PHA Plans

Streamlined 5-Year/Annual Version

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

OMB No. 2577-0226
(exp 05/31/2006)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937 that introduced 5-year and annual PHA Plans. The full PHA plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form allows eligible PHAs to make a streamlined annual Plan submission to HUD consistent with HUD's efforts to provide regulatory relief to certain PHAs. Public reporting burden for this information collection is estimated to average 11.7 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development, Federal Housing Administration, is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Information in PHA plans is publicly available.

Streamlined Five-Year Plan for Fiscal Years 2005 - 2009

Streamlined Annual Plan for Fiscal Year October 1, 2004 to September 30, 2005

NOTE: This PHA Plan template (HUD-50075-SA) is to be completed in accordance with instructions contained in previous Notices PIH 99-33 (HA), 99-51 (HA), 2000-22 (HA), 2000-36 (HA), 2000-43 (HA), 2001-4 (HA), 2001-26 (HA), 2003-7 (HA), and any related notices HUD may subsequently issue. Full reporting for each component listed in the streamlined Annual Plan submitted with the 5-year plan is required.

Streamlined Five-Year PHA Plan
Agency Identification

PHA Name: Cape May Housing Authority **PHA Number:** NJ062

PHA Fiscal Year Beginning: (mm/yyyy) 10/2004

PHA Programs Administered:

☐ **Public Housing and Section 8** ☐ **Section 8 Only** ☒ **Public Housing Only**

Number of public housing units: Number of S8 units: Number of public housing units:
Number of S8 units:

☐ PHA Consortia: (check box if submitting a joint PHA Plan and complete table)

Participating PHAs	PHA Code	Program(s) Included in the Consortium	Programs Not in the Consortium	# of Units Each Program
Participating PHA 1:				
Participating PHA 2:				
Participating PHA 3:				

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 and attachments (if any) 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)

Streamlined Five-Year PHA Plan

PHA FISCAL YEARS 2005 - 2009

[24 CFR Part 903.12]

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: **The Cape May Housing Authority is committed to achieving excellence in providing safe, clean, and modern housing assistance while promoting self-sufficiency, upward mobility, and partnership with our residents, community, and others to enhance the quality of life in our community.**

B. Goals

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

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

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

☐ PHA Goal: Improve the quality of assisted housing
Objectives:
- ☒ Improve public housing management: 96%
- ☐ Improve voucher management: (SEMAP score)
- ☒ Increase customer satisfaction:
- ☒ Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)
- ☐ Renovate or modernize public housing units:
- ☐ Demolish or dispose of obsolete public housing:
- ☐ Provide replacement public housing:
- ☐ Provide replacement vouchers:
- ☐ Other: (list below)

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

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

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

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

☐ PHA Goal: Promote self-sufficiency and asset development of assisted households
Objectives:
- ☐ Increase the number and percentage of employed persons in assisted families:
- ☐ Provide or attract supportive services to improve assistance recipients' employability:
- ☐ Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- ☐ Other: (list below)

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

☒ PHA Goal: Ensure equal opportunity and affirmatively further fair housing
Objectives:
- ☒ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
- ☐ Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:

☐ Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
☐ Other: (list below)

Other PHA Goals and Objectives:

Goal 1: Managing PHA efficiently & effective-Qualifying as "Standard Performer
Goal 2: Operate with fiscal prudence/GAAP accounting in place
Goal 3: Improving quality of assisted housing stock and units
Goal 4: Commitment to ensuring a safe environment
Goal 5: Improve quality of life and economic vitality by improving living environment
Goal 6: To the extent possible upgrade power supply and modernize facilities
Goal 7: Create and maintain a fully functioning democratically elected RC/RAB
Goal 8: Improve Heating and Air Conditioning Systems (units) (5 per year)
Goal 9: Improve stock by replacing flooring in 15% or (5) units
Goal 10: Complete a beautification project to increase marketability of units

[See Attachment "B" – Annual Goals and Objectives (File #nj062b01)]

Streamlined Annual PHA Plan

PHA Fiscal Year 10/1/2004 to 9/30/2005

[24 CFR Part 903.12(b)]

Table of Contents

Provide the following table of contents for the streamlined Annual Plan submitted with the Five-Year Plan, including all streamlined plan components, and additional requirements, together with the list of supporting documents available for public inspection.

A. ANNUAL STREAMLINED PHA PLAN COMPONENTS

- ☒ 1. Housing Needs
- ☒ 2. Financial Resources
- ☒ 3. Policies on Eligibility, Selection and Admissions
- ☒ 4. Rent Determination Policies
- ☒ 5. Capital Improvements Needs
- ☒ 6. Demolition and Disposition
- ☒ 7. Homeownership
- ☒ 8. Civil Rights Certifications (included with PHA Certifications of Compliance)
- ☒ 9. Additional Information
  - a. PHA Progress on Meeting 5-Year Mission and Goals
  - b. Criteria for Substantial Deviations and Significant Amendments
  - c. Other Information Requested by HUD
    - i. Resident Advisory Board Membership and Consultation Process
    - ii. Resident Membership on the PHA Governing Board
    - iii. PHA Statement of Consistency with Consolidated Plan
    - iv. (Reserved)
- ☐ 10. Project-Based Voucher Program
- ☒ 11. Supporting Documents Available for Review
- ☒ 12. FY 2004 Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report
- ☒ 13. Capital Fund Program 5-Year Action Plan
- ☒ 14. Other (List below, providing name for each item)

Because this is the second Five-Year Agency Plan, the Authority is submitting the following attachments:

Attachment "A" -- Executive Summary
Attachment "B" – Annual Goals and Objectives
Attachment "C" – Progress Chart – Previous Year's Goals & Objectives
Attachment "D" – Organization Chart
Attachment "E" – Admissions and Occupancy Policy
Attachment "F" – Deconcentration Policy
Attachment "G" – Rent Determination Policy
Attachment "H" – Pet Policy Statement
Attachment "I" – Community Service/Reinstatement

Attachment "J" – Conversion Analysis Statement
Attachment "K" – Activities Eligibility/Resident Participation – (PH.2001-03)
Attachment "L" – Resident Advisory Board Statement
Attachment "M" – Five-Year Capital Fund Action Plan
Attachment "N" – Capital Fund Set-Aside Plan
Attachment "O" – Capital Fund Performance & Evaluation Report

B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE
Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*: *Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans; Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.*
For PHAs APPLYING FOR CAPITAL FUND PROGRAM (CFP) GRANTS:
Form HUD-50070, *Certification for a Drug-Free Workplace*;
Form HUD-50071, *Certification of Payments to Influence Federal Transactions*;
Form SF-LLL & SF-LLLa, *Disclosure of Lobbying Activities.*
Forwarded on June 24, 2004

Executive Summary (optional)

[903.7(r)]. If desired, provide a brief overview of the contents of the streamlined 5-Year/Annual Plan.

The challenge of creating the first Five-Year Agency Plan was enormous. It took the full commitment of the Board of Commissioners, the staff, and management. In preparing the Five-Year Agency Plan, the Authority remains committed to continuing its mission and it remains steadfast in its determination in meeting its goals and objectives outlined in its annual plan. In June 2004, the Cape May Housing Authority will submit its second Five-Year Agency Plan template for fiscal years 2005-2009.

The Authority is proud to report that it retained a PHAS score of 96% and retained the status as "High Performer."

As the Authority looks back over the past year, it is pleased to report that its efforts in meeting its goals and objectives have been realized to the greatest extent possible. The Authority is retaining the original management goals and objectives that have led to the Authority's achieving high PHAS scores. Maintaining these goals and objectives will lend to ensuring the continuation of high PHAS scores and prudent management of its facility. In addition to retaining the original goals and objectives, the Authority will place an emphasis on Goal #10 by completing various tasks to beautify each site. The type of tasks to be performed will depend upon funding resources.

The Authority pledges to continue to strive to meet its goals and objectives for the coming annual year of 10/1/2004 – 9/30/2005 with the intent of providing good housing for those in need and in cooperation with the residents of the City of Cape May.

1. Statement of Housing Needs [24 CFR Part 903.12 (b), 903.7(a)]

A. 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 PHA's Waiting Lists			
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	55		20
Extremely low income <=30% AMI	50	91%	
Very low income (>30% but <=50% AMI)	4	7%	
Low income (>50% but <80% AMI)	1	2%	
Families with children	33	60%	
Elderly families	9	16%	
Families with Disabilities	11	20%	
Race/ethnicity -- White	36	65%	
Race/ethnicity -- Black	10	18%	
Race/ethnicity	0%	0%	
Race/ethnicity -- other	9%	16%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	5	9%	
2 BR	17	31%	
3 BR	21	38%	
4 BR	12	22%	
5 BR	0	----	
5+ BR	N/A	N/A	
Is the waiting list closed (select one)? ☒ No ☐ Yes If yes: How long has it been closed (# of months)? N/A 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 -- Elderly			

B. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families on the PHA's public housing and Section 8 waiting lists **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 903.12 (b), 903.7 (c)]

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

Financial Resources: Planned Sources and Uses		
Sources	**Planned $**	**Planned Uses**
1. **Federal Grants (FY 2003, 2003 ½, 2004 grants)**		
a) Public Housing Operating Fund	$229,751.00	
b) Public Housing Capital Fund	$125,088.00	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance		
f) Resident Opportunity and Self-Sufficiency Grants		
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income	$251,100.00	Public Housing Operations
4. Other income (list below)		
Late fees	$3,500.00	Public Housing Operations
4. Non-federal sources (list below)		

Financial Resources: Planned Sources and Uses		
Sources	**Planned $**	**Planned Uses**
Interest Income	$6,000.00	Public Housing Operations
Total resources	$615,439.00	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.12 (b), 903.7 (b)]

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: **Eligibility is determined as soon as possible after the initial interview.**

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: **Credit 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. Site-Based Waiting Lists-Previous Year

1. Has the PHA operated one or more site-based waiting lists in the previous year? If yes, complete the following table; if not skip to d.

Site-Based Waiting Lists				
Development Information: (Name, number, location)	**Date Initiated**	**Initial mix of Racial, Ethnic or Disability Demographics**	**Current mix of Racial, Ethnic or Disability Demographics since Initiation of SBWL**	**Percent change between initial and current mix of Racial, Ethnic, or Disability demographics**

2. What is the number of site based waiting list developments to which families may apply at one time? ___

3. How many unit offers may an applicant turn down before being removed from the site-based waiting list? ___

4. ☐ Yes ☐ No: Is the PHA the subject of any pending fair housing complaint by HUD or any court order or settlement agreement? If yes, describe the order, agreement or complaint and describe how use of a site-based waiting list will not violate or be inconsistent with the order, agreement or complaint below:

d. Site-Based Waiting Lists – Coming Year
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
☒ Over-housed
☒ Under-housed
☐ Medical justification
☒ Administrative reasons determined by the PHA (e.g., to permit modernization work)
☐ Resident choice: (state circumstances below)
☒ Other: **Handicapped – based upon need**

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.

#1 Date and Time

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

Other preferences (select all that apply)
- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in 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: 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 on the following table:

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

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):
☐ 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)

(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:

(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)

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

Former Federal preferences:

☐ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)

☐ Victims of domestic violence
☐ Substandard housing
☐ Homelessness
☐ High rent burden

Other preferences (select all that apply)

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

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 903.12(b), 903.7(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 of the following two)

☒ 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))

☐ 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**:**

c. Rents set at less than 30% of 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)

e. Ceiling rents

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

☐ Yes for all developments
☐ Yes but only for some developments
☒ No

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

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

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

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

f. Rent 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)
-- at time family income changes
-- at time family composition changes

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

a. 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 below100% of FMR
☐ 100% of FMR
☐ Above 100% but at or below 110% of FMR
☐ Above 110% of FMR (if HUD approved; describe circumstances below)

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)
☐ FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
☐ The PHA has chosen to serve additional families by lowering the payment standard
☐ Reflects market or submarket
☐ Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)
☐ FMRs are not adequate to ensure success among assisted families in the PHA's segment

of the FMR area
☐ Reflects market or submarket
☐ To increase housing options for families
☐ Other (list below)

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. Capital Improvement Needs

[24 CFR Part 903.12(b), 903.7 (g)]

Exemptions from Component 5: Section 8 only PHAs are not required to complete this component and may skip to Component 6.

A. Capital Fund Activities

Exemptions from sub-component 5A: PHAs that will not participate in the Capital Fund Program may skip to component 5B. All other PHAs must complete 5A as instructed.

(1) Capital Fund Program

a. ☒ Yes ☐ No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 12 and 13 of this template (Capital Fund Program tables). If no, skip to B.

b. ☐ Yes ☐ No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to service the debt. (Note that separate HUD approval is required for such financing activities.).

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

Applicability of sub-component 5B: 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.

(1) Hope VI Revitalization

a. ☐ Yes ☒ No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to next component; if yes, provide responses to questions on chart below 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)
Development name:
Development (project) number:
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

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

d. ☐ Yes ☒ No: 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:

e. ☐ Yes ☒ No: 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:

6. Demolition and Disposition

[24 CFR Part 903.12(b), 903.7 (h)]
Applicability of component 6: Section 8 only PHAs are not required to complete this section.

a. ☐ Yes ☒ No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 or 24 (Hope VI)of the U.S. Housing Act of 1937 (42 U.S.C. 1437p) or Section 202/Section 33 (Mandatory Conversion) in the plan Fiscal Year? (If “No”, skip to component 7; if “yes”, complete one activity description for each development on the following chart.)

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

7. Section 8 Tenant Based Assistance--Section 8(y) Homeownership Program

[24 CFR Part 903.12(b), 903.7(k)(1)(i)]

(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 the next component; if "yes", complete each program description below (copy and complete questions for each program identified.)

(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, what is the maximum number of participants this fiscal year?___

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:

c. What actions will the PHA undertake to implement the program this year (list)?

(3) Capacity of the PHA to Administer a Section 8 Homeownership Program

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

a. ☐ Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family's resources.
b. ☐ Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
c. ☐ Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below).
d. ☐ Demonstrating that it has other relevant experience (list experience below).

8. Civil Rights Certifications

[24 CFR Part 903.12 (b), 903.7 (o)]

Civil rights certifications are included in the *PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations*: *Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans*, which is submitted to the Field Office in hard copy—see Table of Contents.

9. Additional Information

[24 CFR Part 903.12 (b), 903.7 (r)]

A. PHA Progress in Meeting the Mission and Goals Described in the 5-Year Plan

(*Provide a statement of the PHA's progress against the goals and objectives established in the previous 5-Year Plan for the period* ***FY 2002 - 2003:***
(See Attachment "C" – Progress Report on Achievement of Goals and Objectives of Plan Submitted)

B. Criteria for Substantial Deviations and Significant Amendments

(1) Amendment and Deviation Definitions

24 CFR Part 903.7(r)

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

a. Substantial Deviation from the 5-Year Plan

There were no substantial deviations from the Five-Year Plan.

b. Significant Amendment or Modification to the Annual Plan

There were no significant amendments or modifications to the Five-Year Plan or the Annual Plan.

C. Other Information

[24 CFR Part 903.13, 903.15]

(1) Resident Advisory Board Recommendations

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

See Attachment "L" – Resident Advisory Board Statement

If yes, provide the comments below:

b. 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)

(2) Resident Membership on PHA Governing Board

The governing board of each PHA is required to have at least one member who is directly assisted by the PHA, unless the PHA meets certain exemption criteria. Regulations governing the resident board member are found at 24 CFR Part 964, Subpart E.

a. Does the PHA governing board include at least one member who is directly assisted by the PHA this year?

☒ Yes ☐ No:

If yes, complete the following:

Name of Resident Member of the PHA Governing Board: **Mildred McCarthy**

Method of Selection:

☒ Appointment – **City Government**
The term of appointment is (include the date term expires):
9/16/2003 to 9/16/2007

☐ Election by Residents (if checked, complete next section--Description of Resident Election Process)

Description of Resident Election Process

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)

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)

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)

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

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

Date of next term expiration of a governing board member: **September 16, 2004**

Name and title of appointing official(s) for governing board (indicate appointing official for the next available position): **City Council of Cape May**

(3) PHA Statement of Consistency with the Consolidated Plan

[24 CFR Part 903.15]

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

Consolidated Plan jurisdiction: (provide name here)

a. 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 on its waiting list 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)

b. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)
As a result of the "Mt. Laurel decision," in 1985 the Cape May County Comprehensive Plan addressed municipal responsibility and established county policies in this regard. At a minimum, municipalities should provide for the following in order to meet their low- and moderate-income housing responsibility:

(a) Review of development ordinances to eliminate excessive cost-generating items;
(b) Provide incentives or bonus-zoning techniques for provision of low- and moderate-cost housing;
(c) See federal and state funding for housing rehabilitation programs to aid low- and moderate-income families in meeting housing code requirements and;
(d) Encourage rehabilitation of older homes having good architectural and structural qualities.
(4) (Reserved)

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

10. Project-Based Voucher Program

a. ☐ Yes ☒ No: Does the PHA plan to "project-base" any tenant-based Section 8 vouchers in the coming year? If yes, answer the following questions.

b. ☐ Yes ☒ No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option?

If yes, check which circumstances apply:
☐ Low utilization rate for vouchers due to lack of suitable rental units
☐ Access to neighborhoods outside of high poverty areas
☐ Other (describe below:)

c. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts):

11. List of Supporting Documents Available for Review for Streamlined Five-Year/ Annual PHA Plans

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

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Related Plan Component**
X	*PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year,*	Standard 5 Year and Annual Plans; streamlined 5 Year

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Related Plan Component**
X	*and Streamlined Five-Year/Annual Plans*.	Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan.	5 Year Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans **No Fair Housing violations as of last audit report – 9/30/2003**
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA's public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program **5/17/2004**	Annual Plan: Financial Resources
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. ☒ Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the method for setting public housing flat rents. ☒ 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. ☒ Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
N/A	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. ☐ Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
X	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
None Required	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
N/A	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
N/A	Any policies governing any Section 8 special housing types ☐ check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
N/A	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
X	Public housing grievance procedures ☒ Check here if included in the public housing A & O Policy. **(See Attachment "E" -- Admissions & Occupancy Policy)**	Annual Plan: Grievance Procedures
N/A	Section 8 informal review and hearing procedures. ☐ Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
X	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Related Plan Component**
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
X	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
N/A	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
N/A	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
N/A	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
N/A	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program (Section _____of the Section 8 Administrative Plan)	Annual Plan: Homeownership
X	Public Housing Community Service Policy/Programs ☒ Check here if included in Public Housing A & O Policy **(See Attachment "E" -- Admissions & Occupancy Policy)**	Annual Plan: Community Service & Self-Sufficiency
X	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies. **On-going relationship**	Annual Plan: Community Service & Self-Sufficiency
N/A	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
X	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
N/A	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
X	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). ☒ Check here if included in the public housing A & O Policy. **(Included as exhibit to A&O Policy)**	Pet Policy
X	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit **9/30/2003 -- No Findings**
N/A	Consortium agreement(s), if a consortium administers PHA programs.	Joint PHA Plan for Consortia
N/A	Consortia Joint PHA Plans ONLY: Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection	Joint PHA Plan for Consortia
	Other supporting documents (optional). List individually.	(Specify as needed)

Attachment "A"
Executive Summary
(File Name: nj062a01)

The challenge of creating the first Five-Year Agency Plan was enormous. It took the full commitment of the Board of Commissioners, the staff, and management. In preparing the Five-Year Agency Plan, the Authority remains committed to continuing its mission and it remains steadfast in its determination in meeting its goals and objectives outlined in its annual plan. In June 2004, the Cape May Housing Authority will submit its second Five-Year Agency Plan template for fiscal years 2005-2009.

The Authority is proud to report that it retained a PHAS score of 96% and retained the status as "High Performer."

As the Authority looks back over the past year, it is pleased to report that its efforts in meeting its goals and objectives have been realized to the greatest extent possible. The Authority is retaining the original management goals and objectives that have led to the Authority's achieving high PHAS scores. Maintaining these goals and objectives will lend to ensuring the continuation of high PHAS scores and prudent management of its facility. In addition to retaining the original goals and objectives, the Authority will place an emphasis on Goal #10 by completing various tasks to beautify each site. The type of tasks to be performed will depend upon funding resources.

The Authority pledges to continue to strive to meet its goals and objectives for the coming annual year of 10/1/2004 – 9/30/2005 with the intent of providing good housing for those in need and in cooperation with the residents of the City of Cape May.

Robert T. Noble
Executive Director

Attachment "B"
Annual Goals and Objectives
(File #nj062b01)

CAPE MAY HOUSING AUTHORITY
FIVE-YEAR AGENCY PLAN
Goals and Objectives

The Quality Housing and Work Responsibility Act of 1998 also known as (The 1998 Act) continues to require PHAs to submit a Five-Year Agency Plan. That plan encompasses specific annual goals and objectives to be carried out over a specified year within a five-year period. The Authority is therefore obligated to report and/or explain any significant changes that affected the Agency's financial situation or the provision of services and the effect those changes had on the Authority's ability to accomplish or fail to accomplish the goals and objectives during the annual year of **10/1/2002-9/30/2003**. In addition, the Authority must explain the method of defining it successes or failures.

EVALUATION OF ANNUAL GOALS AND OBJECTIVES FOR FYE: 9/30/2003

The evaluation of the successes and/or failures of the Cape May Housing Authority in meeting its goals and objectives for the Annual Plan that was submitted is shown on the chart entitled, " ACHIEVEMENT OF GOALS and OBJECTIVES OF AGENCY PLAN-**SUBMITTED 7-2003**". The evaluation can be found on **page 5** within this section of the Agency Plan. The method of evaluating the success or failure rate has been translated and recorded as a (%) percent. **During 2001/2002, there were no significant deviations from the original goals and objectives outlined in the first Agency Plan.**

ANNUAL GOALS and OBJECTIVES FOR 2005

The 2nd Five-Year Agency Plan covers the fiscal years ending 2005-2009. The Annual Goals and Objectives are relative to the period of 10/1/2004 – 9/30/05.

The most recent official PHAS score awarded (fiscal year ending 9/30/2003) by HUD to the Cape May Housing Authority was 96% which made the Cape Housing Authority a HUD designated "High Performer". In this Annual Plan, the Authority is retaining all of the identical goals and objectives.

The 2004/2005 Annual Goals and Objectives adopted by the Housing Authority of the City of Cape May are as follows:

CAPE MAY HOUSING AUTHORITY

The 2004/05 Annual Goals and Objectives

GOAL #1: **The Cape May Housing Authority's mission is to manage its existing public housing program in an efficient and effective manner thereby qualifying as at least a "standard performer" under the Public Housing Assessment System.**

Objectives:

1. The Authority anticipates retaining the status of "high performer" for two years out of the second five-year period presented in this Agency Plan.

2. The Authority anticipates maintaining a waiting list of sufficient size so that the Authority can fill its public housing units within 15 days of their becoming vacant.

