PHA Plans

Streamlined 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 for certain types of 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 Annual PHA Plan for Fiscal Year: 2004 PHA Name:Town of East Hampton

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.

Streamlined Annual PHA Plan
Agency Identification

PHA Name: Town of East Hampton **PHA Number:** ny 154

PHA Fiscal Year Beginning: (mm/yyyy) 01/2004

PHA Programs Administered:

☐ **Public Housing and Section 8** x **Section 8 Only** ☐ **Public Housing Only**
Number of public housing units: Number of S8 units: 189 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:				

PHA Plan Contact Information:

Name: Thomas E. Ruhle Phone: 631-267-7896
TDD: Email (if available): tomruhle@optonline.net

Public Access to Information

Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)
x PHA's main administrative office ☐ PHA's development management offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plan revised policies or program changes (including attachments) are available for public review and inspection. x Yes ☐ No.
If yes, select all that apply:
x Main administrative office of the PHA
☐ PHA development management offices
☐ Main administrative office of the local, county or State government
☐ Public library ☐ PHA website ☐ Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)
x Main business office of the PHA ☐ PHA development management offices

☐ Other (list below)

Streamlined Annual PHA Plan
Fiscal Year 2004

[24 CFR Part 903.12(c)]

Table of Contents

[24 CFR 903.7(r)]

Provide a table of contents for the Plan, including applicable additional requirements, and a list of supporting documents available for public inspection.

A. PHA PLAN COMPONENTS

☐ 1. Site-Based Waiting List Policies
903.7(b)(2) Policies on Eligibility, Selection, and Admissions
☐ 2. Capital Improvement Needs
903.7(g) Statement of Capital Improvements Needed
☐ 3. Section 8(y) Homeownership
903.7(k)(1)(i) Statement of Homeownership Programs
x 4. Project-Based Voucher Programs
x 5. PHA Statement of Consistency with Consolidated Plan. Complete only if PHA has changed any policies, programs, or plan components from its last Annual Plan.
x 6. Supporting Documents Available for Review
☐ 7. Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report
☐ 8. Capital Fund Program 5-Year Action Plan

B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE

Form HUD-50076, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*: *Board Resolution to Accompany the Streamlined Annual Plan* identifying policies or programs the PHA has revised since submission of its last Annual Plan, and including Civil Rights certifications and assurances the changed policies were presented to the Resident Advisory Board for review and comment, approved by the PHA governing board, and made available for review and inspection at the PHA's principal office;

For PHAs Applying for Formula Capital Fund Program (CFP) Grants:
Form HUD-50070, *Certification for a Drug-Free Workplace;*
Form HUD-50071, *Certification of Payments to Influence Federal Transactions*; and
Form SF-LLL &SF-LLLa, *Disclosure of Lobbying Activities*.

1. Site-Based Waiting Lists (Eligibility, Selection, Admissions Policies)

[24 CFR Part 903.12(c), 903.7(b)(2)]

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

A. 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 B.

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:

B. 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 next component.

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)

2. Capital Improvement Needs

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

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

A. Capital Fund Program

1. ☐ Yes ☐ No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 7 and 8 of this template (Capital Fund Program tables). If no, skip to B.

2. ☐ 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: 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. ☐ Yes ☐ No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to #3; if yes, provide responses to the items on the chart located on the next page, copying and completing as many times as necessary).

2. Status of HOPE VI revitalization grant(s):

HOPE VI Revitalization Grant Status
a. Development Name: b. Development Number:
c. Status of Grant: ☐ Revitalization Plan under development ☐ Revitalization Plan submitted, pending approval ☐ Revitalization Plan approved ☐ Activities pursuant to an approved Revitalization Plan underway

3. ☐ Yes ☐ No: Does the PHA expect to apply for a HOPE VI Revitalization grant in the Plan year?
If yes, list development name(s) below:

4. ☐ 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:

5. ☐ 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:

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

(if applicable) [24 CFR Part 903.12(c), 903.7(k)(1)(i)]

1. ☐ Yes x 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:

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):

☐ 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.

☐ 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.

☐ Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below):

☐ Demonstrating that it has other relevant experience (list experience below):

4. Use of the Project-Based Voucher Program

Intent to Use Project-Based Assistance

☐ Yes x No: Does the PHA plan to "project-base" any tenant-based Section 8 vouchers in the coming year? If the answer is "no," go to the next component. If yes, answer the following questions.

1. ☐ 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:)

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

5. 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) only if the PHA has provided a certification listing program or policy changes from its last Annual Plan submission.

1. Consolidated Plan jurisdiction: (provide name here)
   Suffolk County, consortium of which the Town is a member

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

☐ The PHA has based its statement of needs of families on its waiting lists on the needs expressed in the Consolidated Plan/s.
x The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
x The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
☐ 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)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below) The two major changes the Town is making are to go to a first come first serve waiting list and to require criminal back round checks.. The preferences are staying the same for the wait list and the criminal back round checks are implementing the new HUD requirement. All the other changes including wait list changes are designed to make it easier for prospective clients to find units. Our overriding goal is to achieve %100 lease up.

