lump-sum additions such as insurance payments from workers' compensation are excluded.)
- G. Welfare assistance.
- a. **Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:**
  - b. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:
    1. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
    2. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.

2. If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.
  3. If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted as income.
- H. Periodic and determinable allowances, such as alimony, child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
- I. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)
- J. Imputed welfare income.
1. **A family's annual income includes the amount of imputed welfare income (because of specified welfare benefits reduction, resulting from either welfare fraud or the failure to comply with economic self-sufficiency requirements, as specified in notice to the Housing Authority of Henderson by the welfare agency) plus the total amount of other annual income.**
  2. At the request of the Housing Authority of Henderson, the welfare agency will inform the Housing Authority of Henderson in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the Housing Authority of Henderson of any subsequent changes in the term or amount of such specified welfare benefit reduction. The Housing Authority of Henderson will use this information to determine the amount of imputed welfare income for a family.
  3. A family's annual income includes imputed welfare income in family annual income, as determined at an interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction (as specified in information provided to the Housing Authority of Henderson by the welfare agency).
  4. The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

5. The Housing Authority of Henderson will not include imputed welfare income in annual income if the family was **an** not assisted resident at the time of the sanction.
6. If a resident is not satisfied that the Housing Authority of Henderson has calculated the amount of imputed welfare income in accordance with HUD requirements, and if the Housing Authority of Henderson denies the family's request to modify such amount, then the Housing Authority of Henderson shall give the resident written notice of such denial, with a brief explanation of the basis for the Housing Authority of Henderson determination of the amount of imputed welfare income. The Housing Authority of Henderson's notice shall also state that if the resident does not agree with the determination, the resident may **contest** the decision in accordance with our grievance policy. The resident is not required to pay an escrow deposit for the portion of the resident's rent attributable to the imputed welfare income in order to obtain a grievance hearing.

K. Relations with welfare agencies.

1. The Housing Authority of Henderson will ask welfare agencies to inform it of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction, and any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction. If the welfare agency determines a specified welfare benefits reduction for a family member, and gives the Housing Authority of Henderson written notice of such reduction, the family's annual income shall include the imputed welfare income because of the specified welfare benefits reduction.
2. The Housing Authority of Henderson is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction as determined by the welfare agency, and specified in the notice by the welfare agency to the housing authority. However, the Housing Authority of Henderson is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures, or for providing the opportunity for review or hearing on such welfare agency determinations.

## 9.2 ANNUAL INCOME *EXCLUSIONS*

Annual income does not include the following amounts specified in the federal regulations currently found in 24 CFR 5.609:

- A. Income from employment of children (including foster children) under the age of 18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the resident family, who are unable to live alone);
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including lump sum payments under health and accident insurance and workers' compensation), capital gains, and settlement for personal or property losses;
- D. Amounts received by the family that is specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- E. Income of a live-in aide;
- F. The full amount of student financial assistance paid directly to the student or to the educational institution, and amounts paid by the Government to a veteran, for use in meeting the cost of tuition, food, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student. Any amount of such scholarship or payment to a veteran not used for the above purposes that are available for subsistence is to be included in income.
- G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- H. The amounts received from the following programs:
  - 1. Amounts received under training programs funded by HUD;
  - 2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
  - 3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, childcare, etc.) and that are made solely to allow participation in a specific program;

4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, lawn maintenance, resident initiatives coordination, and serving as a member of the Housing Authority of Henderson governing board. No resident may receive more than one such stipend during the same period of time;
5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government). Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;
6. Temporary, nonrecurring, or sporadic income (including gifts);
7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. The incremental earnings due to employment during the 12-month period following date of hire shall be excluded. This exclusion is only available to the following families:
  - a. Whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment.
  - b. Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or

- c. Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the PHA in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance-provided that the total amount over a six-month period is at least \$500.
- d. Disallowance of increase in annual income
  - (1) During the cumulative twelve month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from annual income of a qualified family any increase in income of the family member as a result of employment over prior income of that family member.
  - (2) During the second cumulative twelve month period after the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from annual income of a qualified family fifty (50%) percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment
  - (3) The disallowance of increased income of an individual family member as provided in d (1) or d (2) of this section is limited to a lifetime 48-month period. It only applies for a maximum of twelve months for disallowance under paragraph d (1) and a maximum of twelve months for disallowance under paragraph d (2), during the 48 month period starting from the initial exclusion under paragraph d (1) of this section.
- e. The disallowance of increases in income as a result of employment under this section does not apply for purposes of admission to the program (including the determination of income eligibility and income targeting).

While HUD regulations allow for the housing authority to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of this housing authority to provide the exclusion in all cases.

11. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump-sum amount or in prospective monthly amounts;
12. 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;
13. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
14. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
  - a. The value of the allotment of food stamps.
  - b. Payments to volunteers under the Domestic Volunteer Services Act of 1973.
  - c. Payments received under the Alaska Native Claims Settlement Act.
  - d. Income from submarginal land of the U.S. that is held in trust for certain Indian tribes.
  - e. Payments made under HHS's Low-Income Energy Assistance Program.
  - f. Payments received under the Job Training Partnership Act.
  - g. Income from the disposition of funds of the Grand River Band of Ottawa Indians.
  - h. The first \$2000 per capita received from judgment funds awarded for certain Indian claims.
  - i. Amount of scholarships awarded under Title IV including Work-Study.
  - j. Payments received under **Title V of the Older Americans Act of 1985. (42 U.S.C. 3056(f);**
  - k. Payments from Agent Orange Settlement.
  - l. Payments received under the Maine Indian Claims Act.

- m. The value of any child- care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);
- n. Earned income tax credit refund payments.
- a. Payments for living expenses under the Ameri Corps Program.
- b. Allowances, earnings and payments to Ameri Corps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637 (d));
- c. Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and
- d. Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U. S.C. 2931).

The Housing Authority of Henderson will not provide exclusions from income in addition to those already provided for by HUD.

### **9.3 DEDUCTIONS FROM ANNUAL INCOME**

The following deductions will be made from annual income:

- A. \$480 for each dependent.
- B. \$400 for any elderly family or disabled family.
- C. The sum of the following, to the extent the sum exceeds three percent of annual income:
  - 1. Un-reimbursed medical expenses, including non prescription medication as prescribed by a physician, of any elderly family or disabled family; and
  - 2. Un-reimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus.

- D. Child- care expenses. Amounts to be paid by the Family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to **actively seek employment**, be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare, and, in the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The PHA determines the reasonable amount of charges, by conducting surveys of local childcare providers. The results are posted in the PHA office(s).
  
- F. Spousal Support. Any payment made by a member of the family for the support and maintenance of any spouse, or former spouse who does not reside in the household, except that the amount excluded under this subparagraph shall not exceed the lesser of:
  - (1) The amount that such family member has a legal obligation to pay; or
  - (2) \$550 for each individual for whom such payment is made; and
  
- G. Child Support. Any payment made by a member of the family for the support and maintenance of any child who does not reside in the household, except that the amount excluded under this subparagraph shall not exceed the lesser of:
  - (1) The amount that such family member has a legal obligation to pay; or
  - (2) \$480 for each individual for whom such payment is made; and
  
- H. The earned income of a person under 18 years old (including foster children) who is not the head of a household or the spouse of the head of the household

**9.4 RECEIPT OF A LETTER OR NOTICE FROM HUD CONCERNING INCOME**

- A. If a public housing resident receives a letter or notice from HUD concerning the amount or verification of family income, the resident shall bring the letter to the person responsible for income verification within ten (10) days of receipt.
  
- B. Management shall reconcile any difference between the amount reported by the resident and the amount listed in the HUD communication. This shall be done as promptly as possible.
  
- C. After the reconciliation is complete, the Housing Authority of Henderson shall adjust the resident's rent beginning at the start of the next month unless the reconciliation is completed during the final five (5) days of the month and then the new rent shall take effect on the first day of the second month following the end of the current month. In addition, if the resident had not previously reported the proper income, the Housing Authority of Henderson shall do one of the following:
  - 1. Immediately collect the back rent due to the agency;

2. Establish a repayment plan for the resident to pay the sum due to the agency;
3. Terminate the lease and evict for failure to report income; or
4. Terminate the lease, evict for failure to report income, and collect the back rent due to the agency.

#### **9.5 COOPERATING WITH WELFARE AGENCIES**

The Housing Authority of Henderson will make its best efforts to enter into cooperation agreements with local welfare agencies under which the welfare agencies will agree:

- A. To target assistance, benefits and services to families receiving assistance in the public housing and Section 8 tenant-based assistance programs to achieve self-sufficiency; and
- B. To provide written verification to the Housing Authority of Henderson concerning welfare benefits for families applying for or receiving assistance in our housing assistance programs.

#### **9.6 COOPERATING WITH LAW ENFORCEMENT AGENCIES**

The Housing Authority of Henderson will comply, on a case-by case basis, with information requests from Federal, State or local law enforcement officers regarding possible fugitive felons or parole or probation violators. The Housing Authority of Henderson will supply upon legitimate request (1) the current address, (2) Social Security number and (3) photograph (if available) of any recipient of assistance.

The Federal, State or local enforcement officer must submit a request that is (1) written, (2) on law enforcement agency letterhead, and (3) is signed by the requesting officer and his or her immediate supervisor. The request for information must provide the name of the fugitive felon or parole or probation violator being sought, and may include other personal information used for identification. The request should also comply with the following requirements:

- A. The law enforcement agency shall notify the Housing Authority of Henderson that the fugitive felon or parole or probation violator (i) is fleeing to avoid prosecution, custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which in the case of the State of Kentucky, is a high misdemeanor; or (ii) is violating a condition of probation or parole imposed under Federal or State law; or (iii) has information that is necessary for the officer to conduct his/her official duties;
- B. The location or apprehension of the recipient is within the Housing Authority of Henderson's official duties; and,
- C. The request is made in the proper exercise of the law enforcement agency's official duties.

## **10.0 VERIFICATION**

The Housing Authority of Henderson will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations; full time student status of family members 18 years of age and older; Social Security numbers; and citizenship/eligible non-citizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

### **10.1 ACCEPTABLE METHODS OF VERIFICATION**

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship, documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the Housing Authority of Henderson or automatically by another government agency, e.g., the Social Security Administration. Verification forms and reports received will be contained in the applicant/resident file. Oral third party documentation will include the same information as if the documentation had been written, i.e., name, date of contact, amount received, etc. Documents provided by the family will be maintained in the file.

When third party verification cannot be obtained, the Housing Authority of Henderson will accept documentation received from the applicant/resident. Hand-carried documentation will be accepted if the Housing Authority of Henderson has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

**When neither third party verification nor hand-carried verification can be obtained, the Housing Authority of Henderson will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.**

### **10.2 TYPES OF VERIFICATION**

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the Housing Authority of Henderson will send a request form to the source along with a release form signed by the applicant/resident via first class mail.

Verification Requirements for Individual Items - Value and Income From Assets		
Item to Be Verified	3 <sup>rd</sup> Party Verification	Hand-carried Verification
<b>General Eligibility Items</b>		
Social Security Number	Letter from Social Security, electronic reports	Social Security card <b>or a third party document stating the Social Security Number</b>
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc.	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school <b>and or college</b> students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
Child Support Payments <b>and or Spousal Support</b>	Court Order, letter from County Attorney, and other legal documents	Letter from recipient, money order receipts, canceled checks
<b>Value of and Income from Assets</b>		
Savings, checking accounts	Letter from institution	Passbook, most current statements

Verification Requirements for Individual Items - Value and Income From Assets		
Item to Be Verified	3 <sup>rd</sup> Party Verification	Hand-carried Verification
CDs, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Cash value of whole life insurance policies	Letter from insurance company	Current statement
Personal property	Assessment, bluebook, etc.	Receipt for purchase, other evidence of worth
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
Income		
Earned income	Letter from employer	Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (e.g., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (e.g., social security, welfare, pensions, workers' compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments

Verification Requirements for Individual Items - Value and Income From Assets		
Item to Be Verified	3 <sup>rd</sup> Party Verification	Hand-carried Verification
Training program participation	Letter from program provider indicating - whether enrolled or completed - whether training is HUD-funded -whether Federal, State, local government, or local program - whether it is employment training - whether it has clearly defined goals and objectives -whether program has supportive services -whether payments are for out-of-pocket expenses incurred in order to participate in a program -date of first job after program completion	Evidence of beginning of employment

### 10.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

The citizenship/eligible non-citizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status by such means as a Social Security card, birth certificate, military ID, or military DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible non-citizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will be required also to show proof of age.

Prior to being admitted or at the first reexamination, all eligible non-citizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The Housing Authority of Henderson will make a copy of the individual's INS documentation and place the copy in the file.

The Housing Authority of Henderson will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the Housing Authority of Henderson will mail information to the INS in order that a manual check can be made of INS records.

Family members who do not claim to be citizens, nationals, or eligible non-citizens must be listed on a statement of non-eligible members and the head of the household must sign the list.

Non-citizen students on student visas, though in the country legally, are not eligible to be admitted to public housing. **If they are members of families that include citizens, the rent must be pro-rated.**

Any family member who does not choose to declare his/her status must be listed on the statement of non-eligible members.

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.

If the Housing Authority of Henderson determines that a family member has knowingly permitted an ineligible non-citizen (other than any ineligible non-citizens listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

#### ***10.4 VERIFICATION OF SOCIAL SECURITY NUMBERS***

Prior to admission, each family member who has a Social Security number and who is at least 3 months of age must provide verification of his or her Social Security number. New family members at least 3 months of age must provide this verification prior to being added to the lease.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the Housing Authority of Henderson will accept letters from the Social Security Agency that establishes and states the number.

If a member of an applicant family indicates they have a Social Security number, but cannot readily verify it, the family cannot be housed until verification is provided.

If a member of a resident family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to ten (10) days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

#### ***10.5 TIMING OF VERIFICATION***

**Household composition will be verified annually and at interim reexaminations.** Verification information must be dated within ninety (90) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Authority will verify and update all information related to family circumstances and level of assistance. (Or, the Housing Authority will only verify and update those elements reported to have changed.)

#### **10.6 FREQUENCY OF OBTAINING VERIFICATION**

For each family member, citizenship/eligible non-citizen status will be verified only once **unless the family member is an eligible immigrant in a transitional state of admission. In this situation, their status must be updated until they are admitted for permanent residency.** This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of his/her status will be obtained at the next regular reexamination. Prior to a new member joining the family, his/her citizenship/eligible non-citizen status will be verified.

For each family member age 3 months and above, verification of the Social Security number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security number at admission receives a Social Security number, that number will be verified at the next regular reexamination.

## **11.0 DETERMINATION OF TOTAL RESIDENT PAYMENT AND RESIDENT RENT**

### **11.1 FAMILY CHOICE**

At admission and each year in preparation for its annual reexamination, each family is given the choice of having its rent determined under the income method or having its rent set at the flat rent amount.

- A. Families who opt for the flat rent will be required to submit all income verification and **family composition** on an annual basis upon notification from the Housing Authority. However, the Housing Authority will provide information (forms and methodology) sufficient for the family to determine whether they need to return to the income-based rent.
- B. Families who opt for the flat rent may request to have a reexamination and return to the income based method at any time for any of the following reasons:
  - 1. The family's income has decreased.
  - 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
  - 3. Other circumstances creating a hardship on the family such that the income method would be more financially feasible for the family.

### **11.2 THE INCOME METHOD**

The total resident payment is equal to the highest of:

- A. 10% of the family's monthly income;
- B. 30% of the family's adjusted monthly income; or
- C. The welfare rent.

The family will pay the greater of the total resident payment or the minimum rent of **\$25.00** but never more than the flat rent.

In the case of a family who has qualified for the income exclusion at Section 9.2(H)(10), upon the expiration of the 12-month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12-month period following the 12-month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase the family would have otherwise received. In the third year, all income is included in rent calculations.

### 11.3 *MINIMUM RENT*

The Housing Authority of Henderson has set the minimum rent at **\$25.00**. However if the family requests a hardship exemption, the Housing Authority of Henderson will immediately suspend the minimum rent beginning the month following the family's request until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

- A. Prior to the rent being adjusted to the minimum, the resident must attest in writing that no income is being received into the household, which includes monetary and non-monetary assistance. In addition, the resident must complete the following forms: Zero Income Checklist and Worksheet; Zero Income and Rent Change Statement and a Job Search-Disability-Workman's Comp-Public Assistance Record **and Community Service Requirements**.
- B. A hardship exists in the following circumstances:
  - 1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program including a family that includes a member who is a non-citizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Act of 1996;
  - 2. When the family would be evicted because it is unable to pay the minimum rent;
  - 3. When the income of the family has decreased because of changed circumstances, including loss of employment;
  - 4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
  - 5. When a death has occurred in the family.
- C. **No hardship.** If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.

- C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the beginning of the suspension of the minimum rent. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with Section 17 of this policy for any rent not paid during the period of suspension. During the suspension period, the Housing Authority will not evict the family for nonpayment of the amount of resident rent owed for the suspension period.
- D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
- E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

#### **11.4 THE FLAT RENT**

The Housing Authority of Henderson has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its condition, amenities, services, and neighborhood. The Housing Authority of Henderson determined the market value of the unit and set the rent at near market value. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family (for more information on flat rents, see Section 13.3).

The Housing Authority of Henderson will post the flat rents at the Housing Authority office and are incorporated in this policy upon approval by the Board of Commissioners. See Attachment B for the most recent schedule of Flat Rents

#### **11.5 POLICE OFFICERS RENT**

The Housing Authority of Henderson may allow up to four (4) police officers that would not otherwise be eligible for occupancy in public housing to reside in public housing dwelling units. Prior approval for said occupancy must be obtained from the Executive Director of the Housing Authority of Henderson. Such occupancy is needed to increase security for public housing residents. The police officer's rent will be the lesser of the cost to operate the public housing unit or the flat rent for the type of dwelling unit.

#### **11.6 CEILING RENT INCOME BASED METHOD**

Ceiling rent income based method provides an incentive to remain in public housing to families whose flat rents were reduced because of a hardship to income-based rents and whose incomes then increased so that the income-based rent is unreasonable for the housing being provided. The ceiling rent is thus in effect only for the portion of the year between the family's interim increase in rent and their next annual reexamination when they elect the Flat Rent.

## 11.7 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

A mixed family will receive full continuation of assistance if all of the following conditions are met:

- A. The family was receiving assistance on July 19, 1995;
- B. The family was granted continuation of assistance before November 29, 1996;
- C. The family's head or spouse has eligible immigration status; and
- D. The family does not include any person who does have eligible status other than the head of household, the spouse of the head of the household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

The family's assistance is prorated in the following manner:

- A. Determine the 95<sup>th</sup> percentile of gross rents (tenant rent plus utility allowance) for the Housing Authority of Henderson. The 95<sup>th</sup> percentile is called the maximum rent.
- B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.
- C. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.
- D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

## 11.8 UTILITY ALLOWANCE

The Housing Authority of Henderson shall establish a utility allowance for all check-metered utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment.

In setting the allowance, the Housing Authority of Henderson will review, the actual consumption of resident families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc.). Allowances will be evaluated at least annually as well as any time the utility rates change since the last revision to the allowances.

For Housing Authority of Henderson paid utilities, the Housing Authority of Henderson will monitor the utility consumption of each household. Any consumption in excess of the allowance established by the Housing Authority of Henderson will be billed to the resident monthly.

Utility allowance revisions based on rate changes shall be effective retroactively to the first day of the month following the month in which the last rate change took place. Revisions based on changes in consumption or other reasons shall become effective at each family's next annual reexamination.

Families with high utilities consumption are encouraged to practice energy saving measures. Continued high utility consumption usage will result in the Housing Authority of Henderson conducting an energy analysis of the unit. The analysis may identify problems with the dwelling unit that once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs. See Attachment C for the most recent schedule of utility allowances.

#### ***11.8 PAYING RENT***

Rent and other charges are due and payable on the first day of the month. All rents should be paid at **The Housing Authority of Henderson, 111 South Adams Street, Henderson, Kentucky 42420**. An after-hours drop box located at the front of the office is available to drop off payments. Only checks and money orders may be placed in the drop box.

If the rent is not paid by the fifth of the month, a Notice to Vacate (Eviction) will be issued to the resident. In addition, a \$5.00 late charge will be assessed to the resident. If the rent is still not paid by the tenth of the month, another \$5.00 late charge will be assessed for a total of \$10.00. If rent is paid by a personal check and the check is returned for any reason, this shall be considered a non-payment of rent and will incur the **late charge, plus an additional charge of \$25.00 for bank charges or processing fees. Effective December 1, 2003, no cash payments will be accepted, all rent and other charges must be paid my check or money order.**

#### ***11.9 NON-PAYMENT OF RENT***

Any resident that fails to pay all of their rent and charges on their unit in the month in which it is due is subject to eviction.

All costs associated with taking court action for non-payment of rent will be added to what the resident already owes in rent and other charges. The resident will be charged the cost of filing, service, and legal fees.

## **12.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE**

### ***12.1 GENERAL***

In order to be eligible for continued occupancy, each non-exempt adult family member must either (1) contribute eight hours per month of community service (not including political activities); or (2) participate in an economic self-sufficiency program unless the family member is exempt from this requirement; or (3) perform eight hours per month of combined activities as previously described unless **he/she** are exempt from this requirement.

### ***12.2 EXEMPTIONS***

The following adult family members of resident families are exempt from this requirement.

- A. Any family members who are 62 or older.
- B. Any family member who is blind or disabled as defined under 216(I)(1) or 1614 of the Social Security Act (42 U.S.C. 416 (I)(1)) and who certify that because of this disability she or he is unable to comply with the community service requirements.
- C. Any family member who is the primary care giver for someone who is blind or disabled as set forth in Paragraph B above.
- D. Any family member engaged in **15 or more hours per week of** work activity.
- E. Any family member who is exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program.
- F. Any family member receiving assistance, benefits or services under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program.

### ***12.3 NOTIFICATION OF THE REQUIREMENT***

The Housing Authority of Henderson shall identify all adult family members who are apparently not exempt from the community service requirement.

The Housing Authority of Henderson shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The Housing Authority of Henderson shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after **10/01/03**. For families paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

#### **12.4 VOLUNTEER OPPORTUNITIES**

Community service includes performing 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.

An economic self-sufficiency program is one that is designed to encourage, assist, train, or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The Housing Authority of Henderson will coordinate with social service agencies, local schools, and the Human Resources Office in identifying a list of volunteer community service positions.

#### **12.5 THE PROCESS**

Upon admission or at the first annual reexamination on or after **October 1, 2003** and each annual reexamination thereafter, the Housing Authority of Henderson will do the following:

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions.
- C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.
- D. Thirty (30) days before the family's next lease anniversary date, the coordinator will advise Housing Authority of Henderson management whether each applicable adult family member is in compliance with the community service requirement.