3. The Housing Authority's mission is to continue to maintain its rent collection at 95% or above over the next five years.

4. The Housing Authority's mission is to continue to sustain its occupancy rate of nothing less than 95% over the next five years.

Goal #2 **A major goal of the Cape May Housing Authority shall be to continue to administrate its business affairs in a fiscally prudent manner. The Authority anticipates remaining in full compliance with all applicable standards and regulations including government generally accepted accounting practices known as GAAP accounting.**

Objectives:

1. The Authority shall operate in such a manner as to ensure that income exceeds expenses every year.

2. The Authority shall maintain its operating reserves at a level of at least 90% between the period of October 1, 2005 to 2009.

3. The Cape May Housing Authority shall continue to invest its reserves in accordance with the Authority's Investment Policy and manage funds prudently.

CAPE MAY HOUSING AUTHORITY

The 2004/05 Annual Goals and Objectives

Goal #3 **The Cape May Housing Authority is committed to improving the quality of assisted housing stock and its units.**

Objectives:

1. The Authority expects to improve or maintain it public housing management or (PHAS) score.

2. The Authority expects to perform an annual inspection of all units according to the Uniform Physical Conditions Standards. If the Authority deems that additional inspections will improve the conditions of the units, the Authority will increase inspections on an as-needed basis.

Goal #4 **The Authority is committed to ensuring a safe environment.**

Objectives:

1. The Authority will continue to enforce a strong "One Strike and You're Out" Policy.

2. The Authority will continue to maintain an update its, "Defiant Trespassers List" on a semi-annual basis.

3. The Authority is committed to performing background checks on all new applicants.

Goal #5 **The Authority's mission is to improve the quality of life and economic vitality by improving the living environment.**

Objective

1. The Authority plans to continue its occupancy of 40% or more of families, whose income does not exceed 30% of the Area Median Income (AMI).

2. The Authority anticipates – to the extent possible with the availability of applicants with the appropriate income – being able to continue to maintain an equal balance and variety of incomes of residents below 30% of the Area Median Income.

Goal #6 **The Housing Authority will review its Physical Needs Assessment on an annual basis and prioritize the modernization needs based on the severity of the problem.**

Objective:

1. The Authority will examine the funds available and prioritize the modernization work Items to be performed during each of the next five years bases upon the severity of the need.

The 2004/05
Annual Goals and Objectives

Goal: #7 **The Housing Authority is committed to having an effective, fully functioning, democratically Elected Resident Council (RC)/Resident Advisory Board (RAB).**

Objectives:

1. The Authority anticipates supporting the RC/RAB by providing supplies, such as paper, binders, note pads, pencils, pens, etc.

2. Where funds are available, the Authority will financially support activities of the RC/RAB as required in 24 CFR regulations.

3. The Authority expects to solicit new members from the resident population to the RC/RAB should an opening occur as outlined in the Resident Advisory Board Guidelines located in the Annual Plan/Resident Advisory Board section.

Goal: #8 **The Housing Authority is committed to improving the heating and air conditioning system.**

Objective:

1. The Authority will continue to upgrade heat pumps by purchasing new units at a cost of $900 per unit, as needed.

Goal: #9 **The Housing Authority is committed to improve specific apartments targeted for repair**

Objective:

1. The Authority will improve its housing stock and will replace flooring in 15% or (in 5) of Its units.

Goal: #10 **The Housing Authority will continue its beautification project in an effort to increase the marketability of its units .**

Objective:

1. The Authority will plant spreading hews (or other evergreen bushes) along the main Areas of the Lafayette Street complex.

Attachment "C" -- Progress Report on Achievement of Goals and Objectives of Plan Submitted for Period Covering 10/1/2002 to 9/30/2003 -- (File Name: nj062c01)

FISCAL YEAR 2004 AGENCY SUBMISSION
PROGRESS REPORT ON
ACHIEVEMENT OF GOALS AND OBJECTIVES OF PLAN SUBMITTED
For Period Covering: 10/1/2002 to 9/30/2003

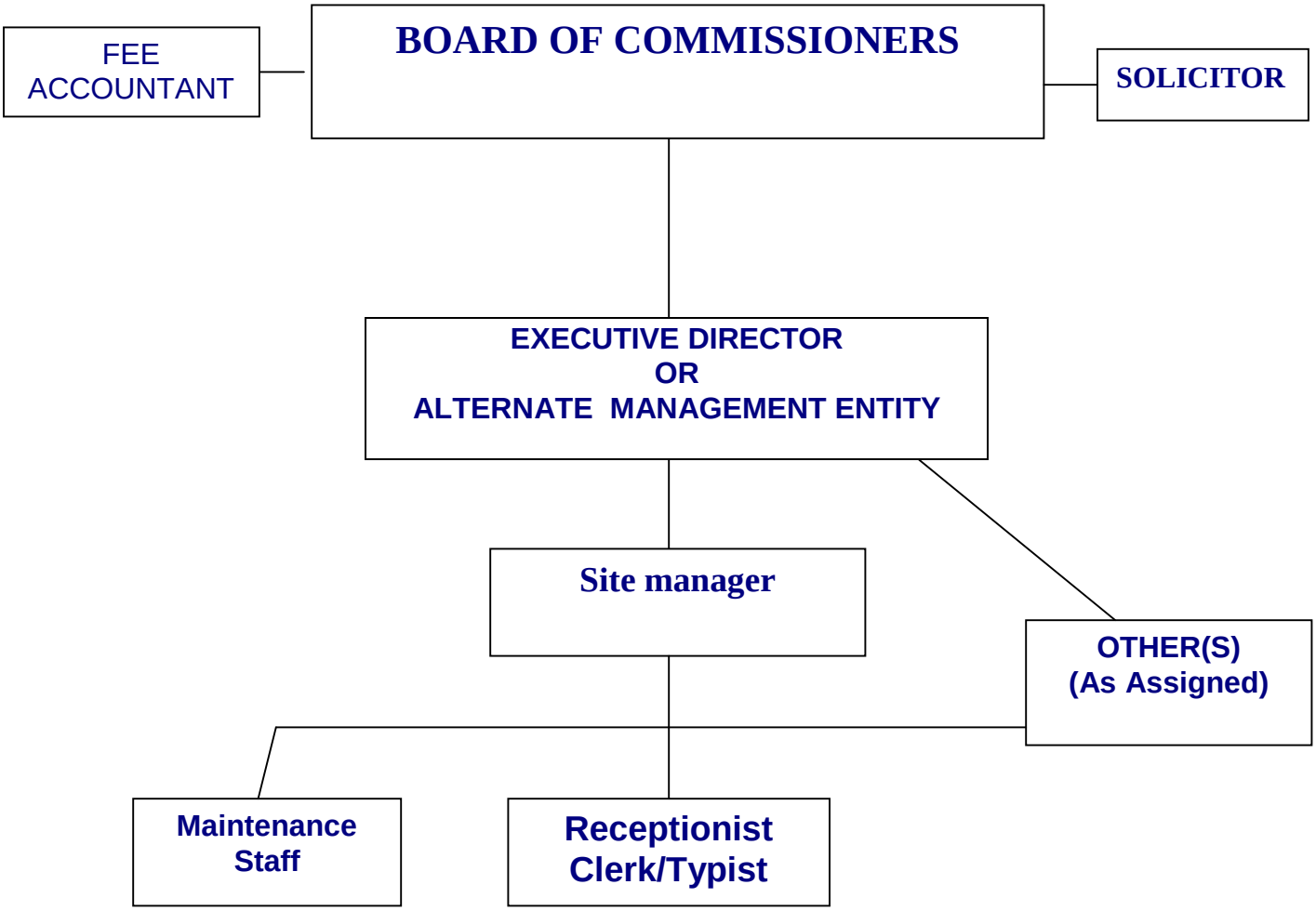
FOR PERIOD COVERING: 10/1/2002 to 9/30/2003

GOALS & OBJECTIVES	(Per Cent) Met
Goal 1.Managing PHA efficiently & effective-Qualifying as "Standard Performer	
Retained current status of "high performer" **FYE: 9/30/2003 @ 96%**	100%
Maintaining sufficient waiting list for 15 day occupancy turnaround **(7.9 Days)**	100%
Maintain rent collection at 95%	100%
Sustain occupancy rate of nothing less than 95%	100%
Goal 2. Operate with fiscal prudence/GAAP accounting in place	100%
Income exceeded expenses	100%
Maintain operating reserves at level of at least 90%	100%
Continue proper investment of funds	100%
Goal 3. Improving quality of assisted housing stock and units	
Improve PHAS Score (Maintained high scores)	100%
Perform annual inspection of all 85 units	100%
** Painting of 13 units---funds permitting **(FY-2003 completed 11 units)**	85%
Goal 4. Commitment to ensuring a safe environment	
Authority continues to enforce "One Strike and You're Out Policy"	100%
Continue to maintain "Defiant Trespassers List" on semi-annual basis	100%
Performing background checks on all new applicants	100%
Goal 5. Improve quality of life and economic vitality by improving living environment	
Continue occupancy of 40% whose income does not exceed 30% of AMI	100%
To the extent possible maintain equal balance and variety of income <30% of AMI	100%
Goal 6. To the extent possible upgrade power supply and modernize facilities	
** Conduct a feasibility study **–Prohibited as a result of a 30-year payback period**	N/A
Goal 7. Create and maintain a fully functioning democratically elected RC/RAB	
Elected officers, developed guidelines, interaction throughout FY year being evaluated	100%
RAB remains active 2003 RASS Score = Not scored in 2003 - deregulation	N/A
Goal 8. Improve Heating and Air Conditioning Systems (units) (5 per year)	
(5) Heat Pumps were all that was required	100%
Goal 9. Improve stock by replacing flooring in 15% or (5) units	
4 Floors completed	90%
Goal 10. Complete a beautification project to increase marketability of units	
Completed project in summer of 2002	100%

EXPLANATION: NO SIGNIFICANT PROBLEMS IS MEETING HIGH LEVEL OF ACCOMPLISHMENT IN REACHING ESTABLILSHED GOALS FOR PERIOD.

Attachment "D"
Organization Chart
(File Name: nj062d01)

Cape May Housing Authority
Organizational Chart



Attachment "E"
Admissions & Occupancy Policy
(File Name: nj062e01)

CAPE MAY HOUSING AUTHORITY

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

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HOUSING AUTHORITY

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

Part A

INTRODUCTION

INTRODUCTION

1. Purpose of the ACOP

The purpose of this policy is to establish guidelines for the Housing Authority staff to follow in determining eligibility for admission to and continued occupancy of public housing.

2. Civil Rights Policy

It is the policy of the Housing Authority, also referred to as the "Housing Authority" and the "PHA", to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 3 of the 1968 Civil Rights Act, and with all rules and regulations. Specifically, the PHA shall not on account of race, color, sex, creed, or national origin deny any family or individuals the opportunity to apply for assistance under the Low-Rent Housing Program. Neither will the PHA discriminate because of religion, age, physical handicap, pregnancy, parenthood, nor marital or veteran status.

To further its commitment to full compliance with applicable Civil Rights Acts, the PHA will provide federal, state, and local information to applicant/participant households regarding discrimination and recourse in the event of discrimination. Such information will be made available during the Pre-Occupancy Briefing and all applicable forms and printed material will be made available to prospective resident families.

3. Privacy Policy

It is the policy of the Housing Authority (PHA) to facilitate the full exercise of rights conferred on individuals under the Privacy Act of 1974, 5 U.S.C 552A, and to insure the protection of privacy of individuals about whom the Housing Authority maintains records under it Low-Rent Housing Program.

Therefore, the PHA shall not disclose any personal information contained in such records by any means of communication to any person or to another agency unless the individual to whom such information pertains requests or consents to such disclosure or unless such disclosure is authorized under the applicable provisions of the Privacy Act. The PHA has determined that disclosure under any other circumstances would constitute an unwarranted invasion of privacy in violation of the Privacy Act and the United States Constitution. The PHA shall refuse any and all requests for any unauthorized and unlawful disclosures. It is important to note that this privacy policy is applicable to the disclosure of participant information and NOT the gathering and use of information necessary to ensure full compliance with HUD regulations governing such items including, but not limited to, the following:

- determining initial and on-going eligibility
- applicable allowances and deductions
- resident rental payments
- current and past assets
- outstanding indebtedness to government as a result of prior participation in other federally-subsidized housing programs

However, no information regarding applicant/participant households will be solicited unless directly attributed to direct or implied responsibilities of the Housing Authority.

4. Authority

Eligibility for admission to and occupancy of Low-Income Public Housing is governed by requirements of the Department of Housing and Urban Development, with some latitude for local policies and procedures. This Admissions and Continued Occupancy Policy (ACOP) incorporates these requirements and is binding upon applicants, residents, and the Housing Authority alike, the latter two through inclusion of the ACOP into the Dwelling Lease by reference. Notwithstanding the above, changes in applicable Federal law or regulations shall supersede this policy at any point in which they are in conflict.

5. Objectives

The objectives of this policy are to:

a. Promote the overall goal of drug-free, healthy, safe, affordable, decent, and sanitary housing in good neighborhoods by:

   (i) Ensuring a social and economic mix of low-income residents within each public housing neighborhood in order to foster social stability and upward mobility;

   (ii) Ensuring the fiscal stability of the Housing Authority; and,

   (iii) Lawfully denying admissions or continued occupancy to families whose presence in a public housing neighborhood is likely to adversely affect the health, safety or welfare of other residents or the physical environment of the neighborhood.

b. Facilitate the efficient management of the Housing Authority and compliance with Federal Regulations by establishing the policy basis for management procedures, record keeping, and auditing.

c. 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 occupancy of public housing neighborhoods is conducted without regard to race, color, creed, sex or national origin.

d. Prescribe standards and criteria for resident selection and annual reexamination of income and family composition.

6. Terminology

The term "he" or "his" used throughout this document is used in the generic sense to include male/female, singular/plural as appropriate. The Housing Authority is also referred to as the “Housing Authority” or the “PHA” throughout this document.

Part B

DEFINITIONS

DEFINITIONS

FAMILY

1. The term "Family" as used in this policy means:

   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 tenant family; and

   g. A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

2. The term "Disabled family" as used in this policy means:

   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.

3. The term "Displaced family" as used in this policy means:

   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.

4. The term "Displaced person" as used in this policy means:

   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.

5. The term "Elderly family" as used in this policy means:

   A family whose head, spouse, or sole member is a person who is at least 62 years of age; or 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.

6. The term "Elderly person" as used in this policy means:

A person who is at least 62 years of age.

7. The term "Live-in Aide" as used in this policy means:

A person who resides with one or more elderly persons, or 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 to financially or otherwise support the person(s); and

c. Would not be living in the unit except to provide the necessary supportive services.

8. The term "Near-elderly family" as used in this policy means:

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, 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.

9. The term "Near-elderly person" as used in this policy means:

A person who is at least 50 years of age but below the age of 62.

10. The term "Person with disabilities" as used in this policy means:

a. Has a disability as defined in section 223 of the Social Security Act;

b. Has a physical, mental, or emotional impairment that:

(i) Is expected to be of a long-continued and indefinite duration;

(ii) Substantially impedes his or her ability to live independently; and

(iii) 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 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5)).

d. Notwithstanding any other provision of law, no individual shall be considered a person with disabilities, for purposes of eligibility for low-income housing under this title, solely on the basis of any drug or alcohol dependence.

ANNUAL INCOME

1. Income

Income is defined by the Secretary of HUD at 24 CFR 5.609, effective April 1, 1997 and amplified in this policy in those areas within the discretion of a Public Housing Authority.

2. Annual Income

Annual Income means all amounts, monetary or not, which go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or are anticipated to be received from a source outside the family during the 12-month period following reexamination effective date; and, which are exclusive of income that is temporary, nonrecurring, sporadic, and exclusive of certain other types of income specified in this policy; and, amounts derived during the 12-month period from assets to which any member of the family has access.

a. Annual Income includes, but is not limited to:

(i) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services:

(ii) The net income from 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;

(iii) Interest, dividends, and 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 (ii) above of this section. 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;

(iv) The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum payment for the delayed start of a periodic payment;

(v) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see "lump sum additions" in this policy);

(vi) Welfare assistance;

(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 family's 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.

(vii) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling.

(viii) All regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling, but see paragraph 5 in the next sub-section regarding special pay);

b. <u>Annual Income does not include:</u>

(i) Income from employment of children (including foster children) under the age of 18 years;

(ii) Payments received for the care of foster children or foster adults;

(iii) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (but see "payments in lieu of earnings" in this policy;

(iv) Amounts that are specifically for or in reimbursement of the cost of medical expenses, when applicable;

(v) Income of a Live-in Aide, as defined in 24 CFR §913.102;

(vi) Amounts of educational scholarships paid directly to the student or the educational institution, and amounts paid by the Government to a veteran, for use in meeting the costs of tuition, fees, 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;

(vii) The special pay to a family member in the Armed Forces away from home and exposed to hostile fire;

(viii) Temporary, nonrecurring or sporadic income (including gifts);

(ix) 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.

(x) Earnings in excess of $480 for each full-time student 18 years old or older, excluding the head of household and spouse;

(xi) Adoption assistance payments in excess of $480 per adopted child;

(xii) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.

(xiii) 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.

(xiv) 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.

(xv) Certain stipends (not to exceed $200/mo) and other income received by participants in qualified training, self-sufficiency and work incentive programs. Includes CIAP and CGP training programs.

(xvi) Earned income:

(a) Disallowance of earned income from rent determinations applies when a family member becomes employed after being unemployed for at least one (1) year, or when income increases during the participation in any family self-sufficiency or job training program, or who is or was assisted under TANF within six (6) months and whose earned income increases. Such disallowance shall be granted to eligible families for a twelve (12) month period, contingent upon continued employment or increased income.

(b) Upon expiration of the 12-month period of disallowance of earned income from rent determinations, earned income shall continue to be disallowed for the next twelve (12) months at a rate not to exceed 50% of the amount of the total rent increase that would be applicable in the absence of the disallowance. Such phase-in of earned income in rent calculation is contingent upon continued employment or increased income.

(xvii) Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. When such exclusions are

mandated by Federal statute or regulation, they will become effective as prescribed by the Federal government without the necessity to amend this policy. The following is a list of types of benefits that qualify for that exclusion effective February 1998.

(a) Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636).

(b) The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));

(c) Payment to volunteers under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5044(g), 5058);

(d) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626 (a));

(e) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);

(f) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));

(g) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b);

(h) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503 2504);

(i) The first $2,000 of per capita shares received from judgment funds awarded by the Indian Claims Authority or the Court of Claims (25 U.S.C. 1407-1408) or from funds held in trust for an Indian tribe by the Secretary of the Interior (25 U.S.C. 117); and

(j) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 that are used to cover the cost of attendance at an educational institution (See 24 CFR 215.1(c)(6), 236.3(c)(6), 813.106(c)(6), and 913.106(c)(6)).

If it 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 redetermination at the end of the shorter period.

3. Monthly Income - One-twelfth of Annual income. For purposes of determining priorities based on an applicant's rent as a percentage of monthly income.

4. Adjusted Income - Adjusted income means annual income less the following:

a. $400 for any elderly or disabled family;

b. The amount by which 3% of the annual family income is exceeded by the sum of:

(i) Unreimbursed medical expenses for any elderly family or disabled family;

(ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each handicapped member of the family, to the extent necessary to enable any member of such family (including such handicapped member) to be employed.

c. Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education;

d. $480 for each member of the family residing in the household (other than the head of the household or his or her spouse) who is less than 18 years of age, or is attending school or vocational training on a full-time basis, or who is 18 years of age or older and is a person with disabilities;

e. The amount of any earned income of a member of the family who is not:

(i) 18 years of age or older, and

(ii) The head of the household (or the spouse of the head of the household).

5. Monthly Adjusted Income - One-twelfth of Adjusted Income.

6. Income for Rent - "Income for Rent" for the purpose of determining rents, and for statistical reporting means adjusted income; except that Annual Income is to be used in determining 10 percent of gross income.

TOTAL TENANT PAYMENT

1. Determining the Total Tenant Payment is a two-step process. Total Tenant Payment for families whose initial lease is effective on or after August 1, 1982, shall be the highest of the following rounded to the nearest dollar:

   a. 30 percent of monthly Adjusted Income; or

   b. 10 percent of Monthly Income;

   c. The welfare rent, if applicable.

   d. A minimum rent amount of $50. Note: QHWRA established certain exceptions to the minimum rent requirements relating to hardship which are discussed in the Rent Collection Policy of this ACOP.

   After the highest amount has been determined above, that number is compared to the ceiling rent or flat rent of the unit size that is or will be occupied by the family, and the lower of the amount determined above or the ceiling/flat rent is the Total Tenant Payment.

2. Total Tenant Payment does not include charges for excess utility consumption or other miscellaneous charges, such as maintenance charges, late charges, etc.

OTHER

1. 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 child care, and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The Housing Authority will not normally determine child care expenses as necessary when the household contains an additional unemployed adult who is physically capable of caring for children.

2. Dependent: A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a Full Time Student. An unborn child shall not be considered a dependent.

3. Designated Housing: A project (or projects) or a portion of a project (or projects) that has been designated in accordance with 24 CFR Part 945.

4. Employment: Individual who is head of household or spouse and is employed. The employment income must be countable under the U.S. Department of Housing and Urban Development's definition of annual income.

5. Enrolled in a Job Training Program: Individual who is head of household or spouse and is currently enrolled and participating in a job training program that prepares the applicant to enter or renter the job market. Verification shall be required from the job training program.

6. Extremely Low-Income Family: A family's who's Annual Income does not exceed 30% of the area median income, as determined by HUD.

7. Graduate of Job Training Program: Individual who is head of household or spouse is a graduate of a job training program that prepares the applicant to enter or reenter the job market. Verification shall be required from the job training program.

8. Head of Household: Head of Household means the adult member of the family who is held primarily responsible and accountable for the family, particularly in regard to lease obligations.

9. Low Income Family: A family who's Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs of unusually high or low family incomes.

10. Medical Expenses: Those 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 3% of Annual Income, are deductible from annual income for elderly families only.

11. 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.

12. Minor: A "minor" is a person less that eighteen years of age. (An unborn child may not be counted as a minor but is counted for eligibility of a single, pregnant female.) An infant is a child under the age of two. Unemancipated minors shall not be eligible for participation in the public housing program because they cannot be legally held to a contract.

13. Mixed Population Project: A public housing project, or portion of a project, that was reserved for elderly families and disabled families at its inception (and has retained that character). If the project was not so reserved at its inception, the PHA has obtained HUD approval to give preference in tenant selection for all units in the project (or portion of a project) to elderly families and disabled families. These projects formerly were known as elderly projects.