6. Supporting Documents Available for Review for Streamlined 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, and Streamlined Five-Year/Annual Plans*;	5 Year and Annual Plans
X	*PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Streamlined Annual Plan*	Streamlined Annual Plans
X	*Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan*.	5 Year and standard Annual Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs 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	Annual Plan: Financial Resources
	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
	Deconcentration Income Analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
	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
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	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
	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
X	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
	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
	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if	Annual Plan: Operations and

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Related Plan Component**
	necessary)	Maintenance and Community Service & Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
	Any policies governing any Section 8 special housing types ☐ Check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
	Public housing grievance procedures ☐ Check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures. x Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
	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
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Section _____of the Section 8 Administrative Plan)	Annual Plan: Homeownership
	Public Housing Community Service Policy/Programs ☐ Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	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
	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.	Annual Plan: 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
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)
	Consortium agreement(s) and for Consortium Joint PHA Plans Only: Certification that consortium agreement is in compliance with 24 CFR Part 943	Joint Annual PHA Plan for Consortia: Agency

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Related Plan Component**
	pursuant to an opinion of counsel on file and available for inspection.	Identification and Annual Management and Operations

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor

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

PHA Name:	**Grant Type and Number** Capital Fund Program Grant No: Replacement Housing Factor Grant No:	**Federal FY of Grant:**

☐ **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				
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 Collaterization 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	Amount of line 21 Related to Energy Conservation Measures				

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor

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

PHA Name:		**Grant Type and Number** Capital Fund Program Grant No: Replacement Housing Factor Grant No:				**Federal FY of Grant:**		
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	

7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor

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

PHA Name:	**Grant Type and Number** Capital Fund Program No: Replacement Housing Factor No:	**Federal FY of Grant:**

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	

8. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan **Part I: Summary**					
PHA Name				☐ **Original 5-Year Plan** ☐ **Revision No:**	
Development Number/Name/ HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: PHA FY:	Work Statement for Year 3 FFY Grant: PHA FY:	Work Statement for Year 4 FFY Grant: PHA FY:	Work Statement for Year 5 FFY Grant: PHA FY:
	Annual Statement				
CFP Funds Listed for 5-year planning					
Replacement Housing Factor Funds					

8. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan Part II: Supporting Pages—Work Activities						
Activities for Year 1	Activities for Year :____ FFY Grant: PHA FY:			Activities for Year: ___ FFY Grant: PHA FY:		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See						
Annual						
Statement						
Total CFP Estimated Cost			$			$

8. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan Part II: Supporting Pages—Work Activities					
Activities for Year :____ FFY Grant: PHA FY:			Activities for Year: ___ FFY Grant: PHA FY:		
Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
Total CFP Estimated Cost		$			$

COMPREHENSIVE ADMINISTRATIVE PLAN FOR THE SECTION 8 RENTAL ASSISTANCE: HOUSING CHOICE VOUCHER PROGRAM

TOWN OF EAST HAMPTON

OFFICE OF HOUSING
&
COMMUNITY DEVELOPMENT

159 Pantigo Road
East Hampton, New York 11937

Revised June 2003
Proposed effective date January 1, 2004

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Chapter One
Introduction

Approach and Goals

Through the Section 8 Tenant Based Rental Assistance Program, (Housing Choice Voucher Program), the Town of East Hampton can meet a real need and achieve the goals of the Housing and Community Development Act of 1974 by offering housing assistance to eligible persons. The Comprehensive Plan of the Town of East Hampton has identified as a critical need affordable housing in the Town of East Hampton. The Housing Assistance Plan for the County of Suffolk indicates that there is a need for housing assistance for senior citizens and extremely low and very low - income families. The Section 8 Housing Choice Voucher Program offers a viable means for assisting such families.

The Housing Choice Voucher Program will operate under general policies established by the Town of East Hampton. The Town of East Hampton will operate the Section 8 Rental Assistance Program through the Town's Office of Housing and Community Development. This office is a town department staffed by town employees. Where reference is made to staff in this document it shall refer to all employees of the Office of Housing and Community Development. Specific job titles are included for reference purposes only. These titles may change, job responsibilities may change and employees or titles may be added.

Currently, as of June 2003, the Assistant Director of Housing and Community Development has overall responsibility for the day to day operations of the program reporting to the Director of Housing and Community Development. The Housing Program Technician handles the Section 8 housing quality inspections reporting to the Assistant Director.

The rest of the staff provides supportive services to the operation of the program, as well as the rest of the affordable housing mission of the Town of East Hampton.

Special Programs and Housing Initiatives

From time to time the Office of Housing and Community Development may apply for special funding or permission to use some of the Housing Choice Vouchers for special programs. The Office of Housing and Community Development currently administers affordable home ownership for the Town of East Hampton. To that end, Section 8 participants are counseled as future first time home - buyers. Upon approval from the United States' Department of Housing and Urban Development and the Town Board of the Town of East Hampton, the Office of Housing and Community Development will proceed to administer additional home ownership initiatives. If this occurs, the approval of such programs will be added as an addendum to this plan.

Chapter Two
Outreach

Outreach and Notification of Section 8 to Applicants and Owners

Applications

Application forms will be available at the Office of Housing and Community Development at any time of the business day throughout the year. Additionally, applications will automatically be sent to potential applicants, if requested. At some time in the future applications may be available through electronic means.