## **12.6 NOTIFICATION OF NONCOMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT**

The Housing Authority of Henderson will notify any family found to be in noncompliance of the following:

- A. The family member(s) has been determined to be in noncompliance;
- B. That the determination is subject to the grievance procedure; and
- C. That, unless the family member(s) enters into an agreement to comply, the lease will not be renewed or will be terminated;

## **12.7 OPPORTUNITY FOR CURE**

The Housing Authority of Henderson will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. **It will state the number of hours that the family member is deficient.** The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at the same time stay current with that year's community service requirement. The first hours a resident\_earns goes toward the current commitment until the current year's commitment is made.

The coordinator will assist the family member in identifying volunteer opportunities and will track compliance on a monthly basis.

If any applicable family member does not accept the terms of the agreement, does not fulfill his/her obligation to participate in an economic self-sufficiency program, or falls behind in his/her obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the Housing Authority of Henderson shall take action to terminate the lease **unless the noncompliant family member no longer lives in the unit.**

## **12.8 PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES**

In implementing the service requirement, the Housing Authority of Henderson may not substitute community service or self-sufficiency activities performed by residents for work ordinarily performed by its employees, or replace a job at any location where residents perform activities to satisfy the service requirement.

## **13.0 REEXAMINATIONS**

### **A. Reexamination Dates**

Lawndale Apartments	(Jan/Feb)	Effective Mar 1
Dixon Apartments	(Mar/Apr)	Effective May 1
8 <sup>th</sup> & Madison	(May/June)	Effective Jul 1
Fagan, Dixon & Ingram, North Adams	(Jul/Aug)	Effective Sept 1
840 North Adams	(Sept/Oct)	Effective Nov 1

- B. At least annually, the Housing Authority of Henderson will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, and (2) whether the family is housed in the correct unit size.

### **13.1 GENERAL**

The Housing Authority of Henderson will send a notification letter to the family letting it know that it is time for its annual reexamination, giving it the option of selecting either the flat rent or income method. If the family opts to accept the flat rent, a certification letter must be signed. If the family thinks it may want to switch from a flat rent to an income rent, it should request a change. The letter also includes, for those families paying the income method, forms for the family to complete in preparation for the reexamination. The letter tells families who may need to make alternate arrangements due to a disability that it may contact staff to request an accommodation of their needs.

During the appointment, the Housing Authority of Henderson will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will be placed on the transfer list.

### **13.2 FAILURE TO RESPOND**

If the family fails to respond to the letter, a second letter will be sent. The second notice will advise of a new date for the re-certification. The letter will also advise that failure by the family to respond will result in the Housing Authority of Henderson taking eviction actions against the family.

### **13.3 FLAT RENTS**

The annual letter to flat rent payers regarding the reexamination process will state the following:

- A. At the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of having their rent based on the income amount.
- B. A fact sheet about income rents that explains the types of income counted, the most common types of income excluded, and the categories of allowances that can be deducted from income.
- C. Families who opt for the flat rent will be required to go through the income reexamination process annually.
- D. Families who opt for the flat rent may request to have a reexamination and return to the income-based method at any time for any of the following reasons:
  - 1. The family's income has decreased.
  - 2. The family's circumstances have changed increasing its expenses for childcare, medical care, etc.
  - 3. Other circumstances creating a hardship on the family such that the income method would be more financially feasible for the family.
- E. The dates upon which the Housing Authority of Henderson expects to review the amount of the flat rent.
- F. A certification for the family to sign accepting or declining the flat rent.

### **13.4 CEILING RENT INCOME BASED METHOD**

Ceiling rent income based method provides an incentive to remain in public housing to families whose flat rents were reduced because of a hardship to income-based rents and whose incomes then increased so that the income-based rent is unreasonable for the housing being provided. The ceiling rent is thus in effect only for the portion of the year between the family's interim increase in rent and their next annual reexamination when they elect the Flat Rent.

### **13.5 THE INCOME METHOD**

During the reexamination, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances.

Upon receipt of verification, the Housing Authority of Henderson will determine the family's annual income and will calculate its rent as follows.

The total resident payment is equal to the highest of:

- A. 10% of the family's monthly income;
- B. 30% of the family's adjusted monthly income;
- C. Welfare rent; or
- D. The minimum rent.

The family will pay the greater of the total resident payment or the minimum rent of **\$25.00**, but never more than the flat rent.

### **13.6 POLICE OFFICERS RENT**

The Housing Authority of Henderson may allow up to four (4) police officers **who** would not otherwise be eligible for occupancy in public housing to reside in public housing dwelling units. Prior approval for said occupancy must be obtained from the Executive Director of the Housing Authority of Henderson. Such occupancy is needed to increase security for public housing residents. The police officer's rent will be the lesser of the cost to operate the public housing unit or the flat rent for the type of dwelling unit.

### **13.7 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS**

The new rent will generally be effective upon the anniversary date with a thirty-(30) day notice of any rent increase to the family. If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a thirty-(30) day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date. If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

### 13.8 INTERIM REEXAMINATIONS

During an interim reexamination, only the information affected by the changes being reported will be reviewed and verified.

Families will not be required to report any **increased** income due to cost of living increases.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. All changes to income must be reported in writing by the 20<sup>th</sup> of the month. Upon such request, the Housing Authority of Henderson will process the interim reexamination and recalculate the resident's rent. Any changes reported after the 20<sup>th</sup> of the month will not be processed until the next month.

Ceiling rents income based may be used when families, whose flat rents were reduced because of a hardship to income based rents and whose incomes then increased so that the income based rent is unreasonable for the housing being provided. The ceiling rent is thus in effect only for the portion of the year between the family's interim increase in rent and their next annual reexamination, when they can elect the flat rent.

Families are required to report the following changes to the Housing Authority of Henderson between regular reexaminations. If the family's rent is being determined under the income method, these changes will trigger an interim reexamination. The family shall report these changes within ten (10) days of their occurrence.

- A. A member has been added to the family through birth or adoption or court-awarded custody.
- B. A household member is leaving or has left the family unit.

In order to add a household member other than through birth **or court awarded custody** adoption (including a live-in aide), the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating his/her income, assets, and all other information required of an applicant. The individual must provide his/her Social Security number if he/she has one and must verify his/her citizenship/eligible immigrant status. (Housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The Housing Authority of Henderson will determine the eligibility of the individual before adding him/her to the lease. If the individual is found to be ineligible or does not pass the screening criteria, he/she will be advised in writing and given the opportunity for an informal review. If the individual is found to be eligible and does pass the screening criteria, his/her name will be added to the lease. At the same time, if the family's rent is being determined under the income method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph 13.8 below.

### **13.9 SPECIAL REEXAMINATIONS**

A reasonable 12-month estimate of their income may be based upon past income and present income, **may be made for the families who's past employment has been sporadic.**

Residents paying rent based on income may meet with the Authority to discuss any change in rent resulting from the reexamination process; and, if the Resident does not agree with the determination of Resident rent, the Resident may request a hearing in accordance with the Authority's grievance procedures.

### **13.10 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS**

Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family cause's delays, then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

If the new rent is a reduction and the family caused the delay or did not report the change in a timely manner, the change will be effective the first of the month after the rent amount is determined.

## **14.0 UNIT TRANSFERS**

### ***14.1 OBJECTIVES OF THE TRANSFER POLICY***

The objectives of the Transfer Policy include the following:

- A. To address emergency situations.
- B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit.
- C. To facilitate relocation when required for modernization or other management purposes.
- D. To facilitate relocation of families with inadequate housing accommodations.
- E. To provide an incentive for families to assist in meeting the Housing Authority of Henderson's de-concentration goal.

### ***14.2 CATEGORIES OF TRANSFERS***

Category 1: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

Category 2: Immediate administrative transfers. These transfers are necessary in order to permit family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.

Category 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Housing Authority of Henderson occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Housing Authority of Henderson when a transfer is the only or best way of solving a serious problem.

Category 4: Miscellaneous Transfers. Families requesting a transfer to another unit or development that does not meet the criteria of a Category 1, Category 2, or Category 3 transfer will be placed on a transfer list.

### ***14.3 DOCUMENTATION***

When the transfer is at the request of the family, the family may be required to provide third party verification of the need for the transfer.

#### **14.4 INCENTIVE TRANSFERS**

Transfer requests will be encouraged and approved for families who live in a development where their income category (below or above 30% of area median) predominates and wish to move to a development where their income category does not predominate.

Families approved for such transfers will meet the following eligibility criteria:

- A. Have been a resident for three years;
- B. For a minimum of one year, at least one adult family member is enrolled in an economic self-sufficiency program or is working at least thirty-five (35) hours per week, the adult family members are 62 years of age or older or are disabled or are the primary care givers to others with disabilities;
- C. Adult members who are required to perform community service/self-sufficiency have been current in these responsibilities since the inception of the requirement or for one year whichever is less;
- D. The family is current in the payment of all charges owed the Housing Authority of Henderson and has not paid late rent for at least one year;
- E. The family passes a current housekeeping inspection and does not have any record of housekeeping problems during the last year;
- F. The family has not materially violated the lease over the past two years by disturbing the peaceful enjoyment of their neighbors, by engaging in criminal or drug-related activity, or by threatening the health or safety of residents or Housing Authority staff.

#### **14.5 PROCESSING TRANSFERS**

Transfers on the waiting list will be sorted by the above categories and within each category by date and time.

Transfers in category 1 and 2 will be housed ahead of any other families, including those on the applicant waiting list. Transfers in category 1 will be housed ahead of transfers in category 2.

Transfers in category 3 and category 4 will be housed along with applicants for admission.

Upon offer and acceptance of a unit, the family will execute all lease-up documents and pay any rent and/or security deposit within two (2) days of being informed the unit is ready to rent. The family will be allowed up to five (5) days to complete a transfer.

The following is the policy for the rejection of an offer to transfer:

- A. If the family rejects with good cause any unit offered, they would not lose their place on the transfer waiting list.
- B. If the reason for the transfer is that the current unit is too small to meet the Housing Authority of Henderson's optimum occupancy standards, the family may request in writing to stay in the unit without being transferred so long as their occupancy will not exceed two people per living/sleeping room.
- C. If the transfer is being made at the family's request, the family may, without good cause and without penalty, turn down one offer. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

#### **14.6 COST OF THE FAMILY'S MOVE**

The cost of the transfer (actual moving cost) generally will be borne by the family in the following circumstances:

- A. When the transfer is made at the request of the family or by others on behalf of the family;
- B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller;
- C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved. (The family without disabilities signed a statement to this effect prior to accepting the accessible unit.) or
- D. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable.

The cost of the transfer will be borne by the Housing Authority of Henderson in the following circumstances:

- A. When the transfer is needed in order to carry out rehabilitation or modernization activities; or
- B. When action or inaction by the Housing Authority of Henderson has caused the unit to be unsafe or uninhabitable.

The responsibility for moving costs in other circumstances will be determined on a case-by-case basis.

**14.7 TRANSFER FEE**

- a) There will be an administrative transfer fee, currently set at \$75.00, for all transfers that do not meet the criteria for Category 1, Category 2, and Category 3 in Section 14-6.

**14.8 RESIDENTS IN GOOD STANDING**

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with the Housing Authority of Henderson. This means the family must be in compliance with their lease, current in all payments to the Housing Authority, and must pass a housekeeping inspection.

**14.9 TRANSFER REQUESTS**

A resident may request a transfer at any time. In considering the request, the Housing Authority of Henderson may request a meeting with the resident to better understand the need for transfer and to explore possible alternatives. The Housing Authority of Henderson will review the request in a timely manner.

The Housing Authority of Henderson will grant or deny the transfer request. If the transfer is approved, the family's name will be added to the transfer waiting list. If the transfer is denied, the family may appeal through the grievance procedure.

**14.10 RIGHT OF THE HOUSING AUTHORITY OF HENDERSON IN TRANSFER POLICY**

The provisions listed above are to be used as a guide to ensure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a resident to transfer or refuse to transfer.

## **15.0 INSPECTIONS**

An adult family member should inspect the premises prior to commencement of occupancy. An authorized Housing Authority of Henderson representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice as required in the dwelling lease. The resident's security deposit and pet deposit, if applicable, will be used to offset against any resident charges or damages to the unit.

### ***15.1 MOVE-IN INSPECTIONS***

The Housing Authority of Henderson provides a "Unit Inspection" sheet at the time of admissions and upon signing the dwelling lease. Any deficiencies found must be recorded on the Unit Inspection sheet and returned to the Housing Authority of Henderson office within two (2) weeks of admission.

### ***15.2 ANNUAL INSPECTIONS***

The Housing Authority of Henderson will inspect each public housing unit semi-annually to ensure that each unit meets the Housing Authority of Henderson's and HUD's Uniform Physical Condition Standard (UPCS). Work orders will be submitted and completed to correct any deficiencies.

### ***15.3 PREVENTATIVE MAINTENANCE INSPECTIONS***

This is generally conducted along with but not limited to the semi-annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats, and water temperatures; checks for leaks; and provides an opportunity to change furnace filters and pest control provide other minor servicing that extends the life of the unit and its equipment.

### ***15.4 SPECIAL INSPECTIONS***

A special inspection may be scheduled to enable HUD or others to inspect a sample of the housing stock maintained by the Housing Authority of Henderson.

### ***15.5 HOUSEKEEPING INSPECTIONS***

Generally, during routine maintenance, or at other times as necessary, the Housing Authority of Henderson will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition. This is normally done during the semi-annual inspections.

**15.6 NOTICE OF INSPECTION**

For inspections defined as preventative maintenance inspections, special inspections, and housekeeping inspections the Housing Authority of Henderson will give the resident at least two (2) days written notice. For semi-annual inspections, a 14-day notice will be given.

**15.7 EMERGENCY INSPECTIONS**

If any employee and/or agent of the Housing Authority of Henderson have reason to believe that an emergency exists within the housing unit, the unit can be entered without notice. The person(s) that enters the unit will leave a written notice to the resident that indicates the date and time the unit was entered and the reason why it was necessary to enter the unit.

**15.8 PRE-MOVE-OUT INSPECTIONS**

When a resident gives notice that he/she, intend to move, the Housing Authority of Henderson will offer to schedule a pre-move-out inspection with the family. The inspection allows the Housing Authority of Henderson to help the family identify any problems, which, if left uncorrected, could lead to vacate charges. This inspection is a courtesy to the family and has been found to be helpful both in reducing costs to the family and in enabling the Housing Authority of Henderson to ready units more quickly for the future occupants.

**15.9 MOVE-OUT INSPECTIONS**

The Housing Authority of Henderson conducts the move-out inspection after the resident vacates to assess the condition of the unit and determine responsibility for any needed repairs. This inspection becomes the basis for any claims that may be assessed against the security deposit.

## **16.0 PET POLICY**

### **16.1 EXCLUSIONS**

This policy does not apply to animals that are used to assist persons with disabilities. **Assistive animals** are allowed in all public housing facilities with no restrictions other than those imposed on all residents to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

### **16.2 PETS**

The Housing Authority of Henderson will allow for pet ownership in all developments or buildings providing all rules and regulations as set forth by the Housing Authority of Henderson Pet Policy are followed.

### **16.3 APPROVAL**

Residents must have the prior approval of the Housing Authority before moving a pet into their unit. Residents must complete the Pet Registration Form and pay any required pet deposit before the pet is allowed into the unit. Once approved, the resident will receive a Pet Permit authorizing them to have the approved pet in the unit.

### **16.4 TYPES AND NUMBER OF PETS**

The Housing Authority of Henderson will allow only domesticated dogs, cats, birds, and fish in aquariums in units. All dogs and cats must be neutered. Refer to Pet Policy.

Any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, will not be allowed.

No dog may exceed twenty (20) pounds in weight and no cat more than ten (10) pounds.

### **16.5 INOCULATIONS**

In order to be registered, pets must be appropriately inoculated against rabies and other conditions prescribed by local ordinances.

#### **16.6 PET DEPOSIT**

A pet deposit of \$100.00 is required at the time of registering a dog or cat. The deposit is refundable when the pet or the family vacates the unit, less any amounts owed due to damage beyond normal wear and tear.

#### **16.7 FINANCIAL OBLIGATION OF RESIDENTS**

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. In addition, any pet-related insect infestation in the pet owner's unit will be the financial responsibility of the pet owner; and the Housing Authority of Henderson reserves the right to exterminate the dwelling unit and charge the resident.

#### **16.8 NUISANCE OR THREAT TO HEALTH OR SAFETY**

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas.

Repeated substantiated complaints by neighbors or Housing Authority of Henderson personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance will result in the owner having to remove the pet or move himself/herself.

#### **16.9 DESIGNATION OF PET AREAS**

Pets must be kept in the owner's apartment or on a leash at all times when outside (no outdoor cages may be constructed). Pets will be allowed only in designated areas on the grounds of the projects. Pet owners shall clean up after their pets and are responsible for properly disposing of pet waste.

#### **16.10 VISITING PETS**

Pets that meet the size and type criteria outlined above may visit the projects/buildings where pets are allowed for up to two weeks without Housing Authority of Henderson approval. Residents who have visiting pets must abide by the conditions of this policy regarding health, sanitation, nuisances, and peaceful enjoyment of others. If visiting pets violate this policy or cause the resident to violate the lease, the resident will be required to remove the visiting pet. At no time will a resident be allowed to watch a pet belonging to another non-resident for any period longer than two weeks (14 days).

**16.11 REMOVAL OF PETS**

The Housing Authority of Henderson, or an appropriate community authority, shall require the removal of any pet from a development if the pet's conduct or condition is determined to be a nuisance or threat to the health or safety of other occupants of the project or of other persons in the community where the project is located. The Housing Authority shall also remove any and all pets from the unit if it is determined the owner of the pet(s) has vacated the unit for more than 24 hours and has not made arrangements for someone to provide care for the pet(s). Any pet(s) removed from the premises will be turned over to a known family member or the Humane Society.

In the event any pet is taken to the Humane Society due to the resident being in violation of the Pet Policy, the resident understands and agrees that any pet delivered to the Humane Society will be subject to the policies and procedures of the Humane Society. It shall be the responsibility of the resident to reclaim the pet from the Humane Society at the expense of the resident. Also, if a member of the HA staff has to take a pet to the Humane Society, the resident will be charged \$50.00 to cover expenses of taking the pet(s) to the Humane Society.

## **17.0 REPAYMENT AGREEMENTS**

When a resident owes the Housing Authority of Henderson back charges and is unable to pay the balance by the due date, the resident may request that the Housing Authority of Henderson allow them to enter into a Repayment Agreement. The Housing Authority of Henderson has the sole discretion of whether to accept such an agreement. All Repayment Agreements must assure that the full payment is made within a period not to exceed twelve (12) months.

All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

Residents who pay rent based on income shall reimburse the Housing Authority of Henderson for the difference between the rent that was paid and the rent that should have been charged if proper notice of income change had been given and if the following circumstances occur:

- A. Resident does not submit rent review information by the date specified in the Authority's request; or
- B. Resident submits false information at Admission or at annual, special, or interim reexamination.
- C. Resident fails to properly notify the Housing Authority of Henderson of any increase in income that would affect the amount of rent the Resident would be required to pay.

## **18.0 TERMINATION**

### ***18.1 TERMINATION BY RESIDENT***

The Resident shall give the Authority thirty (30) days written notice before moving from the dwelling unit. If the Resident does not give the full notice, the Resident shall be liable for rent to the end of the notice period or to the date the dwelling unit is re-rented, whichever date comes first.

### ***18.2 TERMINATION BY THE HOUSING AUTHORITY***

Twelve months after the Housing Authority of Henderson has implemented the mandated Community Service Requirement, it will not renew the lease of any non-exempt family that is not in compliance with the Community Service Requirement or approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.

The Housing Authority of Henderson will terminate the lease for serious or repeated violations of material lease terms. Such violations include but are not limited to the following:

- A. Nonpayment of rent or other charges due under the lease, (e.g. utilities, damages), or repeated late payments of rent.
- B. Failure to provide timely and accurate statements of income, assets, expenses, and family composition at Admissions, Interim, Special, or Annual Rent Re-certification; to attend scheduled reexamination interviews; or to cooperate in the verification process if the resident has chosen to pay rent based on a percentage of income:
- C. Failure to allow inspection of the unit;
- D. Failure to maintain the unit in a safe and sanitary manner;
- E. Assignment or subleasing of the premises or providing accommodation for boarders or lodgers;
- F. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
- G. Destruction of property;
- H. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;

- J. Any criminal activity or drug-related criminal activity engaged in on or near Housing Authority of Henderson premises by any resident, household member, or guests and any such activity engaged in or on Housing Authority of Henderson premises by any other person under the resident's control, is grounds for eviction. In addition, the family may be evicted if any family member is illegally using a drug or if it is determined that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. **This includes but is not limited to the manufacture of methamphetamine on the premises of the Housing Authority of Henderson or on the premises of any federally assisted housing;**
- K. Non-compliance with Non-Citizen Rule requirements;
- L. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority; and
- M. Act or allow household members or guest to act in a manner that will disturb the rights or comfort of neighbors;
- N. Allow any member of the Resident's household, guest, or another person under the Resident's control to engage in alcohol-abuse while the resident is a resident of public housing or allow household members or guest to damage, destroy, deface, or remove any part of the premises or development; and
- O. Being a fugitive felon or parole violator;
- P. Furnishing false or misleading information during the application or review process;
- Q. Allowing registered sex offenders to visit or remain
- R. Other good causes

The Housing Authority of Henderson will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a state sex offender registration program.

### **18.3 TERMINATION OF LEASE UPON DEATH OR INCAPACITY OF RESIDENT**

Upon the death of the Resident, and there are no remaining adult family members in the household, the Authority or the personal representative of the Resident's estate may terminate this Lease upon 30 days written notice, to be effective on the last day of a calendar month. If full notice is not given, the Resident's estate shall be liable for rent to the end of the notice period or to the date the unit is re-rented, whichever date comes first.

In the event there is no personal representative for the resident and there are no known relatives of the resident, the Housing Authority of Henderson will enter the unit and secure all contents for a period of 45 days. After 45 days and no personal representative or family member has claimed the contents of the resident, the contents will be sold to pay off any outstanding balance owed by the resident. In the event there are no personal representatives or family members known to the Housing Authority of Henderson, any remaining funds will be sent to the Henderson County Attorneys Office for proper disposition.

The termination of a Lease under this section shall not relieve the Resident's estate from liability either for payment of rent or other amounts owed prior to or during the notice period, or for the payment of amounts necessary to restore the premises to its original condition at the beginning of the Resident's occupancy, normal wear and tear excepted.

If during the term of this Lease the Resident, by reason of physical or mental impairment, is no longer able to comply with the material provisions of this Lease and the Authority cannot make a reasonable accommodation to enable the Resident to comply with the Lease; then action shall be taken. The Authority will assist the resident or designated member(s) of the Resident's family to move the Resident to more suitable housing. If there are no family members, the Authority will work with appropriate agencies to secure suitable housing. This lease will terminate upon the resident moving from the unit.

### **18.4 ABANDONMENT**

The Housing Authority of Henderson will consider a unit to be abandoned when a resident has both fallen behind in rent **AND** has clearly indicated by words or actions an intention not to continue living in the unit.