14. Net Family Assets: "Net Family Assets" include the value of, or equity in, real property, savings, bonds, stocks, and other forms of capital investments after deducting reasonable costs that would be incurred in the disposition of such assets. The value of personal property such as furniture and automobiles is to be disregarded in the Net Assets determination. Also, the interests in Indian trust land and equity accounts in HUD homeownership programs is to be disregarded. (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 as 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, the PHA shall include the value of any 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 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 received important consideration not measurable in dollar terms.

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

16. Tenant Rent: The amount payable monthly by the Family as rent to the PHA. Where all utilities (except telephone) and other essential housing services are supplied by the PHA, tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the PHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance. (Tenant Rent is a term established and defined by 24 CFR (§913) and as such, is occasionally awkward in ordinary usage. For this reason, the term "Tenant Rent" is used interchangeably with "rent" elsewhere in this ACOP to refer to the net monthly payment by the family to PHA. The only exception is the term "rent" as defined in this policy in reference to admission priorities based on an applicant's rent as a percentage of monthly income).

17. Rent: For purposes of determining whether an applicant is entitled to a priority for public housing admission based on current rent as a percentage of monthly income (if applicable), rent is defined as the actual amount due, calculated on a monthly basis, under a lease or rental agreement between a family and the family's current landlord, plus any monthly payments that a family makes toward tenant purchased utilities (except telephone) and other housing services. In calculating a family's

payments toward utilities and other housing services, the Housing Authority will use its reasonable estimate of tenant-purchased utilities and other housing services that are normally included in rent; or if the family chooses, the family's average monthly utility costs, based on the family's utility bills furnished by the family, for the most recent 12-month period, or, where bills are not obtainable for the entire period, for an appropriate recent period.

For the purposes of calculating rent under this paragraph, amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the otherwise applicable rental amount to the extent that they are not included in the family's income.

In the case of an applicant who owns a manufactured home, but who rents the space upon which it is located, rent under this paragraph includes the monthly payment to amortize the purchase price of the home, as calculated in accordance with HUD's requirements. In the case of members of a cooperative, rent under this paragraph means the charges under the occupancy agreement between the members and the cooperative.

18. Utility: Electricity, gas, heating fuel, water and sewage services, and trash and garbage collection. Telephone service is not included as a Utility.

19. Utility Allowance: If the cost of utility (except telephone) and other housing services for an assisted unit is not included in the Total Tenant Payment but is the responsibility of the family occupying the unit, an amount equal to the estimate made by PHA or HUD, 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 quality living environment.

20. Utility Reimbursement Payment: The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

21. Very Low-Income Family: A family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for small 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.

22. 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.

23. Neighborhood or Community: Any lower income Public Housing site as established in a development program, except that when sites are adjacent or within a block of each other, such sites collectively shall be considered one location.

24. Handicapped Assistance Expenses: Reasonable expenses that are anticipated, during the period for which Annual 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.

25. Public Housing Authority/Agency (PHA): A State, County, municipality or other government entity or public body (or agency or instrumentality thereof) that is authorized by the 1937 Housing Law, as amended, to engage in or assist in the development or operation of housing for lower income families. The term "public housing" includes dwelling units in a mixed finance project that are assisted by a public housing authority with capital or operating assistance.

PREFERENCES

The Cape May Housing Authority will house applicants on a first come, first server basis with a preference for working families living in the County.

Part C

ADMISSIONS

ADMISSIONS

1. Non Discrimination

The Housing Authority will not, on account of race, color, creed, sex or national origin, deny or hinder any applicant family the opportunity to make application or lease a dwelling unit suitable to its needs in any of its developments. Neither will the Housing Authority discriminate because of religion, age, physical handicap, pregnancy, parenthood, or marital or veteran status.

The selection of residents for occupancy of available units will be in conformance with all HUD guidelines and regulations and applicable Fair Housing and Equal Opportunity Requirements.

2. Income Targeting

The Housing Authority will admit for occupancy eligible families and strive for no less than 40% of available dwelling units occupied by eligible families whose incomes at the time of commencement of occupancy do not exceed 30% of the area median income.

3. Deconcentration

The Housing Authority will strive to create mixed-income communities and lessen the concentration of very-low income families within the Housing Authority's public housing developments through admissions policies designed to bring in higher income tenants into lower income developments and lower income tenants into higher income developments. This policy shall not be construed to impose or require any specific income or racial quotas for any public housing development owned by the Housing Authority.

Refer to the Appendix for the Deconcentration Policy.

OUTREACH TO HIGHER INCOME FAMILIES

1. Outreach to Higher Income Families

The Housing Authority encourages program participation by higher income families. In an effort to create mixed-income communities and lessen the concentration of very-low income families within the Housing Authority's public housing developments, the Housing Authority will conduct outreach targeted to higher income working families. Outreach will include printed material, radio advertising, and television advertising of the Housing Authority's public housing program. Outreach may also include formal and informal discussions and meetings.

2. Incentives

In order to achieve deconcentration, the PHA may choose to skip an applicant on the waiting list in order to house a family who is willing to accept a unit in a targeted development. The PHA may also grant incentive rents (or other incentives) the purpose of creating mixed income communities and lessening the concentration of extremely-low and very-low income families in one area. The applicant family shall have sole discretion of determining whether to accept the incentive and the Housing Authority shall not take any adverse action toward any eligible family for choosing not to accept an incentive.

APPLICATION TAKING

The Application Process

All admissions to public housing shall be made on the basis of a personal interview where an application is completed by the applicant family and Housing Authority personnel. The Application for Admission shall constitute the basic legal record of each family applying for admission and shall support the Housing 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. Applications for the public housing program will be completed during a one on one interview between the applicant family and Housing Authority personnel and shall be maintained on the Housing Authority's computer system. Applicants shall complete and sign the application and certify, subject to civil and criminal penalties, to the accuracy of all statements made therein. The Housing Authority reserves the right to require the signature of any or all adult members of the applicant household.

2. 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 designated PHA personnel for the purpose of determining eligibility.

3. Should applicants fail to provide required verification documentation within time frame established by the PHA, their case will be placed in an inactive status and will be required to reapply during the next enrollment period.

4. The Housing Authority reserves the right to suspend application taking when the current supply of completed full applications exceeds the number of families that could be reasonably expected to be housed within the next twelve months.

5. The Housing Authority will normally take applications from a central location which will allow for processing by staff persons knowledgeable of the rules and regulations governing resident selection and assignment, but reserves the right to establish satellite locations for application taking.

6. The Housing Authority reserves the right to establish times for taking applications, including by appointment. The Housing Authority staff may, at its discretion, provide for application interviews outside normal hours when necessary for hardship reasons.

7. Insofar as possible, application interviews shall be conducted in private.

8. 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.

9. All active applications will be purged no less than once every 12 to 18 months. Notification shall be sent to each applicant informing him/her that unless he/she confirms his/her continued interest, his/her application will be retired from the active file. 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 PHA whenever there is a change in family composition, income, address, and any other factors relative to their eligibility status. Applicants should notify the PHA if he/she no longer desires consideration for public housing.

10. Applicants on waiting lists for any other type of assisted housing will have no special status with respect to the Low-Rent Public Housing Program. Applicants must submit separate applications for other programs. Applicants will not lose their place on any other PHA waiting list should they make an application for "Low-Rent" public housing. This right will be explained to each applicant who might have previously filed an application for a dwelling unit through any other PHA program.

11. The Housing 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.

ELIGIBILITY CRITERIA

1. The Housing Authority shall use the guidelines and procedures prescribed by HUD at the time of applicant processing to make a final determination of household eligibility.

2. All families who are admitted to Public Housing must be individually determined eligible under the terms of this policy. In order to be determined eligible, an applicant family must meet ALL of the following requirements:

   a. The applicant family must qualify as a family as defined in Section B.

   b. The single person applicant must qualify as a single person as defined in Section B.

   c. The applicant's Annual Income as defined in Section B (HUD Secretary's definition) must not exceed income limits established by the Department of Housing and Urban Development for Public Housing in the County of PHA jurisdiction.

   d. The applicant family must conform to the Occupancy Standards contained in this policy regarding unit size and type.

   e. The applicant must have a satisfactory record in meeting past financial obligations, especially in payment of rent. In situations where an unsatisfactory record is obtained the PHA shall take into consideration extenuating circumstances such as illness, or other incidents beyond the control of the applicant.

   f. Section 214 of the Housing and Community Development Act of 1980, as amended, prohibits the Secretary of the Department of Housing and Urban Development (HUD) from making financial assistance available to persons who are other than United States Citizens, nationals, or certain categories of eligible non-citizens either applying to or residing in specified Section 214 covered programs. Section 214 programs include: Public Housing, Section 8 Rental Certificate Program and Section 8 Rental Voucher Program.

   g. Any tenant evicted from federally assisted housing by reason of drug-related criminal activity shall not be eligible for federally assisted housing during the 3-year period beginning from the date of such eviction, unless the evicted tenant successfully completes a rehabilitation program approved by the Housing Authority, and/or if the circumstances leading to eviction no longer exists.

   h. The Housing Authority shall prohibit admission for any household member who the Housing Authority determines is illegally using a controlled substance, or determines that a household member's illegal use, or pattern of illegal use, of a controlled substance, or abuse, or pattern of abuse, of alcohol, may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. QWHRA further stipulates that individuals convicted of manufacturing or producing methamphetamine (speed) will be permanently denied admission to public housing and a current resident's tenancy will be immediately and permanently terminated if convicted of manufacturing or producing methamphetamine.

In determining whether to deny admission to the Housing Authority any household based on a pattern of abuse of alcohol by a household member, the Housing Authority may consider whether such a household member:

(i) Has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol (as applicable);

(ii) Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of controlled substance or abuse of alcohol (as applicable); or

(iii) Is participating in a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol (as applicable).

i. The Housing Authority shall prohibit admission for any applicant or member of the applicant's household who the Housing Authority determines is or was, during a reasonable time preceding the date when the applicant household would otherwise be selected for admission, engaged in any drug-related or violent criminal activity or other criminal activity which would adversely affect the health, safety, or right to peaceful enjoyment of the premises by other residents or Housing Authority staff.

j. The Housing Authority shall prohibit admission of any applicant or member of the applicant's household who has been convicted of a felony.

k. The Housing Authority shall prohibit admission for any applicant or member of the applicant's household that the Housing Authority determines is subject to a lifetime registration requirement under a state sex offender registration program.

l. The applicant family must have no record of disturbance of neighbors, destruction of property, unsafe living habits, unsanitary housekeeping practices, substance abuse, or any other history which may be reasonably expected to adversely affect:

(i) The health, safety, or welfare of other residents;

(ii) The peaceful enjoyment of the neighborhood by other residents; or

(iii) The physical environment and fiscal stability of the neighborhood.

m. The applicant family must not have a record of grossly unsanitary or hazardous housekeeping. This includes the creation of a fire hazard through acts such as the hoarding of rags and papers; severe damage to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage improperly; or serious neglect of the premises. In a case where a qualified agency is working with the applicant family to improve its housekeeping and the agency reports that the applicant family shows potential for improvement, decision as to eligibility shall be reached after referral to and recommendation by the Executive Director or his/her designee. This category does not include applicant families whose

housekeeping is found to be superficially unclean or lacks orderliness, where such conditions do not create a problem for the neighbors.

n. The applicant family must be able to demonstrate capacity to discharge all lease obligations. This determination shall be made on a case by case basis and shall not be used to exclude a particular group by age, handicap, etc. In determining the applicant family's capacity to discharge all lease obligations the HA must consider the family's ability to secure outside assistance in meeting those obligations.

o. If the applicant is a former resident of public housing or Section 8 housing programs administered by an agency, the applicant family must have a satisfactory record in meeting financial and other lease obligations. A former resident who owes a move out balance to the Housing Authority will not be considered for re-admission until the account is paid in full and reasonable assurance is obtained of the applicant's ability to meet his or her rent obligations.

p. The applicant must not have a history of non-compliance with rental agreements including failure to comply with the terms of the rental agreements on prior residences, such as providing shelter to unauthorized persons, keeping pets or other acts in violation of rules and regulations, and painting or decorating without permission of the owner.

- Any applicant who has been evicted from a public housing program or terminated from a Section 8 Rental Program shall not be eligible to receive any type of housing assistance for 3 years.

q. The applicant family must have properly completed all application requirements, including verifications. Misrepresentation of income, family composition or any other information affecting eligibility, rent, unit size, neighborhood assignment, etc. will result in the family being declared ineligible. In the event the misrepresentation is discovered after admission, the family may be subsequently evicted, even if the family meets current eligibility criteria at that time.

r. Other factors affecting a final determination of eligibility include:

(i) Household has no outstanding indebtedness to the PHA or any other federal housing program;

(ii) Family will occupy unit as their sole place of residence.

3. Substance abuse as described in this policy and drug-related criminal activity as described in this policy shall include, but not be limited to, the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802), and Section 428 of the FY 1999 HUD Appropriations Act).

4. Sources of information for eligibility determination may include, but are not limited to, the applicant (by means of interviews or home visits), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by the particular circumstances. Information relative to the acceptance or

rejection of an applicant shall be documented in accordance with Part C; Verification, and placed in the applicant's file. Such documentation may include reports of interviews, letters or written summaries of telephone conversations with reliable sources. At a minimum, such reports shall indicate the date, the source of information, including the name and title of the individual contacted, and a summary of the information received.

5. In the event of the receipt of unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct or to factors that might indicate a reasonable probability of favorable future conduct or financial prospects. For example:

   a. Evidence of rehabilitation.

   b. Evidence of the applicant family's participation or willingness to participate in social services or other appropriate counseling service programs and the availability of such programs.

   c. Evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.

   d. In the case of applicants whose capacity for independent living and discharge of lease obligations is in question, the resources actually available in support of the family, such as visiting nurses, homemakers or Live-In caretakers.

6. An otherwise ineligible handicapped applicant shall be eligible for admission if the problem resulting in the ineligibility can be addressed through reasonable accommodations.

7. Tenancy at properties for elderly and/or handicapped persons will be based upon the applicant’s ability to live independently or to live independently with limited supportive services.

8. The Housing Authority will not unnecessarily segregate individuals with handicaps to particular areas or developments. The Housing Authority will provide assistance to enable all individuals with handicaps to meet legal requirements; for example, the Housing Authority could provide interpreters, Braille or taped versions of leases, recertifications and other legal documents, whatever is appropriate.

9. In the event an individual is refused housing based on one or more of the above screening criteria, he/she may request an informal hearing or appeal to the Executive Director in writing.

SCREENING

1. Under section 575 of the Quality Housing and Work Responsibility Act of 1998, the Housing Authority may require, as a condition of providing admission to the Housing Authority, that each adult member of the household provide a signed, written, authorization for the Housing Authority to obtain records regarding such member of the household from the National Crime Information Center, police department, and other law enforcement agencies.

2. Under section 578 of the Quality Housing and Work Responsibility Act of 1998, the Housing Authority may require, as a condition of providing admission to the Housing Authority, that each adult member of the household provide a signed, written, authorization for the Housing Authority to obtain records from state and local agencies to determine whether an applicant is subject to a lifetime registration requirement under a state sex offender registration program.

   Before an adverse action is taken with respect to an applicant for occupancy on the basis that an individual is subject to a lifetime registration requirement under a state sex offender registration program, the Housing Authority shall provide the applicant with a copy of the registration information and an opportunity to dispute the accuracy and relevance of that information.

3. Under section 575 of the Quality Housing and Work Responsibility Act of 1998, the Housing Authority, notwithstanding any other provision of law other than the Public Health Service Act (42 USC 201 et seq), may require each person who applies for admission to the Housing Authority to sign a one or more forms of written consent authorizing the Housing Authority to receive information from a drug abuse treatment facility that is solely related to whether the applicant is currently engaging in the illegal use of controlled substances. In a formal written consent, the Housing Authority shall request only whether the drug abuse treatment facility has reasonable cause to believe that the applicant is currently engaging in the illegal use of a controlled substance.

   - The Housing Authority shall make an inquiry to a drug treatment facility if the Housing Authority receives information from the criminal record of the applicant that indicates evidence of prior arrest or conviction or the Housing Authority receives information from the records of prior tenancy of the applicant that demonstrates that the applicant engaged in the destruction of property, engaged in violent activity against another person, or interfered with the right of peaceful enjoyment of the premises of another tenant.

4. The applicant's signed written consent shall expire automatically after the Housing Authority has made a final decision to either approve or deny the applicant's application for admittance to public housing.

5. The term "currently engaging in the illegal use of a controlled substance" means the illegal use of a controlled substance that occurred recently enough to justify a reasonable belief that an applicant's illegal use of a controlled substance is current or that continuing illegal use of a controlled substance by the applicant is a real and ongoing problem.

6. Conditions for Denial

a. The applicant or resident currently owes rent or other amounts to PHA or to another agency in connection with Section 8 or Public Housing Program.

b. The applicant has committed any fraud in connection with any federal housing assistance program.

c. The applicant has violated any Family obligation under any Section 8 Existing Program as stated on the Certificate of Family Participation or Housing Voucher.

d. The applicant has breached an "Agreement to Repay" any monies due the Housing Authority. If the applicant owes money as a prior participant, the applicant will not be accepted, nor placed on the waiting list, until payment in full has been received.

e. The applicant has an unacceptable Police Record wherein the applicant or any member of the household who has attained the age of 18 has within the past five years been convicted of a crime or has a history of criminal activity that would jeopardize the health, safety, and welfare of the community. Examples of unacceptable behavior includes, but is not limited to violent behavior, confirmed drug or alcohol addiction or abuse, grossly unsanitary or hazardous housekeeping, history of disturbance of neighbors, destruction of property, or other disruptive or dangerous behavior of any family member regardless of age

f. INS Denial

Assistance to applicant shall be denied in accordance with the procedures for any of the following events:

(i) Evidence of citizenship (i.e. the Declaration) and eligible immigration status is not submitted by the date specified or by the expiration of any extension granted; or,

(ii) Evidence of citizenship and eligible immigration status is submitted on a timely basis, but INS primary and secondary verification does not verify eligible immigration status of all family members; and,

(a) The family does not pursue INS appeal or Housing Authority informal hearing rights; or,

(b) INS appeal and Housing Authority informal hearing rights are pursued, but the final appeal or hearing decisions are decided against the family member.

RECORDS MANAGEMENT AND CONFIDENTIALITY

1. Records Management

a. All records obtained for the purpose of applicant screening shall be maintained confidentially and in accordance with section 543 of the Public Health Service Act (12 USC 290dd-2) to ensure that the records are not misused or improperly disseminated and are properly destroyed.

b. All records obtained for the purpose of applicant screening shall be:

(i) Maintained in the applicant file in a locked file cabinet.

(ii) Destroyed no less than five (5) business days after the date on which the Housing Authority gives final approval for an application for admission.

(iii) Destroyed in a timely manner if the Housing Authority denies the application and the date on which the statute of limitations for the commencement of a civil action from the applicant based upon that denial of admission has expired.

2. Confidentiality

The Housing Authority receiving information for the purpose of applicant screening shall not be disclosed to any person who is not an officer, employee, or authorized representative of the Housing Authority and who has a job-related need to have access to the information in connection with admission of applicants, eviction of tenants, or termination of assistance. For judicial eviction proceedings, disclosures may be made to the extent necessary.

Any officer, employee, or authorized representative of the Housing Authority who knowingly and willfully requests or obtains any information concerning an applicant for, or tenant of the Housing Authority, under false pretenses, or any officer, employee, or authorized representative of the Housing Authority who knowingly and willfully discloses any such information in any manner to any individual not entitled under any law to receive it, shall be guilty of a misdemeanor and such to the fines of the state.

Any applicant or resident of the Housing Authority affected by negligent or knowing disclosure of information referred to in this subsection about such person by an officer, employee or authorized representative of the Housing Authority, which disclosure is authorized by this subsection, or any other negligent or knowing action that is inconsistent with this subsection, may bring a civil action for damages and such other relief as may be appropriate against the Housing Authority. The district court of the United States in the district in which the affected applicant or resident resides, in which such unauthorized action occurred, or in which the officer, employee, or representative alleged to be responsible for any such unauthorized action resides, shall have jurisdiction in such matters.

VERIFICATION OF INCOME AND CIRCUMSTANCES

No applicant family shall be admitted to public housing without thorough verification of income, family composition and all other factors pertaining to the applicant's eligibility, rent, unit size and type, priority rating, etc. The same type of verifications are required to process any interim or annual reexamination for public housing residents. Complete and accurate verification documentation shall be maintained for each applicant and resident. Such documentation may include, but is not limited to, the following:

1. Letters or other statements from employers and other pertinent sources giving authoritative information concerning all items and amounts of income and deductions, together with other eligibility and preference determinations;

2. Third party verification forms supplied by the PHA and returned properly completed by employers, public welfare agencies, etc.;

3. Originals, photocopies, or carbon copies of documents in the applicant's possession which substantiate his statements, or a brief summary of the pertinent contents of such documents signed and dated by the staff member who viewed them. Such documents must be within 60 days current. No determinations will be made based upon information/documents more than two (2) months old;

4. Statements from self-employed persons, and from persons whose earnings are irregular, such as salesmen, etc., sworn to before a Notary, setting forth gross receipts, itemized expenses and net income (expenses incurred for business expansion or amortization of capital indebtedness are to be included in net income);

5. Memoranda of verification data obtained by personal interview, home visit, telephone, or other means, with source, date received, name and title of person receiving the information clearly indicated, and a summary of information received;

6. Certified birth certificates, or other substantial proof of age, to support claims to the various entitlements in these policies for each member of the household;

7. Proof of disability, or of physical impairment, if necessary to determine the applicant's eligibility as a family or entitlement to consideration under the criteria established in these policies, provided in written form by the appropriate government agency;

8. Statements from landlords, family social workers, parole officers, court records, drug treatment centers, clinics, physicians, State of Georgia Department of Law Enforcement, county sheriff's department or police departments, where warranted in individual cases;

9. Receipts for utility services;

10. For households reporting "zero" income, HA will require statements and verification from parties who are identified as providing non-cash contributions such as groceries and clothing;

11. When verification cannot be accomplished by either form of third party verification or review of documents, the applicant/resident will be required to submit a notarized statement.

- Where a notarized statement has been accepted for income determination purposes, the family will be appraised of requirement to undergo a re-exam every 12 months (at the PHA discretion).

12. Verification of Citizenship/Eligible Immigrant Status

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by federal regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending.

a. Citizens or Nationals of the United States. A signed declaration of U.S. citizenship under penalty of perjury.

b. Eligible Immigrants who were Participants and 62 years of age or over on June 19, 1995. A signed declaration of eligible immigration status and provide proof of age.

c. Noncitizens with eligible immigration status. A signed declaration of status and verification consent form and original immigration documents which are copied front and back and returned to the family. The PHA will verify the status through the INS SAVE system. If this primary verification fails to verify status, the PHA will request within ten (10) days that the INS conduct a manual search.

d. Ineligible family members who do not claim to be citizens or eligible immigrant must be listed on a statement of ineligible family members signed by the head of household or spouse.

e. Noncitizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

Failure to Provide. If an applicant or participant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

Time of Verification. For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as the final verification other factors of eligibility. For participants, it is done at the first regular recertification after June 19, 1995. For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated.