Preliminary applications will be processed into a database. The database will be maintained for all applicants containing the following information: date and time of application received, family name, mailing and home addresses, social security number, family size, preferences, and race/ ethnic designation of the head of household. Each application will be date and time stamped when it is received and kept on file in addition to the electronic database.

Future applications will collect the following information: information necessary to calculate the gross annual income of the household, information necessary to calculate allowances, family composition and size of unit, preferences, name and address of current and previous owners, disabilities, previous evictions from federally funded housing units, history of criminal and or drug abuse, statistical information on race, ethnicity and household size and a certification from the applicant that the information provided on the application is accurate and complete.

Applicants

Staff will make a special effort to attract extremely low-income families within the community. Applications will be available year round at the Office of Housing and Community Development.

Information targeting applicants whose income is 30% of median income or less and families of very low income will be sent to all local community organizations that deal with a low-income population on a biannual basis. Special outreach will be done in order to reach minorities, the disabled, seniors and other individuals who are least likely to apply. Newspaper ads, newspaper articles, flyers and posters will be utilized twice a year to promote the program. Staff will contact the broadest spectrum of potential tenants to explain and promote involvement in the program.

Owners

The staff will be responsible for making and continuing contact with owners and managers of rental units to promote understanding of, and involvement in the Section 8 Housing Choice Voucher Program. Special points to be emphasized are: the payment standard, utility allowances, right to screen tenants, lease approval, inspections, terminations and evictions.

East Hampton Town has few areas of low income and minority concentrations. The Office of Housing and Community Development will attempt to place its participants throughout the hamlets. This will be accomplished through networking with appropriate agencies, community service organizations, religious institutions, schools, real estate agents and direct mailing to property owners least likely to know about Section 8 Rental Assistance Program. The office will make available the names and addresses of current and past landlords that the applicant has had to the new prospective landlord.

Potential owners will receive an information packet containing the following: Landlord Guide to the Section 8 Rental Assistance Program, brochures on lead paint and "A Good Place to Live", a lead paint disclosure form, Part B and C of the Housing Assistance Payments contract and other materials deemed informative to the owner.

Equal Opportunity - Special Outreach Efforts

All notices sent to prospective applicants to notify them of the program and program guidelines will:

1. Comply with fair housing and equal opportunity requirements of the Town of East Hampton, Suffolk County, New York State and the United States Department of Housing and Urban Development.
2. Outreach efforts will target those least likely to apply such as minority groups, the elderly and disabled. A list of groups and agencies throughout the Town of East Hampton who will receive special notices is included as an appendix to this plan.
3. Outreach efforts will also target extremely low income individuals whose income is 30% of median income or less.

Chapter Three
Mailing List/ Waiting List

Maintaining a Mailing List

The Office of Housing and Community Development will maintain one mailing list, which will remain open throughout the year. Families who inquire about the program will be given a brief oral summary which will include the income limits, eligibility requirements, maximum rent a family may pay and screening procedures. The family will be informed that they may select a single-family house, apartment or townhouse and that they must find their own housing unit. Families will be encouraged to come to the Office of Housing and Community Development to fill out an application for Section 8 Rental Assistance. Applicants can request an application to be sent through the mail. Each application will be date and time stamped when it is received and kept on file in addition to the electronic database.

Applicants will be encouraged to come to the Office of Housing and Community Development to fill out an application. Applications will be available every business day from 9:00 am to 4:00 pm Monday through Friday excluding holidays.

Opening/ Closing the Waiting List

The Office of Housing and Community Development will keep its waiting list open year round in order to offer assistance during this affordable housing crisis. The waiting list will not close.

An electronic database will be maintained that automatically sorts applicants by two categories: local residents and non-residents. Local residents are those individuals who live or work full time within the Town of East Hampton. Non-Residents are all others. The database will then automatically sort both categories of applicants in the following order by time and date:

1. 30% of median income
2. Preferences: disabled member of household, homeless, substandard condition of unit; pays more than 50% of income to rent and or involuntary displacement from the unit. Preferences are weighted equally.
3. Very low income

Non-residents will be considered only after the pool of local residents has been exhausted. All non - residents must re - locate to the Town of East Hampton for at least one, (1) year in order to be eligible to port their voucher out to another municipality. There are and will be no exceptions.

If the information on the application is unclear or incomplete the staff will notify the applicant and give him or her ten, (10) days from the date of the notice to respond with a clarification. If they fail to respond they will not be placed on the waiting list.

Family Definition

Eligible families and individuals who may be placed on the waiting list, in addition to meeting all the other eligibility criteria may be one or more of following:

(a) A disabled family, which means a family whose head, co-head, spouse or sole member, is a person with disabilities; or one or two persons with disabilities; or one or more persons with disabilities with one or more live in aides
(b) A displaced person or family, which is a family in which each member or sole member is a person displaced by government action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized by federal disaster relief laws
(c) The remaining member of a tenant family is a family member of an assisted tenant family who remains in the unit when other members of the family have left the unit
(d) A homeless person or family
(e) An elderly person or family whose head, co-head or spouse or sole member is at least 62 years of age; or two or more persons, each 62 years of age, living together; or one or more persons who are at lease 62 living with one or more live in aides
(f) A multi - person elderly or disabled family, or one or more disabled persons living with one or more live - in aides
(g) Two or more persons living as a family, irrespective of age
(h) A single person who is an expectant mother or in the process of securing custody of a minor
(i) A single person of any age who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family
(j) A household with or without children; A child who is temporarily away from the home due to placement in foster care will be considered a member of the family

The Office of Housing and Community Development will select applicants in order from the waiting list in groups consistent with the available number of Housing Choice Vouchers or funding available.