When a unit has been abandoned, a Housing Authority of Henderson representative may enter the unit and remove any abandoned property. It will be stored in a reasonably secure place. A notice will be mailed to the resident stating where the property is being stored and when it will be sold. If the Housing Authority of Henderson does not have a new address for the resident, the notice will be mailed to the unit address so it can be forwarded by the post office.

Any property left in the apartment will be held for forty-five (45) days. A letter of notification will be mailed to the resident giving notice that the property will be disposed of through sale or disposition.

Any money raised by the sale of the property goes to cover money owed by the family to the Housing Authority of Henderson such as back rent and the cost of storing and selling the goods.

### ***18.5 RETURN OF SECURITY DEPOSIT***

After a family moves out, the Housing Authority of Henderson will return the security deposit within **fourteen (14) days** or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

The Housing Authority of Henderson will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within **fourteen (14) days**.

## **19.0 CONDUCTING BUSINESS IN ACCORDANCE WITH CORE VALUES AND ETHICAL STANDARDS**

### ***PURPOSE***

This Code of Conduct establishes standards for employee and Commissioner conduct that will assure the highest level of public service. Recognizing that compliance with any ethical standards rests primarily on personal integrity and specifically in this situation with the integrity of the employees and Commissioners of the Housing Authority of Henderson, this Section sets forth those acts or omissions of acts that could be deemed injurious to the general mission of the Authority.

This Code of Conduct is not intended, nor should it be construed, as an attempt to unreasonably intrude upon the individual employee or Commissioner's right to privacy and the right to participate freely in a democratic society and economy.

### ***CONFLICT OF INTEREST***

In accordance with 24 CFR 982.161, neither the Housing Authority of Henderson nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with any housing programs in which any of the following classes of persons has any interest, direct or indirect, during his or her tenure with the Housing Authority of Henderson or for one year thereafter:

- A. Any present or former member or officer of the Housing Authority (except a resident/participant commissioner);
- B. Any employee of the Housing Authority or any contractor, subcontractor or agent of the Housing Authority who formulates policy or who influences decisions with respect to the programs;
- C. Any public official, member of a governing body, or State or local legislator who exercises functions or responsibilities with respect to the Housing Authority's programs; or
- D. Any member of the Congress of the United States.

Any member of the classes described in A, B, C, or D, must disclose their interest or prospective interest to the Housing Authority and HUD.

The Conflict of Interest prohibition under this section (9.16) may be waived by the HUD Field Office upon the request of the Housing Authority of Henderson for good cause.

***PROHIBITION OF SOLICITATION OR ACCEPTANCE OF GIFTS***

No Commissioner or Authority employee shall solicit any gift or consideration of any kind, nor shall any Authority employee accept or receive a gift regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before the Authority.

***HOUSING AUTHORITY ADMINISTRATIVE AND DISCIPLINARY REMEDIES FOR VIOLATION OF THE HOUSING AUTHORITY CODE OF CONDUCT***

Violations of this Code of Conduct Policy will result in disciplinary action as outlined in the Housing Authority of Henderson Personnel Policy or as determined by action of the Board of Commissioners.

## **20.0 PUBLIC HOUSING ANTI-FRAUD POLICY**

The Housing Authority of Henderson is fully committed to combating fraud in its public housing program. It defines fraud as a single act or pattern of actions that include false statements, the omission of information, or the concealment of a substantive fact made with the intention of deceiving or misleading the Housing Authority. It results in the inappropriate expenditure of public housing funds and/or a violation of public housing requirements.

Although there are numerous different types of fraud that may be committed, the two most common are the failure to fully report all sources of income and the failure to accurately report who is residing in the residence. The Housing Authority shall aggressively attempt to prevent all cases of fraud.

When a fraudulent action is discovered, the Housing Authority shall take action. It shall do one or more of the following things depending on circumstances and what it determines appropriate:

- A. Require the resident to immediately repay the amount in question;
- B. Require the resident to enter into a satisfactory repayment agreement as set forth in a previous section of this Policy;
- C. Terminate the resident's tenancy;
- D. Refer the case for criminal prosecution; or
- E. Take such other action, as the Housing Authority deems appropriate.

## 21.0 GLOSSARY OF TERMS

**50058 Form:** The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the housing authority, for interim reexaminations.

**1937 Housing Act:** The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

**Adjusted Annual Income:** The amount of household income, after deductions for specified allowances, on which resident rent is based. (24 CFR 5.611)

**Adult:** A household member who is 18 years or older or who is the head of the household, or spouse, or co-head.

**Allowances:** Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowances can be given at the discretion of the housing authority.

**Annual Contributions Contract (ACC):** The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program. (24 CFR 5.403)

**Annual Income:** All amounts, monetary and non-monetary:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.

Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access. (1937 Housing Act; 24 CFR 5.609)

**Applicant (applicant family):** A person or family that has applied for admission to a program but is not yet a participant in the program. (24 CFR 5.403)

**As-Paid States:** States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs. Currently, the four as-paid States are New Hampshire, New York, Oregon, and Vermont.

**Assets:** The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

**Asset Income:** Income received from assets held by family members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

**Ceiling rent income based:** Ceiling rent income based method provides an incentive to remain in public housing to families whose flat rents were reduced because of a hardship to income-based rents and whose incomes then increased so that the income-based rent is unreasonable for the housing being provided. The ceiling rent is thus in effect only for the portion of the year between the family's interim increase in rent and their next annual reexamination when they elect the Flat Rent.

**Certification:** The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

**Child:** For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

**Child Care Expenses:** Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

**Citizen:** A citizen or national of the United States. (24 CFR 5.504(b))

**Community Service:** The performance of voluntary work or duties that are a public benefit and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities.

**Consent Form:** Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

**Covered Families:** Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

**Decent, Safe, and sanitary:** Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

**Department:** The Department of Housing and Urban Development. (24 CFR 5.100)

**Dependent:** A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student. (24 CFR 5.603(d))

**Dependent Allowance:** An amount, equal to \$480 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

**Disability Assistance Expenses:** Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source. (24 CFR 5.603(d))

**Disability Assistance Expense Allowance:** In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

**Disabled Family:** A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities.")

**Disabled Person:** See "person with disabilities."

**Displaced Family:** A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

**Displaced Person:** A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws *[1937 Act]*

**Drug-Related Criminal Activity:** Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act. (21 U.S.C. 802); or as defined by Kentucky Revised Statutes.

**Economic self-sufficiency program:** Any program designed to encourage, assist, train, or facilitate the economic independence of the HUD-assisted families or to provide work for such families. These programs include programs for job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial, or household management, apprenticeship, and any program necessary to ready a participant for work or other work activities.

**Elderly Family:** A family whose head, spouse, or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides. (24 CFR 5.403)

**Elderly Family Allowance:** For elderly families, an allowance of \$400 is deducted from the household's annual income in determining adjusted annual income.

**Elderly Person:** A person who is at least 62 years of age. (1937 Housing Act)

**Extremely low-income families:** Those families whose incomes do not exceed 30% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30% of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family income.

**Fair Housing Act:** Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24 CFR 5.100)

**Family** includes but is not limited to:

- A. A family with or without children;
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a resident family; and
- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a resident family. (24 CFR 5.403)

**Family Members:** All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

**Family Self-Sufficiency Program (FSS Program):** The program established by a housing authority to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.103(b))

**Flat Rent:** A rent amount the family may choose to pay in lieu of having their rent determined under the income method. The amount determined is set at the lesser of the market value for the unit or the cost to operate the unit. Families selecting the flat rent option will submit to the annual reexamination requirement.

**Income Method:** A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the income method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

**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. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. (24 CFR 5.603(d))

**Head of Household:** The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

**Household Members:** All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members is listed on the lease.

**Housing Assistance Plan:** A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

**Imputed Income:** For households with net family assets of more than \$5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

**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.

**In-Kind Payments:** Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g., groceries provided on a weekly basis, baby-sitting provided on a regular basis).

**Income Method:** A means of calculating a family's rent based on 10% of its monthly income, 30% of its adjusted monthly income, the welfare rent, or the minimum rent. Under the income method, rents may be capped by a flat rent. Under this method, the family's income is evaluated at least annually.

**Interim (examination):** A reexamination of a family income, expenses, and household composition conducted between the regular annual recertifications when a change in a household's circumstances warrants such a reexamination.

**Live-In Aide:** A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities and who:

- A. Is determined to be essential to the care and well-being of the persons;
- B. Is not obligated for the support of the persons; and
- C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))

**Low-Income Families:** Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937Act)

**Medical Expenses:** Medical expenses (of all family members of an elderly or disabled family), including medical insurance premiums, that are anticipated during the period for which annual income is computed and that are not covered by insurance. (24 CFR 5.603(d)). These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctors, dentists, therapists, medical facilities, care for service animals, and transportation for medical purposes.

**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(b))

**Monthly Adjusted Income:** One twelfth of **annual** adjusted income. (24 CFR 5.603(d))

**Monthly Income:** One twelfth of annual income. (24 CFR 5.603(d))

**National:** A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession. (24 CFR 5.504(b))

**Near-Elderly Family:** A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides. (24 CFR 5.403(b))

**Net Family Assets:**

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.

- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or resident for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or resident receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

**Non-Citizen:** A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b))

**Occupancy Standards:** The standards that a housing authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

**Participant:** A family or individual who is assisted by the public housing program.

**Person with Disabilities:** A person who:

- A. Has a disability as defined in Section 223 of the Social Security Act, which states:

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that 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 has previously engaged with some regularity and over a substantial period of time."

- B. Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and
3. Is of such a nature that such ability could be improved by more suitable housing conditions, or

- C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

1. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;

4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (5) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and
5. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

**Public Housing:** Housing assisted under the 1937 Act, other than under Section 8. Public housing includes dwelling units in a mixed-finance project that are assisted by a PHA with capital or operating funds.

**Proration of Assistance:** The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR 5.520)

**Public Housing Agency (PHA):** Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

**Reexamination:** The annual recertification of a family's income, expenses, and composition to determine the family's rent.

**Remaining Member of a Resident Family:** A member of the family listed on the lease who continues to live in the public housing dwelling after all other family members have left. (Handbook 7565.1 REV-2, 3-5b.)

**Resident:** The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b))

**Resident Rent:** The amount payable monthly by the family as rent to the housing authority. Where all utilities (except telephone) and other essential housing services are supplied by the housing authority or owner, resident rent equals total resident payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing authority and the cost thereof is not included in the amount paid as rent, resident rent equals total resident payment less the utility allowance. (24 CFR 5.603(d))

**Self-Declaration:** A type of verification statement by the resident as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

**Shelter Allowance:** That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

**Single Person:** Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a resident family. (Public Housing: Handbook 7465.1 REV-2, 3-5)

**Specified Welfare Benefit Reduction:**

- A. 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.
- B. “Special welfare benefit reduction” does not include a reduction or termination of welfare benefits by the welfare agency:
  - 1. At the expiration of a lifetime or other time limit on the payment of welfare benefits;
  - 2. 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 requirement; or
  - 3. Because a family member has not complied with other welfare agency requirements.

**State Wage Information Collection Agency (SWICA):** The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

**Temporary Assistance to Needy Families (TANF):** The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

**Third Party (verification):** Written or oral confirmation of a family's income, expenses, or household composition provided by a source outside the household.

**Total Resident Payment (TTP):**

- A. Total resident payment for families whose initial lease is effective on or after August 1, 1982:
  - 1. Total resident payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of:
    - a. 30% of the family’s monthly adjusted income;
    - b. 10% of the family’s monthly income; or

- c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a) (1) shall be the amount resulting from one application of the percentage.

- 2. Total resident payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.
- B. Total resident payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total resident payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

**Utility Allowance:** If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the resident rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing authority of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. (24 CFR 5.603)

**Uniform Physical Condition Standard (UPCS):** The inspection protocol by which units, buildings, developments, operating systems, and common areas are inspected that meets the criteria established by HUD.

**Very Low-Income Families:** Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

**Veteran:** Any honorably discharged member of the United States Armed Forces, including members of the National Guard or a family member of an honorably discharged veteran.

**Welfare Assistance:** Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State, or local governments. (24 CFR 5.603(d))

**Welfare Rent:** In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities. See term "As-Paid".

## **22.0 ACRONYMS**

ACC	Annual Contributions Contract
CFR	Code of Federal Regulations
FSS	Family Self-Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWRA	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Resident Payment
UPCS	Uniform Physical Condition Standard

**ARTICLE II.    APPENDIX I**

**Income Limits and Deconcentration Worksheet**

<b>Development Name</b>	<b>Number of Units Under ACC</b>	<b>Number of Occupied Units</b>	<b>Number of Units Occupied by Very-Low income Families</b>	<b>% Occupied by Very-Low Income Families</b>

**Very-Low Income families are those families earning less than 50% of the median area income.**

**% Very Low**

**Census Tract**

**Target Number**

**Number Needed below 50% of median area income**

**Number Needed above 50% of median area income**

# HOUSING AUTHORITY OF HENDERSON

## SECTION 8 ADMINISTRATIVE PLAN

This Administrative Plan covers the requirements for the Section 8 Certificate and Voucher Programs, amended to incorporate changes regarding the statutory merger of Section 8 Certificates and Voucher Programs as required by the Quality Housing and Work Responsibility Act of 1998.

**Mission Statement:** Our goal is to provide decent, safe, and sanitary rental housing for eligible families and to provide opportunities and promote self-sufficiency and economic independence for Section 8 participants.

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## SECTION I. INTRODUCTION:

1. Mission Statement: Our goal is to provide decent, safe, and sanitary rental housing for eligible families and to provide opportunities and promote self-sufficiency and economic independence for Section 8 participants.
  - In order to achieve this mission, we will:
  - Recognize residents as our ultimate customer
  - Improve Public Housing Authority (PHA) management and service delivery efforts through effective and efficient management of PHA staff
  - Seek problem-solving partnerships with residents, landlords, community, and government leadership
  - Apply limited PHA resources to the effective and efficient management and operation of Section 8 programs.
2. Purpose of Policy: The purpose of this plan is to establish guidelines for the PHA staff to follow in determining eligibility for the Section 8 program. The basic guidelines for this plan are governed by requirements of The Department of Housing and Urban Development (HUD), with latitude for local policies and procedures. The Policies and Procedures governing admissions and continued occupancy are outlined in this plan and these requirements are binding upon applicants, residents, landlords and this PHA alike. Notwithstanding the above, changes in applicable federal law or regulations shall supersede provisions in conflict with this policy.
3. Primary Responsibilities of the PHA:
  - A. Informing eligible families of the availability of Section 8 assistance;
  - B. Encouraging owners to make their units available for lease by Section 8 participants;
  - C. Determining the maximum amount of housing assistance payments that can be used for family-paid utilities; and posting the utility allowances annually;
  - D. Receiving applications from families and determining their eligibility for assistance;
  - E. Inspecting Section 8 units to determine that they meet or exceed Section 8 Housing Quality Standards;
  - F. Approving leases;

- G. Making Housing Assistance Payments to owners;
- H. Perform annual and periodic re-examinations of income, family composition and re-determination of rent;

4. Objectives: The objectives of this plan are to:

- A. Promote the overall goal of decent, safe and sanitary housing by using the Section 8 program to house eligible families in private rental housing; therefore, increasing the housing stock for very low-income families.
- B. Improve the County's housing stock by requiring participating landlords to meet Section 8 Housing Quality Standards for their rental property.
- C. Facilitate the efficient management of the PHA and compliance with Federal Regulations by establishing policies for the efficient and effective management of the Section 8 program and staff.
- D. Comply in letter and spirit with Title VI of the Civil Rights Act of 1964, and all other applicable Federal laws and regulations to insure that admission to and continued occupancy in assisted housing are conducted without regard to race, color, religion, sex, handicap, familial status and national origin.
- E. The Housing and Community Development Act of 1974 reflects Congress's intent that, where possible, the nation's existing housing stock should be preserved. The Section 8 Program will allow the PHA to utilize existing housing stock and allow a family who qualifies for Section 8 Assistance and lives in substandard housing to remain, if the owner brings the house up to HQS standards and the Section 8 participant decides to remain in that unit.

5. Outreach:

- A. Outreach to Owners: The PHA will encourage participation by owners of suitable units located outside areas of low income or minority concentration by distributing and communicating information concerning property owners leasing units under the Section 8 programs through the local media (newspaper, radio, television, etc.).

- B. Outreach to Potential Clients: The PHA may make known to the public, through publications in a newspaper of general circulation as well as through minority media and other suitable means, the availability and nature of housing assistance for lower-income families. The notice shall inform such families where they may apply for Section 8 rental assistance. The PHA shall take affirmative actions to provide opportunities to participate in the program to persons who, because of such factors as race, ethnicity, sex of household head, age, or source of income, are less likely to apply for Section 8 rental assistance. The PHA may hold meetings concerning the Section 8 programs with local social community agencies.

## **SECTION II. FAIR HOUSING POLICY AND EQUAL OPPORTUNITY HOUSING PLAN**

1. Fair Housing Policy: The Fair Housing Policy of the PHA is to comply fully with all Federal, State, and local nondiscrimination laws and in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment and with the Americans with Disabilities Act.

Specifically, the PHA shall not on the basis of race, color, religion, sex, handicap, familial status, and national origin, deny any family or individual the opportunity to apply for or receive assistance under HUD's Section 8 Programs, within the requirements and regulations of HUD and other regulatory authorities. To further its commitment to full compliance with applicable Civil Rights laws, the PHA will provide access to information to Section 8 participants regarding "discrimination". Also, this subject will be discussed during the briefing session and any complaints will be documented and made part of the applicants/participants file.

For families and/or individuals who report apparent discrimination in obtaining assisted housing, the PHA shall assist them by providing the family/individual with a HUD Housing Discrimination Complaint Form, HUD - 903. The individual can complete this form and report apparent discrimination to the HUD Office of Fair Housing and Equal Opportunity. For example, a resident may be trying to obtain other rental housing and experiences apparent discrimination.

2. Equal Opportunity Housing Plan: The PHA is a participant in the tenant-based program and is required to comply with equal opportunity requirements imposed by contract or federal law (Ref: 24 CFR 982.54). This includes applicable requirements under:
  - A. The fair housing act, 42 U. S. C. 3610-3619 (implementing regulations at 24 CFR parts 100, et seq.);
  - B. Title VI of the Civil Rights Act of 1964, 42 U. S. C. 2000d (implementing regulations at 24 CFR part1);
  - C. The age discrimination act of 1975, 42 U. S. C. 6101-6107 (implementing regulations at 24 CFR, part 146);
  - D. Executive Order 11063, Equal Opportunity in Housing (1962), as amended, Executive Order 12259, 46 FR1253 (1980), as amended, Executive Order 12892, 59FR 2939 (1994) (implementing regulations at 24 CFR, part 107);
  - E. Section 504 of the Rehabilitation Act of 1973, 29 U. S. C. 794 (implementing regulations at 24 CFR, part 8; and
  - F. Title II of the Americans with Disabilities Act, 42 U. S. C.12101, et seq.

3. Equal Opportunity Posting Requirements:

There shall be maintained in the PHA's office waiting room a bulletin board, which will accommodate the following posted materials:

- A. Statement of Policies and Procedures Governing the Section 8 Administrative Plan.
- B. Open Occupancy Notice (Applications being Accepted and/or Not Accepted)
- C. Income Limits for Admission.
- D. Utility Allowances.
- E. Informal Review and Hearing Procedure.
- F. Fair Housing Poster.
- G. "Equal Opportunity in Employment" Poster.

### **SECTION III.                    PRIVACY RIGHTS**

Applicants will be required to sign the Federal Privacy Act Statement, which states under what conditions HUD will release information concerning Section 8 participants. Requests for information by other parties must be accompanied by a signed release request in order for the PHA to release any information involving an applicant or participant, unless disclosure is authorized under Federal or State law or regulations (Reference HUD Form 9886).

## SECTION IV. DEFINITION OF TERMS

Sections 24 CFR 5, 24 CFR 8.3, and 24 CFR 982.4 definitions, effective from time to time, are incorporated by reference as if fully set out herein. Copies of this regulation are available in the PHA Office.

1. **Absorption:** In portability (under § 982, subpart H): the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.
2. **Adjusted Income:** Adjusted Income means annual income less the following deductions (Ref: Section 24 CFR 5.611):
  - A. \$480 for each dependent;
  - B. \$400 for any elderly family or disabled family;
  - C. Any family that is not an elderly family or disabled family but has a member (other than the head of household or spouse) who is a person with a disability, may deduct disability assistance expenses in excess of three percent of annual income, but this allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities;
  - D. For any elderly family or disabled family:
    - (1) That has no disability assistance expenses, an allowance for medical expenses including **non prescription medication as prescribed by a physician** equal to the amount by which the medical expenses exceed three percent of annual income;
    - (2) That has disability assistance expenses greater than or equal to three percent of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C of this definition, plus an allowance for medical expenses that is equal to the family's medical expenses;
    - (3) That has disability assistance expenses that are less than three percent of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the amount by which the sum of these expenses exceeds three percent of annual income; and

- E. Child Care Expenses: Amounts anticipated to be paid by the Family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare, and, in the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The PHA determines the reasonable amount of charges, by conducting surveys of local childcare providers. The results are posted in the PHA office(s).

**Note: If the Total Annual Income less the H.U.D approved allowances result in a rent that is less than the established minimum rent, the resident rent will be established at the PHA established minimum rent (\$25).**

- 3. Administrative Fee: Fee paid by HUD to the PHA for administration of the program (see §982.152).
- 4. Administrative Fee Reserve: (formerly “operating reserve”) Account established by PHA from excess administrative fee income. The administrative fee reserve must be used for housing purposes (see §982.155).
- 5. Administrative Plan: The administrative plan describes PHA policies for administration of the tenant-based programs (see §982.54). This document is the administrative plan for the PHA.
- 6. Admission: The point when the family becomes a participant in the program. The date used for this purpose is the effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program.
- 7. Adult: An adult is:
  - A. 18 years of age or older.

**Note: Only persons who are adults shall be eligible to enter into a lease agreement for occupancy.**

- 8. Annual Contributions Contract (ACC): A written contract between HUD and an PHA. Under the contract HUD agrees to provide funding for operation of the program, and the PHA agrees to comply with HUD requirements for the program.

9. Annual Income: Annual income means:
- A. All amounts, monetary or not, which:
- (1) Go to, or on the behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
  - (2) Are anticipated to be received from a source outside the family during the 12-Month period following admission or annual reexamination effective date; and
  - (3) Which are not specifically excluded in paragraph C of this definition.
  - (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.
- B. Annual income includes, but is not limited to (24 CFR 5.609):
- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
  - (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
  - (3) Interest, dividends, or other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph B(2) of this definition. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

- (4) The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefit, and other similar types of periodic receipts, including a lump sum payment for the delayed start of a periodic payment (except as provided in paragraph C (14) of this definition)
- (5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph C (3) of this definition)
- (6) Welfare assistance. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that are subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
  - (a) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
  - (b) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the families' welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage;
- (7) Periodic and determinable allowances, such as alimony, child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
- (8) All regular pay, special payments and allowances of a member of the Armed Forces (except as provided in paragraph C (7) of this section).