Extensions of Time to Provide Documents. Extensions must be given for persons who declare their eligible immigration status but need time to obtain the required documents. The length of the extension shall be based on individual circumstances. HA will allow up to sixty (60) days to provide the document or receipt issued by the INS for issuance of replacement documents.

Acceptable Documents of Eligible Immigration. The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)
- Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified.

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

13. The Housing Authority shall require the family head and other such family members as it designates to execute a HUD-approved release and consent authorizing any depository or private source of income, or any Federal, state, or local agency to furnish or release to the PHA and to HUD such information as PHA or HUD determines to be necessary. Because eligibility for Federal Housing Assistance is not based on a "declaration system" but upon verification of actual income and family circumstances, the Housing Authority is not limited to verification of data supplied by applicants or residents. Failure of an applicant to cooperate with the Housing Authority in obtaining verifications will result in the application being declared incomplete and inactive. A tenant who fails to cooperate or to release information may be evicted. In addition, interim rent reductions will not be made for residents until after receipt of all required verifications. In consideration of the privacy rights of residents and applicants, the Housing Authority shall restrict its requests to those matters of income, family composition and other family circumstance which are related to eligibility, rent, unit size and type, admission priority rating, or other lawful determinations made by the Housing Authority. If the verified data as listed in this policy are not more than two months old at the time an applicant is selected for admission, and the applicant certifies by written statement that no change has occurred in his status, the data will be considered as reflecting the applicant family's status at the time of admission. If data are more than two months old, all factors are to be re-verified and findings recorded. As part of the application record of each applicant determined to be eligible for admission, the admitting officer or his supervisor shall certify that an investigation has been made of such family and that on the basis of this investigation, it has been determined that the applicant and his family meet all the conditions governing eligibility.

14. <u>Special verification requirements for phase-in rents</u>

All residents <u>who desire to claim</u> an earned income exclusion under the phase-in rent policy, must report the new earned income or increased income within ten (10) days after they begin. Failure to accurately and promptly report changes in employment or increased income (or other changes in income or family circumstances affecting eligibility for the same) will result in denial or loss of the earned income exclusions. If such failure results in the resident paying lower rent than he/she would have otherwise been required to pay, the resident is subject to the same penalties for any other failure to report income, including retroactive rent. <u>Residents qualifiying under the phase-in rent program</u> must report all changes in income within ten (10) days after they occur.

In addition to such other verification as the Housing Authority shall require any resident or applicant claiming an earned income exclusion to supply documentation in a form prescribed by the Housing Authority from employers and social services agencies, as applicable.

No resident or applicant is automatically entitled to an earned income exclusion. Determination of the eligibility for the earned income exclusion is the sole responsibility of the Housing Authority. Not withstanding the above, it is the responsibility of the resident/applicant to supply the complete and accurate information which the Housing Authority requires to make an eligibility determination.

In the event that the Housing Authority determines that the information supplied by the resident and/or training agency is not adequate to determine eligibility, the Housing Authority may require additional information beyond that originally submitted. No exclusions will be granted until all required information is obtained and verified.

An adverse decision on the eligibility of an existing resident for an earned income exclusion may be appealed through the resident grievance procedure (subject to limitations of that procedure, especially as they pertain to the inapplicability of the procedure to policy issues), but the Housing Authority shall not be liable for any retroactive payments due to reversal of an initial determination.

As with other interim rent changes, any reduction in rents which result from the application of this policy shall be effective on the first day of the month following that month in which the eligibility for the deduction is determined. The Housing Authority shall not be liable for retroactive reductions if the resident fails to report the change within the required time period.

Rent increases resulting from expiration of the phase-in disallowance period provided under the earned income exclusion, are effective on the first day of the following month. All other rent increases resulting from the application of this policy, are implemented in the same manner as other increases resulting from changes in income or benefits. If the resident complies in an accurate and timely manner with all reporting requirements, (including requirements to report any changes in training or employment status which affect eligibility for exclusions) any increase in rent will be effective on the first day of the second month after the income changes are reported. Failure to meet reporting requirements will result in rent increase retroactive to the date the change actually took place.

15. Summary of Verified Data: A summary of verified information shall be prepared upon receipt of all required verification documentation and shall include the following determinations:

    a. Eligibility -- the applicant meets the definition of Family as defined in this policy and income is within the appropriate income limits for admission.
    b. Preferences
    c. Date and time of completed application
    d. Size of unit needed by family
    e. Income Exclusions and Rent to be paid

DETERMINATION AND NOTIFICATION OF ELIGIBILITY

1. As soon as possible after receipt of an application, the Housing Authority will determine the applicant family's eligibility for public housing in accordance with the provisions of this policy, and will determine whether a preference exists. In the event an applicant family is determined to be eligible, the family shall be placed on the waiting list, and informed of the time estimated before an offer of a dwelling unit will be made. If this period is estimated to be longer than one year, the applicant family shall be informed of this fact.

2. Apparently eligible applicant families will be notified that its eligibility determination is tentative in nature, being largely based on declarations made by the applicant family, and is subject to further reviews prior to admission.

3. In the event an applicant family is determined to be ineligible, it shall also be informed in writing of the basis for this determination. An applicant family does not have the right to use the Tenant Grievance Procedure, but will be given, upon request, the opportunity for an informal hearing to present such facts as it wishes. The applicant family will be advised that should an informal review be desired, a written request to this effect must be received by PHA within 5 working days of the date of the notification of ineligibility (at the discretion of the PHA).

4. Thorough investigation of each application will be conducted during the Tenant Interview. Eligibility will be verified by the PHA staff within the provisions of this policy. The Tenant Interview will be conducted at the time that the application is submitted for review.

5. Applicants denied a preference shall be notified in writing about the denial. The notice shall contain a brief statement of the reason(s) for the determination and state that the applicant has a right to meet with a representative of the Housing Authority to review the determination.

6. In all cases, the Housing Authority reserves the right to withdraw any determination of eligibility, tentative or otherwise, when additional information indicates that the prior determination was inappropriate.

7. <u>Informal Review</u>

   a. If a request for a review is received within the specified five (5) day period, PHA will notify the applicant, in writing, of the scheduled time and date of review.

   b. The PHA will appoint a Review Officer to conduct the informal review. The Review Officer shall be a Housing Authority employee or other designated individual who did not participate in the original determination of denial. The Review Officer shall not be a subordinate of the party who made the original decision to deny.

   c. The applicant will be apprised that they may be represented by legal counsel or other representative at his/her own expense.

   d. The PHA will present factual or other basis for its decision. The applicant may also present his/her position. Subject to the direction of the Review Officer, the applicant and the Housing Authority may offer and examine evidence and question any witnesses.

e. The Review Officer will issue a written decision, stating the facts and/or other basis for the decision. The decision or any other issue of fact will be based solely upon evidence presented at the hearing. A copy of the decision will be furnished to the applicant.

f. The PHA will not be bound by a decision of the Review Officer where it is determined that the Officer exceeded his/her authority or has made a determination which is inconsistent with HUD regulations, federal statute, or state or local law that imposes obligations on applicants or residents.

g. The record of such review/determination will be maintained by the Housing Authority's Application Office.

OCCUPANCY STANDARDS

To avoid overcrowding and prevent wasted space, units are to be leased in accordance with the occupancy standards set forth below. If there should be a dwelling unit that cannot be filled with a family of appropriate size, after all possible efforts have been made to stimulate applications, a family eligible for the next smaller size unit may be offered this unit. This shall be with the understanding that the family is subject to later transfer to a unit of the proper size.

1. The following system will be used as a guide to determine proper bedroom size for each applicant and resident:

    a. The head of each household and his/her spouse (unless medical reasons dictate) are assigned to one bedroom.

    b. Persons of different generations, persons of the opposite sex (other than spouses) and unrelated adults will not be required to share a bedroom.

    c. Children, with the possible exception of infants, will not be required to share a bedroom with a person of different generations, including their parents.

    d. All remaining family members are assigned to bedrooms on the basis of two of the same sex to a bedroom (unless children are under the age of six).

    e. At the option of the parent and written consent of the head of household, and providing such occupancy does not contradict the dwelling unit maximum occupancy standards, children of opposite sex beyond the age of six (6) and up to age ten (10) may share a bedroom.

    f. If necessary for continued occupancy and/or admission, an infant up to the age of two (2) years could share a bedroom with a parent.

    g. Foster children are normally included in determining unit size.

    h. A live-in care attendant who is not a member of the family will not be required to share a bedroom with another member of the household.

    i. Space may be provided for a child who is away at school but who lives with the family during school recesses.

2. Notwithstanding the above, the Housing Authority may lease one bedroom apartments to a single parent with a child provided that neither of the following two events will or are expected to occur within the next nine (9) months:

    a. That the child sharing the parent's bedroom will turn three (3) years old; and/or

    b. That the mother is expecting another child.

3. Upon admission, bedrooms shall be occupied by not more than two persons. For continued occupancy, exceptions to this requirement may be waived based on existing conditions affecting family members. These conditions may include one or more of the following:

   a. Relationship of family members to one another;

   b. Ages of household members;

   c. Sex of persons to occupy the unit;

   d. Handicap; or

   e. Other individual circumstances.

4. Units shall be assigned so as not to require the use of the living room for sleeping purposes.

5. The following standards regarding the minimum and maximum number of persons who will occupy a unit will be applied within the restraints of financial solvency and program stability. The PHA will also assign units based on the type of unit needed by the individual applicant or applicant family. This refers primarily to the family's ability to use stairs or their status as an elderly family. When it is found that the size of the dwelling is no longer suitable for the family in accordance with these standards, the family will be required to move as soon as a dwelling of appropriate size becomes available. These families will be transferred in accordance with the Transfer Policy. In the situation where a tenant requires a different size dwelling unit and the tenant has either an outstanding balance, a history of poor housekeeping standards or destruction of property, or has not been a desirable tenant the tenant will be deemed ineligible for transfer and will be referred for termination.

Number of Bedrooms	Number of Persons	
	Min	Max
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

APPLICANT SELECTION AND ASSIGNMENT PLAN

1. Applicant Ranking

Applications will be filed and selected by unit type and size; by preference; and by date and time of application. If an applicant claims a preference, they are considered to be a priority applicant. Applicants who claim no preference are considered to be non-priority applicants.

2. Preferences

The Housing Authority will have families working in Cape May County has a preference.

3. Waiting List

a. Housing Authority-Wide Waiting List

The Housing Authority-wide waiting list will be ordered as follows:

(i) By unit type (regular, elderly, special handicapped) and in unit size by bedrooms.

(ii) Within the priorities above, by date and time of application..

(iii) Families who claim no preference will be notified by the Housing Authority that their names will be retained on the waiting list as non-priority applicants. If at some future time, their status changes in regards to a preference, they will be entitled to claim the preference, and be added to the priority waiting list

4. Waiting List Skipping

The Housing Authority may skip a higher-income eligible applicant family to the top of the waiting list (either Authority-wide or site based waiting lists) if a dwelling unit in a development becomes vacant and the development requires a lower income family to meet the Housing Authority's income targeting goals.

The Housing Authority may also skip a lower-income eligible applicant family to the top of the waiting list (either Authority-wide or site based waiting lists) if a dwelling unit in a development becomes vacant and the development requires a higher income family to meet the Housing Authority's income targeting goals.

5. Updating of the Waiting List

The Housing Authority shall update the waiting list annually in order to maintain the most current information. Applicants will be requested to provide the Housing Authority with updated information through writing. Applicants who do not respond to the request to update shall be removed from the waiting list. If the applicant's failure to respond was due to the applicant's disability, the Housing Authority shall provide reasonable accommodations to give the applicant an opportunity to respond.

6. Applicant Selection and Assignment

The PHA will select applicants for participation without discrimination based on race, color, sex, creed, or national origin nor deny any family or individuals the opportunity to apply for assistance under the Low-Rent Housing Program. Neither will the PHA discriminate because of religion, age, physical handicap, pregnancy, parenthood, nor marital or veteran status.

The selection of residents for occupancy of available units will be in conformance with all HUD guidelines and regulations and applicable Fair Housing and Equal Opportunity Requirements.

7. Special Use Dwelling Units

a. When a unit that meets a specific need (e.g., a unit designed to accommodate a handicapped tenant requiring the use of a wheelchair) becomes available, that unit will be offered first to a current occupant of another unit managed by the Housing Authority having handicaps and requiring the accessibility features of the vacant unit. If no such occupant exists, the unit will be offered to the next eligible applicant on the waiting list requiring that special unit. If there are no applicants on the waiting list needing a specially designed unit, the unit will then be offered to those eligible qualified applicants in their normal sequence.

b. Elderly applicants will be given preference for units designed specifically for elderly occupancy. Near Elderly Single Persons will be given preference over Non-Elderly Single Persons for units designed specifically for elderly occupancy.

9. Dwelling Unit Offers

- The PHA will make one unit offer. If this unit is rejected, the applicant goes to the bottom of the waiting list.

When the applicant is matched to the specific unit, that dwelling unit becomes "unrentable" until the offer is made and accepted or rejected. In order to reduce vacancy loss, it is necessary that processing from this point move as quickly as possible. To that end, the following conditions shall apply to dwelling unit offers:

a. As an applicant moves near the top of the waiting list, the Housing Authority will contact the applicant family to determine continued interest, to update the application for final processing, to alert the applicant that an offer is likely in the near future, and to inform the applicant about the requirements for move-in, such as utility deposits, security deposits, etc.

b. Upon availability for occupancy, an applicant will be offered a unit.

c. Upon offer of an apartment, the applicant shall have five (5) days to accept or reject the apartment. Failure to give an answer within the prescribed time period shall be counted as rejection of the offer.

d. Upon acceptance of the offer, the applicant will then be assigned a deadline for move-in. Before the end of this period, the applicant must complete all outstanding pre-occupancy requirements, such as joint HQS unit inspection, establishment of utility services, leasing

interview, and lease execution. Failure to complete move-in requirements within the assigned period will result in withdrawal of the offer and inactivation of the application.

10. Unit Refusals

a. Applicants will be made one (1) offer of a unit of appropriate size and type. Should the family reject the offer, the family will be placed at the bottom of the waiting list.

b. Upon return to the top of the waiting list, such an applicant would be made an offer in accordance with the provisions of this policy. Upon refusal of one such offer, including any in neighborhoods previously refused, the application shall again be placed at the bottom of the waiting list.

c. When an applicant refuses an offer of an apartment, his/her application shall be returned to the bottom of the waiting list, unless the applicant can document that a move at that time would create an undue hardship on the family which is NOT related to race, creed, sex, national origin, religion, handicap or familial status.

d. Applicants not responding to an offer of housing by the PHA shall be ruled ineligible and their application will be removed to the inactive/ineligible file and so documented.

e. An applicant will have two (2) working days to accept or reject an offer of housing after receipt of notice of unit availability. Failure to respond to a notice of unit availability will be treated as a no response.

FLAT RENTS

In accordance with QWHRA, the PHA has established the following flat rents for the authority (utilities need to be added):

Development Number/Name	0 Bedroom	1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms
Osborne Ct. / 001	$488	$555	$739	$926	$1,058
Lafayette Ct. / 002	$488	$555	$739	$926	$1,058
Broad Street / 003	$488	$555	$739	$926	$1,058

LEASING OF DWELLING UNITS

1. Lease Agreement

a. The head of the household/spouse and all adult household members age 18 years and older of each family accepted as a tenant are required to execute a lease agreement in such form as the Housing Authority shall require prior to actual admission. One copy of the lease will be given to the lessee and the original will be filed as part of the permanent records established for the family.

The head of household according to the Lease will be legally responsible for the family unit and will be held liable for the conduct of the family members and guests and for the needs of the family.

b. Each lease shall specify the unit to be occupied, the date of admission, the size of the unit to be occupied, all family members who will live in the unit, the rent to be charged, the date rent is due and payable, other charges under the lease, and the terms of occupancy. It shall be explained in detail to the head of household or other responsible adult before execution of the lease.

c. The lease shall be kept current at all times. If a resident family transfers to a different unit in the same or another PHA community, the existing lease will be canceled. A new lease will be executed for the unit to which the family is to move by the head of household.

If any other change in the resident's status results in the need to change or amend any provisions of the lease, or if the PHA desires to waive a provision with respect to the resident, (1) the existing lease is to be canceled and a new lease executed, or (2) an appropriate rider is to be prepared and executed and made a part of the existing lease.

d. Certain documents are made part of the dwelling lease by reference. These include, but are not limited to, the Admissions and Continued Occupancy Policy (ACOP) and the Grievance Procedure.

e. Cancellation of a tenant's lease is to be in accordance with provisions of the lease. Generally, the lease shall not be canceled or not renewed except for serious or repeated violations of its terms by the tenant. Written records shall be maintained containing the pertinent details of each eviction.

f. Live-in Caretakers, as defined in Section B, will not be party to the lease nor will the Caretaker's income be taken into consideration in the calculation of resident rent. Families requiring Live-in-Caretaker assistance must have such assistance approved by the PHA prior to the Caretaker's occupancy in the dwelling unit. In the event that the family vacates the unit, the Caretaker will be required to vacate as well. In no case will the Caretaker be considered the remaining member of the tenant family.

2. Security Deposit

The resident shall provide the Housing Authority prior to occupancy with a security deposit as designated in the Lease Agreement. Interest shall be paid on the security deposit if held longer than 13 months as prescribed by the State of New Jersey Landlord Tenant Act.

Security deposits shall be returned to the tenant within 30 days after vacating the premises if all terms, covenants, and conditions of the lease have been fully performed; or a letter of Disposition explaining why the Housing Authority is withholding the security deposit will be sent.

ADMISSION OF ADDITIONAL MEMBERS TO A CURRENT HOUSEHOLD

1. Purpose - Population in excess of the number of persons for which a neighborhood or unit was designed is often the cause of many serious management problems including crime, vandalism, excessive maintenance costs, and low tenant satisfaction. It is with this in mind that this section of this ACOP is established.

2. Application Procedure - The resident of a household that wishes to add additional members to their household must first submit a written application, in the form prescribed by management, for approval by the Executive Director or his/her designee.

3. Eligibility Criteria:

   a. All new member(s) must be determined eligible in accordance with Part C eligibility criteria.

   b. The unit in which new members are requesting admission shall not be overcrowded and shall be maintained in accordance with Part C, Occupancy Standards.

4. Application Denial. The PHA may deny the application for any of the following reasons:

   a. Applicant(s) do not meet Eligibility Criteria as outlined in Part C.

   b. The dwelling unit is overcrowded or would exceed the Occupancy Standards as outlined in Part C.

   c. Applicant(s) do not meet the criteria for family as established in Part B.

   d. Applicant(s) are former members of resident family and have since become emancipated and are attempting to re-enter household for support or other reasons.

   e. Other reasons as determined from time to time by the Executive Director.

5. Additions which do not require approval of the applications. The PHA shall not deny approval for any of the following:

   a. Newborn infants of members currently on the lease.

   b. Minor children of members currently on the lease who were removed from their care by court action and are being returned.

6. House Guests. Dwelling units are adequate in size for the resident family only. No house guest will be permitted to reside in any unit in excess of 14 calendar days per year.

APPROVAL PROCESS FOR RESIDENTS REQUESTING PERMISSION TO OPERATE A BUSINESS IN THE UNIT

Prior to making a determination the resident shall request the PHA's permission in writing and include in the request a complete outline of business activities and other data as may be requested by the PHA. When a resident desires to operate a legal profit making business from the leased unit, the PHA shall use the following factors in determining whether or not such activities are incidental to the primary use of the lease unit:

a. Local Building health codes, requirements for license or governmental approval;

b. Local Zoning Ordinances;

c. The effect on PHA Insurance Coverage;

d. Utility Consumption;

e. Possible Damage to the leased unit;

f. Estimated traffic and parking;

g. Disturbance of other residents;

h. Attraction of non-residents to the neighborhoods; and,

i. Possible use of tenant business as a cover for drug-related activities.

SPECIAL OCCUPANCY PROVISIONS

1. Occupancy by police officers

The Housing Authority may allow a police officer (s) who is not otherwise eligible for residence in public housing to reside in a Housing Authority dwelling unit for the purpose of increasing security for residents of the Housing Authority.

A "police officer" means any person determined by the Housing Authority to be, during the period of residence of that person in public housing, employed on a full-time basis as a duly licensed professional police officer by a federal, state, or local government or by any agency thereof.

Terms and conditions of tenancy

The Housing Authority shall make known to federal, state, city and county law enforcement agencies within the Housing Authority's jurisdiction of the Housing Authority's policy to allow police officers to reside in a public housing dwelling unit. Police officers will be required to submit proof of family size and proof of full-time employment as a police officer. The police officer will be charged ceiling or flat rent for the unit. The police officer(s) will be required to sign a dwelling lease and will be bound by the provisions of the lease. Family composition and proof of employment will be re-examined not to exceed 12 months of occupancy of the unit. Loss of status of full-time employment as a police officer will result in an interim re-examination to determine income eligibility. If the resident does not meet income eligibility requirements following loss of full-time employment as a police officer, the resident will be issued a notice to vacate the unit.

Police officer(s) will be assigned vacant units within the developments stipulated above. If the development(s) is/are 100% occupied, and a police officer has completed the required paperwork for occupancy of a dwelling unit, the next available dwelling unit in the target developments will be offered to the police officer. Current residents will not be required to vacate units for occupancy by police officers unless the resident agrees to move and there is a comparable unit available for the family. In such a case, the Housing Authority will pay moving expenses for the family.

Part D

CONTINUED OCCUPANCY

ELIGIBILITY FOR CONTINUED OCCUPANCY

There is to be eligible for continued occupancy in the PHA communities only those residents:

1. Who qualify as a family as defined by federal requirements and this policy (see definition in Part B).

2. Who conform to the Occupancy Standard established for lower income housing. (see Part C)

3. Whose past performance in meeting financial obligations, especially rent, and other charges, is satisfactory; and

4. Whose family members have no record of disturbance of neighbors, destruction of property, unsafe living habits, unsanitary housekeeping practices, substance abuse, or any other history which may be reasonably expected to adversely affect:

    a. The health, safety, or welfare of other residents
    b. The peaceful enjoyment of the neighborhood by other residents
    c. The physical environment and fiscal stability of the neighborhood.