Monitoring Applications

The staff will review all applications on a periodic basis to determine types of households applying with particular attention to family income. The staff will also update applications on the database, upon receiving written notice of a change of circumstances from the applicant, thereby monitoring those families whose changed situation may entitle them to assistance sooner, (or later), than anticipated. Also, this information is useful for identifying future needs and measuring progress toward affirmative action. If needed to meet these goals the staff will initiate additional appropriate outreach activities.

Purging the Waiting List

An applicant will be purged from the waiting list under the following conditions:

1. If the application or any other notice to the applicant from this office is returned and stamped "undeliverable" by the United States Post Office. The envelope and letter will be attached to the application.
2. If the applicant fails to submit requested documentation by a stated deadline.
3. If after a standard mailing to determine the interest of applicants on the waiting list, the applicant does not reply or misses the stated deadline. The letter will be attached to the application.

The applicant may be denied eligibility based on the information they provided on the application or after the documentation is provided at the interview. If the information on the application is unclear or incomplete the applicant will be notified and given ten, (10) days from the date of the notice to respond with a clarification. If they fail to respond they will not be placed on the waiting list.

An applicant who fails to meet a deadline and is therefore denied will be placed at the bottom of the waiting list in their respective preference group (where applicable) upon reapplication. An applicant denied because of fraud or material misstatement on their application shall not be eligible for placement on the waiting list upon reapplication except after review by the Director and at his or her sole discretion.

Chapter Four
Eligibility

Determining Eligibility: Verification Process (First Appointment)

Provisionally Eligible

Applicants will be called in accordance with their place on the waiting list in groups consistent with the availability of funding and Housing Choice Vouchers. The applicant will take part in two interviews during the verification process. Applicants will be notified of all appointments through the United States Postal Service. If necessary, notification will include a list of documents required in the verification of eligibility. If a disabled applicant is unable to attend either appointment at the scheduled location, a reasonable accommodation will be made to facilitate the interview.

During the first interview, the applicant will be asked to come in for a personal interview and present documents as evidence of their family composition, citizenship, income, allowable exclusions, residency, preference(s) and financial need. Applicants will be required to sign a consent form for a criminal background check at this first appointment. Following a review of the applicant's documents, the applicant will be determined eligible or ineligible for assistance.

Interpreters will be made available for those individuals who are Spanish speaking and an attempt will be made to secure interpreters for individuals whose native language is other than English, and do not speak English well.

Verification Process

Eligibility for admission must be verified no more than 60 days prior to the issuance of a Housing Choice Voucher.

Social Security Card

Applicants must present an original, valid social security card for each member of the household. If an original cannot be produced the applicant must apply for a replacement card at Social Security and provide proof of this application.

Verification of the Gross Annual Household Income

All household members over eighteen years of age will have their income verified. However, for full time students over 18 years of age the first $480.00 of earned income will be counted toward the gross annual income for the household.

The following information will be collected during the first appointment: Names and addresses of all employers, current tax returns, W-2 forms, Social Security benefit forms, Department of Social Services budget forms, child support and other sources, as appropriate, will be reviewed and verified by staff. The applicant will sign an Authorization for the Release of Information/ Privacy Act so that third party verification can be obtained on all income sources. The applicant will sign a Tenant Information Form stating that the information presented for eligibility determination is correct and complete.

Allowances

A determination of allowances, if any, will be made in accordance with Federal Regulations regarding medical expenses, childcare or handicap care expenses, etc. Documents will be collected to support the declared allowances.

Calculation of Total Tenant Payment, (TTP) and Total Family Contribution (TFC)

The required TTP and TFC toward rent for each applicant will be calculated in accordance with Federal Regulations based on family size and gross annual income and allowances. Applicants and participants will be required to report any changes in income. Interim and annual recalculations of the Total Tenant Payment, (TTP) and Total Family Contribution (TFC) will be made as each participant's income fluctuations.

Citizenship/Immigration Certification

All non United States Citizens will present original immigration documents to be verified through Bureau of Citizenship and Immigration Services' (BCIS) SAVE program. All applicants will sign the Declaration of Citizenship at least once. Applicants will be designated as lawful residents or not eligible only after review by the BCIS. At least one member of the household must hold legal status. The subsidy will be prorated based on the legal status of the members of the household. If the family member with legal status passes away during the lease year then the family will be considered ineligible and be terminated from the program.

If this office is compelled to file a secondary verification of the family's immigration documentation then the family will be notified of the BCIS' determination (delayed, denied or terminated) in writing and advised of their right to appeal this decision through the BCIS. The family will be given a copy of the cover letter to the INS, the secondary verification form (G-845S) and all supporting documentation supplied by this office to the BCIS. This will constitute the notification packet referred to below in #3. If the family wishes to exercise its right of appeal with the BCIS, it must complete the following steps:

1. The family must submit within thirty days to the BCIS a request for an appeal.
2. A copy of this request must be submitted to this office
3. This request must include a copy of the notification packet from this office.
4. The family must supply any additional documentation that the BCIS may request.