**Participants that receive lump-sum payments that are included as income and fall in the categories listed above, must report the income to the Section 8 Agency as soon as possible but no later than 10 calendar days after receipt of the funds and the applicable portion of the payment that is due as subsidy to the PHA is due 14 days after the PHA notifies the family of the amount due.**

**Unreported Income: If a Section 8 participant fails to report changes in income, as required, the Section 8 assistance could be subject to termination.**

- C. Annual income does not include the following:
- (1) Income from employment of children (including foster children) under the age of 18 years;
  - (2) Payments received for the care of foster children or foster adults (usually person with disabilities, unrelated to the tenant family, who are unable to live alone);
  - (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including lump sum payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or 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, as defined in 24 CFR 5.403;
  - (6) The full amount of student financial assistance paid directly to the student or to the educational institution;
  - (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
  - (8)
    - (a) Amounts received under training programs funded by HUD;
    - (b) Amounts received by a person with a disability that are disregarded for a limited time for purpose of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS)
    - (c) Amounts received by a participant from other assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
    - (d) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time;

- (e) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member 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 the period during which the family member participates in the employment training program;
- (9) Temporary, nonrecurring or sporadic income (including gifts);
- (10) Reparation payments paid by a foreign government 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 amounts from supplemental security income 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 member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- (16) Amounts specifically excluded by any other Federal statute from consideration as income for purpose of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.
- (17) Earned Income Disallowance for Person with Disabilities. This disallowance applies to qualified family participants in the Section 8 program; it does not apply for purposes of admission to the program.

*The definition of a qualified family* is a family residing in housing assisted under the Housing Choice Voucher Program, whose annual income increases due to one of the following reasons:

Employment of a family member who is a person with disabilities and was previously unemployed for one or more years prior to employment

Note: HUD's definition of previously unemployed includes a person who has earned, in the 12 months prior to employment, no more than someone would have earned working 10 hours a week for 50 weeks at the established minimum wage.

Increased earnings by a family member who is a person with disabilities *and* is a participant in any economic self-sufficiency or job-training program

New employment or increased earnings by a family member who is a person with disabilities *and* within the past 6 months has received assistance, benefits, or services under any state program for temporary assistance (TANF, welfare-to work)

The assistance is not limited to cash assistance  
It includes one-time payments, wage subsidies, and transportation assistance.

The total amount over a six-month period must be at least \$500.

(a) **INITIAL 12-MONTH FULL EXCLUSION**

The initial 12-month full exclusion begins on the date the family member (with disabilities):

Is employed or  
First experiences an increase in income due to employment

The full amount of the increase is excluded.

The exclusion extends for a total of 12 cumulative months.

(b) **SECOND 12-MONTH EXCLUSION AND PHASE-IN**

The second 12-month exclusion begins when the family member has received 12 cumulative months of full exclusion.

Fifty percent of the increase is excluded.

The exclusion extends for a total of 12 cumulative months.

(c) **LIFETIME MAXIMUM FOUR-YEAR DISALLOWANCE**

The exclusion may stop and start if employment stops and starts, but it extends for no more than a 48-month period beginning on the first date of the initial exclusion.

No exclusion may be given after the 48-month period regardless of whether the family member has received the full exclusion for a total of 12 months *or* the phase-in exclusion for a total of 12 months

- D. If is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period may be annualized, subject to a re-determination at the end of the shorter period.
10. Applicant: (applicant family) A family that has applied for admission to a program, but is not yet a participant in the program.
  11. Budget Authority: An amount authorized and appropriated by the Congress for payment to PHA's under the program. For each funding increment in an PHA program, budget authority is the maximum amount that may be paid by HUD to the PHA over the ACC term of the funding increment.
  12. Certificate: A document issued (prior to 10-1-99) by an PHA to a family selected for admission to the rental certificate program. The certificate describes the program, and the procedures for PHA approval of a unit selected by the family. The certificate also states the obligation of the family under the program.
  13. Certificate or Voucher Holder: A family holding a certificate or voucher with un-expired search time.
  14. Certificate Program: The rental certificate program.
  15. Child - A member of the family, other than the family head or spouse, who is under 18 years of age.
  16. Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his/her education and only to the extent such amounts are not reimbursed. In the case of childcare necessary to permit employment, the amount deducted must be verified and reflect reasonable charges and shall not exceed the amount of income received from such employment. The PHA will not normally determine childcare expenses to be necessary when the household contains an additional unemployed adult who is physically capable of caring for the children. An example of an exception may be an unemployed adult that is not capable of caring for a child because of

a disability or handicap. The head of household must document the disability/handicap that prevents the adult from providing childcare.

17. Child Custody: An applicant/participant family who does not have full custody of a child/children may only claim a child as a dependent by the following:
  - A. The applicant/participant must have primary custody of the child.
  - B. The applicant/participant must provide sufficient evidence that the child would reside with the Section 8 participant. [NOTE: more than one applicant cannot claim the same child.]
18. Citizen - A citizen or national of the United States.
19. Contiguous Metropolitan Statistical Area (MSA): In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.
20. Continuously Assisted: An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.
21. Contract Authority: The maximum annual payment by HUD to a PHA for a funding increment.
22. Dependent: A member of the family household other than the head of household or spouse who is 18 years of age or under (excluding foster children, foster adults and a friend), or who is 18 years of age or older and a full-time student, or who is disabled or handicapped. An unborn child shall not be considered a dependent.
23. Disabled Family: A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.
24. Disabled Person: (See Handicapped Person)
25. Displaced Family: A family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
26. Domicile: The legal residence of household head or spouse as determined in accordance with State and local law.

27. Drug-Related Criminal Activity: The term means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use, of a controlled substance.
28. Elderly Family: A family whose head or spouse or whose sole member is at least 62 years of age, or disabled, or handicapped and may include two or more elderly, disabled or handicapped persons living together, or one or more such persons living with another person who is determined to be essential to his or her care and well being.
29. Elderly Person: A person who is at least 62 years of age.
30. Evidence of Citizenship or Eligible Immigration Status - The documents which must be submitted to evidence citizenship or eligible immigration status (Reference CFR 5.508(b)).
31. Exception Rent: In the certificate program, an initial rent (contract rent plus any utility allowance) in excess of the published FMR. For certificates, exception rent is approved by HUD, and is used in determining the initial contract rent. In the voucher program, the PHA may adopt a payment standard between 90% to 110% of the HUD published FMR. Exceptions to this must be approved by HUD.
32. Fair Market Rent (FMR): The rent, including the cost of utilities (except telephone), that would be required to be paid in the housing market area to obtain privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. FMRs for existing housing are established by HUD for housing units of varying sizes (number of bedrooms), and are published in the Federal Register in accordance with 24 CFR, part 888.
33. Family Share: In the Voucher Program, the portion of rent and utilities paid by the family.
34. Familial Status - A single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 years are processed for occupancy the same as single persons (Reference Federal Register published February 13, 1996, pages 5,662 and 5,663). In Section II "Reinventing Parts 812 and 912 of the Federal Register states:

"The April 10, 1992 proposed revisions to parts 812 and 912, which concern section 5(b) of the Fair Housing Amendments Act of 1988 (FHAA) and the treatment of single, pregnant women obtaining custody, are not included in this final rule. The statutory prohibition against housing discrimination towards such persons is sufficiently clear and enforceable. Since the percentage limit for occupancy by single persons (which could have been used to mask instances of discrimination against persons in these protected classes) has been eliminated, it is no longer necessary to distinguish persons in the FHAA-protected classes from other single persons."

Single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 years are processed for occupancy the same as single persons and only entitled subsidy for a one-bedroom family unit size unless the child is born before a Housing Assistance Payment Contract is signed, in which case, a two-bedroom voucher will then be issued.

35. Family

- A. Two or more persons related by blood, marriage, or by operation of law. A family with or without children who live regularly together as a single household in the dwelling unit. A family must include a competent adult willing to enter into a contract and capable of functioning as the head of the household. There must be some concept of family living beyond the mere sharing or intention to share housing accommodations by two or more persons to constitute them as a family within the meaning of this policy. Some recognized and acceptable basis of family relationship must exist as a condition of eligibility.
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a tenant family (Refer Definition No. 87); and
- G. A single person who is not elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family (Refer to Definition No. 87).

**Note: Housing assistance limitation for single persons.** A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family may not be provided (for tenant-based assistance) housing assistance for which the family unit size exceeds the one bedroom. **The rule does not prohibit a single person from residing in a larger unit (2 or more bedrooms) with the amount of subsidy for a zero or one-bedroom family unit size. The limit is on the amount of subsidy paid NOT the SIZE of the UNIT.**

36. Family Self-Sufficiency (ESS) Program: The program established by an PHA to promote self-sufficiency of assisted families, including the provision of supportive services (42 U. S. C. 1437u). Reference 24 CFR, part 984.

37. Family Unit Size: The appropriate number of bedrooms for a family. Family unit size is determined by the PHA under the PHA subsidy standards.
38. FMR/exception rent limit: The Section 8 existing housing fair market rent published by HUD, or any exception rent. For a regular tenancy in the certificate program, the initial rent to owner plus any utility allowance may not exceed the FMR/exception rent limit (for the selected dwelling unit or for the family unit size). For a tenancy in the voucher program, the PHA may adopt a payment standard of 90% to 110% of the FMR. For an over-FMR tenancy in the certificate program, the payment standard is the FMR/exception rent limit.
39. Foster Children: With the prior written consent of the PHA, a foster child may be added as a Section 8 participant. The factors considered by the PHA in determining whether or not consent is granted may include:
- A. Whether the addition of a new occupant may require the issuance of a new voucher, and whether such document is available.
  - B. The Section 8 landlord's obligation to allow reasonable accommodation for handicapped persons.
40. Friend: A (one) friend may be a part of an otherwise eligible family. The income of the “friend” shall be counted as income of the family and said “friend” will be treated by this office as a member of the family except that:
- A. A friend may never be considered the remaining (residual) member of a family.
  - B. A friend may never make an otherwise ineligible person qualify as a family except as stated in Section IV No. 87.
- A friend is, “One attached to another by esteem, respect, and affection; an intimate.”
41. Full-Time Student: A member of a family (other than the head of household or spouse) who is attending school or vocational training on a full-time basis **as defined by the institution.**
42. Funding Increment: Each commitment of budget authority by HUD to a PHA under the consolidated ACC for the PHA program.
43. Gross Rent: The sum of rent to owner plus any utility allowance.

44. Handicapped Assistance Expense: Reasonable expenses that are anticipated, during the period for which Total Annual Family Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled family member and that are necessary to enable a family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.
45. Handicapped Person and/or Disabled Person: Any person: who has a physical or mental impairment which:
- A. Substantially limits one or more major life activities;
  - B. Who has a record of such an impairment; or
  - C. Who regarded as having such an impairment.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term "person with disabilities" means "individuals with handicaps," as defined in 24 CFR 8.3

A person who is under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423) or in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 USC 6001(7)), or is handicapped as defined below:

Section 223 of the Social Security Act defines disability as:

- (1) "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 twelve (12) months; or
- (2) in the case of any individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in Section 416(I)1 of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."

Section 102(5) of the Development Disabilities Services and Facilities Construction Amendments of 1970 defines disability as:

"A disability attributable to mental retardation, cerebral palsy, epilepsy or another neurological condition of an individual found by the Secretary (of Health and Human Resources) to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age 18, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual."

46. Hazardous Duty Pay: Pay to a family member in the Armed Forces away from home and exposed to hostile fire.
47. Head of Household - The adult member of the family who is for purposes of determining income eligibility and rent. Also, the head of household is primarily responsible and accountable for the family, particularly in regard to lease obligations.
48. Homeless Family: Any individual or family who:
  - A. Lacks a fixed, regular, and adequate nighttime residence;
  - B. Has a primary nighttime residence that is:
    - (1) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing or housing for the mentally ill);
    - (2) An institution that provides a temporary residence for individuals intended to be institutionalized; or
    - (3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
  - C. A homeless family does not include:
    - (1) Any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State Law; or
    - (2) Any individual who is a Single Room Occupant that is not considered substandard housing as defined in 83 below.
49. Housing Assistance Payment (HAP): The monthly assistance payment by the PHA. The total assistance payment consists of:
  - A. A payment to the owner for rent to the owner under the family's lease.
  - B. An additional payment to the family for utility reimbursement if the total assistance payment exceeds the rent to owner.

50. Housing Assistance Payment (HAP) Contract: A written contract between an PHA and an owner, in the form prescribed by HUD, in which the PHA agrees to make housing assistance payments to the owner on behalf of an eligible family.
51. Housing Quality Standards (HQS): The HUD minimum quality standards for housing assistance under the tenant-based programs.
52. HUD - Housing & Urban Development: The U. S. Department of Housing and Urban Development.
53. HUD Requirements: HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters, as regulations, Federal Register notices or other binding program directives.
54. Infant: A child under the age of two years.
55. Initial Contract Rent: The rent to owner at the beginning of the initial lease term.
56. Initial PHA: In portability, the term refers to both:
  - A. A PHA that originally selected a family that subsequently decides to move out of the jurisdiction of the selecting PHA.
  - B. A PHA that absorbed a family that subsequently decides to move out of the jurisdiction of the absorbing PHA.
57. Initial Lease Term: The initial term of the assisted lease. The initial lease term must be for at least one year.
58. Interim Re-determination of Rent: Changes of rent between admissions and reexaminations and the next succeeding reexamination.
59. INS – The U. S. Immigration and Naturalization Service.
60. Jurisdiction: The area in which the PHA has authority under State and local law to administer the program.
61. Lease:
  - A. A written agreement between an owner and a tenant for the leasing and occupancy of a dwelling unit by the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the PHA.

62. Live-in-Aide: A person who resides with an Elderly, Disabled, or Handicapped person or persons and who:
- A. Is determined by the PHA to be essential to the care and well-being of the person(s),
  - B. Is not obligated for support of the person(s),
  - C. Would not be living in the unit except to provide supportive services. The income of a Live-in-aide that meets these requirements is not included as income to the tenant family; and,
  - D. A Live-in-Aide must be approved, in advance, by the PHA.

63. Low-Income Family: A family whose Annual Income does not exceed 80% of the median income for the area, as determined by HUD with adjustments for smaller and larger families.
64. Medical Expense: Those necessary medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. Medical expenses, in excess of three (3) percent of Annual Income, are deductible from income by elderly families only. Disability expenses in excess of three (3) percent are deductible under the rules for adjusted income.
65. Military Service: Military Service means the active military service of the United States, which includes the Army, Navy, Air Force, Marine Corps, Coast Guard, and, since July 29, 1945, the commissioned corps of the United States Public Health Service.
66. Minimum Rent: Families assisted under the certificate, voucher, and moderate rehabilitation programs pay a monthly “minimum rent” of not less than \$25. The PHA has the discretion to establish the “minimum rent” up to \$50.00. The minimum rent established by this PHA is \$25.
67. Minor: A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.
68. Mixed Family - A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.
69. Monthly Adjusted Income: One twelfth of Adjusted Annual Income.
70. Monthly Income: One twelfth of Annual Income. For purpose of determining priorities based on an applicant's rent as a percentage of family income, family income is the same as monthly income.
71. National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.
72. Near-Elderly Family: A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62 and living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.
73. Net Family Assets: Net Family Assets means the net cash value after deducting reasonable costs that would be incurred in disposing of real property, checking and savings accounts, stocks, bonds, cash on hand, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD home ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and

the trust is not revocable by, or under control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.) In determining Net Family Assets, this PHA shall include the value of any business or family assets disposed of by an applicant or Tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or Tenant receives important consideration not measurable in dollar terms.

74. Non-citizen: A person who is neither a citizen nor national of the United States.
75. Owner: Any person or entity with the legal right to lease or sublease a unit to a participant.
76. Participant: A family that has been admitted to the PHA program, and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family.
77. Payment Standard - (Vouchers Only): In the voucher program, an amount used by the PHA to calculate the HAP for a family. Each payment standard amount is based on the FMR. The PHA adopts a payment standard for each bedroom size and for each FMR area in the PHA jurisdiction. The payment standard for a family is the maximum monthly subsidy payment. The payment standard for this PHA is set at 100% of the published FMR's
78. Portability: Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial PHA.
79. Preference: At the option of the PHA, a preference system can be used to select among applicant families.
80. Premises: The building or complex in which the dwelling unit is located, including common areas and grounds.
81. Program: The tenant-based certificate or voucher program.
82. Public Housing Agency (PHA): A State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing.
83. Reasonable Rent: A rent to owner that is not more than rent charged:
  - A. For comparable units in the private unassisted market; or

- B. For comparable unassisted units in the premises.
84. Receiving PHA: In portability, a PHA that receives a family selected for participation in the tenant-based program of another PHA.
  85. Re-certification: Re-certification is sometimes called reexamination. The process of securing documentation which indicates that tenants meet the eligibility requirements for continued occupancy.
  86. Re-examination Date: The date on which any rent change is effective or would be effective if required as a result of the annual re-examination of eligibility and rent.
  87. Remaining Member of the Tenant Family: Any member of the family listed on the lease who continues to live in an assisted household after all other family members have left. The person(s) of legal age remaining in the subsidized unit after the person(s) who signed the certificate or voucher has (have) left the premises, other than by eviction, who may or may not normally qualify for assistance on their own circumstances. An individual must have received housing subsidy under the program to which he/she claims head of household status for one year before becoming eligible for Section 8 subsidy as a remaining family member. This person must complete forms necessary for Section 8 assistance within (10) ten calendar days from the departure of the leaseholder and may remain in the unit for a reasonable time (not more than (30) thirty calendar days from the date the individual request head of household status) pending the verification and hearing process. This person must, upon satisfactory completion of the verification process, then execute all required Section 8 subsidy documents and cure any monetary obligations in order to maintain assistance. Any person who claims him or herself as a remaining member shall, in the event that the PHA declares him or her ineligible for remaining member status, be entitled to an informal hearing. The informal hearing process is described in Section XI., of this policy.
  88. Residency Preference: An PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area.
  89. Residency Preference Area: The specified area where families must reside to qualify for a residency preference.
  90. Single Person: A person who lives alone or intends to live alone, and who does not qualify as an elderly family, near elderly family, disabled family, displaced person, or as the remaining member of a tenant family.
  91. Special Admission: Admission of an applicant that is not on the PHA waiting list, or without considering the applicant's waiting list position.
  92. Spouse: A spouse is the legal husband or wife of the head of the household.

93. Subsidy Standards: Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and composition.
94. Suspension: Temporary suspension of the term of a family's voucher for a period as stated in Section XIII 3 E (1) of this plan from the time the family submits a request to the PHA for approval to lease a unit, until the time when the PHA approves or denies the request.
95. Temporarily Absent Family Members: Any person(s) on the lease who are not living in the household for a period of more than thirty days is considered temporarily absent.
96. Tenancy Addendum: In the lease between the tenant and the owner, the lease language required by H.U.D
97. Tenant: The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.
98. Tenant-Based: Rental assistance that is not attached to the structure.
99. Tenant Rent: The actual amount due, calculated on a monthly basis, under a lease or occupancy agreement between a family and the family's current landlord.
100. Total Family Contribution: In the Housing Choice Voucher Program, the amount that the family pays toward rent and any tenant supplied utilities.
101. Total Tenant Payment (TTP): The total amount the H.U.D rent formula requires the tenant to pay toward rent and utilities, according to it's rent formula.

For the Certificate Program, the TTP must be the greater of:

- (1) 30 percent of family monthly adjusted income;
- (2) 10 percent of family monthly gross income;
- (3) Welfare rent (if applicable) in as-paid states; or
- (4) \$25, which is the minimum rent set by the PHA.

It is possible for certificate families to qualify for a utility reimbursement despite the requirement of a minimum rent. For example, if a certificate family's TTP is the minimum rent of \$25 and the PHA's utility allowance for the size and type unit the family has selected is \$30 the family would qualify for a utility reimbursement of \$5 for tenant purchased utilities.

102. Utilities: Utilities may include water, electricity, gas, garbage, and sewage services.
103. Utility Allowance: The utility allowance, if any, determined for the Section 8 program for tenant purchased utilities (except telephone) that are normally included in rent.
104. Utility Reimbursement Payment (URP) Utility Reimbursement Payment is the amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment or minimum rent for the family occupying the unit. **The PHA has the authority to send the check directly to the utility supplier without the written permission of the family.**
105. Very Low-Income Family: A lower Income Family means a family whose annual income does not exceed (50%) fifty percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.
106. Violent Criminal Activity: Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.
107. Voucher: A document issued by a PHA to a family selected for admission to the voucher program. The voucher describes the program, and the procedures for PHA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.
108. Wage Earner: A person in a gainful activity who receives any wages. Said wages or pay covers all types of employee compensation including salaries, vacation allowances, tips, bonuses, commissions and unemployment compensation. The terms "Wage Earner" and "Worker" are used interchangeably.
109. Waiting List Admission: An admission from the PHA waiting list.
110. Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

## **SECTION V. APPLYING FOR ASSISTANCE**

### **1. How to Apply:**

Families wishing to apply for housing assistance shall complete an application.

Applications will be accepted at: 111 South Adams Street, Henderson, Kentucky.

Applications are taken to compile a waiting list due to the demand for housing in the PHA's jurisdiction. The PHA may take applications on an "open enrollment" basis, depending on the length of the waiting list.

Completed applications will be accepted for all applicants.

Applications shall be made in person at the PHA during specified dates and business hours posted at the PHA's Office.

The application must be dated, time-stamped, and referred to the PHA's office where Section 8 applications are processed.

Individuals who have a physical impairment which would prevent them from completing an application in person, may call the PHA to make special arrangements to complete the application. A Telecommunication Device for the Deaf (TDD) is available for the deaf. If the applicant is visually impaired, all notices will be in a format understandable by applicant.

### **2. Closing of Application Taking:**

If the PHA is taking applications, the PHA may suspend the taking of applications if the waiting list is such that additional applicants would not be able to be housed within the next 12-month period. The closing of the waiting list shall be performed in accordance with 24 CFR 206.

### **3. Opening of Application Taking: When the PHA decides to start taking applications the following procedures will be followed:**

The PHA will make known to the public through publication in a newspaper of general circulation, minority media, and other suitable means the availability and nature of housing assistance for eligible families.

The Notice must contain the following:

- A. The PHA will publish the date applications will be accepted and the location where applications can be completed.

**Note: If the PHA anticipates suspending the taking of applications after a period of time, the date of acceptance and closing of applications must be published.**

- B. Advise families that applications will be taken at the designated office;
- C. The notice must state any PHA adopted criteria that defines which families may apply for assistance;
- D. Briefly describe the Housing Assistance program; and
- E. State that applicants for Section 8 assistance must specifically apply for Section 8 assistance and that applicants for Section 8 assistance may also apply for Public Housing and they will not lose their place on the Section 8 Housing waiting list if they also apply for Public Housing.
- F. To reach persons, who cannot read the newspapers, the PHA will distribute fact sheets to the broadcasting media.