5. Whose family does not have a record of grossly unsanitary or hazardous housekeeping. This includes the creation of fire hazard through acts such as the hoarding of rags and papers; severe damage to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage improperly; or serious neglect of the premises. In cases where a qualified agency is working with the family to improve its housekeeping and the agency reports that the family shows potential for improvement, a decision as to the eligibility shall be reached after a referral with the Executive Director or his/her designee. This category does not include families whose housekeeping is found to be superficially unclean or lacks orderliness, where such conditions do not create a problem for the neighbors.

6. Who have not been involved in drug related or criminal activity.

7. Who have not been convicted of a crime.

8. Who are not currently engaging in the use of controlled substances and/or engaging in alcohol abuse.

9. Who is not subject to a lifetime registration requirement under the state sex offender registration program.

10. Who meet the requirements for community service or participation in self-sufficiency programs.

11. Who continues to occupy the apartment on a full time basis. Ownership or occupancy of another dwelling unit or failure to occupy the unit for a period greater than thirty days shall be grounds for termination of the lease.

12. Who are, with the aide of such assistance as is actually available to the family, physically and mentally able to care for themselves and their apartment and to discharge all lease obligations.

Remaining member(s) of a resident family may be permitted to remain in occupancy provided that the Housing Authority, in its sole judgment, determines that the remaining person(s) is (are):

a. Otherwise eligible for Continued Occupancy, and
b. Capable of carrying out all lease obligations, including but not limited to rent payment, care of the apartment, and proper conduct, and
c. Willing to assume all lease obligation of the prior leaseholder, including all payments under the lease, and
d. Legally competent to execute a lease in his (their) own name.

13. In the event of the receipt of unfavorable information, consideration will be given to the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct or financial prospects. For example:

a. Evidence of rehabilitation as verified by a duly qualified professional or representative of state or local government;

b. Evidence of the family's participation in, or willingness to participate in, social services or appropriate counseling service programs and the availability of such programs;

c. Evidence of the family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.

14. Citizenship/Eligible Immigration Status

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

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

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

b. No eligible members: Families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

c. Non-citizen students: Defined by HUD in the noncitizen regulations and are not eligible for assistance.

INSPECTIONS AND REEXAMINATIONS

INSPECTIONS

1. Move-In Inspections

Prior to occupancy, a representative of the participant family and of the PHA maintenance staff will accomplish a physical inspection of the dwelling unit. The maintenance or management staff representative will demonstrate to the family representative the operation of the unit appliances and fixtures.

The condition of the dwelling unit will be recorded on an inspection form provided by PHA. The inspection form will be signed by the family representative and the PHA representative. Any repairs noted will be effectuated prior to occupancy if the repairs are of such a nature that occupancy of the unit either (1) cannot occur, or (2) the unit in its present condition is unacceptable to the family. If the repairs to be effectuated do not prohibit occupancy by the participant family, and is acceptable to the family in its current condition, such repairs will be completed within thirty (30) days of move-in. A copy of the completed inspection form will be provided to the participant family and a copy will be retained in the family's occupancy file.

2. Housing Quality Standards (HQS) Inspections

The Housing Authority shall maintain its public housing properties in a condition that complies with standards that meet or exceed the housing quality standards established by HUD. Such housing standards shall ensure that dwelling units are safe and habitable.

The Housing Authority shall inspect all units annually in accordance with the Secretary's requirements. The Housing Authority shall retain the results of such inspections and, upon request of the Secretary, the Inspector General for the Department of Housing and Urban Development, or any other auditor conducting an audit under section 5(h), shall make such results available.

HQS inspections shall be conducted using the PHA's forms and shall document unreported maintenance problems and verify if the unit is being kept in a decent, safe, and sanitary manner. Copies of the inspection(s) will be provided to the family, noting any deficiencies to be corrected by the family or the PHA. Where the family has been advised to take corrective action, the PHA staff will conduct a follow-up inspection within five (5) working days, if such corrective action is of a general nature.

Where the corrective action to be taken is necessary to remedy an immediate threat to health and/or safety, the reinspection will occur within twenty-four (24) hours. Non-compliance by the family can result in termination of tenancy.

3. Move-Out Inspections

Prior to the family vacating a dwelling unit, the family will be encouraged to participate in a move-out inspection along with a member of the PHA staff. The actual move-out inspection will not be conducted until the family has vacated the unit. The condition of the dwelling unit will be recorded on the inspection form utilized for the pre-occupancy inspection of the same dwelling unit, allowing for a comparison of pre- and post occupancy condition comparison. Any claim against the family for tenant caused damages will be based upon this comparison.

Following move-out by the family, renovation and/or redecoration of the dwelling unit as a result of the family's occupancy will be accomplished. Charges for items of repair, renovation, and/or redecoration of the dwelling unit made necessary by abuse, negligence, or deliberate destruction by the family will be assessed against the family's security deposit. Should the security deposit prove insufficient relative to the actual cost of such repairs, PHA management will take any and all actions at its disposal to collect the remaining balance from the family.

REEXAMINATIONS

4. Purpose

Reexaminations of income and family circumstances are conducted for the following purposes:

a. To comply with the Federal requirements relating to annual reexaminations.

b. To determine if each family remains eligible for continued occupancy under the terms of the lease and this policy.

c. To determine if the unit size and type is still appropriate to the family's needs and in compliance with the Occupancy Standards.

d. To establish the Total Tenant Payment and the tenant rent to be charged to the family.

5. Annual Reexaminations

Annual reexaminations are necessary to comply with the federal requirement that each family, excluding families paying flat rent, have its eligibility reexamined at least every twelve months. Families paying flat rents shall have its eligibility reexamined every three (3) years.

At any time, the resident may report changes in income and family circumstances to obtain an appropriate rent adjustment. Determination of resident rent will be made based upon information collected during the verification process utilizing applicable HUD forms and all appropriate worksheets and rent formulas. Such documents must be at least 120 days current. The family will be notified in writing of any changes in resident rent 30 days prior to the effective rent change.

Failure to complete reexamination is a serious lease violation that will result in termination of tenancy. Failure to complete reexamination includes:

a. Failure to supply or cooperate in the verification process pertaining to income, family composition and eligibility.

b. Refusal to properly execute required documents.

6. Special Reexaminations

If at the time of admission, annual reexamination or interim reexamination, it is not possible to make an estimate of Family Income with any reasonable degree of accuracy because:

a. Family member(s) are unemployed and there are not anticipated prospects of employment; or,

b. The conditions of employment and/or income are so unstable as to invalidate usual and normal standards of determination; then a Special Reexamination will be scheduled on a date determined by the Housing Authority's estimate of the time required for the family's circumstances to stabilize. If at the time of the scheduled Special Reexamination, it is still not possible to make a reasonable estimate of Family Income, Special Reexaminations will continue to be scheduled until such time as a reasonable estimate of Family Income can be made and the Reexamination completed. Rent determined at special reexaminations shall be made effective the first of the month following the first determination. The Special Reexaminations are not to replace the Annual Reexamination.

7. Interim Reexaminations

Interim reexaminations are performed to allow residents to comply with the dwelling lease requirements to report changes in income and family circumstances. The following are specific changes that must be reported in writing within ten (10) days of their occurrence:

a. All changes in family composition. Additions to the family, other than through birth of a child to a family member on the lease, must be approved by the Housing Authority in advance in accordance with Part C; Admission of Additional Members.

b. The loss or addition of a wage earner.

c. The loss or addition of an income source.

d. In cases of ten (10) month employment cycles, for example public school food service workers, custodial workers and teacher aides, no interim rent changes shall be effective during the two (2) months of non-employment. Instead, the ten (10) month income shall be considered annual income and shall be computed on a twelve (12) month basis following the normal eligible deductions for dependents, etc.

e. All requests for an interim reexamination must be submitted and the reported change verified by the 15th of the month in order for a decrease in rent to be effective the first of the following month. Rent adjustments shall not be made for sporadic changes in income due to irregular work schedules of less than thirty (30) days in duration (e.g. sick days, temporary reduction in hours, etc.). Rent adjustments will be made accordingly:

(i) Interim decreases in rent shall become effective the first month following that in which the tenant reported the change except that in the corrections of error. All

changes must be reported and verified prior to the 15th day of the month in order for the decrease to be effective the first of the following month...

(ii) Interim increases in rent shall become effective the first of the second month following that in which the change occurred.

(iii) If it is found that the tenant has misrepresented him/herself on the facts associated with which rent is based so that rent is less than the rent that should have been charged, then the increased rent shall be retroactive to the appropriate date.

f. The PHA reserves the right to require participating families to undergo an interim reexamination to comply with changes to HUD rules and regulations.

8. Processing Reexaminations

All reexaminations shall be processed under the following conditions:

a. All data must be verified and documented as required in Part C, Verification. The Housing Authority will NOT adjust rent downward until satisfactory verification is received. Verification must be received by the 15th of the month in order for the decrease to be effective on the first of the following month.

b. Lease terminations resulting from reexaminations shall be conducted in accordance with the terms of the lease.

c. Families that are determined to be in an incorrect size or type of unit will be placed on the Transfer List in accordance with the Transfer Policy.

d. All interim changes in tenant's rent are to be made by a standard "Notice of Rent Adjustment" which shall become a part of the lease. Changes in rent resulting from Annual Reexamination shall be incorporated into the new lease, which shall be executed by the Housing Authority and the tenant or by "Notice of Rent Adjustment".

e. Interim decreases in rent shall be effective on the first day of the month following the month in which the change was reported in writing and verification is completed to the satisfaction of the Housing Authority, as long as the verification has been completed by the 20th of the month.

f. Interim increases in rent are to be made effective on the first day of the month following a thirty (30) day notice period.

g. If it is found that a tenant has misrepresented or failed to report facts upon which his rent is based so that he is paying less than he/she should be paying, the increase in rent shall be made retroactively to the date that the increase would have taken effect. The tenant may be required to pay within seven days of official notification by PHA, the difference between the rent he has paid and the amount he should have paid. In addition, the tenant may be subject to civil and criminal penalties. Any misrepresentation is a serious lease violation that may result in termination of the lease.

h. The Executive Director of the Housing Authority, or his/her officially designated representative shall certify on every application for admission or continued occupancy that all claims have been verified and that the determination of the Housing Authority is correct.

TERMINATION OF THE DWELLING LEASE

The Housing Authority shall not terminate or refuse to renew a Lease Agreement other than for serious or repeated violation of the terms of the lease, violation of applicable federal, state, or local law, or other good cause. The Dwelling Lease shall be terminated by the Housing Authority in accordance with applicable HUD Regulations.

1. "Good cause" as used in this Section means serious or repeated violation of material terms of the lease such as failure to make payments due under the lease or to fulfill the Resident obligations set forth in the lease.

2. The Housing Authority may terminate the lease for any occupancy violation of section 576(b) of the Quality Housing and Work Responsibility Act of 1998 (relating to the ineligibility of illegal drug users and alcohol abusers) or the furnishing of any false or misleading information pursuant to section 577 of such Act (relating to termination of tenancy and assistance for illegal drug users and alcohol abusers), or Section 428 relating to the conviction of manufacturing or producing methamphetamine (speed).

3. The Housing Authority may terminate the lease if the Housing Authority determines that the resident is illegally using a controlled substance or whose illegal use (or pattern of illegal use) of a controlled substance, or whose abuse (or pattern of abuse) of alcohol, is determined by the Housing Authority to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

4. The Housing Authority may terminate the lease for any activity by any household member, on or off the premises, that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of the Housing Authority.

5. The Housing Authority may terminate the lease for any violent or drug-related criminal activity on or off of the premises of the Housing Authority, or any activity resulting in a felony conviction.

   The term "drug-related criminal activity", for the purpose of this policy, means the illegal manufacture, sale, distribution, use, or possession with intent to sell, distribute, or use of a controlled substance.

   The Housing Authority reserves the right to terminate tenancy for criminal activity before or after conviction of the crime.

6. The Housing Authority may terminate the lease for failure to meet community service or participation in self-sufficiency program requirements.

7. The Housing Authority may terminate the lease for failure to pay charges, including late charges or charges for damage to Housing Authority property.

8. The Housing Authority may terminate the lease for lying about material facts in any written Housing Authority statements.

9. The Housing Authority may terminate the lease for serious or repeated damage or destruction of Housing Authority property.

10. The Housing Authority may terminate the lease for making or keeping a threat to the health or safety of other residents or Housing Authority employees.

11. The Housing Authority may terminate the lease for failure to pay resident purchased utilities.

12. The Housing Authority may terminate the lease for allowing unauthorized guests to remain in the household for more than thirty (30) days per calendar year. PHA management may find that extenuating circumstances exist, however. The Housing Authority will terminate the lease of any resident whose address has been used by an individual other than a member of the household as their address (e.g., driver's license, job application, etc.).

13. Procedure for termination of the Lease shall be as follows:

    a. The Housing Authority shall give fourteen (14) days written notice of termination if said termination is caused by Resident's failure to pay rent.

    b. The Housing Authority shall give a reasonable time period, but not to exceed thirty (30) days if the health or safety of other tenants, Housing Authority employees, or persons residing in the immediate vicinity of the premises is threatened, or in the event of any drug-related or violent criminal activity or any felony conviction, except that if the state or local law provides for a shorter period of time, such shorter period shall apply.

    c. The Housing Authority shall give thirty (30) days written notice of termination in all other cases.

    d. A written record of every lease termination shall be maintained by the Authority and shall contain the following information:

        (i) Name and identification of the unit occupied.

        (ii) Date and copy of Notice of Termination

        (iii) Specific reason(s) for Notice to Terminate

        (iv) Date and method of notifying tenant of reasons for lease termination

        (v) Summary of any conference(s) with the tenant, including names of conference participants.

TRANSFER POLICY

Reassignment or transfers to other dwelling units shall be made without regard to race, color, or national origin.

1. Objectives of the Transfer Policy

   a. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriately sized unit.

   b. To facilitate human relocation when required for modernization or other management purposes.

   c. To eliminate vacancy loss and other expense due to unnecessary transfers.

2. Types of Transfers

   a. Authority Initiated - The Housing Authority may at its discretion transfer residents because of an uninhabitable unit, major repairs, or other actions initiated by management for the following reasons. A resident shall not be transferred to a unit that is not decent, safe, and sanitary or that has not met Housing Quality Standards. Additionally, a resident may refuse a proposed transfer for cause, such as the long distance from his/her employer.

      (i) In the event of a fire, accident or natural disaster that results in the dwelling unit becoming uninhabitable, the resident will be offered alternative accommodations within the neighborhood if a rentable unit in the appropriate size is available. If the appropriate size is not available, the family may be overhoused but placed on the transfer list with the transfer being accomplished at the appropriate time. If no unit is available within the neighborhood, the family may be transferred to an appropriate unit available at another Housing Authority-owned neighborhood. If the move is to a site where residents purchase all or some utilities, the resident will pay the cost of any deposit required by the utility company.

      (ii) When a resident is transferred because the unit has become uninhabitable, the management of the Housing Authority shall determine the cause of the condition of the unit for the purpose of deciding whether relocation assistance may be offered to the resident and whether the transfer shall be considered permanent. Based on this determination, the following actions will be taken:

         (a) If the condition of the unit is the fault of the Housing Authority, the resident shall be provided with relocation assistance such as the cartage of household goods, the cost and methods of which are to be determined by management. The resident will normally be offered the opportunity to return to his original unit at his own expense, assuming that the unit can be rehabilitated and is still the appropriate size for the family.

         (b) If the condition of the unit is the fault of neither the Housing Authority nor the resident, as in the case of a natural disaster, the Housing Authority may

provide such relocation assistance as management deems appropriate. A transfer to a correctly sized apartment will be considered permanent.

(c) If the condition of the unit was caused by the resident, his family or guests, no relocation assistance will be provided and the resident may be charged for all damages to Housing Authority property.

(iii) If a site requires modernization type work that necessitates vacating apartments, the affected resident will be relocated at the Housing Authority's expense in available vacant units within the Housing Authority. If determined feasible by management, the Housing Authority will attempt to relocate affected residents into vacant units within the site. Other decisions related to modernization transfers will be made by the PHA Board of Commissioners and the Executive Director or his/her designee. The Housing Authority may suspend normal transfer procedures to facilitate modernization type activities.

b. Transfers to Appropriately Sized Unit

If a tenant's family composition NO LONGER conforms to the Housing Authority's Occupancy standards for the unit occupied, the PHA may require the tenant to move into a unit of appropriate size. This section establishes both that the Housing Authority has an obligation to transfer residents to the appropriately sized unit and that residents are obligated to accept such transfers. These will be made in accordance with the following principles:

(i) Determination of the correctly sized apartment shall be in accordance with the Housing Authority's Occupancy Standards.

(ii) Transfers into the appropriately sized unit will be made within the same neighborhood unless that size unit does not exist on the site

(iii) The Housing Authority does not have any obligation to rehouse a family that has caused damage or was responsible for fires caused by the resident.

(iv) The PHA may, at its discretion, separate a single household into multiple households if sufficiently large units are not available or if management and the family determine this to be in the interest of both the family and the neighborhood. Based on the selection criteria for new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contains a leaseholder capable of discharging lease obligations.

(v) The number of units offered to a family transferring will be one (1) unless there is a hardship situation as determined by PHA. If the resident refuses the dwelling unit offered, the lease may be terminated by management.

(vi) Families with children in school being transferred outside their current neighborhood will not be required to move until the current school year is finished if the Housing Authority determined that a transfer would cause a hardship to the family.

(vii) Transfers shall be made to correct occupancy standards and shall take precedence over new admissions.

(viii) Upon redetermination, the resident will be notified of any transfer to another dwelling unit and that such dwelling is available by receipt of a Notice of Termination from PHA with at least fifteen (15) days following the notice to transfer to the new dwelling.

c. Transfers for Non-handicapped families living in handicapped designated units.

(i) The dwelling lease states what type of unit the resident family is residing in. If the unit leased is a handicapped designated unit and the tenant family occupying the unit is not a family with disabled individuals, the tenant agrees to transfer to a non-handicapped unit if and when the unit is needed for a handicapped family.

(ii) The PHA may from time to time have an excess of handicapped accessible units. In an effort to get the best use of all units the PHA may from time to time rent a handicapped designated unit to a family that has no disabled members. The PHA will advise the family of the requirements to transfer if and when a handicapped designated family is determined eligible. If the family selected for the unit decides not to accept the unit because of the requirement to move at some date in the future, the refusal shall not count against the family.

(iii) This section establishes both that the Housing Authority has an obligation to transfer non-handicapped residents residing in handicapped designated units to non-handicapped designated units and that the non-handicapped families are obligated to accept such transfers. These will be made in accordance with the following principles:

(a) Transfers into a non-handicapped designated unit will be made within the same neighborhood unless that size unit does not exist on the site.

(b) Transfers to a non-handicapped designated unit may be made outside of the same neighborhood with tenant consent or unless no vacancies are expected within the same neighborhood within the next 30 days.

(c) Management may, at its discretion, separate a single household into multiple households if sufficiently large units are not available or if management and the family determine this to be in the interest of both the family and the neighborhood. Based on the selection criteria for new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contain a legal leaseholder capable of discharging lease obligations.

(d) The non-handicapped family may be provided with relocation assistance such as cartage of household goods, and relocation expenses, the costs and methods of which are to be determined by management.

(e) For the purposes of determining the priorities for transfers, this type of transfer shall be considered an Housing Authority initiated transfer.

3. Priorities for Transfers

a. Within the eligible types of transfers, transfers shall be performed according to the following priorities:

(i) Housing Authority initiated transfers;

(ii) Residents who are overhoused;

(iii) Residents who are underhoused;

(iv) Individuals residing in a handicapped unit who are not handicapped will be required to move to a non-handicapped unit if requested by the Authority to do so.

4. Transfer Procedures

a. The Executive Director other designated staff shall:

(i) Prepare and prioritize a transfer list for each neighborhood monthly.

(ii) Notify residents by letter of their pending transfers or approval of transfer request.

(iii) Maintain transfer logs and records for audit.

(iv) Notify residents with pending transfers as their name approaches the top of the list.

(v) Issue notice to transfer as soon as vacant apartment is available for occupancy. This notice will give the resident fifteen (15) working days to complete transfer.

(vi) Process transfer documents to appropriate PHA staff.

(vii) Participate in planning and implementation of special transfer systems for modernization and other similar programs.

(viii) Inspect both apartments involved in the transfer, charging for any resident abuse.

(ix) Family pays all outstanding charges due the PHA. The resident's security deposit may be transferred to the new dwelling unit provided the PHA does not claim all or any part of the security deposit. The resident shall pay all or any part of the security deposit required for the new dwelling unit, to either replace or supplement the security deposit from the original dwelling unit, or any balance remaining after any claims are made by the PHA.

(x) Family signs new lease.

b. Any resident aggrieved by any action or inaction of the PHA relative to his/her transfer request may file a request for a hearing in accordance with the grievance procedure.

5. Right of Management to Make Exceptions

This policy is to be used as a guide to insure fair and impartial means of assigning units for transfer. It is not intended that this policy shall create a property right or any other type of right for a resident to transfer or refuse transfer. Management reserves the right to make exceptions to this policy as circumstances require, consistent with applicable regulations of the Department of Housing and Urban Development. Transfer disputes are subject to the grievance procedure.

ABANDONMENT OF A UNIT

The PHA may take possession of the dwelling after a resident has moved out. In the absence of actual knowledge of abandonment, it shall be presumed that the resident has abandoned the dwelling if the resident is absent from the dwelling for a period of fifteen (15) days, and the resident has not notified the PHA in writing in advance of an intended absence, or otherwise as provided in this Agreement. The following criteria will be used in determining if the unit has been abandoned:

a. Some or all of utilities have been turned off;

b. A dramatic reduction in utility/electric bills;

c. Repeated inability to contact the resident;

d. Incarceration or sentencing of the head of household for more than 30 days;

e. No personal possessions remaining in the apartment.

The Housing Authority will post a ten (10) day notice at the abandoned unit. The ten (10) day notice shall inform the participant family of the Housing Authority's intention to terminate the lease and related actions. If the participant family does not respond to the notice within five days, the family's lease will be terminated and the Housing Authority will enter the unit to remove any remaining personal possessions. PHA may remove and dispose of any personal property, left in the resident's dwelling or elsewhere on the PHA's property. Reasonable cost of any storage, removal and/or disposal shall be charged to the resident or assessed against resident's security deposit, unless in PHA's sole discretion, it is determined that documentable conditions existed which prevented the resident from occupying the dwelling.

COMMUNITY SERVICE AND FAMILY SELF-SUFFICIENCY

1. Policy Statement

It is the policy of the Housing Authority to enhance and promote economic and social self-sufficiency. As such, the Housing Authority shall provide the following for the enhancement of the economic and social self-sufficiency of assisted families:

- Income mix (the PHA may establish and utilize income-mix criteria for the selection of residents.)