All documents submitted during the process of Citizenship/ Immigration Certification will be kept for a period of five (5) years.

Criminal Background Check

All applicants eighteen years of age and older, live-in aids and ports from other public housing agencies who will be assumed by this office and issued a Housing Choice Voucher must consent to and sign a release for a criminal background check. All household members will be screened through the National Crime Information Center. If a match is found then the family member will be fingerprinted to verify the match. An applicant may withdraw prior to the fingerprinting if the applicant so wishes. Applicants will be notified of the match and advised of their right to appeal this decision. All information will be kept in a separate file, and destroyed when no longer necessary consistent with all applicable federal regulations.

If it is determined that an applicant poses, or could pose, based on evidence in possession of the Office of Housing and Community Development a threat to the quiet enjoyment of the neighborhood where the applicant may live, they will be denied a Housing Choice Voucher. The applicant shall have the right to appeal any decision of denial to the Director of the Office of Housing and Community Development.

Any decision, whether a denial or an appeal of a denial, shall be based on the criminal background history, testimony of neighbors, newspaper reports and other reports concerning the existing habits and performance of the applicant. Evidence of the rehabilitation, treatment or change in behavior of the applicant shall inure to the benefit of an applicant.

Live- in Aid

A live- in aid will be permitted to reside with the participant. The live-in aid will be considered when determining family unit size and maximum subsidy. The live-in aid's income will not be counted toward the gross annual income of the household. A live-in aid is a person who resides with one or more elderly persons (at least 62), near elderly persons (at least 50) or persons with disabilities. The live-in aid must meet the following criteria:

1. Is determined by appropriate agencies to be essential to the care and well being of the person(s)
2. Is not obligated for the support of the person(s)
3. Would not live in the unit except to provide necessary supportive services

Chapter Five
Housing Choice Voucher

Issuance of a Housing Choice Voucher (Second Appointment)

If eligible, the applicant will be notified through the United States Postal Service that it is time to pick up his or her Housing Choice Voucher. The applicant will attend a second interview at a mutually convenient time and location as his or her name comes up on the waiting list. During this appointment, the applicant will be given a thorough explanation of the Housing Choice Voucher program. During the appointment the discussion will emphasize how the tenant portion of the subsidy is calculated, payment standards and utility costs, how to find a suitable unit, the Housing Quality Inspection, recognizing discrimination, the termination and appeal process of assistance and the various responsibilities of tenants and landlords.

The bedroom size of the Housing Choice Voucher is based on household composition as per the family definition section of this Administrative Plan. Applicants may chose larger units but are limited to the subsidy based on the payment standard for their family size.

The Housing Choice Vouchers are issued based on the bedroom size that meets the needs of the family's composition. The bedroom size is established based on the following occupancy standards:

(a) All adults 18 and over shall have a separate bedroom, except in the case of full time students.
(b) Couples shall share one bedroom, if both are 62 or older they may have two bedrooms
(c) Single parents with one child shall be entitled to two bedrooms
(d) Documented expectant mothers expecting their first child are eligible for two bedrooms
(e) Two children of the same sex shall share a bedroom unless the Director determines two separate bedrooms are reasonable to accommodate such situations as medical or large age discrepancies
(f) Minors over five years of age, of different sexes, are not placed in the same bedroom
(g) A minor disabled child is placed in his/her own bedroom
(h) Reasonable accommodations will be made to meet the needs of the disabled as to the number of bedrooms required. There will also be special consideration given to the payment standard used for that family. If a disabled person is in the qualified household the family will be entitled to receive approval for a payment standard that 110% above the payment standard approved for their particular bedroom size.
(i) If one or both of a couple have documented medical conditions that require separate bedrooms will be given two bedrooms.

(j) Single persons are assigned one bedroom or smaller units, (except for (h) above).

The staff will provide a Housing Choice Voucher Holder Packet along with a copy of the applicant's Housing Choice Voucher, Request for Tenancy, Landlord Guide and various other pertinent materials. Only one Request for Tenancy form will be given out to a family at any one time. Particular emphasis will be placed on the requirement of reporting changes in income and family composition in writing immediately. Housing Choice Voucher will be issued for the full 120 days. Once the Housing Choice Voucher expires the family will have to reapply. The appointment will culminate in a question and answer period to assure that all participants understand their responsibilities.

Continually Assisted

Any family who is receiving or in process for a subsidy but is unable to use the subsidy due to a placement in a shelter, hospital or other facility of temporary nature will be considered continually assisted for a period of 120 days. Any family who voluntarily withdraws from the program will be considered continually assisted for a period of 120 days the effective date of the withdrawal. An applicant does not receive the benefits of the continually assisted rule.

Suspension of the Housing Choice Voucher

Housing Choice Vouchers will be suspended once a Request for Tenancy is received. Once an applicant has located a rental unit and has submitted a Request for Approval of Tenancy form, (RAT) the Housing Choice Voucher may be suspended for up to thirty, (30) days if the unit is not yet vacant or repairs need to be made. The decision to suspend the time period will be based on advice from the inspector as to the condition of the unit.