The opening of the application list shall be performed in accordance with 24 CFR 206.

- 4. Application Period (Dates): The application taking closing date may be determined administratively at the same time that the PHA determines to open enrollment. The open enrollment period shall be long enough to allow enough applicants as required by the projected turnover and the number of Section 8 Vouchers.

## **SECTION VI. MISSED APPOINTMENTS FOR APPLICANT OR PARTICIPANT**

An applicant or person receiving assistance who fails to keep an appointment without notifying the PHA and without re-scheduling the appointment may be sent a notice of termination of the process or assistance for failure to supply such certification, release of information or documentation as the PHA or HUD determines to be necessary (or failure to allow the PHA to inspect the dwelling unit at reasonable times and after reasonable notice, if applicable) in the following situations:

- Complete Application
- Bringing in Verification Information
- Program Briefing
- Leasing Signature Briefing
- HQS Inspections
- Recertification
- Interim Adjustment
- Other Appointments or Requirements to Bring in Documentation as Listed in this Plan
- Scheduled Counseling Sessions

### Process When Appointment(s) Are Missed:

For most of the functions above, the family may be given two appointments. If the family does not appear or call to reschedule the appointment(s) required, the PHA may begin the termination process. The applicant or participant will be given an opportunity for an informal review or hearing pursuant to Section XI. The applicant will be informed of the hearing process in their update letter.

If the representative of the PHA makes a determination in favor of the applicant or participant, the PHA will comply with decision unless the PHA is not bound by a hearing decision concerning a matter for which the PHA is not required to provide an opportunity for a hearing pursuant to 24 CFR 982.554(c) and 982.555(b).

### Letters Mailed to Applicants by the PHA:

If an applicant claims they did not receive a letter mailed by the PHA that requested the applicant to provide information or to attend an interview, the PHA will determine whether the letter was returned to the PHA. If the letter was not returned to the PHA, the applicant will be assumed to have received the letter.

If the letter was returned to the PHA and the applicant can provide evidence that they were living at the address to which the letter was sent, the applicant will be reinstated with the date and time of the application in effect at the time the letter was sent.

Applicants must notify the PHA, in writing or in person, if their address changes during the application process.

**SECTION VII. MISREPRESENTATION BY THE APPLICANT OR PARTICIPANT**

If an applicant or Section 8 participant is found to have made willful misrepresentations at any time, the applicant may be declared ineligible and the Section 8 participant may be terminated because of the act of fraud. If such misrepresentation resulted in the Section 8 participant paying a lower rent than was appropriate, the Section 8 participant shall be required to pay the difference between the actual payments and the amount which should have been paid. In justifiable instances, the PHA may take such other actions as it deems appropriate, including referring the Section 8 participant to the proper authorities for possible criminal prosecution.

## SECTION VIII.

## SECTION 8 ELIGIBILITY CRITERIA

1. **Eligibility:** All adult individuals who are admitted to the Section 8 Program must sign a consent form authorizing the PHA to obtain a background criminal history and must be individually determined eligible under the terms of this plan. In order to be determined eligible, an applicant must meet the following requirements:
  - A. The applicant family must qualify as a family as defined in Section IV-35.
  - B. The applicant family's Annual Income as defined in Section IV-9, must not exceed income limits established by HUD for the Section 8 Programs, and
  - C. The Head of Household must be: 18 years of age or older.
2. **Ineligible:** Applicants are not automatically determined eligible to receive federal assistance. If the applicant's annual family income exceeds the Income Limits established by HUD and published in the Federal Register, the applicant will be declared ineligible.
3. **Informed of Ineligibility:** If the applicant has failed to meet any outstanding requirements for eligibility and is determined ineligible, he/she will be so informed and the reasons stated in writing. The applicant will be granted ten calendar days from the date stated on the notification letter to request an informal meeting. The applicant may bring any person he/she wishes to represent them at the informal meeting. The request for an informal meeting must be submitted in writing. However, the request must be received by the PHA within the time frame established by the PHA for the meeting.
4. **Single Person:** Under Section 24 CFR 5.405, the PHA is permitted to determine as eligible, single persons living alone or intending to live alone who do not meet any of the definitions of a family (Ref CFR 5.403). Single persons are only eligible for a one-bedroom voucher.
5. **Declaration of Citizenship:** Section 214 of the Housing and Community Development Act of 1980 prohibits HAs from making financial assistance available to a person other than United States citizens, nationals, or certain categories of eligible noncitizens in HUD's assisted housing programs. This law is referred to as the "Noncitizens Rule" and is effective June 19, 1995.
6. **Adding a Person to the Program:** Once an applicant becomes a participant in the PHA's tenant-based program, the head of household must request permission to add another person to the program. The person being added must meet all eligibility requirements before the PHA will approve any addition to the tenant-based program.

## **SECTION IX. VERIFICATION AND DOCUMENTATION**

The PHA will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations; full time student status of family members 18 years of age and older; Social Security numbers; and citizenship/eligible non-citizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

### **1. Acceptable Methods of Verification**

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship, documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the PHA or automatically by another government agency, e.g., the Social Security Administration. Verification forms and reports received will be contained in the applicant/resident file. Oral third party documentation will include the same information as if the documentation had been written, i.e., name, date of contact, amount received, etc. Documents provided by the family will be maintained in the file.

When third party verification cannot be obtained, the PHA will accept documentation received from the applicant/resident. Hand-carried documentation will be accepted if the PHA has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

**When neither third party verification nor hand-carried verification can be obtained, the PHA will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.**

### **2. Types of verification**

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the PHA will send a request form to the source along with a release form signed by the applicant/resident via first class mail.

Verification Requirements for Individual Items - Value and Income From Assets

Item to Be Verified	3 <sup>rd</sup> Party Verification	Hand-carried Verification
<b>General Eligibility Items</b>		
Social Security Number	Letter from Social Security, electronic reports	Social Security card <b>or a third party document stating the Social Security Number</b>
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc.	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school <b>and or college</b> students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
Child Support Payments <b>and or Spousal Support</b>	Court Order, letter from County Attorney, and other legal documents	Letter from recipient/payor money order receipts, canceled checks
<p><b>Note:</b> If applicant is receiving child support, then applicant can make arrangements to have the child support paid through the court system either through the circuit clerk's office, Department of Human Resources, or through a court referee.</p>		

Verification Requirements for Individual Items - Value and Income From Assets

Item to Be Verified	3 <sup>rd</sup> Party Verification	Hand-carried Verification
<b>Value of and Income from Assets</b>		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDs, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Cash value of whole life insurance policies	Letter from insurance company	Current statement
Personal property	Assessment, bluebook, etc.	Receipt for purchase, other evidence of worth
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
<b>Income</b>		
Earned income	Letter from employer	Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (e.g., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree

Verification Requirements for Individual Items - Value and Income From Assets		
Item to Be Verified	3 <sup>rd</sup> Party Verification	Hand-carried Verification
Periodic payments (e.g., social security, welfare, pensions, workers' compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating <ul style="list-style-type: none"> <li>- whether enrolled or completed</li> <li>- whether training is HUD-funded</li> <li>- whether Federal, State, local government, or local program</li> <li>- whether it is employment training</li> <li>- whether it has clearly defined goals and objectives</li> <li>- whether program has supportive services</li> <li>- whether payments are for out-of-pocket expenses incurred in order to participate in a program</li> <li>- date of first job after program completion</li> </ul>	Evidence of beginning of employment

### 3. Verification of Citizenship or Eligible Noncitizen Status

The citizenship/eligible non-citizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status by such means as a Social Security card, birth certificate, military ID, or military DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible non-citizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will be required also to show proof of age.

Prior to being admitted or at the first reexamination, all eligible non-citizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The PHA will make a copy of the individual's INS documentation and place the copy in the file.

The PHA will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the PHA will mail information to the INS in order that a manual check can be made of INS records. Family members who do not claim to be citizens, nationals, or eligible non-citizens must be listed on a statement of non-eligible members and the head of the household must sign the list.

Non-citizen students on student visas, though in the country legally, are not eligible to be admitted to public housing. **If they are members of families that include citizens, the rent must be pro-rated.**

Any family member who does not choose to declare his/her status must be listed on the statement of non-eligible members.

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.

If the PHA determines that a family member has knowingly permitted an ineligible non-citizen (other than any ineligible non-citizens listed on the lease) to permanently reside in their Section 8 assisted unit, the family will be evicted. Such family will not be eligible to be readmitted to Section 8 program for a period of 24 months from the date of eviction or termination.

#### **4. Verification of Social Security Numbers**

Prior to admission, each family member who has a Social Security number and who is at least 3 months of age must provide verification of his or her Social Security number. New family members at least 3 months of age must provide this verification prior to being added to the lease.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the PHA will accept letters from the Social Security Agency that establishes and states the number.

If a member of an applicant family indicates they have a Social Security number, but cannot readily verify it, the family cannot be housed until verification is provided.

If a member of a resident family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to ten (10) days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

## 5. Timing of Verification

Household composition will be verified annually and at interim reexaminations.

Verification information must be dated within ninety (90) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the PHA will verify and update all information related to family circumstances and level of assistance. (Or, the PHA will only verify and update those elements reported to have changed.)

## 6. Frequency of Obtaining Verification

For each family member, citizenship/eligible non-citizen status will be verified only once unless the family member is an eligible immigrant in a transitional state of admission. In this situation, their status must be updated until they are admitted for permanent residency. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of his/her status will be obtained at the next regular reexamination. Prior to a new member joining the family, his/her citizenship/eligible non-citizen status will be verified.

For each family member age 3 months and above, verification of the Social Security number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security number at admission receives a Social Security number, that number will be verified at the next regular reexamination.

**SECTION X. GROUND FOR DENIAL OR TERMINATION OF ASSISTANCE FOR APPLICANT/PARTICIPANT**

1.

**Denied Admission/Terminate Rental Assistance:** The PHA may deny an applicant admission to participate in the Section 8 Program. Denial of assistance for an applicant may include any or all of the following: denying listing on the PHA waiting list, denying or withdrawing a voucher, refusing to enter into a HAP contract or approve a lease, and refusing to process or provide assistance under portability procedures. (Ref: 24 CFR 982.552 and 982.553)

Termination of assistance for a Section 8 participant may include any or all of the following: refusing to enter into a HAP contract or approve a lease, terminating housing assistance payments under an outstanding HAP contract, and refusing to process or provide assistance under portability procedures.

With respect to a current participant or applicant the PHA may refuse assistance to the applicant/participant for the following:

- A. If rent, other amounts, or judgments are owed to any PHA or other federally subsidized housing program. At the PHA's discretion, the applicant may be declared eligible upon payment of the debt, with the date and time of application being the time of payment and meeting other criteria.

**Note: Applicants that owe a PHA or any other federally subsidized program funds will not be processed for receiving assistance. If the applicant owes money as a prior participant, the applicant will not be accepted nor placed on the waiting list until payment is made in full. Re-paying funds that are due does not necessarily qualify an applicant for housing assistance. Such payments will be considered along with other factors in the application process. However, the Housing Authority of Henderson reserves the right to enter into repayment agreements with applicants for any past due balances owed to the PHA or any other federally subsidized housing program. Such repayment agreements must be executed prior to processing the application for housing assistance.**

- B. As a previous participant in the Section 8 Program or as a participant in the Public Housing Program, the applicant has not reimbursed the PHA or another PHA for any amounts paid to an owner under a housing assistance contract for rent or other amounts owed by the Family under its lease and for a vacated unit.
- C. Has violated any obligation of the Family on the Housing Choice Voucher.
- D. Engage in drug-related criminal activity or violent criminal activity, including criminal activity by the Family member. (Reference 24 CFR 982.553(a)(1)(2).
- E. Breaches a repayment agreement to the PHA and/or owner.
- F. Committed acts, which would constitute fraud in connection with or has been evicted from any federally assisted housing program.
- G. **Missing appointments and failing to** provide information required within the time frame specified (the applicable dates are contained in the letters from the PHA to the applicant) during the application process.
- H. The PHA shall deny the admission of a Family, if the applicant/participant, or any member of the applicant's/participant's family does not sign and submit consent forms that are provided by the PHA for the purpose of verifying employment and income information.
- I. The applicant family must have properly completed all application requirements, including verifications. Misrepresentation of income, family composition or any other information affecting eligibility will result in the family being declared ineligible. In the event the misrepresentation is discovered after admission, the assistance will be terminated for such misrepresentation.
- J. The applicant and all adults must sign a release allowing the PHA to request a copy of a police report from the National Crime Information Center, Police Department or other Law Enforcement Agencies. If the PHA uses the information to deny or terminate assistance the PHA must provide a copy of the report.
- K. If the applicant is a former Public Housing or Section 8 participant who vacated the unit in violation of program requirements, or is in breach of the Housing Quality Standards, including having damages beyond normal wear and tear, unsafe or unsanitary housekeeping or disconnection of tenant supplied utilities for non payment, the applicant may be declared ineligible, and with respect to the Section 8 participant, tenancy may be terminated.
- L. If the PHA determines that a person is currently using an illegal controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents, the PHA will deny admission or may terminate assistance under the Housing Choice Voucher. The PHA may waive this requirement if:

- (1) The person demonstrates to the PHA's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
  - (2) Has successfully completed a supervised drug or alcohol rehabilitation program;
  - (3) Has otherwise been rehabilitated successfully; or
  - (4) Is participating in a supervised drug or alcohol rehabilitation program.
- M. If the PHA determines that any household member is currently engaging in drug-related criminal activity, violent criminal activity or other criminal activity, that may threaten the health, safety or right to peaceful enjoyment of premises by other residents, persons residing in the immediate vicinity, property management staff or persons performing a contract administration function or responsibility on behalf of the PHA (including PHA employees).
- N. If an applicant/participant, has an active bench warrant for a crime, is fleeing to avoid prosecution, custody or confinement after conviction for a crime.
- O. If the applicant/participant has engaged in or threatened abusive or violent behavior toward PHA personnel.
- P. If the participant is not using the assisted unit as the family's only residence.
- Q. Has an arrest record that indicates that the applicant/participant has been found guilty of engaging in illegal use or possession for personal use, of a controlled substance including involvement with drug paraphernalia or repeated violent criminal activity.
- R. Has an arrest record that indicated that the applicant/participant has been found guilty of trafficking, manufacturing or cultivation of drugs.
- S. Has been convicted of drug-related criminal activity for manufacturing or production of methamphetamine on the premises of federally assisted housing.
- T. Applicant/participant will be denied admission/participation during the mandatory time frame registration under a State Sex Offender Program.
- U. Vacated a unit in violation of program requirements if the applicant was a former Public Housing or Section 8 Participant. Violations include breach of HQS, breaking lease, eviction and vacating unit with damages beyond normal wear and tear.

2. **Notification of Denial:** If an applicant/participant is denied admission or terminated from the program, the PHA will notify the household, in writing, of its determination and provide the applicant/participant with a copy of the criminal record if applicable. The PHA will inform the applicant/participant that he/she have an opportunity to request an informal review on such determination. The denial letter will allow the applicant/participant (10) ten calendar days to request an informal review (in writing) with the PHA. A PHA representative will hear the appeal and issue a decision within (10) ten calendar days of the review.

**NOTE: The PHA's decision is subject to consideration of reasonable accommodation if family includes a person with disabilities and is consistent with fair housing and equal opportunity.**

3. **Time Frames for Denial:** Applicants/Participants will be denied admission to the Section 8 Programs for the following time frames:

A. Denied admission for (2) two years for violations involving:

- (1) Having an arrest record that indicates that the applicant/participant has been found guilty of engaging in illegal use, or possession for personal use, of a controlled substance including involvement with drug paraphernalia (subject to Section X, L(1) above) or repeated violent criminal activity;
- (2) Breaking the lease if prior Section 8 participant;
- (3) Leaving the Section 8 Program with damage beyond normal wear and tear; or
- (4) Being evicted if prior Section 8 participant or Public Housing resident.
- (5) Being terminated from Section 8 for Tenant caused HQS violations
- (6) Being terminated from Section 8 for missed appointments and failing to provide verification concerning eligibility.

B. Denied admission for (3) three years for the following:

- (1) Fraud (giving false information on the application or re-certification forms is considered fraud);
- (2) Applicant/participant has committed fraud against any Federal or State assisted programs; or
- (3) Evicted or terminated from the federally assisted housing for drug-related or violent criminal activity.
- (4) **Being evicted or terminated from federally assisted housing for failing to use the assisted unit as the family's sole residence.**

Persons evicted or terminated from Public Housing, Indian Housing, Section 8, or Section 23 programs because of drug-related criminal activity or violent criminal activity are ineligible for admission to assisted housing for a three year period beginning on the date of such eviction or termination.

The PHA can waive this requirement if: the person demonstrates to the PHA's satisfaction successful completion of a rehabilitation program approved by the PHA, or the circumstances leading to the eviction no longer exist.

- C. Denied admission for (10) ten years for a Drug Trafficking, Manufacturing, or Cultivation conviction.
- D. Denied admission permanently (lifetime ban) for the following:
  - (1) If any household member is convicted for manufacture or production of methamphetamine on the premises of federally assisted housing.
  - (2) If any household member is subject to a lifetime registration requirement under a State sex offender registration program.

**As noted above these time frames are only guidelines and the PHA may admit persons who exhibit evidence of rehabilitation earlier as indicated in paragraph 3.**

**All decisions to deny or terminate assistance will be based on credible evidence. Examples include evidence provided by law enforcement officials and the court system, such as drug raids, drugs found in the dwelling unit, evidence which is tied to the activity. Arrest warrant(s) issued, and any other credible evidence including testimony from neighbors.**

## **SECTION XI.**

### **APPLICANT DENIED ASSISTANCE AND PROVIDED OPPORTUNITY FOR INFORMAL REVIEW OR PARTICIPANT ASSISTANCE IS TERMINATED AND PROVIDED OPPORTUNITY FOR INFORMAL HEARING**

#### **Informal Review Procedures for all applicants**

If an applicant is denied admission, this PHA will notify the applicant, in writing, of its determination and inform the applicant that he/she has an opportunity for an informal review on such determination. The denial letter will allow the applicant ten (10) calendar days to request, in writing, an informal review. A representative of This PHA will hear the appeal and issue a decision within ten (10) calendar days of the meeting.

#### **Informal Hearing Procedures for Participants**

If a Participant is terminated from the program, this PHA will notify the applicant, in writing, of its determination and inform the Participant that he/she has an opportunity for an informal hearing on such determination. The termination letter will allow the Participant ten (10) calendar days to request, in writing, an informal hearing. A representative of this PHA will hear the appeal and issue a decision within ten (10) calendar days of the meeting.

The informal review will be conducted by the person designated by the PHA, other than a person who made or approved the decision under review.

The applicant/participant will be given an opportunity to present written or oral objection at the hearing.

## SECTION XII.

## SECTION 8 APPLICANT SELECTION PROCESS

### 1. Housing Choice Voucher Program Selection and Participation Process:

- A. Equal Opportunity: The Fair Housing Act makes it illegal to discriminate on the basis of race, color, religion, sex, handicap, familial status and national origin. This PHA shall not deny any family the opportunity of applying for a Housing Voucher.
- B. Types of Selection: The PHA may admit an applicant for participation in the program either (1) as a special admission (see definition below) or (2) as a waiting list admission. Also, a Section 8 Participant is responsible for finding an existing housing unit suitable to the holder's needs and desires (Reference 24 CFR 982.353, "Where family can lease a unit with Tenant-Based Assistance").

Special Admissions: If HUD awards the PHA program funding that is targeted for families living in specified units:

- (1) The PHA must use the assistance for the families living in these units.
- (2) The PHA may admit a family that is not on the PHA waiting list, or without considering the family's waiting list position. The PHA must maintain records showing that the family was admitted with HUD-targeted assistance.
- (3) For housing covered by the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (41 U.S.C. 4101 et seq.):
- (4) A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and
- (5) A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

### 2. Organization of the Waiting List: The PHA waiting list must contain the following information for each applicant listed:

- A. Applicant name;
- B. Family unit size (number of bedrooms for which family qualifies under PHA occupancy guidelines);
- C. Date and time of application;
- D. Preference Points, if applicable
- E. Non-preference applicants, if applicable

3. Order of Selection from the Waiting List: When a Voucher is available, the PHA will select the highest-ranked application. The order of admission from the waiting list **MAY NOT** be based on family size, or on the family unit size for which the family qualifies for under the PHA occupancy guidelines. If the PHA does not have sufficient funds to subsidize the family unit size of the family at the top the waiting list, the PHA **MAY NOT** skip the top family to admit an applicant with a smaller family unit size. Instead, the family at the top of the waiting list will be admitted when sufficient funds are available.

If a preference system is used and there is more than one application with the same preference, the oldest application according to date and time will be selected.

**(SEE EXHIBIT A AT THE END OF THIS DOCUMENT FOR PREFERENCE CHART.)**

Applications will be selected based upon preferences, then date and time. The provisions of the de-concentration rule contained within this policy shall supercede the selection of applicants based on date and time and local preference, if applicable, and allow the authority to skip families on the waiting list to accomplish this goal.

HUD requires that at least 75% of all new admissions fall within the income of the Extremely Low Income Limit (30% of Median Income). While monitoring this income requirement, if this PHA falls below the 75% income targeting, it is possible that an applicant may be skipped over in order for this PHA to reach the requirement.

4. Maintaining the waiting list: The PHA will remove an applicant's name from the waiting list in accordance with 24 CFR 982.206 for the following:
  - A. The PHA will remove names of applicants who do not respond to PHA request for information or updates.
  - B. The PHA will remove the names of applicants who refuse the HAs offer of tenant-based assistance.

The procedure for removing an applicant's name from the waiting list is that the applicant will be notified by the PHA, in writing, that they have (10) ten calendar days, from the date of the written correspondence, to respond to the HAs request. The correspondence will also indicate that his/her name will be removed from the waiting list if he/she fails to respond within the timeframe specified. The PHA's system of removing applicants' names from the waiting list will not violate the rights of a disabled person(s). If an applicant's failure to respond to a request from a PHA for information or updates was caused by the applicant's disability, the PHA will provide reasonable accommodations and give the applicant an opportunity to respond. An example of a reasonable accommodation would be to allow an applicant to be reinstated on the waiting list based on the original date and time of their application if the applicant indicates that they did not respond due to a disability. If the disability is not apparent, the PHA may request the applicant to have a doctor submit a written statement indicating that the applicant did not respond due to their disability.

5. Purging the Waiting List: To ensure that the PHA's waiting list reflects the most current applicant information the waiting list will be updated and purged annually, as outlined above.
  
6. Verification of Preference (timing), if applicable: At the time of application, initial determinations of an applicant's entitlement to a Preference may be made on the basis of an applicant's certification of their qualification for that preference. Before selection is made, this qualification must be verified.