- Targeting (mandatory): Not less than 40% of dwelling units owned by the Housing Authority shall be occupied by families whose incomes at the time of commencement of occupancy do not exceed 30% of the area median income.

- Cooperation Agreements for Economic Self-Sufficiency (mandatory): The Housing Authority shall enter into cooperation agreements with state, local, and other agencies providing assistance to covered families under welfare or public assistance programs. The cooperation agreements shall facilitate the administration of this policy and the sharing of information regarding rents, income, assistance, or other information that may assist the Housing Authority or welfare or public assistance agency to carry out its functions. The Housing Authority shall also seek to include in cooperation agreements with welfare or public assistance agencies provisions to provide for economic self-sufficiency services within the properties owned by the Housing Authority, provide for services designed to meet the unique employment-related needs of residents, and provide for placement of work fare positions on-site.

2. Definition of "economic self-sufficiency program": Any program designed to encourage, assist, train, or facilitate the economic independence of participants and their families or to provide work for participants, including programs for job training, employment counseling, work placement, basic skills training, education, work fare, financial or household management, apprenticeship, or other activities as the Secretary may provide.

3. Community Service and Family Self-Sufficiency Requirement

As a condition of continued occupancy, excluding residents under paragraph 4 below, each adult resident of the Housing Authority shall:

a. Contribute eight (8) hours per month of community service (not including political activities) within the community in which that adult resides; or,

b. Participate in an economic self-sufficiency program for eight (8) hours per month.

4. Exemptions

Exemptions to paragraph 3 above shall be made for any individual who:

a. Is 62 years of age or older;

b. Is a blind or disabled individual defined under section 216(i)(1) or 1614 of the Social Security Act (42 USC 416(i)(1); 1382c) and who is unable to comply with this section, or is a primary caretaker of such individual;

c. Is engaged in a work activity (as such term is defined in section 407(d) of the Social Security Act (42 USC 607(d), as in effect on and after July 1, 1997)

d. Meets the requirements for being exempted from having to engage in a work activity under the state program funded under part A of title IV of the Social Security Act (42 USC 601 et seq) or under any other welfare program of the state in which the public housing agency is located, including a state-administered welfare-to-work program; or,

e. Is in a family receiving assistance under a state program funded under part A of title IV of the Social Security Act (42 USC 601 et seq) or under any other welfare program of the state in which public housing agency is located, including a state administered welfare-to-work program, and has not been found by the state or other administering entity to be in noncompliance with such program.

5. Annual Determinations

For each public housing resident, the Housing Authority shall, thirty (30) days before the expiration of each lease term of the resident, review and determine the compliance of the resident with the requirement under paragraph 3 above. Such determinations shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

6. Noncompliance

If the Housing Authority determines that the resident subject to the requirement under paragraph 3 has not complied with the requirement, the Housing Authority shall notify the resident in writing of such noncompliance. The written notification shall state that the determination of noncompliance is subject to the administrative grievance procedure and that failure by the resident to enter into an agreement, before the expiration of the lease term, to cure any noncompliance by participating in an economic self-sufficiency program for, or contributing to community service, as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease, may be cause for lease termination.

The Housing Authority shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member subject to the requirement under paragraph 3 who has been determined to be not compliant with the requirements under paragraph 3, and has failed to attempt to cure the noncompliance.

7. Location of the community service or family self-sufficiency program

Adult residents subject to the requirement under paragraph 3 may participate in a community service or an economic self-sufficiency program at a location not owned by the Housing Authority.

The Housing Authority may provide a community service or an economic self-sufficiency program to meet the requirements of paragraph 3; however, the Housing Authority shall not substitute participation in community service or an economic self-sufficiency program for work performed by an employee of the Housing Authority or supplant a job at any location at which community work requirements are fulfilled.

8. Treatment of Income Changes Resulting from Welfare Program Requirements

This section applies to families that receive benefits for welfare or public assistance from a state or other public agency under a program for which the federal, state, or local law relating to the program requires, as a condition of eligibility for assistance under the program, participation of a member of the family in an economic self-sufficiency program.

a. Decreases in Income for Failure to Comply

For families whose welfare or public assistance benefits are reduced because of failure of any family member to comply with the conditions under the assistance program requiring participation in an economic self-sufficiency program or imposing a work activities requirement, the amount required to be paid by the family as a monthly contribution toward rent shall not be decreased.

b. Fraud

For families whose welfare or public assistance benefits are reduced because of an act of fraud by member of the family under the law or program, the amount required to be paid by the family as a monthly contribution toward rent shall not be decreased, during the period of reduction, as a result of any decrease in income of the family, to the extent that the decrease was the result of benefit reduction due to fraud.

c. Reduction Based on Time Limit for Assistance

The amount required to be paid as a monthly contribution toward rent by a family whose welfare or public assistance benefits are reduced as a result of the expiration of a lifetime time limit for a family, and not as a result of failure to comply with program requirements, shall be decreased, during the period of reduction, as a result of any decrease in income of the family, to the extent that the decrease was the result of benefit reduction due to expiration of a lifetime time limit.

d. Notice

The Housing Authority shall obtain written notification from the relevant welfare or public assistance agency specifying that the family's benefits have been reduced and cause for reduction prior to redetermination of monthly contribution toward rent.

e. Grievance

Any family affected by sections 8.a and 8.b above shall have the right to review the determination through the Housing Authority's grievance procedure.

Part E

FRAUD

FRAUD

If the PHA has reason to believe that a family may have (or had before participating in the public housing programs) committed fraud, bribery, or other corrupt or criminal acts the PHA will take action to determine whether there has been program abuse. Once the PHA determines that fraud has occurred and decides to terminate the lease due to fraud, the PHA will provide the family with a 30 day Notice to Evict. The PHA may require repayment by the family. Further, the PHA shall refer all fraud cases to the Regional Inspector General for Investigation (RIGID) or to local or state prosecutors with a copy to RIGID for investigation and possible criminal prosecution.

The Housing Authority considers the misrepresentation of income and family circumstances to be a serious lease and policy violation as well as a crime and will take appropriate action if apparent fraud is discovered. Specifically:

1. An applicant family who has misrepresented income or family circumstances may be declared ineligible for housing assistance.

2. If any examination of the tenant's file discloses that the tenant made any misrepresentation (at the time of admission or any previous reexamination date) which resulted in his/her being classified as eligible when in fact he/she was ineligible, the tenant may be required to vacate the apartment even though he/she may be currently eligible.

3. A tenant family who has made misrepresentation of income or family circumstances is subject to both eviction and being declared ineligible for future housing assistance.

4. If it is found that the tenant's misrepresentations resulted in his/her paying a lower Tenant Rent than he/she should have paid, he/she will be required to pay the difference between rent owed and the amount that should have been paid. This amount shall be paid whether or not the tenant remains in occupancy, but failure to pay under terms established by the Housing Authority shall always result in immediate termination of the lease. The Housing Authority reserves the right to demand full payment within seven days.

5. The Housing Authority shall report apparent cases of tenant or applicant fraud to the appropriate government agency. It shall be the policy of the PHA to press state and Federal authorities for prosecution of cases which, in the Housing Authority's judgment, appear to constitute willful and deliberate misrepresentation.

Part F

RENT POLICY

RENT POLICY

1. Minimum Rental Amount

The PHA has established a minimum Total Tenant payment of $50 per month.

2. Rent Collection

a. Rent is due on the first of each month and is considered late if not paid by the fifth working day of the month.

b. A late charge of $25 will be added to the monthly rental payment for any rent paid after the fifth working day of the month

c. A 14 Day Notice of Termination will be served on the tenant on the sixth (6th) day of the month if rent is not paid. If the total rental payment due is not paid within fourteen (14 days, the PHA will issue an unlawful detainer and file in court for all monies due and for possession of the unit. Rent will be accepted up until the court date. Should the resident wish to settle the suit out of court, resident payment shall include all past due rent, late fees, court filing fees, and other reasonable costs associated with the filing of the eviction.

d. If a family is served four (4) unlawful detainers within a twelve (12) month period, their lease shall be terminated for chronic rent delinquency.

3. Payments After the Delinquency Date

The family may enter into a written agreement with the PHA or court to pay back all outstanding indebtedness, including unpaid maintenance charges and retro-rent, plus incurred charges. Repayment agreements will not be entered into for delinquent rent. The option to enter into an agreement shall be solely at the discretion of the PHA. Any such agreement must provide for a quick payout of debt, not to exceed an agreed upon time payment for payment of total debt. Any resident failing to make payments in accordance with the terms of the agreement to repay, the PHA shall serve a notice to vacate to the family. Should the PHA be required to enforce the terms of the lease agreement through legal action, all related court costs, attorney fees, plus any outstanding indebtedness, will be included in the judgment.

4. Retroactive Rent Charges

Retroactive Rent Charges will be due and payable within seven (7) days of written notice unless arrangements are made prior to this day to make installment payments. Normally retroactive rent installment payments must be computed not to exceed a three (3) month pay off. If the amounts are large and the tenant will not be able to pay off the retro rent charge within three (3) months a repayment schedule may be established allowing a longer period upon approval of the Executive Director.

5. Vacated Tenants With Balances

Vacated tenants will have thirty (30) days from the date of the statement of Request for Refund to pay the account or make arrangements for payment. Accounts will be reported to the Credit Bureau and collection action will be taken after the expiration of this time period.

6. Terms and Conditions of Payment of Security Deposits

Prior to lease signing, the Housing Authority must receive full payment of the security deposit; however, where the family moves in on other than the first of the month, the rent will be pro-rated for that month but the full security deposit will still be due at time of lease execution.

In properties designated for the exclusive occupancy by elderly, handicapped, or disabled persons, the PHA will allow the keeping of pets in accordance with the Housing Authority's Pet Policy and upon execution of the Pet Lease Addendum. A condition of pet ownership is the payment of a pet deposit according to the Pet Policy.

7. Terms and Conditions of Other Charges in Addition to Rent

The resident agrees to pay for all repairs made to the unit due to resident damage or neglect**.** The resident must pay such charges at the first of the month following the charge. Such charges will be made based on actual cost of labor and materials.

In the event of damages discovered at move-out, the family's security deposit will be reduced by the amount necessary to execute repairs above "normal wear and tear". Any remaining balance will be refunded to the resident under the following conditions:

a. The resident leaves a forwarding address or makes arrangements to pick up the deposit in person.

b. The resident owes no other charges for excess utility consumption, late fees on rental payments, etc..

c. The remaining balance will be paid within thirty (30) days of move-out.

8. Exemption for Hardship Circumstances

The Housing Authority shall immediately grant an exemption from application of the minimum monthly rental amount to any family unable to pay such amount because of financial hardship, which shall include situations in which:

a. The family has lost eligibility for or is awaiting an eligibility determination for 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 Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996;

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

c. The income of the family has decreased because of changed circumstances, including loss of employment;

d. A death in the family has occurred.

If a resident requests a hardship exemption and the Housing Authority reasonably determines the hardship to be of a temporary nature, an exemption shall not be granted during the 90-day period beginning upon the making of a request for the exemption. A resident shall not be evicted during the 90-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 Housing Authority shall retroactively exempt the resident from applicability of the minimum rent requirement for such 90-day period.

9. Family Choice of Rental Payment

The Housing Authority shall provide two (2) rent options for any public housing dwelling unit owned, assisted, or operated by the Housing Authority:

a. Flat Rents/Ceiling Rents: The flat rental amount for the dwelling unit shall be based on the rental value of the unit, as determined by the Housing Authority; or,

b. Income Based Rents: The monthly rental amount shall not exceed (up to) 30% of monthly adjusted income. Income Based Rents shall not be less than the minimum rental amount.

The term "adjusted income" means, with respect to the family, the amount of income of the members of the family residing in a dwelling unit or the persons on a lease, after any income exclusions as follows:

(i) $400 for any elderly or disabled family;

(ii) The amount by which 3% of the annual family income is exceeded by the sum of:

(a) Unreimbursed medical expenses for any elderly family or disabled family;

(b) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each handicapped member of the family, to the extent necessary to enable any member of such family (including such handicapped member) to be employed.

(iii) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education;

(iv) $480 for each member of the family residing in the household (other than the head of the household or his or her spouse) who is less than 18 years of age or is attending school or vocational training on a full-time basis, or who is 18 years of age or older and is a person with disabilities;

(iii) 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 clause may not exceed $480 for each child for whom such payment is made;

(vi) Any payment made be 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 clause shall not exceed the lesser of:
(a) The amount that such family member has legal obligation to pay, or,
(b) $550 for each individual for whom such payment is made.

(vii) The amount of any earned income of a member of the family who is not:
(a) 18 years of age or older, and
(b) The head of the household (or the spouse of the head of the household).

10. Switching Rent Determination Methods Because of Hardship Circumstances

In the case of a family that has elected to pay rent in the amount equal to the Flat Rent/Ceiling Rent for the dwelling unit, the Housing Authority shall immediately provide for the family to pay rent in the amount equal to Income Based Rent during the period for which such election was made upon a determination that the family is unable to pay the amount determined because of financial hardship, including:

a. Situations in which the income of the family has decreased because of changed circumstances, loss or reduction of employment, death in the family, and reduction in or loss of income or other assistance;

b. An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; or,

c. Such other situations as may be determined by the Housing Authority.

Families switching rent determination method because of hardship circumstances shall be limited to one (1) rent switch within a twelve (12) month period. Such rent switches are subject to interim reexamination provisions as detailed in this policy.

11. Encouragement of Self-Sufficiency

It is the policy of the Housing Authority to encourage and reward employment and economic self-sufficiency. As such, the Housing Authority may provide the following as incentives for employment and economic self-sufficiency:

a. Disallowance of earned income from rent determinations (mandatory): When a family member becomes employed after being unemployed for at least one (1) year, or when income increases during the participation in any family self-sufficiency or job training program, or who is or was assisted under TANF within six (6) months and whose earned income increases, rent shall not increase for twelve (12) months after commencing work.

b. Phase-in of rent increases (mandatory): Upon expiration of the 12-month period of disallowance of earned income from rent determinations, the rent payable by the family shall be increased due to continued employment of the family member, except that during the 12-month period beginning upon such expiration, the amount of the increase may not be greater than 50% of the amount of the total rent increase that would be applicable. (Rent may only increase by 50% of what it normally would during the next 12 month period.)

12. Treatment of Income Changes Resulting from Welfare Program Requirements

This section applies to families that receive benefits for welfare or public assistance from a state or other public agency under a program for which the federal, state, or local law relating to the program requires, as a condition of eligibility for assistance under the program, participation of a member of the family in an economic self-sufficiency program.

a. Decreases in Income for Failure to Comply

For families whose welfare or public assistance benefits are reduced because of failure of any family member to comply with the conditions under the assistance program requiring participation in an economic self-sufficiency program or imposing a work activities requirement, the amount required to be paid by the family as a monthly contribution toward rent shall not be decreased.

b. Fraud

For families whose welfare or public assistance benefits are reduced because of an act of fraud by member of the family under the law or program, the amount required to be paid by the family as a monthly contribution toward rent shall not be decreased, during the period of reduction, as a result of any decrease in income of the family, to the extent that the decrease was the result of benefit reduction due to fraud.

c. Reduction Based on Time Limit for Assistance

The amount required to be paid as a monthly contribution toward rent by a family whose welfare or public assistance benefits are reduced as a result of the expiration of a lifetime time limit for a family, and not as a result of failure to comply with program requirements, shall be decreased, during the period of reduction, as a result of any decrease in income of the family, to the extent that the decrease was the result of benefit reduction due to expiration of a lifetime time limit.

d. Notice

The Housing Authority shall obtain written notification from the relevant welfare or public assistance agency specifying that the family's benefits have been reduced and cause for reduction prior to redetermination of monthly contribution toward rent.

e. Grievance

Any family affected by sections 12.a and 12.b above shall have the right to review the determination through the Housing Authority's grievance procedure.

APPENDIX A

INCOME LIMITS

INSERT INCOME LIMITS

APPENDIX B

UTILITY ALLOWANCES

Utility Allowances

Agency Statement: The Housing Authority of the City of Cape May does not have utility allowances. The Housing Authority charges for additional household appliances not normally supplied by the Housing Authority. Such additional appliances require a flat fee of $25 per appliance to be paid by the resident. Additional appliances are defined as an extra refrigerator, freezer, or dryer. The entire site is master metered with only one meter.

APPENDIX C

GRIEVANCE PROCEDURE

GRIEVANCE POLICY

I. PURPOSE

This grievance procedure has been adopted to provide a forum and procedure for residents to seek the just, effective and efficient settlement of grievances against the Housing Authority.

II. GOVERNING LAW

The law governing this grievance procedure is section 6(k) of the U.S. Housing Act of 1937 (42 U.S.C. sec. 1437d (k) and subpart B of 24 CFR part 966 (24 CFR secs. 966.50 - 966.57).

III. APPLICABILITY

In accordance with applicable federal regulations, this grievance procedure shall be applicable to all individual grievances (as defined in Section IV below) between a resident and the PHA with the following two (2) exceptions:

A. This grievance procedure is not applicable to disputes between residents not involving the PHA, or to class grievances involving groups of residents. Also, this grievance procedure is not intended as a forum for initiating or negotiating policy changes between residents, or groups of residents, and the PHA's Board of Commissioners.

B. HUD has issued a determination that New Jersey State law provides the basic elements of due process necessary when eviction of a resident occurs in the following cases, and therefore this policy is not applicable when the eviction is due to:

(1) Any activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of HA; or

(2) Any drug-related criminal activity on or off such premises.

IV. D EFINITIONS

The following definitions of terms shall be applicable to this grievance procedure:

A. **Grievance**: Any dispute which a resident may have with respect to an action or a failure to act by PHA in accordance with the individual resident's lease or PHA regulations, which adversely affects the individual resident's rights, duties, welfare, or status.

B. **CFR**: The code of federal regulations that contains the federal regulation governing this grievance procedure.

C. **Complainant**: Any resident (as defined in this section below) whose grievance is presented to the main office of the Housing Authority, 639 Lafayette Street, Cape May, New Jersey 08204 in accordance with the requirements set forth in this procedure.

D. **Drug-related criminal activity**: The illegal manufacture, sale, distribution, use or possession with intent to manufacture, sale, distribute, or use of a controlled substance as defined in sec. 102 of the Controlled Substances Act (21 U.S.C. sec 802), as from time to time amended.

E. **PHA or "Housing Authority"**: The Housing Authority, a body corporate organized and existing under the laws of the State of New Jersey.

F. **Elements of due process**: The following procedural safeguards are required to be followed in an eviction action or a termination of tenancy in a state or local court:

(1) Adequate notice to the resident of the grounds for terminating the tenancy and for eviction;

(2) Right of the resident to be represented by counsel;

(3) Opportunity for the resident to refute the evidence presented by the PHA, including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the resident may have;

(4) A decision on the merits.

G. **Hearing Officer**: An impartial person selected in accordance with 24 CFR Sec 966.55 and this grievance procedure to hear grievances and render decisions with respect thereto.

H. **Hearing Panel**: A three-member panel composed of impartial persons, selected in accordance with 24 CFR Sec. 966.55 and this procedure to hear grievances and render decisions with respect thereto.

I. **HUD**: The United States Department of Housing and Urban Development.

J. **Notice**: As used herein, the term notice shall, unless otherwise specifically provided, mean written notice.

K. **The "Regulations"**: The HUD regulations contained in subpart B of 24 CFR part 966.

L. **Resident Organization**: An organization of residents, which includes any Resident Management Corporation and specifically includes the Resident Organization.

M. **Resident**: The adult person (or persons) other than a live-in aide:

(1) Who resides in the unit and who executed the lease with the PHA as lessee of the dwelling unit, or, if no such person resides in the unit

(2) The person who resides in the unit and who is the remaining head of the household of the resident family residing in the dwelling unit.

N. **Business Days**: Monday through Friday of each week, except for legal holidays recognized by the federal government.

V. INCORPORATION IN LEASES

This grievance procedure shall be incorporated by reference in all public housing dwelling leases between residents and the PHA, whether or not so specifically provided in such leases.

VI. FORMAL GRIEVANCE HEARING

The following procedures apply to the request for a formal grievance hearing under this grievance procedure:

A. **Request for Hearing**: If the complainant is not satisfied with the results of the informal settlement conference, the complainant must submit a written request for a formal hearing to PHA's Central Office, no later than five (5) business days after the date complainant receives the summary of discussion delivered as required under Section VI above.

Complainant's written request for a formal hearing must specify:

(1) The reasons for the grievance;

(2) The action or relief sought by the complainant; and

(3) If the complainant so desires, a statement setting forth the times at which the complainant shall be available for a hearing during the next ten (10) business days;

(4) Complainant's preference, if any, concerning whether the grievance should be heard by a single hearing officer or by a hearing panel;

(5) If the complainant has failed to attend an informal discussion conference, a request that the hearing officer or panel waive this requirement.

B. **Failure to Request Hearing**: If the complainant fails to request a hearing within five (5) business days after receiving the written summary of the informal settlement conference, the PHA's decision rendered at the informal hearing becomes final and the PHA is not thereafter obligated to offer the complainant a formal hearing.

VII. SELECTION OF HEARING OFFICER OR PANEL

All grievance hearings shall be conducted by an impartial person or persons appointed by the PHA after consultation with resident organizations, in the manner described below:

A. The permanent appointments of persons who shall serve as hearing officers and hearing panel members shall be governed by the following procedures:

(1) The PHA shall nominate a slate of persons to sit as permanent hearing officers or hearing panel members. These persons may include, but shall not be necessarily limited to, members of the PHA Board of Commissioners, PHA staff members, residents, or other responsible persons in the community. No persons shall be listed on the slate of members unless such person has consented to serve as a hearing officer or on a hearing panel.

(2) The slate of potential appointees shall be submitted to the Resident Organization for written comments. Written comments from the resident organization shall be considered by the PHA before appointments are finally made. Objection to the appointment of a person as a hearing officer or panelist must be considered but is not dispositive as to the proposed appointment with respect to which objection is made.

(3) On final appointment, the persons appointed and the Resident Organization shall be informed in writing of the appointments. A list of all qualified hearing officers and panelists shall be kept at the Central Office of the PHA and be made available for public inspection at any time.

The persons who have agreed to serve as hearing panelists for grievances brought under this procedure are listed on Exhibit I attached hereto and hereby incorporated herein by reference. Additional appointments shall be made in the manner set forth in this section.

B. The designation of hearing officers or panel members for particular grievance hearing shall be governed by the following provisions:

(1) All hearings shall be held before a single hearing officer unless the complainant (at the time of the initial request for the hearing) or the PHA requests that the grievance should be heard by a hearing panel.

(2) Appointments to serve as a hearing officer or panelist with respect to a particular grievance shall be made by the PHA in random order, subject to availability of the hearing officer or panelist to serve in each such case. The PHA may employ any reasonable system for random order choice.