The Office of Housing and Community Development will grant no more than two suspensions to an applicant unless there are extenuating circumstances warranting the suspension. The Director will make the final decision as to granting suspensions and the Housing Choice Voucher holder, (applicant); will be notified in writing of the decision.

Change in Family Composition: Who Keeps the Voucher

Generally, the adult who maintains custody of the minor children will keep the voucher and will remain in the rental unit. However, exceptions will be made on a case - by - case basis allowing for extenuating circumstances and considering such factors as health, and whether domestic violence, drug abuse or criminal activity exists. In an extreme situation the Director may decide, based on the availability of vouchers and the family circumstances to issue an additional voucher to the family for use in another rental unit.

Inter-Municipal Agreement

The Towns of Southampton and East Hampton have agreed to allow lease - ups of

their current local residents in each other's jurisdiction limited to five, (5) at any given time. East Hampton may lease - up and administer units in Southampton Town or Shelter Island if a resident of the Town of East Hampton is forced to relocate to either respective town. From time to time the Office of Housing and Community Development may work with other PHA's in the same manner.

Chapter Six
Denying Eligibility

Denying Eligibility

If the applicant is denied admission he/she will be notified in writing. The notice will state all of the reasons for the decision. The applicant will be informed that he or she may request an informal review of the decision.

The grounds for denying eligibility are as follows:

(a) The household's gross annual income is over income
(b) The applicant currently owes rent monies or other amounts to the Office of Housing and Community Development or another PHA in connection with Section 8 or other public housing assistance or is considered a tenant not in good standing
(c) The applicant has violated family obligations under the Section 8 program
(d) The applicant or a member of the household is a match on the National Crime Information Center and/ or is a life time sex offender registrant and is ineligible based on the United States' Department of Housing and Urban Development criteria for Criminal and or drug based activity
(e) The applicant has breached an agreement to repay a specified amount of money owed to the Office of Housing and Community Development or another PHA
(f) The applicant has committed fraud in connection with any federal housing program;
(g) At least one member of the household does not hold legal immigration status.
(h) The applicant does not provide sufficient information to certify income or does not cooperate with the intake staff sufficiently to determine income;
(i) The applicant commits fraud on the initial application.
(j) The PHA may refuse to approve or withdraw approval if a proposed live in aide: commits fraud bribery or any other corrupt or criminal act in connection with any federal housing program, commits drug related criminal activity or violent criminal activity or is a life time sex offender registrant and or currently owes rent or other amounts to the PHA or another PHA in connection with Section 8 or other public housing agency.

In an instance where an applicant is determined by another PHA to not be a tenant in good standing, to owe money to another PHA or have committed fraud against another PHA, the Office of Housing and Community Development will not overrule the determination made by that PHA.

Chapter Seven
Payment Standards and Income Limits

Payment Standard

Fair Market Rents (FRM) for Nassau/ Suffolk County are published annually in the Federal Register. The published values for Fair Market Rents are the basis of the payment standards utilized by the Office of Housing and Community Development. The Office of Housing and Community Development allows for up to 110% over the Fair Market Rents when determining the payment standards for the Section 8 Rental Assistance Program. The payment standard does not automatically change when new FMR's are published in the Federal Register. The Office of Housing and Community Development uses a higher payment standard in order to somewhat compete with the local rental market.

There will be special consideration given to the payment standard used for a family who has a disabled member of the household. If a disabled person is in the qualified household the family will be entitled to receive approval for a payment standard that is 110% above the Office of Housing and Community Development's payment standard approved for their particular bedroom size.

Payment Standard Adjustments

At least once yearly, at the time the first budget for the new year is submitted to the United States' Department of Housing and Urban Development, the Office of Housing and Community Development will make adjustments to the payment standard for each bedroom size, (1, 2, 3 or 4). The payments standard will be based on the United States' Department of Housing and Urban Development requirements as well as market affordability in the Town of East Hampton. It is possible that an increase in the payment standard will increase the amount of subsidy available to the tenant and therefore absorb some, if not all, of the rent increase should the landlord request an increase in the contract rent at the end of the lease.

Calculation of Total Tenant Payment, (TTP) and Total Family Contribution, (TFC)

The applicant will be given a Housing Choice Voucher based on the family's household composition. The size and composition of the family will determine the payment standard the family is entitled to. There will be one payment standard for each bedroom size. The bedroom size is based on the PHA's occupancy standards, as follows:

1. All adults 18 and over shall have a separate bedroom, except in the case of full time students.
2. Couples shall share one bedroom, if both are 62 or older they may have two

bedrooms

3. Single parents with one child shall be entitled to two bedrooms
4. Documented expectant mothers expecting their first child are eligible for two bedrooms
5. Two children of the same sex shall share a bedroom unless the Director determines two separate bedrooms are reasonable to accommodate such situations as medical or large age discrepancies
6. Minors over five years of age, of different sexes, are not placed in the same bedroom
7. A minor disabled child is placed in his/her own bedroom
8. Reasonable accommodations will be made to meet the needs of the disabled as to the number of bedrooms required. There will also be special consideration given to the payment standard used for that family. If a disabled person is in the qualified household the family will be entitled to receive approval for a payment standard that is 110% above the Office of Housing and Community Development's payment standard approved for their particular bedroom size.
9. If one or both of a couple have documented medical conditions that require separate bedrooms will be given two bedrooms.
10. Single persons are assigned one bedroom or smaller units except where there is a live in aid or medical equipment necessitates a second bedroom.