## **SECTION XIII. ORIENTATION OF FAMILIES AND ISSUANCE OF HOUSING VOUCHER**

1. **Briefing:** The purpose of the briefing is to go over the Voucher holders packet in order to fully inform the participant about the program so that he/she will be able to discuss it with potential landlords.
2. **Briefing Attendance Requirement:** All families (head of household) are required to attend the briefing when they are initially issued a Voucher. No Voucher will be awarded unless the household representative has attended a briefing.

Failure to attend a scheduled briefing (without notice to the PHA) will result in the family's application being placed in the inactive file and the family may be required to reapply for assistance. Applicants who provide prior notice of an inability to attend a briefing will be scheduled for the next briefing.

Failure of an applicant, without good cause, to participate in a scheduled briefing shall result in withdrawal of his/her application. The applicant will be notified of such withdrawal and determination of ineligibility and of his/her right to an informal review as outlined in Section XI above.

3. **Format of the Briefing:** When a Family initially receives its Voucher of Family Participation, a full explanation (oral) of the following shall be provided to assist the Family in finding a suitable unit and to apprise the Family of its responsibilities and the responsibilities of the Owner (this may be done either in group or individual sessions depending on the circumstances). Also, families will be given adequate opportunity to raise questions and to discuss the information listed below: (Reference 24 CFR 982.301).
  - A. A description of how the program works;
  - B. Family and Owner Responsibility; and
  - C. Where the family may lease a unit, including renting a dwelling unit inside or outside the PHA jurisdiction.

Note: For a family that qualifies to lease a unit outside the PHA jurisdiction under portability procedures, the briefing must include an explanation of how portability works. The PHA may not discourage the family from choosing to live anywhere in the PHA jurisdiction, or outside the PHA jurisdiction under portability procedures.

- D. If the family is currently living in a high poverty census tract in the PHA jurisdiction, the briefing must also explain the advantages of moving to an area that does not have a high concentration of poor families.

- E. When issuing a Voucher the PHA shall give the Family a Section 8 Participant's Packet, which includes: (Reference 24 CFR 982.301).
- (1) A Voucher which is valid for a period of 60 days from the date of issuance. Prior to expiration, the family may contact the PHA to inquire about assistance the PHA can provide the family in locating suitable housing. The family must submit a Request for Tenancy Approval within the 60 day period unless an extension has been granted by the PHA. Once the family has submitted a Request for Tenancy Approval the voucher period shall be suspended on the term of the voucher (See Section IV 94 Suspension). If the unit is not approved for any reason, the remaining days will be reinstated to the initial term of the voucher. If the initial term is not adequate for finding a unit to lease, the family may request an extension of the initial term as described below.
  - (2) Requests for extensions. A family may request an extension of the time period. All requests for extensions should be received prior to the expiration date of the Voucher. Extensions are permissible at the discretion of the PHA primarily for the following reasons:
    - (a) Extenuating circumstances such as hospitalization, disabilities, or a family emergency for an extended period of time which has affected the family's ability to find a unit within the initial 60 day time period. The PHA representative will verify the extenuating circumstances prior to granting an extension.
    - (b) The family has evidence that **it has** made a consistent effort to locate a unit and request support services from the PHA throughout the initial 60 day period with regard to its inability to locate a unit.
    - (c) The family has turned in a Request for Tenancy Approval prior to the expiration of the 60 day time period, but the unit has not passed HQS.
    - (d) Time Period for extensions: The Section 8 Director may grant extensions not to exceed a total of 60 days. The initial term plus any extensions **MAY NOT** exceed 120 calendar days from the beginning of the initial term.
  - (3) How the PHA determines the housing assistance payment for a family.
  - (4) How the PHA determines the maximum rent for an assisted unit;
  - (5) What the family should consider in deciding whether to lease a unit, including:
    - (a) The condition of the unit;
    - (b) Whether the rent is reasonable;

- (c) The cost of any tenant-paid utilities and whether the unit is energy-efficient; and
  - (d) The location of the unit, including proximity to public transportation (if applicable), centers of employment, schools and shopping.
- (6) Where the family may lease a unit. For a family that qualifies to lease a unit outside the PHA jurisdiction under portability procedures, the information packet must include an explanation of how portability works;
  - (7) The HUD-required “Tenancy addendum” (The Tenancy addendum is the language that must be included in the lease).
  - (8) The form of Request for Tenancy Approval, and an explanation of how to request PHA approval to lease a unit;
  - (9) A statement of the PHA policy on providing information about a family to prospective owners (See Section XV. 3 below);
  - (10) The PHA subsidy standards, including when the PHA will consider granting exceptions to the standards;
  - (11) The HUD brochure on how to select a unit;
  - (12) The HUD lead-based paint (LBP) brochure;
  - (13) Information on federal, state and local equal opportunity laws, and a copy of the housing discrimination complaint form;
  - (14) A list of landlords or other parties known to the PHA who may be willing to lease a unit to the family, or help the family find a unit;
  - (15) Notice that if the family includes a disabled person, the family may request a current listing of accessible units known to the PHA that may be available;
  - (16) Family obligations under the program;
  - (17) The grounds on which the PHA may terminate assistance for a participant family because of family action or failure to act; and
  - (18) The informal hearing procedures. This information must describe when the PHA is required to give a participant family the opportunity for an informal hearing, and how to request a hearing.

4. Approval of Lease and Execution of related Documents: Reference: 24 CFR 982.302 and 982.305.

When a family finds a unit, and the owner is willing to lease the unit under the program, the family may request the PHA to approve the lease and unit.

**Note: Property Owners cannot participate in the program if they are disapproved by the PHA as outlined in Section XIV below.**

- A. If the PHA determines that a unit which an Eligible Family wishes to lease meets HQS and the proposed Lease is approvable, the PHA shall notify the Owner and the Family of its determination of Lease approval. The PHA will furnish a copy of the Contract to the Owner.
- B. After receiving notification from the PHA, the Owner and PHA representative shall schedule a meeting and execute and sign the Contract. After the contract is executed, the Owner and Family shall execute and sign the Lease and provide a copy to the PHA.
- C. The PHA shall retain the following in its files:
- (1) The Request for Tenancy Approval;
  - (2) The approved Lease;
  - (3) Inspection report;
  - (4) PHA certification that the current rent being charged is reasonable in relation to rents being charged for comparable units in the private unassisted market, taking into account the location, size, type, quality, amenities, facilities and management and maintenance service of such unit. This certification will be maintained for three years to comply with HUD regulations and HUD inspections; and,
  - (5) Executed Contract.

## **SECTION XIV. COOPERATING WITH LAW ENFORCEMENT AGENCIES**

The Housing Authority of Henderson will comply, on a case-by-case basis, with information requests from Federal, State or local law enforcement officers regarding possible fugitive felons or parole or probation violations. The Housing Authority of Henderson will supply upon legitimate request (1) the current address, (2) Social Security number and (3) photograph (if available) of any recipient of assistance.

The Federal, State or local enforcement officer must submit a request that is (1) written, (2) on law enforcement agency letterhead, and (3) is signed by the requesting officer and his or her immediate supervisor. The request for information must provide the name of the fugitive felon or parole or probation violator being sought, and may include other personal information used for identification. The request should also comply with the following requirements:

- A. The law enforcement agency shall notify the Housing Authority of Henderson that the fugitive felon or parole or probation violator (i) is fleeing to avoid prosecution, custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which in the case of the State of Kentucky, is a high misdemeanor; or (ii) is violating a condition of probation or parole imposed under Federal or State law; or (iii) has information that is necessary for the officer to conduct his/her official duties;
- B. The location or apprehension of the recipient is with the Housing Authority of Henderson's official duties; and,
- C. The request is made in the proper exercise of the law enforcement agency's official duties.

## SECTION XV.

## PHA DISAPPROVAL OF OWNER

1. Owner Debarred: The PHA must not approve a unit if the PHA has been informed (by HUD or otherwise) that the owner is debarred, suspended, or subject to a limited denial of participation under 24 CFR 982.306. Also, when directed by HUD, the PHA must not approve a unit if:
  - A. The federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and the action is pending; or
  - B. A court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements.
2. PHA Administrative Discretion: The PHA will deny approval to lease a unit from an owner for any one of the following:
  - A. Owner has violated obligations under a HAP contract.
  - B. Owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
  - C. The owner has engaged in any drug-related criminal activity or any violent criminal activity.
  - D. The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs, or with applicable housing standards for units leased with project based Section 8 assistance or leased under any other federal housing program;
  - E. The owner has a history or practice of renting units that fail to meet State or local housing codes; or
  - F. The owner has not paid State or local real estate taxes, fines or assessments.
  - G. The owner threatens the health or safety of residents, employees of the PHA, or employees or other persons engaged in management of the housing.

- H. The owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the applicant's family, unless the PHA determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities. This restriction against PHA approval of a unit only applies at the time a family initially receives tenant-based assistance for occupancy of a particular unit, but does not apply to PHA approval of a new tenancy with continued tenant-based assistance in the same unit.

**NOTE: For purposes of this plan, "owner" includes a principal or other interested party.**

**NOTE: This Authority will disbar an owner from the Program for a period of three (3) years if the owner commits fraud against the Program. This Authority will disbar an owner from the Program for a period of ten (10) years if the owner has been found guilty of engaging in drug trafficking. A second offense for either violation will result in permanent disbarment from the Program.**

## **SECTION XVI. OWNER RESPONSIBILITY FOR SCREENING TENANTS**

1. Suitability for Tenancy: The PHA must inform the owner that the PHA has not screened the family's behavior or suitability for tenancy and that such screening is the owner's own responsibility.
2. Family's Background: An owner may consider a family's background with respect to such factors as:
  - A. Payment of rent and utility bills.
  - B. Caring for a unit and premises.
  - C. Respecting the rights of others to the peaceful enjoyment of their housing.
  - D. Drug-related criminal activity or other criminal activity that is a threat to the life, safety or property of others and compliance with other essential conditions of tenancy.
3. Information Provided Owner Concerning Tenancy: The PHA must give the owner the family's current address (as shown in the PHA records) and the name and address of the landlord at the family's current and prior addresses, if known to the PHA. When a family wants to lease a dwelling unit, the PHA will provide information to an owner for all participants when the PHA possesses the following:
  - A. The tenancy history of family members, or
  - B. Drug-trafficking by family members.

**SECTION XVI. WHERE A FAMILY CAN LEASE A UNIT WITH TENANT-BASED ASSISTANCE AND PORTABILITY PROCEDURES**

1. Assistance in the initial PHAs jurisdiction: The family may receive tenant-based assistance to lease a unit located anywhere in the jurisdiction of the initial PHA.
2. Portability - Assistance outside the initial PHA jurisdiction: Families living in the jurisdiction of the initial PHA may receive tenant-based assistance to lease a unit outside the initial PHA jurisdiction:
  - A. In the same State as the initial PHA;
  - B. In the same metropolitan statistical area (MSA) as the initial PHA, but in a different State;
  - C. In an MSA that is adjacent to the same MSA as the initial PHA, but in a different State; or,
  - D. In the jurisdiction of a PHA anywhere in the United States that is administering a tenant-based program.

**Note: If neither the household head or spouse of an assisted family already had a “domicile” (legal residence) in the jurisdiction of the initial PHA at the time when the family first submitted an application for participation in the program to the initial PHA, the family, during the 12 month period from the time when the family is admitted to the program, does not have any right to lease a unit outside the initial PHA. If both the initial PHA and the receiving PHA agree, the family may lease a unit outside the PHA jurisdiction under portability procedures (24 CFR 982.353 (c)).**

**The PHA prohibits more than one move by the family during any one-year period. This policy applies to moves within the PHA jurisdiction by a participant family, and to moves by a participant family outside the PHA jurisdiction (24 CFR 982.314).**

3. Income Eligibility:

- A. For admission to the program, a family must be income eligible in the area where the family initially leased a unit with assistance under the program.
- B. A portable family transferring must be income eligible in the area where the family leases an assisted unit.
- C. If a portable family was already a participant in the initial PHA voucher program, income eligibility is not re-determined.

4. Leasing in place:

If the dwelling unit is approvable, a family may select the dwelling unit occupied by the family before selection for participation in the program.

5. Freedom of choice:

Except as provided in 24 CFR 982 (e.g., prohibition on use of ineligible housing, housing not meeting HQS, or housing for which the contract rent, certificate program, or rent to owner, voucher program, exceeds a reasonable rent), the PHA may not directly or indirectly reduce the family's opportunity to select available units.

6. Portability - Administration by the initial PHA outside the initial HAs jurisdiction:

- A. When a family moves under portability to an area outside the initial PHA jurisdiction, the initial PHA must administer the assistance for the family if: the unit is located within the same State as the initial PHA, in the same MSA as the initial PHA (but in a different State), or in an MSA that is adjacent to the same MSA as the initial PHA (but in a different State), and no other PHA with a tenant-based program has jurisdiction in the area where the unit is located.
- B. If the above conditions exist, the family remains in the program of the initial PHA. The initial PHA has the same responsibilities for administration of assistance for the family living outside the PHA jurisdiction as for other families assisted by the PHA, within the PHA jurisdiction. For the purpose of permitting PHA administration of program assistance for the family in the area outside of the PHA jurisdiction as defined by State and local law (and thereby to satisfy the family's right to portability under federal law), the federal law and this regulation preempt limits on the PHA jurisdiction under State and local law.
- C. The initial PHA may choose to use another PHA, a private management entity or other contractor or agent to help the initial PHA administer assistance outside the HAs jurisdiction as defined by State and local law.

7. Portability - Administration by receiving PHA:

- A. When a family moves under portability to an area outside the initial PHA jurisdiction, another PHA (the receiving PHA) must administer assistance for the family if a PHA with a tenant-based program has jurisdiction in the area where the unit is located. When this situation exists, the PHA with jurisdiction in the area where the family wants to lease a unit must issue the family a voucher.
- B. After the merger date, the receiving PHA will assist the family under the voucher program only

8. Portability Procedures: The initial PHA must determine whether the family is income-eligible in the area where the family wants to lease a unit. The initial PHA must advise the family how to contact and request assistance from the receiving PHA. The initial PHA must promptly notify the receiving PHA to expect the family. The family must promptly contact the receiving PHA, and comply with receiving PHA procedures for incoming portable families. The initial PHA must give the receiving PHA the most recent HUD Form 50058 for the family, and related verification information. If the receiving PHA opts to conduct a new reexamination, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit unless the recertification is necessary to determine income eligibility. When the portable family requests assistance from the receiving PHA, the receiving PHA must promptly inform the initial PHA whether the receiving PHA will bill the initial PHA for assistance on behalf of the portable family, or will absorb the family into its own program. The receiving PHA must determine whether to extend the voucher term. The family must submit a request for lease approval to the receiving PHA during the term of the receiving PHA voucher. The receiving PHA must determine the family unit size for the portable family. The family unit size is determined in accordance with the subsidy standards of the receiving PHA. The receiving PHA must promptly notify the initial PHA if the family has leased an eligible unit under the program, or if the family fails to submit a request for lease approval for an eligible unit within the term of the voucher. To provide tenant-based assistance for portable families, the receiving PHA must perform all PHA functions, such as reexamination of family income and composition.
9. Absorption by the receiving PHA: If funding is available under the consolidated ACC for the receiving PHA, when a voucher is received, the receiving PHA may absorb the family into the receiving PHA voucher program. Note: HUD may require a receiving PHA to absorb all or a portion of the portable families.
10. Portability Billing: The receiving PHA may bill the initial PHA for housing assistance payment and administrative fees. The initial PHA must promptly reimburse the receiving PHA for the full amount of the housing assistance payments (HAP) made by the receiving PHA for the portable family. The amount of the HAP for a portable family in the receiving PHA program is determined in the same manner as for other families in the receiving PHA program. The initial PHA must promptly reimburse the receiving PHA for 80% of the initial PHA on-going administrative fee for each unit month that the family receives assistance under the tenant-based programs from the receiving PHA. HUD may reduce the administrative fee to an initial PHA, if the PHA does not promptly reimburse the receiving PHA for housing assistance payments or fees on behalf of portable families (see 24 CFR 982.355).

When a portable family moves out of the tenant-based program of a receiving PHA that has not absorbed the family, the PHA in the new jurisdiction to which the family moves becomes the receiving PHA, and the first PHA is no longer required to provide assistance for the family.

## **SECTION XVIII. ABSENCE FROM THE ASSISTED UNIT**

Absence means that no member of the family is residing in the assisted unit. Families participating in the program may be absent for a period of 14 days without notifying this PHA. If the family anticipates being absent for more than 14 days, the head of household must notify in writing this PHA and the Owner prior to leaving the assisted unit. Documentation of this notification will be noted in the Participant's file.

The PHA may approve absences of more than 14 days for vacation, hospitalization, incarceration, or other good cause. The PHA will not approve any request for absence for a period of more than 180 consecutive days in any circumstance or for any reason. Even in an approved absence, the Participant is still responsible for his/her portion of rent if any, and all utilities must remain on at all times or termination of assistance will result.

Verification of incarceration of the head of household will be required and must not exceed 60 days. However, the PHA, with the permission of the Owner, may approve the addition of another adult to the household to care for the children. The new adult will be responsible for the household until the return of the head of household.

Verification of hospitalization or absence due to illness will be required after absence of 30 days and again at the end of each 30-day period. The continued absence must be approved by the PHA.

## **SECTION XIX. CONTINUED ASSISTANCE AFTER FAMILY BREAK-UP**

The PHA shall determine which family members will continue to receive assistance after a family break-up. The head of household, spouse or any adult member of the household must notify the PHA that there has been a family break-up and continued assistance is being requested.

The assisted family member making the request must submit the request in writing to the PHA and request a determination. The request must be made within ten (10) calendar days of the break-up. The PHA will consider the following factors in making this determination:

1. Assisted Unit: Whether the assistance should remain with family members remaining in the original assisted unit.
2. Interest of Family Members: The interest of minor children or of ill, elderly or disabled family members.
3. Physical Violence: Whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household.

The PHA will issue a determination within 14 calendar days of receipt of the request for a determination. The person requesting the determination may request an Informal Hearing in accordance with the PHA established procedures if they disagree with the determination of the PHA.

Note: If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement or judicial decree, the PHA is bound by the court's determination of which family members continue to receive assistance in the program.

A friend may never be considered the remaining (residual) member of a family.

## **SECTION XX. OCCUPANCY STANDARDS**

To avoid overcrowding and prevent excess of space and funds, the appropriate unit size for each family shall be determined after reference to the following guidelines:

<b>Number of Bedrooms</b>	<b>Number of Persons</b>	
	<b>Minimum</b>	<b>Maximum**</b>
<b>1</b>	<b>1</b>	<b>2</b>
<b>2</b>	<b>2</b>	<b>4</b>
<b>3</b>	<b>3</b>	<b>6</b>
<b>4</b>	<b>4</b>	<b>8</b>

\*\*The maximum number of persons may be exceeded by one to permit an infant to share the parent's bedroom.

\*\*The maximum may also be exceeded by two if there is adequate sleeping space in another room in the unit. The PHA based on each individual situation will approve this.

No more than two persons should share a bedroom or living/sleeping area.

Persons of the opposite sex, other than spouses and children four and under, will not be required to occupy the same bedroom.

A family consisting of only a pregnant woman may be treated as a two-person family (not a single). A one-bedroom voucher will be issued unless the child is born before a Housing Assistance Payment (HAP) contract is signed in which case a two-bedroom voucher will be issued.

A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size.

**SECTION XXI. INSPECTIONS OF PRIVATE LANDLORD'S PROPERTY:**

When the PHA receives a Request for Tenancy Approval, the PHA shall inspect the unit for compliance with the PHA's housing quality standards (HQS). The PHA's inspector will inspect the unit for compliance with HQS standards and send the owner the results of the inspection. If there are defects or deficiencies which must be corrected in order for the unit to comply with HQS standards, the Owner shall be advised, in writing, by the PHA of the work required to be done before a Contract can be executed. The unit will be re-inspected to ascertain that the necessary work has been performed and the unit meets HQS standards for occupancy.

The PHA will maintain a copy of every inspection and re-inspection report for (3) three years, with one exception. If the unit inspected requires testing for Lead Based Paint and/or the unit requires treatment of chewable surfaces based on the testing, the PHA shall keep **indefinitely the test results** and, if applicable, the Owner certification of the treatment. The inspection reports will specify the defects or deficiencies which must be corrected in order for the unit to meet HQS standards. The inspection report will also reflect any other defects or deficiencies, that do not cause the unit to fail, in the event of a subsequent claim by the Owner that they were caused during the period of occupancy by the Family.

## **SECTION XXI. INSPECTION STANDARDS:**

Housing Quality Standards are minimum nationwide standards applying to all units in the Section 8 Existing Housing Program. This Authority will abide by all Federal regulations and use all forms required by HUD concerning HQS.

The following standards, in addition to those required by HUD, will apply to all Section 8 contracts after the date this Admission Plan is adopted.

1. Electric Service:  
This Authority will not accept a dwelling unit that has less than 100 amp electric service.
2. Heating Appliance:  
No unit with a tenant supplied heating appliance will be acceptable. All gas or oil heating appliances must be equipped with working thermostats and regulators. No kerosene heater (regardless of age or design) is acceptable. All gas heating systems (central, space, or floor) must be inspected and cleaned each year by a licensed heating and cooling company.
3. Bedrooms:  
Every room used as a sleeping room (bedroom) must have at least one window that will open and lock, and have a screen. Nailed or painted shut windows will not be accepted in any room of a Section 8 unit. All windows designed to open must open, shut, and lock.
4. Kitchens:  
The kitchen must have at least two working electrical outlets on alternate walls to accommodate appliances and one working permanent light fixture.
5. Bathrooms:  
The bathroom must have at least one permanently installed light fixture and one GFI electric wall outlet.
6. Insulation:  
No unit will be accepted without adequate insulation. Prior year's utility bills may be used when considering the suitability of a unit.
7. Refusal of Unit:  
The Inspector has the right to refuse a unit that does not meet the city codes.

Before a unit can be approved for Occupancy under the Section 8 program, the unit must meet the performance requirements set forth in 24 CFR 982.401, which are the Housing Quality Standards (HQS).

1. HQS Inspection Areas: The following areas are included in HQS inspections:

- A. Sanitary facilities;
- B. Food preparation and refuse disposal;
- C. Space and security;
- D. Thermal environment;
- E. Illumination and electricity;
- F. Structure and materials;
- G. Interior air quality;
- H. Water supply;
- I. Lead based paint;
- J. Access;
- K. Site and neighborhood;
- L. Sanitary condition; and
- M. Smoke Detectors.
- N. **Carbon Monoxide Detectors**

**Note: The PHA's inspection only certifies that the unit meets HQS federal regulations and the PHA is not responsible for items not included in the HQS inspection. The PHA will use HUD approved inspection forms to perform Section 8 Inspections.**

2. Types of HQS Inspections:

- A. Initial Inspections: Performed by the PHA staff after receiving the Request for Tenancy Approval from the applicant.
- B. Re-Inspections: Inspections that are performed by PHA staff for the purpose of verifying that deficiencies noted in the previous inspection have been corrected and meet HQS.
- C. Quality Control Inspections: The Section 8 Director or other qualified staff will re-inspect the required file sample size to insure that inspections are being performed in compliance with HQS standards. The Executive Director may perform some of the re-inspections, if necessary. The Section 8 Director will maintain a file that documents the quality control inspections.