(3) No member of the PHA Board of Commissioners or staff may be appointed as hearing officer or panelist in connection with the grievance contesting an action which was either made or approved by proposed appointee, or which was made or approved by a person under whom the proposed appointee works or serves as a subordinate.

(4) No person shall accept an appointment, or retain an appointment, once selected as a hearing officer or hearing panelist, if it becomes apparent that such person is not fully capable of impartiality. Persons who are designated to serve as hearing officers or panelists must disqualify themselves from hearing grievances that involve personal friends, relatives, persons with whom they have any business relationship, or grievances in which they have some personal interest. Further, such persons are expected to disqualify themselves if the circumstances are such that a significant perception of partiality exists and is reasonable under the circumstances. If a complainant fails to object to the designation of the hearing officer or panelists on the grounds of partiality, at the commencement or before the hearing, such objection is deemed to be waived, and may not thereafter be made.

In the event that a hearing officer or panel member fails to disqualify himself or herself as required in this grievance procedure, the PHA shall remove the panel member or officer from the list of persons appointed for such purposes, invalidate the results of the grievance hearing in which such person should have, but did not, disqualify himself or herself, and schedule a new hearing with a new hearing panel or officer.

VIII. SCHEDULING OF HEARINGS

A. **Hearing Prerequisites**: A complainant does not have a right to a grievance hearing unless the complainant has satisfied the following prerequisites to such a hearing:

(1) The complainant has requested a hearing in writing.

(2) The complainant has completed the informal settlement conference procedure or has requested a waiver for good cause.

(3) If the matter involves the amount of rent which the PHA claims is due under the complainant's lease, the complainant shall have paid to the PHA an amount equal to the amount due and payable as of the first of the month preceding the month in which the complained of act or failure to act took place. And, in the case of situations in which hearings are, for any reason delayed, the complainant shall thereafter, deposit the same amount of the monthly rent in an escrow account monthly until the complaint is resolved by decision of the hearing officer or hearing panel. Unless waived by the PHA in writing, no waiver shall be given by the PHA except in cases of extreme and undue hardship to the complainant, determined in the sole and absolute discretion of the PHA.

B. **Time, Place, Notice**

(1) Upon complainant's compliance with the prerequisites to a hearing set forth above, a hearing shall be scheduled by the hearing officer or hearing panel promptly for a time and place reasonably convenient to both the complainant and the PHA, no later than the tenth (10th) business day after complainant has completed such compliance. (In the case of a panel, if all three appointed members of the panel are not able to agree upon a date and time convenient to all

panelists, on or before the last date before the hearing permitted under this procedure, they shall immediately so inform the PHA. If two panelists can agree upon a date and time, the PHA shall reappoint a third panelist who shall be available at the time agreed upon by two who can agree. If none of the panelists can agree upon a time, a new panel shall be appointed).

(2) A written notification specifying the time, place, and the procedures governing the hearing shall be delivered to the complainant and the appropriate PHA official, who, unless otherwise designated, shall be the Executive Director.

1X. PROCEDURES GOVERNING HEARINGS

A. Fair Hearings

The hearings shall be held before a hearing officer or hearing panel as directed above in Section VIII. The complainant shall be afforded a fair hearing, which shall include:

(1) The opportunity to examine before the hearing any PHA documents, including records and regulations that are directly relevant to the hearing.

The complainant shall be allowed to copy any such document at the complainant's expense. If the PHA does not make the document available for examination upon request by the complainant, the PHA may not rely on such document at the grievance hearing.

(2) The right to be represented by counsel or other person chosen as the complainant's representative and to have such person make statements on the complainant's behalf.

(3) The right to a private hearing unless the complainant requests a public hearing. The right to present evidence and arguments in support of the complainant's complaint, to controvert evidence relied on by the PHA and to confront and cross examine all witnesses upon whose testimony or information the PHA or its management relies.

(4) A decision solely and exclusively upon the facts presented at the hearing.

B. Prior Decision in Same Matter

The hearing panel or officer may render a decision without proceeding with the hearing if they determine that the issue has been previously decided in another proceeding.

C. Failure to Appear

If the complainant or the PHA fails to appear at a scheduled hearing, the hearing officer or hearing panel may make a determination to postpone the hearing for a period not to exceed five (5) business days, or may make a determination that the party failing to attend has waived the right to a hearing. In such event, the hearing officer or hearing panel shall notify the complainant and the PHA of the determination.

The failure to attend a grievance hearing shall not constitute a waiver of any right for which the complainant may have to contest PHA's disposition of the grievance in an appropriate judicial proceeding.

D. **Required Showing of Entitlement to Relief**

At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter the PHA must sustain the burden of justifying PHA's action or failure to act against which the complainant is directed.

E. **Informality of Hearing**

The hearing shall be conducted informally by the hearing officer or hearing panel, and oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceeding.

F. **Orderly Conduct Required**

The hearing officer or hearing panel shall require the PHA, the complainant, counsel, and other participants or spectators, to conduct themselves in an orderly fashion. Failure to comply with the directions of the hearing officer or hearing panel to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate.

G. **Transcript of Hearing**

The complainant or the PHA may arrange in advance, and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.

H. **Accommodation to Handicapped Persons**

The PHA must provide reasonable accommodations for persons with disabilities to participate in grievance hearings. Reasonable accommodations may include qualified sign language interpreters, readers, accessible locations, or attendants.

X. DECISION OF THE HEARING OFFICER OR HEARING PANEL

At or subsequent to the completion of the grievance hearing, the hearing officer or panel shall make a determination as to the merits of the grievance and the following provisions shall govern:

A. **Written Decision**

The hearing panel or officer shall prepare a written decision, together with the reasons for the decision within ten (10) business days after the completion of hearing

(1) A copy of the decision shall be sent to the complainant and the PHA. The PHA shall retain a copy of the decision in the complainant's file.

(2) A copy of such decision, with all names and identifying references deleted, shall also be maintained on file by the PHA and made available for inspection by any prospective complainant, his representative, or the hearing panel or hearing officer.

B. **Binding Effect**

The written decision of the hearing officer or hearing panel shall be binding upon the PHA, which shall take all actions, or refrain from any actions, necessary to carry out the decision unless PHA's Board of Commissioners determines, within ten (10) business days, and properly notifies the complainant of its determination, that:

(1) the grievance does not concern PHA action or failure to act in accordance or involving the complainant's lease, or PHA's regulations, which adversely affect the complainant's rights, duties, welfare or status, or

(2) the decision of the hearing officer or hearing panel is contrary to applicable Federal, State, or local law, HUD regulations or requirements of the Annual Contributions Contact between HUD and the PHA.

C. **Continuing Right of Complainant to Judicial Proceedings**

A decision by the hearing panel or officer or Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant, in whole or in part, shall not constitute a waiver of, nor affect in any way the rights of the complainant to a trial or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

XI. NOTICES

All notices under this grievance procedure shall be deemed delivered:

(1) upon personal service thereof upon the complainant or an adult member of the complainant's household;

(2) upon the date receipted for or refused by the addressee, in the case of certified or registered U.S. Mail; or

(3) on the second day after the deposit thereof for mailing, postage prepaid, with the U.S. Postal Service, if mailed by first class mail other than certified or registered mail.

If a resident is visually impaired, any notice hereunder delivered to such resident shall be in an accessible format.

XII. MODIFICATION

This grievance procedure may not be amended or modified except by approval of a majority of the Board of Commissioners of the PHA, present at a regular meeting or a special meeting called for such purposes. Further, in addition to the foregoing, any changes proposed to be made to this grievance procedure must provide for at least thirty (30) days advance notice to residents and resident organizations, setting forth the proposed changes and providing an opportunity to present written comments. The comments submitted shall be considered by the PHA, before final adoption of any amendments hereto.

XIII. MISCELLANEOUS

A. **Captions**: Captions or paragraph headings set forth in this grievance procedure are for convenience of reference only and shall not be construed or interpreted to affect the substance of the paragraphs or sections so captioned.

B. **Concurrent Notice**: If a resident has filed a request for a grievance hearing hereunder in a case involving PHA's notice of termination of tenancy, the complainant should be aware that the state law notice to vacate and the notice of termination of tenancy required under Federal law run concurrently. Therefore, if the hearing officer or hearing panel upholds PHA's action to terminate the tenancy, the PHA may commence an eviction action in court upon the sooner of the expiration of the date for termination of tenancy and vacation of premises stated in the notice of termination delivered to complainant, or the delivery of the report of decision of the hearing officer or panel to the complainant.

APPENDIX D

PET POLICY

--------THE PET POLICY PROVIDED BY NFC WAS REMOVED,
AND THE PET POLICY FROM CAPE MAY HOUSING AUTHORITY WAS USED. --------

PET POLICY

I. Purpose

In compliance with Section 227 of Title II of the Housing and Urban-Rural Recovery Act of 1983, and with 24 CFR Parts 5, 243, 842, and 942, Final Rule, the Housing Authority will permit residents of housing projects built exclusively for occupancy by the elderly and persons with disabilities, to own and keep common household pets in their apartment. This policy sets forth the conditions and guidelines under which pets will be permitted. This policy is to be adhered to at all times.

The purpose of the policy is to ensure that pet ownership will not be injurious to persons or property, or violate the rights of all residents to clean, quiet, and safe surroundings.

Common Household Pets are Defined as Follows:

Birds: Including canary, parakeet, finch and other species that are normally kept caged; birds of prey are not permitted.

Fish: Tanks or aquariums are not to exceed 20 gallons in capacity. Poisonous or dangerous fish are not permitted. Only one (1) tank or aquarium is permitted per apartment.

Dogs: Not to exceed thirty (30) pounds at time of maturity. All dogs must be neutered or spayed.

Cats: All cats must be neutered or spayed and declawed.

Exotic pets such as snakes, monkeys, rodents, etc are not allowed.

II. Registration

Every pet must be registered with the Housing Authority's management prior to moving the pet into the unit and updated annually thereafter. Registration requires the following:

A. A certificate signed by a licensed veterinarian, or a state or local authority empowered to inoculate animals (or designated agent of such authority), stating that the animal has received all inoculations required by the state and local law, if applicable (dogs, cats).

B. Proof of current license, if applicable (dogs, cats).

C. Identification tag bearing the owner's name, address, and phone number (dogs, cats.)

D. Proof of neutering/spaying and/or declawing, if applicable (dogs, cats.)

E. Photograph (no smaller than 3x5) of pet or aquarium.

F. The name, address, and phone number of a responsible party that will care for the pet if the owner becomes temporarily incapacitated.

G. Fish - size of tank or aquarium must be registered.

III. Licenses and Tags

Every dog and cat must wear the appropriate local animal license, a valid rabies tag and a tag bearing the owner's name, address and phone number. All licenses and tags must be current.

IV. Density of Pets

Only one (1) dog or cat will be allowed per apartment. Only two (2) birds will be allowed per apartment. The Housing Authority only will give final approval on type and density of pets.

V. Visitors and Guests

No visitor or guest will be allowed to bring pets on the premises at anytime. Residents will not be allowed to Pet Sit or House a Pet without fully complying with this policy.

Feeding or caring for stray animals is prohibited and will be considered keeping a pet without permission.

VI. Pet Restraints

A. All dogs must be on a leash when not in the owner's apartment. The leash must be no longer than three (3) feet.

B. Cats must be in a caged container or on a leash when taken out of the owner's apartment.

C. Birds must be in a cage when inside of the resident's apartment or entering or leaving the building.

VII. Liability

Residents owning pets shall be liable for the entire amount of all damages to the Housing Authority premises caused by their pet and all cleaning, defleaing and deodorizing required because of such pet. Pet owners shall be strictly liable for the entire amount of any injury to the person or property of other residents, staff or visitors of the Housing Authority caused by their pet, and shall indemnify the Housing Authority for all costs of litigation and attorney's fees resulting from such damage. Pet liability insurance can be obtained through most insurance agents and companies.

VIII. **Sanitary Standards and Waste Disposal**

A. Litter boxes must be provided for cats with use of odor-reducing chemicals.

B. Fur-bearing pets must wear effective flea collars at all times. Should extermination become necessary, cost of such extermination will be charged to pet owner.

C. Pet owners are responsible for immediate removal of the feces of their pet and shall be charged in instances where damages occur to Authority property due to pet or removal of pet feces by staff.

(i) All pet waste must be placed in a plastic bag and tied securely to reduce odor and placed in designated garbage container and/or trash compactor.

(ii) Residents with litter boxes must clean them regularly. Noncompliance may result in removal of the pet. The Housing Authority reserves the right to impose a mandatory twice weekly litter box cleaning depending on need. Litter box garbage shall be placed in a plastic bag and deposited outside the building in the garbage container and/or trash compactor.

D. All apartments with pets must be kept free of pet odors and maintained in a clean and sanitary manner. Pet owner's apartments may be subject to inspections once a month.

IX. General Rules

The resident agrees to comply with the following rules imposed by the Housing Authority:

A. No pet shall be tied up anywhere on Authority property and left unattended for any amount of time.

B. Pet owners will be required to make arrangements for their pets in the event of vacation or hospitalization.

C. Dog houses are not allowed on Authority property.

X. Pet Rule Violation and Pet Removal

A. If it is determined on the basis of objective facts, supported by written statement, that a pet owner has violated a rule governing the pet policy, the Housing Authority shall serve a notice of pet rule violation on the pet owner. Serious or repeated violations may result in pet removal or termination of the pet owner's tenancy, or both.

B. If a pet poses a nuisance such as excessive noise, barking, or whining which disrupts the peace of other residents, owner will remove the pet from premises upon request of management within 48 hours. Nuisance complaints regarding pets are subject to immediate inspections.

C. If a pet owner becomes unable either through hospitalization or illness to care for the pet and the person so designated to care for the pet in the pet owner's absence refuses or is

unable physically to care for the pet, the Housing Authority can officially remove the pet. The Authority accepts no responsibility for pets so removed.

XI. **Rule Enforcement**

Violation of these pet rules will prompt a written notice of violation. The pet owner will have seven (7) days to correct the violation or request an informal hearing at which time the Authority's Grievance Procedure will be followed.

XII. **Grievance**

Management and resident agree to utilize the Grievance Procedure described in the Lease Agreement to resolve any dispute between resident and management regarding a pet.

XIII. **Damage Deposit**

A "Pet Damage Deposit" will be required for dogs and cats only, however, all pet owners must comply with registration rules for all other pets. The "Pet Damage Deposit" must be paid in advance and is to be used to pay reasonable expenses directly attributable to the presence of the pet in the project including (but not limited to) the cost of repairs and replacements to, and fumigation of, the resident's dwelling unit. The amount of the "Pet Damage Deposit" will be $100.

XIV. **Exceptions**

This policy does not apply to animals that are used to assist persons with disabilities. This exclusion applies to animals that reside in the development, as well as animals used to assist persons with disabilities that visit the development. Pets used for the purpose of aiding residents with disabilities must have appropriate certification. The Authority shall maintain a list of agencies that provide and/or train animals to give assistance to individuals with disabilities.

APPENDIX E

ONE STRIKE AND YOU'RE OUT POLICY

ONE STRIKE AND YOU'RE OUT POLICY

I. GOAL

The goal of the One Strike and You're Out Policy is to ensure the safety and well being of families and individuals who live in public housing.

The "one strike" policy applies to residents of the Housing Authority (HA). Individuals who engage in illegal drug use and/or other criminal activity shall be evicted from their dwelling unit after one (1) such offense.

The Housing Authority is committed to the provisions of this policy and it shall be strictly enforced.

By aggressively removing criminals from the Authority's public housing developments, the One Strike policy shall:

1. free public housing residents from daily threats to their personal and family safety;

2. build public housing communities that are safer and drug-free;

3. support parents in their efforts to instill positive values in their families;

4. create a positive environment for residents of all ages, where people can live, learn, and grow to be productive and responsible citizens;

5. set an example for the greater community.

II. GUIDING PRINCIPLES OF THE ONE STRIKE POLICY

The Housing Authority One Strike policy was developed based on the following principles:

1. <u>All individuals have the right to live in peace and be free from fear, intimidation, and abuse.</u> The Housing Authority is committed to providing safe housing for all residents of the Authority

2. <u>Public and assisted housing should be awarded to responsible individuals.</u> The Housing Authority shall give no preference to applicant families with a history of drug-related behavior and/or criminal activity.

3. <u>Applicants and current residents of public housing must be protected from discrimination and violation of their right to privacy.</u> The Housing Authority shall comply with all civil rights, fair housing, and privacy laws, at both the screening and eviction stages. The Housing Authority shall not discriminate against any applicant or resident based on race, color, nationality, religion, sex, familial status, disability or membership in other groups or categories protected under such laws.

4. Active community and governmental involvement in designing and implementing a One Strike policy is fundamental to its success. The Housing Authority shall work cooperatively with local government, law enforcement, residents, and the courts in enforcing the One Strike policy.

III. SCREENING AND ADMISSIONS POLICY

The One Strike policy ensures that individuals who engage in illegal drug use or other criminal activities that endanger the well being of residents are prohibited from becoming residents of the Housing Authority. The Authority has adopted the following screening procedure to ensure the goals of this policy:

1. Comprehensive background checks: The HA shall conduct comprehensive background checks, including criminal activity, on all household applicants eighteen (18) years and older. Screening procedure shall include:
   (a) reviewing police and court records;
   (b) landlord references;
   (c) background check with probation officers, parole officers, and local social service providers.

2. Coordination with courts and local, state, and federal law enforcement agencies: The HA shall coordinate with courts and local, state, and federal law enforcement agencies to gain access to criminal records through the Extension Act. The Extension Act makes criminal conviction records available to the Authority for the purposes of screening, lease enforcement, and eviction. The Authority shall maintain a records management system to ensure that records received are maintained confidentially, not misused or improperly disseminated, and destroyed once action is taken.

3. Criteria for acceptance of application for residence: The Housing Authority shall consider applications for residence on a case-by-case basis; denial of acceptance shall be based on the existence of concrete evidence of the seriousness, extent, and recentness of criminal activity. The following applicants shall be denied residence:
   (a) applicants who have been evicted from public housing within the past five years due to drug-related criminal activity, unless the applicant can show evidence of rehabilitation;
   (b) persons illegally using controlled substances;
   (c) persons who have exhibited a pattern of illegal use of controlled substances;
   (d) any other criminal and/or drug-related activity that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

4. Protect applicant's due process rights: The Housing Authority's Admissions and Continued Occupancy Plan (ACOP) shall be made available upon request and posted in the central office where applications are received.
   (a) In accordance with the Authority's ACOP, applicants determined to be ineligible for admission shall be promptly notified of the basis for the decision.
   (b) Per the Extension Act, should denial of occupancy be based on a criminal record, the Authority shall provide the applicant with a copy of the criminal record and the opportunity to dispute the accuracy and relevance of that record.

5. Compliance with state and local laws: The Housing Authority is committed to protecting the rights of all applicants and residents. All policies and procedures, and revisions of policies and

procedures, shall be reviewed for compliance with local and state landlord-resident law and any other applicable law by attorneys with experience in such law.

IV. E NFORCEMENT BY EVICTION

In accordance with the current law and the Extension Act, the Housing Authority dwelling lease stipulates that:

(a) any activity is grounds for eviction if it threatens the health, safety, or right to peaceful enjoyment of the premises by other residents;
(b) all drug related criminal activity occurring on or off the premises is cause for eviction;
(c) any person who the Authority determines is illegally using controlled substance shall be evicted; and/or,
(d) any person whose illegal use of a controlled substance is determined by the Authority to interfere with the rights of other residents shall be evicted.

Under these required lease terms, tenancy shall be terminated and the household evicted when the resident, any member of the resident's household, or guest, engages in the prohibited criminal activity.

The above stated terms for termination of tenancy and household eviction shall be enforced through the following actions:

1. Lease: The Housing Authority Dwelling Lease stipulates that:

   (a) residents, nor any household member or guest, or other person under their control, shall not engage in the prohibited drug-related or other criminal activities; failure to abide by this lease term is grounds for eviction and any drug-related or criminal activity in violation of this term shall be treated as a "serious violation of the material terms of the lease.";
   (b) under the Extension Act, alcohol abuse that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents, shall be grounds for eviction;
   (c) the Housing Authority shall not tolerate violations of the lease terms regarding criminal activity; one such offense shall be grounds for eviction;
   (d) criminal activity is cause for eviction even in the absence of conviction or arrest.

   The same lease shall be used for all residents of the Authority.

2. Briefing on Terms of the Lease: All residents shall be briefed on the terms of the lease at the time of annual re-examination. New residents shall be briefed on the terms of the lease at the time of signing the initial lease.

3. Due Process Rights: The Housing Authority shall protect the resident's due process rights to the greatest extent possible:

   (a) Eviction procedure shall be processed through the XX State court system and shall not be handled through normal administrative grievance procedure.
   (b) Residents shall be protected by state and local laws governing eviction procedure, barring preemption by federal law.

V. NONRESIDENT CRIMINAL ACTIVITY

The Housing Authority is committed to protecting against criminal activities committed by nonresidents and has adopted the following policy:

1. The Authority shall post warnings in all HA public housing developments that violators shall be prosecuted to the fullest extent under the law.

2. In accordance with the lease, residents shall be held responsible for guests', nonresidents, criminal behavior. Disruptive and/or criminal behavior of resident guests may be grounds for eviction of the entire household.

3. In cases where the Authority and household settle an eviction case on the condition that the disruptive household member moves away from the Authority properties, the Authority/resident agreement shall provide that:
   (a) the individual thereafter shall be a trespasser on the Authority properties; and,
   (b) the household shall be subject to eviction if the individual returns to the HA properties.

APPENDIX F

FLAT RENTS

FLAT RENTS

Development Name/Number	0 Bedroom	1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms
Osborne Ct./001	$488	$555	$739	$926	$1,058
Lafayette Ct./002	$488	$555	$739	$926	$1,058
Broad Street/003	$488	$555	$739	$926	$1,058

APPENDIX G

DECONCENTRATION POLICY

DECONCENTRATION POLICY

(1) Introduction

The Quality Housing and Work Responsibility Act of 1998 (QHWRA) requires that the Authority adopt policies and procedures governing the deconcentration of very low-income families and income mixing as required by section 10(a)(3)(B) of the 1937 Housing Act. To implement this requirement, the Authority will compare the relative incomes of each development occupied predominantly by families with children. A development with more than 50% of its occupants being families with children shall be considered to fall under this policy.

The goal of this policy is to create mixed-income communities and lessen the concentration of very low-income families within the Authority's public housing developments through admissions practices designed to bring in higher income tenants to lower income developments and lower income tenants into higher income developments.

The Deconcentration Policy is intended to work in conjunction with the Authority's annual income targeting requirements. The Policy requires that 40% of all new admissions to public housing developments during a fiscal year must be residents whose household income, at the time of admission, is equal to or lower than 30% of the Area Median Income. This "income targeting" requirement is separate from the Deconcentration Policy, which is comparative in nature.