Tenant portion

The family will be responsible for 30% of their gross annual income as their tenant portion. The tenant portion will be subtracted from the gross rent of the unit.

Interim and Annual Recalculations:

Interim and annual recalculations of the Total Tenant Payment, (TTP) and Total Family Contribution (TFC) will be made according to the family's income fluctuations. The family must report changes in income immediately and in writing to the Office of Housing and Community Development. Immediately is defined as within fifteen calendar days from the date of change or first payment received. The family is required to notify the Office of Housing and Community Development whenever any family member has a increase or decrease in income.

Sporadic Income:

Sporadic child support payments that are determined to be not reliable sources of income will not be counted in the total household income. Reliability may be determined by the Child Support Bureau or through the review of payments by this office and at the discretion of the Director. Infrequent payments such as once or twice a year will not be counted.

Sporadic employment and jobs done through self-employment will be counted toward the gross annual income.

Asset Income:

Asset income will be determined by using the current balances from any and all checking, saving, mutual fund and or stock accounts. If a current balance of an asset is not available then the interest earned for the previous year and reported on income tax returns will be used to determine the income earned by this asset.

Disallowance of Earned Income from Rent Determinations for Persons with Disabilities

The annual income for qualified disabled families may not be increased as a result of increases in earned income of a family member who is a person with disabilities beginning on the date on which the increase in earned income begins and continuing for a cumulative twelve (12)-month period. After the disabled family receives twelve(12) cumulative months of the full exclusion, annual income will include a phase-in of half the earned income excluded from annual income.

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

1. Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one (1) or more years prior to employment;

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

3. Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six (6) months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a (6) six-month period is at least $500.

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

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

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

The amount of TANF received in the (6)six-month period includes monthly income and such benefits and services as one-time payments, wage subsidies and transportation assistance.

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

Initial Twelve-Month Exclusion

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

Second Twelve-Month Exclusion and Phase-in

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

Maximum Four-Year Disallowance

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

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

No earned income disallowance will be applied after the forty?eight (48)-month period following the initial date the exclusion was applied.

Applicability to Childcare and Disability Assistance Expense Deductions

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

Tracking the Earned Income Exclusion

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family's file to show the reason for the reduced increase in rent. The PHA will maintain a tracking system to ensure correct application of the earned income disallowance.

Inapplicability to Admission

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

Allowance for Childcare

Allowances for childcare will be granted for those parents who are currently working or are actively seeking employment. Third party verification will be done on all childcare providers. Parents seeking employment will be required to provide a list of employers, including names and addresses on a quarterly basis. Reasonable childcare expenses will be reviewed once a year at the discretion of the Director.

Medical Allowance

Medical allowances will be granted for all medically related supplies and medication with a receipt or third party verification of the expense. Only medical expenses that will be incurred during the upcoming year will be allowed.

Gross Rent of the Unit

The gross rent of the unit will be determined by the contract rent of the unit set by the landlord plus the utility costs associated with that particular unit as set forth by the United States' Department of Housing and Urban Development. The gross rent of the unit cannot exceed the payment standard on new lease ups. After the applicant has resided in the unit for more than one year the gross rent can exceed the payment standard; however, the applicant will pay the rent above the payment standard not to exceed 40% of the household's gross annual income.

Adjustments to the Payment Standard

The Office of Housing and Community Development, may if needed, make additional adjustments to the payment standard seeking approval from the United States' Department of Housing and Urban Development through submission of revised budgets and requisitions during the fiscal year. A copy of the payment standards that will still be in effect beginning January 1, is annexed to this plan as Appendix #4. These are subject to change based on changes in the housing market in the Town of East Hampton. Other considerations are the lease-up rate and the funds available to lease-up, (provide subsidy for), the units.

Minimum Tenant Rent

The minimum tenant rent shall be $0.00.

Change of Units

There will be no restrictions on the number of moves a family may make in order to find suitable housing.

Chapter Eight
Portability

To broaden the housing opportunities of a Housing Voucher holder, a Housing Voucher holder may move from the jurisdiction of the Office of Housing and Community Development to the jurisdiction of another PHA. A participant must be a tenant in good standing of the initiating PHA meeting all their family obligations. The Office of Housing and Community Development will therefore accept a Housing Voucher holder from any other PHA jurisdiction. This acceptance is mandatory, not voluntary.

The family must notify the initial PHA of the location to which it wants to move. The initial PHA will contact the PHA in the new area to ascertain if it administers a Housing Choice Voucher Program and, if it does, whether it is willing to administer the Housing Choice Voucher on behalf of the family. If another PHA accepts the Housing Choice Voucher Holder, the initial PHA shall notify the receiving PHA to expect the family and verify:

(a) That the family met the income- eligibility requirements for admission to the initial PHA's program, and:
(b) That the initial PHA issued the family a Housing Voucher and the date by which the family must submit a Request for Lease Approval to the receiving PHA.