### **REQUIRED FILE SAMPLE SIZE**

Total Number of Files	Sample Size
50 or less	5
51 to 600	5 + 1 for each 50 (or part of 50) over 50
601 to 2000	16 + 1 for each 100(or part of 100) over 600
Over 2000	30 + 1 for each 200 (or part of 200) over 2000

- D. Special Inspections: These types of inspections may be necessary when a Federal Official visits the PHA to perform a compliance review of the PHA and the Owner may request a special inspection be performed to document the condition to the unit.
  
- E. Move-out Inspections: These inspections are performed after the tenant moves out of the unit and the Owner or the Owner's representative will be required to attend the move-out inspection. **These inspections are performed only at the owner's request and are used to document in the tenant's file if there are damages beyond normal wear and tear for future assistance needs.**

## **SECTION XXIII. RENT REASONABLENESS**

This PHA will determine Rent Reasonableness for the voucher program at initial rent or before any increase in rent to owner. Rent Reasonableness is determined by comparing assisted units to unassisted units based on current rents in the rental market. Proof of rent reasonableness is maintained in the PHA's rent comparison reference guide. The PHA will consider the following for this determination:

- location, quality, size, unit type and age of the contract unit, and
- any amenities, housing services, maintenance and utilities to be provided by the owner in accordance by the lease.

## SECTION XXIV. DETERMINATION OF ANNUAL, **INTERIUM** AND RE-EXAMINATION OF INCOME AND FAMILY CIRCUMSTANCES

### 1. Introduction

This section covers the interim requirements of the Section 8 participant with regards to all types of tenancy. The Section 8 participant agrees to report, in writing, and provide certification following any change in annual income within 10 calendar days of the occurrence. Rent as initially determined or at annual reexamination will remain in effect for the period between regular reexamination of family income and composition unless the following changes in family circumstances occur.

- A. Loss or addition of family composition or income of any family member.
- B. Employment, unemployment, or changes in employment of a permanent nature of the family head, spouse, or other wage earner that is 18 years of age; or
- C. To correct errors made when determining eligibility or at reexamination.
- D. Rent will be based on projected last annual income. Income will be calculated based on 52 weeks per year unless otherwise noted in employer verification. This PHA will not make adjustments in rent unless an employee is without wages for longer than two (2) weeks.

**Note: If an error results in a retroactive rent payment due to the participant not providing correct information concerning annual income, the Section 8 participant may request the PHA to approve a repayment schedule. The amount of the repayment will be the greater of \$10.00 per month or 10% of the monthly adjusted income. The PHA representative will provide the Section 8 participant with a repayment agreement that must be signed by the participant, which will include the amount of the monthly repayment plus the due date.**

The final estimate of Family Income will be made by the PHA on the basis of verified information regarding income. There is no minimum income requirement, but the staff should use good interviewing skills to determine whether there is income (as defined in Section IV-No. 9) which is not being reported.

Families may not be required to apply for public assistance, but it may be suggested to them. If the family reports zero income, the PHA will have the family sign a verification form to verify that no income is being provided.

Families will be required to report any changes in their income status within ten (10) calendar days of the occurrence of employment or any other type of income that is received. Families with zero income **may** be requested to re-certify more frequently.

Annual Re-examination:

- A. Once each year, or as required by this PHA, the PHA must reexamine the income and family composition of all families participating in the Section 8 programs. Verifications acceptable to the PHA shall be obtained and determinations made. In the event of failure or refusal of the family to report the necessary information, the PHA may terminate the assistance.
- B. Records shall be maintained by the PHA to insure that every participant's income and family composition has been reexamined within a twelve month period.
- C. Upon completion of reexamination and verification, the participant shall be notified, in writing, generally thirty (30) days prior to the effective date of the following: (A copy of such notification is to be retained in the participant's file.)
  - (1) Any change in rent and the date on which it becomes effective.
  - (2) Any change required because of a change in the composition of the family.

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

**NOTE: This PHA has no restrictions on the number of times a family can move after the initial lease term. The initial lease term shall be for one (1) year.**

- 3. Interim Re-determination of Rent: Rent as set at admission or Annual Re-examination will remain in effect for the period between regular rent determinations unless changes in family circumstances occur. The participant is required and agrees to report, in writing, the following specified changes in family income and composition within ten calendar days of occurrence.
  - A. Loss or addition to family composition of any kind through birth, death, marriage, divorce, removal or other continuing circumstance and the amount, if any, of such family member's income. Any such additions, other than birth, must be approved by the PHA in advance, and must qualify, the same as an applicant or any prospective new participant.

- B. Employment, unemployment or changes in income for employment of a permanent nature of the family head, spouse, or other wage earner 18 years of age or older.
  - C. The starting of or stopping of, or an increase or decrease of any benefits or payments received by any member of the family or household from Old Age Pension, Aid for Dependent Children, Black Lung, Railroad Retirement, Private Pension Fund, Disability Compensation, Veterans Administration, Child Support, Alimony, Regular Contributions or Gifts. Lump sum payments or retroactive payments of benefits from any of the above sources which constitute the sum of monthly payments for a preceding period must be reported and rent adjusted retroactively on such income to date of eligibility for any family member residing in the household for that period of time.
  - D. Cost of living increases in Social Security or public assistance grants need not be reported until next re-examination and re-determination of rent.
  - E. Errors of omission made at admission or re-examination shall be corrected by the PHA. Retroactive payments will be made to the participant if the error is in his/her favor.
  - F. A participant who has had a rent reduction/ increase after initial occupancy or after annual re-examination must report all changes in income within 10 calendar days regardless of the amount or source.
4. Notice of Temporary Rent: On occasion, the PHA is required to compute rent based on information that is supplied by the participant and third party information that has not or will not be provided by the employer. When this situation occurs the PHA will compute a temporary rent based on the information available. Once the information is verified the participant will be notified in writing. If an underpayment was made based on the information provided, the participant will have (14) fourteen days from the date of the PHA notification to pay the amount specified. If the participant has made an overpayment, that amount will be credited to his/her account with the landlord. The Head of Household and Spouse (if applicable) and a PHA representative signs this Notice of Temporary Rent and it is filed appropriately with a copy provided to the participant.
5. The effective dates of Interim Re-determination of rent:
- A. Any decrease in rent resulting from any decreases in family income will be made effective the first of the month following the date the decrease in family income was reported and verified in writing. To allow sufficient time for income verification and end of month close-out, any decrease in rent resulting from decreases in family income must be reported, in writing, before the 25<sup>th</sup> of the month; otherwise, the change will become effective the first of the second month.

- B. Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family causes a delay, then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).
- (1) This PHA elects to make an interim change whenever the altered circumstance results in an increase in the gross family contribution of more than thirty percent (30%).
  - (2) Participant agrees to pay any increase in rent resulting from the implementation of changes in rent computation or increases due to changes in regulations, policies or procedures requiring implementation by the United States Department of Housing and Urban Development.
  - (3) If it is found that a participant has misrepresented or failed to report facts upon which rent is based so that the participant is paying less than they should be paying, the increase in rent shall be made retroactive to the date the increase would have taken effect. The participant will be required to pay the difference between the rent paid and the amount that should have been paid. In addition, the participant may be subject to civil and criminal penalties. Misrepresentation is a serious program violation which may result in termination.

**Note: It shall be the policy of this PHA that Section 8 families shall promptly report all changes in income, allowable deductions, and composition.**

6. Special Re-examinations: Special reexaminations are pre-scheduled extensions of admission or continued occupancy determinations, and will be considered for the following reasons:
- A. If it is impossible to determine annual family income accurately due to instability of family income or family composition, a temporary determination of income and rent is to be made and a special re-examination shall be scheduled for (30) thirty, (60) sixty, or (90) ninety days, depending on circumstances. The participant shall be notified, in writing, of the date of the special re-examination.
  - B. If the family income can be estimated at the scheduled time, the reexamination shall be completed and appropriate actions taken. If a reasonable estimation of income cannot be made, another special re-examination shall be prescribed and the same procedure followed as stipulated in the preceding paragraph until a reasonable estimate can be made.

7. Minimum Rent Hardship Exemptions:

- A. The HA shall immediately grant an exemption from application of the minimum monthly rent to any family making a proper request in writing who is unable to pay because of financial hardship, which shall include:
- (1) The family has lost eligibility for, or is awaiting an eligibility determination from a federal, state, or local assistance program, including a family that includes a member who is an alien lawfully admitted for permanent residence under the immigration and nationalization act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
  - (2) The family would be evicted as a result of the implementation of the minimum rent (this exemption is only applicable for the initial implementation of a minimum rent or increase to the existing minimum rent).
  - (3) The income of the family has decreased because of changed circumstance, including loss of employment.
  - (4) A death in the family has occurred which affects the family circumstances.
  - (5) Other circumstances which may be decided by the HA on a case by case basis.

All of the above must be proven by the Resident providing verifiable information in writing to the HA prior to the rent becoming delinquent and before the lease is terminated by the HA.

- B. If a resident requests a hardship exemption (**prior to the rent being delinquent**) under this section, and the HA reasonably determines the hardship to be of a temporary nature, exemption shall not be granted during a ninety day period beginning upon the making of the request for the exemption. A resident may not be evicted during the ninety day period for non-payment of rent. In such a case, if the resident thereafter demonstrates that the financial hardship is of a long term basis, the HA shall retroactively exempt the resident from the applicability of the minimum rent requirement for such ninety day period. This Paragraph does not prohibit the HA from taking eviction action for other violations of the lease.

**SECTION XXV. ADJUSTMENT TO UTILITY ALLOWANCES AND CONTRACT RENTS, AND MONTHLY HOUSING ASSISTANCE PAYMENTS**

1. Utility Allowances: At least annually, the PHA shall determine whether there has been a 10% change in utility rates and whether an adjustment is required in the **Allowance of Utilities and Other Services** by reason of such changes or because of errors in the original determination. If the PHA determines that an adjustment should be made, the PHA shall establish a schedule of adjustments taking into account size and type of dwelling units and other pertinent factors and shall furnish HUD with a copy of the adjusted schedule (Reference 24 CFR 982.517).
2. Contract Rents: Contract Rents may be adjusted by the PHA on an annual basis and for special adjustments as provided below:
  - A. Rent Increases in the HCV Program: Upon request from the owner to the PHA an annual adjustment may be made if the Contract unit is in decent, safe and sanitary condition and the Owner is otherwise in compliance with the terms of the Lease and the HAP Contract. After the initial term of the lease, the owner may increase the rent. The owner must notify the PHA in writing of the increase at least 60 (sixty) days before the change is to be effective. Changes in the rent are subject to rent reasonableness requirements. PHA approval of tenancy and execution of a new HAP contract are not required for a change in the amount of rent to owner. The Contract rent may be adjusted upward or downward. However, in no case shall the adjusted rent be less than the Contract rent on the effective date of this Contract.
  - B. A special adjustment, subject to HUD approval, to reflect increases in the actual and necessary expenses of owning and maintaining the unit which have resulted from substantial general increases in real property taxes, utility rates or similar costs (i.e. assessments, and utilities not covered by regulated rates), but only if and to the extent that the Owner clearly demonstrates that such general increases have caused increases in the Owner's operating costs which are not adequately compensated for by the annual adjustments provided for in number 2 above of this section. The Owner shall submit financial statements to the PHA which clearly support the increase.

**Overall Limitation of Adjustments of 2 A and B above:** Notwithstanding any other provisions of this part, adjustments as provided for in this section shall not result in material differences between the rents charged for assisted and comparable unassisted units.

3. Monthly Housing Assistance Payment (HAP) Payments: Monthly payments will be made to an owner on behalf of a family participating in the Section 8 Program. Payments will be issued in accordance with the Housing Assistance Payment Contract. The checks will be issued on a monthly basis and mailed directly to the participating owner. A copy of the check will be kept and serve as a record of payment.

## SECTION XXVI. HOUSING CHOICE VOUCHER PROGRAM

1. **Introduction:** The policies of this section reflect the amendments to the HUD regulations, which were implemented by the Quality Housing and Work Responsibility Act of 1998 for the Section 8 Tenant-Based Assistance Program. These amendments became effective on August 12 1999. These amendments complete the merging of the Section 8 Certificate and Voucher Programs into one program, called the Housing Choice Voucher Program. As per the 1998 Act, the PHA may only enter into a HAP contract for a tenancy under the voucher program, and may not enter into a new HAP contract for a tenancy under the certificate program, after October 1, 1999. HAP contracts that previously existed (Over-FMR tenancies, Voucher tenancies, and Regular certificate tenancies) will be considered and treated as a tenancy under the voucher program. However, the method of calculating rents for these tenancies will not change until the second regular reexamination of family income and composition after the merger date.
  
2. **Payment Standards:** HUD publishes the fair market rents (FMR) for each market area in the United States. The subsidy amount is based on a payment standard set by the PHA anywhere between 90% to 110% of the FMR. The PHA may make adjustments within this range to keep family rents affordable, however, the PHA will not raise Payment Standards simply to make “high end” units available to voucher holders. Any amounts (exceptions) whether lower or higher than these limits (90%-110%) must be approved by HUD. Areas determined by this PHA and approved by HUD for exception rent areas are included here by reference and can be found in supporting documents to the Housing Agency Plan. Due to an increase in the 1999 published FMRs, this PHA has elected to withdraw these exception rent areas. Any participant currently housed in an exception rent area will continue to be entitled to the exception rent area payment standard. *The Payment Standard is the maximum monthly subsidy payment.*

**Note: This PHA has set payment standards at 100% of the H.U.D published FMRs. On October first of each year when the fair market rents are revised, we will adjust the payment standard accordingly. This PHA will give up to 110% of the HUD published FMR as a payment standard if needed as a reasonable accommodation for person(s) with a disability. These payment standards are used to calculate the monthly housing assistance payment for a family.**

The Initial Payment Standard for a family is the lower of:

- A. The payment standard amount for the family unit size; or
- B. The payment standard amount for the size of the dwelling unit rented by the family.

During the HAP contract, the Payment Standard is the higher of:

- A. The initial payment standard; or

- B. The payment standard as determined at the most recent regular reexamination of family income and composition effective after the beginning of the HAP contract.

3. Tenant Payment:

- A. A family renting a unit below the payment standard pays as gross rent the highest of:

- 30% of monthly adjusted income
- 10% of monthly income (gross income)
- The welfare rent (if applicable), or
- The PHA established minimum rent of \$25.

- B. A family renting a unit above the payment standard pays the highest of:

- 30% of monthly adjusted income
- 10% of monthly income (gross income)
- The welfare rent (if applicable), or
- The PHA established minimum rent of \$25.
- Plus- any rent above the payment standard.

**Note: Any new admission or any family who moves may not pay more than 40% of adjusted monthly income toward the initial rent for the unit if the gross rent for the unit is greater than the applicable payment standard for the family.**

4. Housing Assistance Payment: A payment standard is used to calculate the monthly housing assistance payment (HAP) for a family. The PHA shall pay a monthly HAP on behalf of the family that is the lower of:

- A. The payment standard minus the total tenant payment; or
- B. The gross rent minus the total tenant payment.

5. Rent Reasonableness: The PHA shall certify for each unit for which it approves a lease that the contract rent for such unit is:

- A. Reasonable in relation to rents currently being charged for comparable units in the private unassisted market, taking into account the location, size, type, quality, amenities, facilities and management and maintenance service for such units.
- B. The owner cannot charge rents in excess of the amounts being charged by the owner for comparable unassisted units.
- C. The PHA shall maintain all certifications and relevant documentation used to determine rent reasonableness for a period of three years from the date of the determination.

## **SECTION XXVII.**

## **DECONCENTRATION RULE**

1. **Objective:** The objective of the Deconcentration Rule is to ensure that families are housed in a manner that will prevent concentration of poverty families or a concentration of higher income families in one area. The specific objective is to reserve a minimum of 75% of its Section 8 new admissions for families whose incomes do not exceed 30% of the area median income.
2. **Actions:** To accomplish the de-concentration goals, the PHA will take the following actions:
  - A. At the beginning of each PHA fiscal year, the PHA will establish a goal for leasing 75% of its new admissions with families whose incomes are at or below 30% of the area median income. All new admissions will be tracked to ensure compliance.
  - B. To accomplish the goal of leasing not less than 75% of new admissions on an annual basis with families that have incomes below 30% of the area median income, the PHA's Applicant Selection Process, which is a part of this policy, provides for skipping families on the waiting list.

## **SECTION XXVIII. SECURITY DEPOSIT**

The owner establishes the amount of the security deposit to be charged. The security deposit should be consistent with private market practice, or security deposits for the owner's unassisted units. When the tenant moves out of the dwelling unit, the owner, subject to State and local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid rent payable by the tenant, damages to the unit or for other amounts the tenant owes under the lease. The owner must give the tenant a written list of all charges against the security deposit, and the amount of each item. After deducting the amount, if any, used to reimburse the owner, the owner must refund promptly the full amount of the unused balance to the tenant. **IF THE SECURITY DEPOSIT IS NOT SUFFICIENT TO COVER AMOUNTS THE TENANT OWES UNDER THE LEASE, THE OWNER MAY SEEK TO COLLECT THE BALANCE FROM THE TENANT.** The PHA is not responsible for any damages to the unit and will not process any damage claims.

## SECTION XXIX. TERMINATION OF TENANCY BY OWNER

1. Reasons for Termination: The Owner shall not terminate the tenancy of the Family except for:
  - A. Serious or repeated violation of the terms and conditions of the Lease;
  - B. Criminal Activity by the tenant, any member of the household, a guest or another person under the tenant's control shall be cause for termination of tenancy. Criminal activity is defined as, criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or by persons residing in the immediate vicinity of the premises.
  - C. Violation of Federal, State or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises; or
  - D. Other good cause, which may include, but is not limited to: failure by the family to accept the offer of a new lease or revision; a family history of disturbance of neighbors or destruction of property, or of living or housekeeping habits resulting in damage to the unit or premises; the owner's desire to use the unit for personal or family use, or for a purpose other than as a residential rental unit; or a business or economic reason for termination of the tenancy (such as sale of the property, renovation of the unit, desire to lease the unit at a higher rental). If the owner terminates the tenancy for a business or economic reason the owner must provide the tenant with a **30** day notice.
2. Eviction by Court Action: The Owner may evict the Family from the Contract unit only by instituting a court action. The Owner must notify the PHA, in writing, of the commencement of procedures for termination of tenancy, at the same time that the Owner gives notice to the Family under State law.
3. Written Notice: Owners must provide written notice of not less than **(30)** thirty days before termination of a tenant-based housing assistance payment (HAP) contract. Copies of these notices issued October 19, 1993 and 24 CFR 982.455).
4. Termination During First Year: During the first year of the lease term, the owner may not terminate the tenancy for "other good cause", unless the owner is terminating the tenancy because of something the family did or failed to do. For example, during this period, the owner may not terminate the tenancy for "other good cause", based on any of the following grounds: failure by the family to accept the offer of a new lease or revision; the owner's desire to use the unit for personal or family use, or for a purpose other than as a residential rental unit; or a business or economic reason for termination of tenancy (See 1 D above).

**SECTION XXX.                    TERMINATION OF HOUSING ASSISTANCE  
PAYMENT (HAP) CONTRACT**

1.     Termination of HAP contract when the unit is too big or too small: If the PHA determines that a unit does not meet the HQS space standards because of an increase in family size or a change in family composition, the PHA must issue the family a new voucher, and the family and PHA must try to find an acceptable unit as soon as possible. If the family is residing in a dwelling unit with a larger number of bedrooms than appropriate for the family unit size under the PHA subsidy standard and the gross rent for the unit (sum of the contract rent plus any utility allowance for the unit size leased) exceeds the payment standard for that unit, the PHA must notify the family that exceptions to the subsidy standard may be granted, and the circumstances in which the PHA may grant an exception. If an acceptable unit is available for rental by the family and the payment standard requires HUD approval, the PHA must terminate the HAP contract in accordance with its terms.
  
2.     Breach of Contract: The HAP contract may be terminated for owner breach of contract. Breaches of the contract as outlined in the contract.
  
3.     Automatic termination of HAP contract: The HAP contract terminates automatically 180 calendar days after the last housing assistance payment to the owner.

## **SECTION XXXI. PROGRAM MANAGEMENT PLAN**

1. Executive Director: Responsible for all aspects of the Section 8 Programs.
2. Section 8 Director: The Section 8 Director is responsible for the day to day operations of the Section 8 Programs. The incumbent supervises 6 full-time workers in the performance of all assigned Section 8 functions.
3. Bookkeeper: Issues all Section 8 checks and prepares all Section 8 Financial Reports.
4. Section 8 Clerk: Serves as a receptionist/intake person by handing out applications and directing completed applications and applicants to appropriate Section 8 staff.
5. Inspector: Performs inspections for the Section 8 program and under the direction and training of the Section 8 Director.
6. Program Assistant Performs occupancy and re-certification functions
7. ESS Coordinator Promotes the development of local strategies to coordinate the use of public housing assistance and assistance under the Section 8 tenant-based program with public and private resources, to enable families eligible to receive assistance under these programs to achieve economic independence and self sufficiency.

**SECTION XXXII. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REVIEW OF CONTRACT COMPLIANCE**

HUD will review program operations at such intervals, as it deems necessary to insure that the owner and the PHA are in full compliance with the terms and conditions of the contract and the ACC. Equal opportunity review may be conducted with the scheduled HUD review or at any time deemed appropriate by HUD.

**SECTION XXXIII. ADMINISTRATIVE FEE RESERVE  
EXPENDITURES**

Occasionally, it is necessary for the Housing Authority of Henderson to spend money from its Section 8 Administrative Fee Reserve to meet unseen or extraordinary expenditures or for its other housing related purposes consistent with Federal and State law.

Expenditures from the administrative fee reserve of the Section 8 programs will be approved by the board of commissioners of the PHA.

**SECTION XXXIV. SPECIAL FUNDING AND SPECIAL HOUSING TYPES**

1. Special Funding

This Authority is not presently receiving any special purpose funding. Upon receipt of any special purpose funding, this Authority will abide by any regulations set by HUD.

2. Special Housing Types

This Authority elects not to permit the use of special housing types in its Section 8 Program (shared housing).

## **SECTION XXXV. FAMILY SELF-SUFFICIENCY PROGRAMS:**

The purpose of the family self-sufficiency (FSS) program is to promote the development of local strategies to coordinate the use of public housing assistance and assistance under the Section 8 tenant-based program with public and private resources, to enable families eligible to receive assistance under these programs, and to achieve economic independence and self sufficiency.