(2) Definitions

The following definitions are provided in order to clearly and define the affected developments and families under this Deconcentration Policy.

> *PHA-Wide Average Household Income:* The average annual household income of all residents of all developments with more than 50% of its occupants being families with children.
>
> *Development Average Household Income:* The average annual household income of all residents of a specific development with more than 50% of its occupants being families with children.
>
> *Higher Income Development:* A development where the Development Average Household Income is greater than 120% of the PHA-Wide Average Household Income.
>
> *Lower Income Development:* A development where the Development Average Household Income is less than 80% of the PHA-Wide Average Household Income.
>
> *Higher Income Family:* A family whose annual household income is greater than 120% of the PHA-Wide Average Household Income.
>
> *Lower Income Family:* A family whose annual household income is less than 80% of the PHA-Wide Average Household Income.

(3) Testing

In order to achieve and maintain deconcentration, the Authority will calculate the PHA-Wide Average Household Income for all developments with 50% or more of its occupants being families with children on at least an annual basis. At the same time, the Authority will calculate the Development Average Household Income for each development with 50% or more of its occupants being families with children. The results shall be documented as follows:

a) If the Development Average Household Income for a particular development is greater than 120% of the PHA-Wide Average Household Income, then that development shall be identified as a High-Income Development.

b) If the Development Average Household Income for a particular development is less than 80% of the PHA-Wide Average Household Income, then that development shall be identified as a Low-Income Development.

Testing can be run more frequently to determine the effectiveness of various initiatives employed to achieve deconcentration.

(4) Corrective Action

Once a development has been identified as a High-Income Development or a Low-Income Development, the Authority will define and communicate specific procedures to be employed with the goal of achieving deconcentration. It is the goal of the Authority to generally increase the level of income for residents of public housing, create more stratified developments, and obtain agency self sufficiency, therefore; the Deconcentration Policy shall not be employed to be counterproductive to that goal. In addition, the policy will, under no circumstances, be employed though steering or in any way reducing the choice in residence of the individual family.

In order to correct a concentrated development, the Authority will, to the greatest extent possible, provide incentives to promote a Lower-Income Family to select a Higher-Income Development and to promote a Higher-Income Family to select a Lower-Income Development.

Procedures to be employed in the development of a corrective action plan may include:

a) Incentives to select particular developments.

b) Payment Plans for deposits.

c) Flexibility in move-in dates.

Since it is impossible to design a policy that will address every scenario, the Authority will, upon the identification of a need to deconcentrate, develop a specific Action Plan that will be included in the Annual Plan update.

APPENDIX H

RESIDENTIAL LEASE AGREEMENT

Attachment "F"
Deconcentration Policy
(File Name: nj062f01)

CAPE MAY HOUSING AUTHORITY
DECONCENTRATION POLICY

INTRODUCTION

The Quality Housing and Work Responsibility Act of 1998 (QHWRA) requires that the Authority adopt policies and procedures governing the deconcentration of very low-income families and income mixing as required by section 10(a)(3)(B) of the 1937 Housing Act. To implement this requirement, the Authority will compare the relative incomes of each development occupied predominantly by families with children. A development with more than 50% of its occupants being families with children shall be considered to fall under this policy.

The goal of this policy is to create mixed-income communities and lessen the concentration of very low-income families within the Authority's public housing developments through admissions practices designed to bring in higher income tenants to lower income developments and lower income tenants into higher income developments.

The Deconcentration Policy is intended to work in conjunction with the Authority's annual income targeting requirements. The Policy requires that 40% of all new admissions to public housing developments during a fiscal year must be residents whose household income, at the time of admission, is equal to or lower than 30% of the Area Median Income. This "income targeting" requirement is separate from the Deconcentration Policy, which is comparative in nature.

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>
> *Development Average Household Income:* The average annual household income of all residents of a specific development with more than 50% of its occupants being families with children.
>
> *Higher Income Development:* A development where the Development Average Household Income is greater than 120% of the PHA-Wide Average Household Income.
>
> *Lower Income Development:* A development where the Development Average Household Income is less than 80% of the PHA-Wide Average Household Income.

Higher Income Family: A family whose annual household income is greater than 120% of the PHA-Wide Average Household Income.

Lower Income Family: A family whose annual household income is less than 80% of the PHA-Wide Average Household Income.

TESTING

In order to achieve and maintain deconcentration, the Authority will calculate the PHA-Wide Average Household Income for all developments with 50% or more of its occupants being families with children on at least an annual basis. At the same time, the Authority will calculate the Development Average Household Income for each development with 50% or more of its occupants being families with children. The results shall be documented as follows:

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b) If the Development Average Household Income for a particular development is less than 80% of the PHA-Wide Average Household Income, then that development shall be identified as a Low-Income Development.

Testing can be run more frequently to determine the effectiveness of various initiatives employed to achieve deconcentration.

CORRECTIVE ACTION

Once a development has been identified as a High-Income Development or a Low-Income Development, the Authority will define and communicate specific procedures to be employed with the goal of achieving deconcentration. It is the goal of the Authority to generally increase the level of income for residents of public housing, create more stratified developments, and obtain agency self sufficiency, therefore; the Deconcentration Policy shall not be employed to be counterproductive to that goal. In addition, the policy will, under no circumstances, be employed though steering or in any way reducing the choice in residence of the individual family.

In order to correct a concentrated development, the Authority will, to the greatest extent possible, provide incentives to promote a Lower-Income Family to select a Higher-Income Development and to promote a Higher-Income Family to select a Lower-Income Development.

Procedures to be employed in the development of a corrective action plan may include:

a) Incentives to select particular developments.

b) Payment Plans for deposits.

c) Flexibility in move-in dates.

Since it is impossible to design a policy that will address every scenario, the Authority will, upon the identification of a need to deconcentrate, develop a specific Action Plan that will be included in the Annual Plan update.

Attachment "G"
Rent Determination Policy
(File Name: nj062g01)

CAPE MAY HOUSING AUTHORITY
RENT DETERMINATION POLICY

Income-Based Rents
The Housing Authority 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% gross monthly income, the welfare rent (if applicable), or minimum rent (less HUD mandatory deduction and exclusions).

Minimum Rent
The Housing Authority has adopted $50.00 for its minimum rent.

Hardship Exemptions
The Housing Authority shall immediately grant an exemption from application of the minimum monthly rental amount to any family unable to pay such amount because of financial hardship, which shall include situations in which:

a. The family has lost eligibility for or is awaiting an eligibility determination for 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 Nationality Act who would be entitled to public benefits, but for title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996;

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

c. The income of the family has decreased because of changed circumstances, including loss of employment;

d. A death in the family has occurred.

If a resident requests a hardship exemption and the Authority can reasonably determine the hardship to be of a temporary nature, an exemption shall not be granted during the 90-day period beginning upon the date of request for the exemption. A resident shall not be evicted during the 90-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 Authority shall retroactively exempt the resident from applicability of the minimum rent requirement for such 90-day period.

Rent Reductions Relative to Public Assistance Benefits Reductions

In the event a family's public assistance benefits are reduced due to non-compliance with program requirements or fraud, the Authority will not reduce the family's rent. The Authority will not refuse to decrease a family's rental contribution due to a reduction in public assistance benefits until it receives official, written notification from the welfare agency indicating that the reduction of benefits resulted from non-compliance. The Authority will consider the reduction in income in determining the family's rent if a family's benefits are otherwise reduced.

Phase-In Rent

A three-year phase-in of rent increases will be used for a family who has been unemployed for at least 12 months and becomes employed, or a family members whose employment income increases is due to the result of participation in any family self-sufficiency or job training program; or for family members who were receiving TANF benefits in the last six months and whose earned income increases, the following consideration must be made:

a. Rent will not increase for the initial 12 months;
b. For the second 12 month period; the resident's rent will be increased by an amount representing 50% of the total rent increase; and
c. In the third year the balance of the rent can be phased-in.

The Housing Authority does not have any discretionary deductions or exclusion polices.

Ceiling Rents

Flat rents will be implemented in lieu of existing ceiling rents. Flat rents become effective October 1, 1999.

Flat Rents

Flat rents must be established based on the rental value of a unit for each dwelling unit it owns and operates. The flat rent cannot exceed actual unit monthly operating costs. However, Authorities are not required to establish flat rental amounts equal to, or based on, operating costs. The system must be designed to avoid creating disincentives for families who are becoming economically self-sufficient. Families paying the flat rent may have incomes reviewed every three (3) years.

Flat rents are calculated for each public housing development based on the rental value of each unit. In establishing these rents, the HUD fair market rents were used in establishing the Authority's flat rents. The comparison with the open market is described in greater detail in the Housing Needs Assessment.

The Cape May Housing Authority has established the following flat rents:

Development Name/Number	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Osborrn - 001	$488.	$555.	$739.	$926.	$1,058.
Lafayette- 002	$488.	$555.	$739.	$926.	$1,058.
Broad St - 003	$488.	$555.	$739.	$926.	$1,058.

MARKET ANALYSIS

Standard Unit Description
2 Bedroom/1Bathroom
Central A/C
Washer Dryer Hookup
Carpeting
Dishwasher

MARKET COMPARISONS

Comparison Property	2 BR Rent*	Landlord Paid Utilities	Allow.	Net Rent	% 0f Standard Unit	Adjusted 2 BR Rent
HUD Fair Market Rents (10/1/99)	$756			$756	100%	$756 $756

Average Adjusted Rent

HA Properties					**Flat Rents***	
	% OF				Bedroom Size	
Developments	Standard	0	1	2	3	4
Osborn Courts	75%	$397	$482	$567	$709	$794
Lafayette CT	75%	$397	$482	$567	$709	$794
Broad Street	75%	$397	$482	$567	$709	$794

HUD BR Adjustment Factors 0.7 085 1 1.25 1.4
*Note: Apply all tenant paid UTA's to Rental Amount

Attachment “H” – Pet Policy Statement (File Name: nj062h01)

CAPE MAY HOUSING AUTHORITY

PET POLICY STATEMENT

The Cape May Housing Authority revised its Pet Policy in 1999 to be effective October 1, 1999. The revisions address 23CFR, Part 5, Subpart C, which are the regulations covering pet ownership for residents of federally assisted rental housing for the elderly or disabled persons.

The Authority's Pet Policy was again updated to include the requirements for permitting pet ownership in family units of a PHA as published in the Federal Register on July 10, 2000, Part VI of 24CFR Part 960. The Pet Policy is part of the VHA dwelling lease.

The Pet Policy has been made part of the Authority's Agency Plan.

Attachment "I"
Community Service Reinstatement
(File Name: nj062i01)

COMMUNITY SERVICE REQUIREMENT

REINSTATEMENT

PHA STATEMENT:

The Vineland Housing Authority has reinstated the Community Service requirement as per the FY 2003 Omnibus Appropriations Act effective February 20, 2003.

The Housing Authority HAS reinstated the Community Service requirement in accordance with 24CFR Part 960, Subpart F section 960.000-960-609.

Attachment "J" – Conversion Analysis Statement (file name: nj062j01)
CAPE MAY HOUSING AUTHORITY

CONVERSION OF PUBLIC HOUSING PLAN

INITIAL ASSESSMENT FOR VOLUNTARY CONVERSION OF DEVELOPMENTS FROM PUBLIC HOUSING STOCK

In accordance with ξ 972.22(b) and the Final Rule published (FR-4476-03), the Cape May Housing Authority is required to submit a Certification of it efforts in reviewing each appropriate development's operating cost to determine the negative or positive affects of public housing conversions of its units and to determine if said conversions will be or not be consider as an action to take by the Authority. Cape May's Certifications is herein presented.

CERTIFICATION:

THE HOUSING AUTHORITY OF THE CITY OF CAPE MAY CERTIFIES THAT IT HAS:

- ✓ REVIEWED THE DEVELOPMENT'S HOUSING COST TO PROVIDE HOUSING UNITS
- ✓ CONSIDERED THE IMPLICATIONS OF CONVERTING THE PUBLIC HOUSING TO TENANT-BASED ASSISTANCE AND THE NEGITIVE AFFECT THAT WOULD HAVE UPON TENANTS OBTAINING HOUSING
- ✓ CONCLUDED THAT CONVERSION OF THE DEVELOPENT IS INAPPROPRIATE BECAUSE THE REMOVAL OF THE DEVELOPMENT WOULD:

  a) CAUSE HOUSING TO BE MORE EXPENSIVE THAT CONTINUING THE OPERATION OF THE DEVELOPMENT

  b) IT WOULD NOT BENEFIT RESIDENTS OF PUBLIC HOUSING, NOR TO THE COMMUNITY AT LARGE

  c) ADVERSELY AFFECT THE AVAILABILITY OF AFFORDABLE HOUSING UNITS IN THE IMMEDIATE COMMUNITY

The Cape May Housing Authority has no plans for conversion of its public housing developments.

Attachment "K"
Activities Eligibility – Resident Participation
(File Name: nj062k01)

Cape May Housing Authority

COMPLIANCE with PIH 2001-3

$25.00 OPERATING SUBSIDY FUNDS for RESIDENT PARTICIPATION ACTIVITIES

The Cape May Housing Authority and the Resident Advisory Board Members have discussed the utilization of the $25.00 per unit operating subsidy funds provided by HUD for the use of resident participation activities. This Agreement is through the use of a MEMORANDUM OF UNDERSTANDING.

The Memorandum of Understanding is on file for review.

Attachment "L"
Resident Advisory Board Statement
(File Name: nj062l01)

RESIDENT ADVISORY BOARD

AGENCY STATEMENT:

The Cape May Housing Authority has a policy of accepting all Resident Council members as the Authority's official Resident Advisory Board.

During the current year, the RC was to hold its official election of new members.

Unfortunately, the members did not hold its required nominations and its elections of new officers in time for the Housing Authority to acquire the RAB response regarding the 5-Year Agency Plan.

The Housing Authority will be assisting the nomination and election of RC officers during the current year in order to establish a *bona fide* Resident Council and therefore its Resident Advisory Board.

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary
(ATTACHMENT "M" – FIVE-YEAR CAPITAL FUND ACTION PLAN – File Name: nj062m01)

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250104 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	$125,088.00			
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	1499 Development Activities				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency				
21	**Amount of Annual Grant: (sum of lines 2-20)**				
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security –Soft Costs				
25	Amount of line 21 Related to Security-- Hard Costs				
26	Amt. of line 21 Related to Energy Conserv. Measures				

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary
(ATTACHMENT "M" – FIVE-YEAR CAPITAL FUND ACTION PLAN – File Name: nj062m01)

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250104 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	

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250104 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	
H. A. Wide	**Operations**	**1406**		**$125,088.00**				
	SUBTOTAL	1406		**$125,088.00**				

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250104 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	
	TOTAL 2004 CFP GRANT			**$125,088.00**				

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program No: NJ39P06250104 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	
H. A. WIDE	**10/06**			**10/08**			

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program No: NJ39P06250104 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	

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

PHA Name: The Housing Authority of the City of Cape May	Locality: (City, County & State) Cape May, Cape May County, New Jersey	☒ Original 5-Year Plan ☐ Revision No:

Development Number / Name / HA-Wide	Year ONE Annual Statement FFY Grant: 04	Year TWO Work Statement FFY Grant: 05 PHA FY: 2004 / 2005	Year THREE Work Statement FFY Grant: 06 PHA FY: 2005 / 2006	Year FOUR Work Statement FFY Grant: 07 PHA FY: 2006 / 2007	Year FIVE Work Statement FFY Grant: 08 PHA FY: 2007 / 2008

H. A. WIDE (Operations)		**$125,088.00**	**$125,088.00**	**$125,088.00**	**$125,088.00**
Total CFP Funds (Est.)		**$125,088.00**	**$125,088.00**	**$125,088.00**	**$125,088.00**
Total Replacement Housing Factor Funds					

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year ONE **2004**	Activities for Year TWO FFY Grant: 2005 PHA FY: 2004 / 2005			Activities for Year THREE FFY Grant: 2006 PHA FY: 2005 / 2006		
	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost
	H. A. WIDE			**H. A. WIDE**		
	1406 Operations		**$125,088.00**	**1406 Operations**		**$125,088.00**

Activities for Year ONE **2004**	Activities for Year FOUR FFY Grant: 2007 PHA FY: 2006 / 2007			Activities for Year FIVE FFY Grant: 2008 PHA FY: 2007 / 2008		
	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost
	H. A. WIDE			**H. A. WIDE**		
	1406 Operations		**$125,088.00**	**1406 Operations**		**$125,088.00**

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year ONE **2004**	Activities for Year TWO FFY Grant: 2005 PHA FY: 2004 / 2005			Activities for Year THREE FFY Grant: 2006 PHA FY: 2005 / 2006		
	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost
	NJ 62-1, BROAD ST.			**NJ 62-1, BROAD ST.**		
	No Work			**No Work**		

			No Work			**No Work**

Activities for Year ONE **2004**	Activities for Year FOUR FFY Grant: 2007 PHA FY: 2006 / 2007			Activities for Year FIVE FFY Grant: 2008 PHA FY: 2007 / 2008		
	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost
	NJ 62-1, BROAD ST.			**NJ 62-1, BROAD ST.**		
	No Work			**No Work**		
			No Work			**No Work**

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year ONE **2004**	Activities for Year TWO FFY Grant: 2005 PHA FY: 2004 / 2005			Activities for Year THREE FFY Grant: 2006 PHA FY: 2005 / 2006		
	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost
	NJ 62-1, OSBORNE COURT			**NJ 62-1, OSBORNE COURT**		
	No Work			**No Work**		

			No Work			No Work

Activities for Year ONE 2004	Activities for Year FOUR FFY Grant: 2007 PHA FY: 2006 / 2007			Activities for Year FIVE FFY Grant: 2008 PHA FY: 2007 / 2008		
	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost
	NJ 62-1, OSBORNE COURT			**NJ 62-1, OSBORNE COURT**		
	No Work			**No Work:**		
			No Work			No Work

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year ONE 2004	Activities for Year TWO FFY Grant: 2005 PHA FY: 2004 / 2005			Activities for Year THREE FFY Grant: 2006 PHA FY: 2005 / 2006		
	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost
	NJ 62-1, LAFAYETTE COURT			**NJ 62-1, LAFAYETTE COURT**		
	No Work			**No Work**		

			No Work			No Work

Activities for Year ONE 2004	Activities for Year FOUR FFY Grant: 2007 PHA FY: 2006 / 2007			Activities for Year FIVE FFY Grant: 2008 PHA FY: 2007 / 2008		
	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost	Development Number / Name / General Description of Major Work Categories	Quantity	Estimated Cost
	NJ 62-1, LAFAYETTE COURT			**NJ 62-1, LAFAYETTE COURT**		
	No Work			**No Work**		
			No Work			No Work

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary
(ATTACHMENT "N" – CAPITAL FUND SET-ASIDE PLAN – File Name: nj062n01)

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250203 ("Set-Aside") Replacement Housing Factor Grant No:	Federal FY of Grant: 2003 ½

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no:)
☒ Performance and Evaluation Report for Period Ending: 31 March 2004 ☐ 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	$20,787.00			
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	1499 Development Activities				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency				
21	**Amount of Annual Grant: (sum of lines 2-20)**	$20,787.00			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security –Soft Costs				
25	Amount of line 21 Related to Security-- Hard Costs				
26	Amt. of line 21 Related to Energy Conserv. Measures				

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary
(ATTACHMENT "N" – CAPITAL FUND SET-ASIDE PLAN – File Name: nj062n01)

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250203 ("Set-Aside") Replacement Housing Factor Grant No:	Federal FY of Grant: 2003 ½

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no:)
☒ Performance and Evaluation Report for Period Ending: 31 March 2004 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number ("Set-Aside") Capital Fund Program Grant No: NJ39P06250203 Replacement Housing Factor Grant No:	Federal FY of Grant: 2003 ½

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	
H. A. Wide	**Operations**	**1406**		$20,787.00				
	Utilities, Administration,							
	Ordinary Maintenance							
	Resident Services							
	SUBTOTAL	1406		$20,787.00				
	Dwelling Structures	**1460**						
	Mechanical & Electrical	**1460**						
	SUBTOTAL	1460						

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number ("Set-Aside") Capital Fund Program Grant No: NJ39P06250203 Replacement Housing Factor Grant No:	Federal FY of Grant: 2003 ½

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	
	TOTAL 2003 ("Set Aside) CFP GRANT			**$20,787.00**				

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program No: NJ39P06250203 ("Set-Aside") Replacement Housing Factor No:	Federal FY of Grant: 2003 ½

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	
H. A. WIDE	**2/06**			**2/08**			

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

PHA Name: **The Housing Authority of the City of Cape May**	**Grant Type and Number** Capital Fund Program No: **NJ39P06250203 ("Set-Aside")** Replacement Housing Factor No:	**Federal FY of Grant:** **2003 ½**

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	

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary
(ATTACHMENT "O" – CAPITAL FUND PERFORMANCE & EVALUATION REPORT – File Name: nj062o01)

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250103 Replacement Housing Factor Grant No:	Federal FY of Grant: 2003

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no:)
☒ Performance and Evaluation Report for Period Ending: 31 March 2004 ☐ 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	$104,301.00			$8,591.78
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	1499 Development Activities				
19	1501 Collateralization Expenses or Debt Service				
20	1502 Contingency				
21	**Amount of Annual Grant: (sum of lines 2-20)**	$104,301.00			$8,591.78
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security –Soft Costs				
25	Amount of line 21 Related to Security-- Hard Costs				
26	Amt. of line 21 Related to Energy Conserv. Measures				

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary
(ATTACHMENT "O" – CAPITAL FUND PERFORMANCE & EVALUATION REPORT – File Name: nj062o01)

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250103 Replacement Housing Factor Grant No:	Federal FY of Grant: 2003

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no:)
☒ Performance and Evaluation Report for Period Ending: 31 March 2004 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250203 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	
H. A. Wide	**Operations**	**1406**		$104,301.00			$8,591.78	
	Utilities, Administration,							
	Ordinary Maintenance							
	Resident Services							
	SUBTOTAL	1406		$104,301.00			$8,591.78	8%
	Dwelling Structures	**1460**						
	Mechanical & Electrical	**1460**						
	SUBTOTAL	1460						

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program Grant No: NJ39P06250203 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	
	TOTAL 2003 CFP GRANT			**$104,301.00**			**$8,591.78**	8%

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

PHA Name: The Housing Authority of the City of Cape May	Grant Type and Number Capital Fund Program No: NJ39P06250203 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	
H. A. WIDE	**9/05**			**9/07**			

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

PHA Name: **The Housing Authority of the City of Cape May**	**Grant Type and Number** Capital Fund Program No: **NJ39P06250203** 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	