This PHA has developed an action plan and policy and procedures to implement the requirements of this program. A copy of this plan, policy and procedure is attached to this document and is incorporated by reference as if fully set out herein. The FSS plan includes the following and meets the requirements of Interim HUD Notice 93-24, issued May 27, 1993:

1. Eligible FSS Participants: Description of how current Section 8 participants (Families currently receiving Section 8 tenant assistance are the only families eligible to participate in the FSS program) will be selected to participate in the FSS program; (Reference Action Plan and Policy and Procedures to Implement the FSS Program for specific guidelines on selecting participants for the FSS program). The basis selection criteria is listed below:
  - A. Fifty (50%) percent of the PHA's slots will be allocated to Section 8 participants with one or more family members currently enrolled in, or on the waiting list for, one or more FSS related service programs such as Job Opportunities and Basic Skills Training (JOBS) and/or Job Training Partnership Act (JTPA).
  - B. The remaining (50%) fifty percent of the PHA's slots will be filled based on the date and time a family expresses interest in the FSS program. The PHA will notify each Section 8 participant of the availability of the FSS program, in writing, and inform the families that eligibility for participation will be based on the date and time the PHA is contacted by the family and an interest is expressed in the program.

The PHA will keep records for a period of not less than (3) three years documenting how families were selected for participation in the FSS program.

2. Termination of FSS: If the FSS participant under reports income or assets, the Section 8 assistance can be terminated and/or the family can be terminated for the FSS program. In either case the PHA will not credit the family's escrow account with any portion of the back rent.

A. Section 8 assistance is terminated in accordance with Section XI of this document. If a Family fails to meet its FSS obligations as outlined in the FSS contract of participation, the family can be terminated from the FSS program. The family may lose Section 8 assistance if they are terminated from the FSS program. The PHA is never required to terminate Section 8 assistance as a consequence of termination of the FSS contract.

B. If a family was selected to participate in the FSS program and was terminated because they did not meet its FSS obligations, the family may be denied the opportunity to participate in the FSS program thereafter. A family may also be denied the opportunity to participate in the FSS program if they owe funds to a PHA.

**Note: If an FSS participant moves from another PHA's jurisdiction with continued Section 8 assistance, this PHA is not obligated to enroll the FSS family in its FSS program. The family must qualify under the PHA's guidelines for selection and participation in FSS program.**

## **SECTION XXXVI. CONDUCTING BUSINESS IN ACCORDANCE WITH CORE VALUES AND ETHICAL STANDARDS**

### **Purpose**

This Code of Conduct establishes standards for employee and Commissioner conduct that will assure the highest level of public service. Recognizing that compliance with any ethical standards rests primarily on personal integrity and specifically in this situation with the integrity of the employees and Commissioners of the Housing Authority of Henderson, this Section sets forth those acts or omissions of acts that could be deemed injurious to the general mission of the Authority.

This Code of Conduct is not intended, nor should it be construed, as an attempt to unreasonably intrude upon the individual employee or Commissioner's right to privacy and the right to participate freely in a democratic society and economy.

### **Conflict of interest**

In accordance with 24 CFR 982.161, neither the Housing Authority of Henderson nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with any housing programs in which any of the following classes of persons has any interest, direct or indirect, during his or her tenure with the Housing Authority of Henderson or for one year thereafter:

- A. Any present or former member or officer of the Housing Authority (except a resident/participant commissioner);
- B. Any employee of the Housing Authority or any contractor, subcontractor or agent of the Housing Authority who formulates policy or who influences decisions with respect to the programs;
- C. Any public official, member of a governing body, or State or local legislator who exercises functions or responsibilities with respect to the Housing Authority's programs; or
- D. Any member of the Congress of the United States.

Any member of the classes described in A, B, C, or D, must disclose their interest or prospective interest to the Housing Authority and HUD.

The Conflict of Interest prohibition under this section (9.16) may be waived by the HUD Field Office upon the request of the Housing Authority of Henderson for good cause.

**Prohibition of solicitation or acceptance of gifts**

No Commissioner or Authority employee shall solicit any gift or consideration of any kind, nor shall any Authority employee accept or receive a gift regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before the Authority.

**Housing Authority Administrative and Disciplinary remedies for violation of the housing authority code of conduct**

Violations of this Code of Conduct Policy will result in disciplinary action as outlined in the Housing Authority of Henderson Personnel Policy or as determined by action of the Board of Commissioners.

## **XXXVII. SECTION 8 ANTI-FRAUD POLICY**

The Housing Authority of Henderson is fully committed to combating fraud in its Section 8 housing program. It defines fraud as a single act or pattern of actions that include false statements, the omission of information, or the concealment of a substantive fact made with the intention of deceiving or misleading the Housing Authority. It results in the inappropriate expenditure of public funds and/or a violation of Section 8 requirements.

Although there are numerous different types of fraud that may be committed, the two most common are the failure to fully report all sources of income and the failure to accurately report who is residing in the residence. The Housing Authority shall aggressively attempt to prevent all cases of fraud.

When a fraudulent action is discovered, the Housing Authority shall take action. It shall do one or more of the following things depending on circumstances and what it determines appropriate:

- A. Require the resident to immediately repay the amount in question;
- B. Require the resident to enter into a satisfactory repayment agreement;
- C. Terminate the resident's rental assistance;
- D. Refer the case for criminal prosecution; or
- E. Take such other action, as the Housing Authority deems appropriate.

## EXHIBIT A

### SECTION 8 PREFERENCES

#### LIVING AND/OR WORKING IN HENDERSON COUNTY PREFERENCE

This preference is given to family applicants, including elderly, near elderly , disabled and displaced persons (as defined in Section IV, #25 of this policy) who live in Henderson County. This preference is given to out of town residents employed in Henderson County in a job that generates taxable income as verified by the following:

- Current pay stub
- Income tax documents

This preference is given to applicants currently enrolled in educational, training or upward mobility programs in Henderson.

**\*Note: A single person, who is not elderly, near elderly or disabled, is not included in this preference.**

## EXHIBIT B

### REASONABLE CHILD CARE ALLOWANCE

Expenses are amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his/her education and only to the extent such expenses are not reimbursed. In the case of child care necessary to permit employment, the amount deducted must be verified and reflect reasonable charges as described in the chart below and shall not exceed the amount of income received from such employment. The PHA will not normally determine child care expenses as necessary when the household contains an additional unemployed adult who is physically capable of caring for the children. An example of an exception may be an unemployed adult who is not capable of caring for a child because of a disability or handicap. The head of household must document the disability/handicap that prevents the adult from providing child care.

#### Reasonable Weekly Child Care Expenses as determined by this PHA

One Child Weekly Amount	Two Children Weekly Amount	Three Children Weekly Amount
\$95.00	\$148.75	\$212.50

**MAINTENANCE POLICY AND PROCEDURES**

**FOR THE**

**HOUSING AUTHORITY OF HENDERSON**

**November 14, 2003**

## **1.0 INTRODUCTION**

The Maintenance Division of the Housing Authority of Henderson is responsible for managing the maintenance function in the most cost effective manner possible while maximizing the useful life of Authority properties and providing the best service to Authority residents. The following policy statements are designed to establish the structure of an effective and efficient maintenance system. The Housing Authority of Henderson maintenance system shall include the following components:

- A. A system of priorities for work requests;
- B. Comprehensive working procedures;
- C. Performance goals;
- D. A work order system;
- E. A skills training program; and

By developing a maintenance system that has these components in place, the authority will have the tools it needs to control the performance of maintenance work at the HHA.

### **1.1 PRIORITY SYSTEM**

The work priorities adopted by the HHA exemplify its philosophy of delivering maintenance services. This priority system ensures that the most important maintenance work is done at a time it can be performed most cost-effectively. Minimizing vacancy loss is part of the cost-effectiveness calculation. The maintenance priorities of the HHA are the following:

- A. Emergencies
- B. Scheduled Operations and Services
- C. Vacancy Preparation
- D. Resident On-Demand Requests

Placing planned maintenance and vacancy preparation work ahead of resident work requests does not indicate that resident requests are unimportant. It emphasizes the importance of maintaining control of the maintenance work by performing scheduled routine and preventive work first. By doing so the Authority will decrease on-demand work and maintain the property in a manner that will keep and attract good tenants.

## **1.2 DEVELOP PROCEDURES**

The Modernization and Maintenance Coordinator will ensure that there are sufficient clear procedures in place to allow staff to implement this maintenance policy statement. All procedures will include the following:

- A. A statement of purpose;
- B. The job classification(s) of the staff member(s) responsible for carrying out the activities in the procedure;
- C. Any forms needed to carry out the activities; and
- D. Preventive maintenance updated annually.

After their adoption, maintenance procedures will be reviewed and updated at least annually.

## **1.3 DEVELOP PERFORMANCE STANDARDS AND GOALS**

The Modernization and Maintenance Coordinator will establish measures that will allow the effectiveness of maintenance systems and activities to be evaluated. In establishing these standards the Housing Authority will take into consideration certain factors:

- A. Local housing codes;
- B. HUD Housing Quality Standards;
- C. Public Housing Assessment System (PHAS) standards;

These standards and goals will be used to evaluate current operations and performance and to develop strategies to improve performance and meet the standards that have been set.

## **1.4 WORK ORDER SYSTEM**

The HHA shall have a comprehensive work order system that includes all work request information: source of work, description of work, priority, days to complete, and hours to perform. This information is required for the Authority to plan for the delivery of maintenance services as well as evaluate performance. To obtain the greatest effectiveness from the work order system, all work requests and activities performed by maintenance staff must be recorded on work orders.

Work orders will contain, at a minimum, the following information:

- A. Preprinted number
- B. Source of request (planned, inspection, resident, etc.)
- C. Priority assigned
- D. Location of work
- E. Date and time received
- F. Date and time assigned
- G. Worker(s) assigned
- H. Description of work requested
- I. Description of work performed
- J. Resident charge

### ***1.5 TRAINING***

In order to allow its staff members to perform to the best of their abilities, the HHA recognizes the importance of providing the staff with opportunities to refine technical skills, increase and expand craft skills, and learn new procedures.

## **2.0 MAINTAINING THE PROPERTY**

All maintenance work performed at Housing Authority properties can be categorized by the source of the work. Each piece of work originates from a particular source -- an emergency, the routine maintenance schedule, the preventive maintenance schedule, a unit inspection, a unit turnover, or a resident request.

## **2.1 RESPONDING TO EMERGENCIES**

Emergencies are the highest priority source of work. The HHA will consider a work item to be an emergency if the following occur:

- A. The situation constitutes a serious threat to the life, safety or health of residents or staff; or
- B. The situation will cause serious damage to the property structure or systems if not repaired within twenty-four (24) hours.

If a staff member is unsure whether or not a situation is an emergency, he or she will consult with his or her supervisor. If a supervisor is not available, the employee will use his or her best judgment to make the decision.

For emergencies that occur after regular working hours, the HHA shall have a twenty-four (24) emergency response system in place. This response system includes the designation of a maintenance employee in charge after hours. The employee shall have access to Authority materials and supplies. The designated employee shall prepare a work order and report on any emergency the next working day.

## **2.2 PREPARE VACANT UNITS FOR REOCCUPANCY**

It is the policy of the HHA to reoccupy vacant units as soon as possible. This policy allows the Authority to maximize the income produced by its properties and to operate attractive and safe properties.

The Modernization and Maintenance Coordinator is responsible for developing and implementing a system that ensures an average turn-around time of seven (7) calendar days. In order to do so, he or she must have a system that can perform the following tasks:

- A. Estimate both the number of units to be prepared and the number of hours it will take to prepare them; and
- B. Control work assignments to ensure prompt completion.

The maintenance procedure for reoccupying vacant units relies on the prompt notification by management of the vacancy, fast and accurate inspection of the unit, ready availability of workers and materials, and good communication with those responsible for leasing the unit.

The Modernization and Maintenance Coordinator has the ability to create special teams for vacancy turnaround or to hire contractors when necessary to meet Authority goals.

## 2.3 ***PREVENTIVE MAINTENANCE PROGRAM***

Preventive maintenance is part of the planned or scheduled maintenance program of the HHA. The purpose of the scheduled maintenance program is to allow the Authority to anticipate maintenance requirements and make sure the Authority can address them in the most cost-effective manner. The preventive maintenance program focuses on the major systems that keep the properties operating. These systems include heating and air conditioning, electrical, life safety and plumbing.

### A. General Operating Systems

The heart of any preventive maintenance program is a schedule that calls for the regular servicing of all systems. The development of this schedule begins with the identification of each system or item that must be checked and serviced, the date it must be serviced, and the individual responsible for the work. The servicing intervals and tasks for each system must be included in the schedule. The completion of all required tasks is considered a high priority for the HHA.

The systems covered by the preventive maintenance program include but are not limited to:

1. Emergency lighting
2. Exhaust fans
3. Exterior building inspections
4. Fire extinguishers and other life safety systems
5. Furnaces
6. Mechanical equipment and vehicles
7. Sanitary Drains
8. Air Conditioning equipment
9. Utilities

A specific program will be developed for each system. This program shall include a list of the scheduled service maintenance for each system and the frequency and interval at which that service must be performed. The equipment and materials required to perform the service will be listed as well so that they will be on hand when needed. An assessment of the skills or licensing needed to perform the tasks will also be made to determine if an outside contractor must be used to perform

the work. The preventive maintenance schedule must be updated each time a system is added, updated, or replaced.

#### B. Roof Repairs/ Replacement

Maintenance of roofs requires regular inspections by knowledgeable personnel to ensure that there is no unauthorized access to roof surfaces and that there is good drainage, clear gutters and prompt discovery of any deficiencies.

The Maintenance and Modernization Coordinator is responsible for the development of a roof maintenance plan that includes these features:

1. The type, area, and age of roof
2. Warranties and/or guarantees in effect
3. Company that installed the roof
4. Expected useful life of roof
5. History of maintenance and repair
6. Inspection schedule

The authority maintenance staff will usually undertake only minor roof repairs. **Roofs that have serious problems and are no longer under warranty, the repairs will be addressed in the HHA Capital Fund 5 year plan.**

#### C. Vehicle/Equipment Maintenance

The HHA will protect the investment it has made in vehicles and other motorized equipment by putting in place a comprehensive maintenance program. The vehicles and equipment to be covered include:

1. Cars, trucks and vans
2. Tractors
3. **Power Buggy**
4. Leaf blowers
5. Weed cutters
6. Lawn mowers

7. Chain saws
8. Snow plows

The Modernization and Maintenance Coordinator is responsible for the development of this plan, which shall contain components for minimal routine service as well as servicing for seasonal use. Serviceable components for each vehicle or piece of motorized equipment will be listed in the plan along with the type and frequency of service required.

The **Finance/Personnel Director** shall also maintain a system to ensure that any employee that operates a vehicle or piece of motorized equipment has the required license or certification.

#### C. Lead-Based Paint

The HHA is committed to controlling lead-based paint hazards in all its dwellings, especially family dwellings constructed before 1978. If any hazards are discovered, the Authority will develop a plan to abate the hazard. The Maintenance and Modernization Coordinator shall have the authority and responsibility to direct all activities associated with lead hazard control. The control plan will include such activities as:

1. Detecting the possible presence of lead paint;
2. Protection of residents and workers from lead-based paint hazards;
3. Surface protection of non-painted surfaces;
4. Equipment use and care;
5. Paint quality; and
6. Method of application.

#### D. Life Safety Systems

The HHA shall have a comprehensive program for maintenance of life safety systems to ensure that they will be fully functional in the case of an emergency. The Modernization and Maintenance Coordinator shall be responsible for the development and implementation of a schedule that includes the inspection, servicing and testing of this equipment. The equipment to be included in the plan includes the following:

1. Fire extinguishers
2. Emergency lighting
3. Emergency generators
4. Carbon Monoxide detectors
5. Smoke detectors

The plan will include the required testing and servicing as required by manufacturer's recommendations. It will also include a determination of the most reliable and cost effective way to perform the work including the decision to hire a contractor.

## **2.4 INSPECTION PROGRAM**

The HHA'S goals of efficiency and cost-effectiveness are achieved through a carefully designed and rigorously implemented inspection program. This program calls for the inspection of all areas of the Authority's facilities -- the dwelling units, the grounds and building exteriors, and major service systems.

### **A. Dwelling Unit Inspections**

The unit inspection system of the HHA has two primary goals:

1. To assure that all dwelling units comply with standards set by HUD and local codes; and
2. To assure that the staff of the HHA knows at all times the condition of each unit for which it is responsible.

For all non-emergency inspections, the Resident shall be given at least two (2) days written notice of the inspection.

The maintenance staff shall perform the unit inspection program of the HHA. During each inspection, the staff shall perform specified preventive and routine maintenance tasks. Any other work items noted at the time of the inspection will be documented on the HHA inspection form. The maintenance staff shall endeavor to complete all inspection-generated work items within 30 days of the inspection.

All maintenance staff is responsible for monitoring the condition of dwelling units. Whenever a maintenance staff member enters a dwelling unit for any purpose, such as completing a resident request for service or accompanying a

contractor, he or she shall **report** any required work he or she sees while in the apartment. These work items shall also be converted to a service request within twenty-four hours of discovery.

B. Building and Grounds Inspections

Regular inspections of the property grounds and building exteriors are required to maintain the curb appeal of the property. This curb appeal is required to maintain the attractiveness of the property for both current and prospective residents. The inspection procedure will specify the desired condition of the areas to be inspected. This defined condition will include any HUD or locally required standards. The existence of these standards shall not prevent the Housing Authority from setting a higher standard that will make the property more competitive in the local market.

Building and grounds inspections must cover these areas:

1. Hallways
2. Stairwells
3. Community room and other common space such as kitchens or public restrooms
4. Laundry facilities
5. Lobbies
6. Common entries
7. Basements
8. Grounds
9. Porches or patios
10. Parking lots
11. Sidewalks and fences
12. Lawns, shrubs and trees
13. Building foundations

An inspection will be done monthly for common areas and building exteriors and grounds. The HHA will complete all inspection-generated work items within thirty (30) days of the inspection.

Nothing in this policy shall prevent any HHA staff member from reporting any needed work that they see in the regular course of their daily activities.

C. Systems Inspections

The regular inspection of all major systems is fundamental to a sound maintenance program. The major systems inspection program overlaps with the preventive maintenance program in some areas. To the extent that inspections, in addition to those required for scheduled service intervals, are needed, they will be a part of the inspection schedule.

## **2.5 SCHEDULED ROUTINE MAINTENANCE**

The HHA includes in this work category all tasks that can be anticipated and put on a regular timetable for completion. Most of these routine tasks are those that contribute to the curb appeal and marketability of the property.

A. Pest Control/Extermination

The HHA will make all efforts to provide a healthy and pest-free environment for its residents. The Authority will determine which, if any, pests infest its properties and will then provide the best possible treatment for the eradication of those pests.

The Modernization and Maintenance Coordinator will determine the most cost-effective way of delivering the treatments -- whether by contractor or licensed Authority personnel.

Resident cooperation with the extermination plan is essential. Residents will be given information about the extermination program at the time of move-in. All residents will be informed at least two (2) days before treatment and the notification will be in writing and will include instructions that describe how to prepare the unit for treatment.

B. Landscaping and Grounds

The HHA will prepare a routine maintenance schedule for the maintenance of the landscaping and grounds of its properties that will ensure their continuing attractiveness and marketability.

Routine grounds maintenance includes numerous activities:

1. Litter control
2. Lawn care
3. Maintenance of driveways, sidewalks and parking lots
4. Care of flower and shrubbery beds and trees
5. Maintenance of playgrounds, benches and fences
6. Snow removal (when required by climate)

The Modernization and Maintenance Coordinator shall be responsible for the development of a routine maintenance schedule that shall include the following:

1. A clearly articulated standard of appearance for the grounds that acknowledges but is not limited to HUD and local code standards;
2. A list of tasks that are required to maintain that standard and the frequency with which the tasks must be performed; and
3. The equipment, materials, and supplies required to perform the tasks and a schedule for their procurement.

C. Building Exteriors and Interior Common Areas

The appearance of the outside of Authority buildings as well as their interior common areas is important to their marketability. Therefore, the HHA has established a routine maintenance schedule to ensure that they are always maintained in good condition. The components to be maintained include:

1. Lobbies
2. Hallways and stairwells
3. Elevators
4. Public restrooms
5. Lighting fixtures
6. Common rooms and community spaces
7. Exterior porches and railings

## 8. Building walls

The Modernization and Maintenance Coordinator is responsible for the development of a routine maintenance schedule for building exterior and interior common areas.

### D. Interior Painting

The appearance and condition of the paint within each unit is important to unit condition and resident satisfaction. Accordingly, the HHA will develop a plan to ensure that interior paint in resident dwelling units is satisfactorily maintained.

As part of this plan painting standards will be developed that include:

1. Surface preparation
2. Protection of non-painted surfaces
3. Color and finish
4. Paint quality
5. Approved methods of application

The plan will set out the conditions for the consideration of a painting request. These standards include the period of time that has elapsed since the last time the unit was painted.

## **2.6 RESIDENT ON-DEMAND SERVICE**

This category of work refers to all resident generated work requests that fall into no other category. These are non-emergency calls made by residents seeking maintenance service. These requests for service cannot be planned in advance or responded to before the resident calls.

Unless the HHA disagrees with the reasonableness of a request, it is the policy of the HHA to complete a work request within ten (10) days. However, unless a request is an emergency or entails work those compromises the habitability of the unit, a request will not be given a priority above scheduled routine and preventive maintenance. By following the procedure, the HHA believes it can achieve both good resident service and a maintenance system that completes the most important work first and in the most cost-effective manner.

### **3.0 CONTRACTING FOR SERVICES**

The HHA will contract for maintenance services when it is in the best interests of the Authority to do so. When the employees of the Authority have the time and skills to perform the work at hand, they will be the first choice to perform a given task. When the employees of the Authority have the skills to do the work required, but there is more work than there is time available to complete it, the Housing Authority will determine whether it is more cost effective to use a contractor to complete the work. If the Authority staff does not have the skills to complete the work, a contractor will be chosen. In the last instance, the Authority will decide whether it will be cost effective to train a staff member to complete the work.

Once the decision has been made to hire a contractor, the process set out in the HHA Procurement Policy will be used. These procedures vary depending on the expected dollar amount of the contract. The Modernization and Maintenance Coordinator will work with the Procurement Department to facilitate the contract award. The Executive Director will oversee the entire process and establish the contribution that the Maintenance Department will make to the work. The most important aspect of the bid documents will be the specifications or statement of work. The clearer the specifications the easier it will be for the Authority to get the work product it requires.

### **4.0 VEHICLE POLICY FOR EMERGENCY MAINTENANCE PERSONNEL**

The weekend on-call maintenance employee shall be allowed to take home the company vehicle that contains the work tools needed in order to respond to emergency maintenance calls. (This is covered under our insurance.) This enables the on-call maintenance employee to respond more quickly to an emergency call by eliminating the time-consuming procedure of securing the vehicle from the Authority's premises.

Vehicles are to be used for Authority business only. Any other use shall require prior approval from the Executive Director or his/her designee.