The receiving PHA shall promptly notify the initial PHA if:

(a) The family leases a unit of the amount of subsidy to be paid;
(b) The family fails to submit a Request for Lease Approval by the date specified by the initial PHA;
(c) The family is terminated from the program by the initial PHA, or absorbed by the receiving PHA.

The receiving PHA will bill the initial PHA for the Housing Assistance Payments on behalf of the family.

The receiving PHA may elect to give the family one of its own Section 8 Housing Vouchers. If so, the billing procedure will not apply. It is the policy of the Office of Housing and Community Development to absorb all tenants as long as this office has sufficient funding and Housing Choice Vouchers.

Chapter Nine
Landlord's Responsibilities for Tenant Screening

Once a Housing Choice Voucher holder finds a suitable unit, he or she will meet with the landlord for an initial interview. It is the responsibility of the landlord to screen all potential applicants such as credit checks and other background screenings. The Office of Housing and Community Development will only provide the names and addresses of the current and all previous landlords to the owner. Information verified by the Office of Housing and Community Development will not be shared with the Landlord, unless a release is signed and then only to the extent that is necessary to meet federal, state and local affordable housing requirements such as but not limited to low income tax credit financing.

Chapter Ten
Release of Tenant Information

The Section 8 program will be conducted in a way in which the privacy of clients is protected to the maximum degree practicable consistent with applicable rules, laws and regulations. Under no circumstances will tenant information, (including names and addresses), be released to the general public. Moreover, no information will be released which could lead a person to identify the address or identity of a Section 8 participant.

Nothing herein shall prevent the disclosure of relevant information where necessary to other housing agencies, other government and law enforcement agencies following proper procedures. Information will be exchanged to determine eligibility of a prospective client or to facilitate the investigation of a client for fraud under this program.

Chapter Eleven
Housing Quality Standards and Inspections

If the landlord is willing to meet the requirements for participation in the Section 8 Rental Assistance program and the limit for rent based on the Housing Choice Voucher size then the landlord will fill out the Request for Tenancy form that the Office of Housing and Community Development has provided to the applicant. The staff of the Office of Housing and Community Development will inspect the unit promptly after receiving the completed Request for Tenancy.

Landlords will provide proof of ownership such as a deed or current tax bill and a Certificate of Occupancy for the property. Social Security numbers must be provided for all listed owners of said property. Employer Identification Numbers are required for companies and housing agencies. This documentation is to accompany the Request for Tenancy. If there is more than one owner, (i.e. partners, corporation, husband and wife), then all must sign the documents unless a notarized release is signed by all parties authorizing a specific party to sign on all the party's behalf and in the case of a corporation, a corporate authorization of a signatory is required.

The United States' Department of Housing and Urban Development's Housing Quality Standards (HQS) will be used as the basis for making a determination that the unit is safe and sanitary. However, if New York State Building Code Standards, East Hampton Town Code or Suffolk County Health Department Standards are more stringent, then the more stringent standard must be met. This is because the landlord is required to meet these standards regardless of whether he/she is renting to a Section 8 participant. If the United States' Department of Housing and Urban Development standards are more stringent than the state, town or country standards referenced above, then HQS will serve as the minimum standard. Additionally, the Office of Housing and Community Development requires that all landlords provide proof that the heating unit for the rental premises has been inspected, (and passed said inspection), on a yearly basis.

Office of Housing and Community Development staff will explain the inspection process to the owner/manager so that she/he will allow time for the inspection to be completed. If the unit fails inspection, the owner will be notified by the staff and a re – inspection date scheduled if desired. Staff will notify the family by telephone and/or mail of the unit's failure and the date of re – inspection. The appropriate staff will have the final determination regarding the acceptability of the unit. In addition to passing the Section 8 inspection, the unit must comply with the Town of East Hampton's zoning requirements.

From time to time, as a measure of assuring the general housing quality standards of the rental units on the program, the Office of Housing and Community Development may conduct supervisory inspections. These inspections will be by appointment. Participants will be given ample notice in order to schedule these inspections at the convenience of the tenant.

Staff will maintain records of all inspections, and between eleven months and one year from the date of the last inspection, the staff will re – inspect those units. For those units that fail inspection, the landlords will be given a set time period to make the necessary repairs, depending on the nature and extent of the required repairs. All actions taken by the Office of Housing and Community Development will comply with New York State Real Property and Real Property Actions and Proceedings Law, (RPAPL). Staff may inspect a unit at the request of the landlord or tenant. If requested a final inspection will be conducted.

If the repairs have not been done by the specified time, the housing subsidy will be withheld until the unit passes inspection. The Director may grant extensions as seem reasonable. The Director will abate the rent if the landlord refuses to make the repairs within the specified time period allowed even after the rent has been withheld. The tenant will be notified that they are required to relocate if the landlord fails to correct the violations of HQS and the tenant's health and safety are threatened.

Chapter Twelve
Assisting a Family That Claims Illegal Discrimination

Assistance will be provided when a family alleges that illegal discrimination is preventing that family from finding a suitable unit. In such cases, families will be referred to appropriate local, county, or state human rights organizations for assistance.

Applicants or participants claiming to have been subjected to discrimination because of race, color, religion, sex, disability, familial status, or national origin in the search for housing, or in the housing they currently occupy will be asked to fill out a Housing Discrimination Complaint Form and mail it to the nearest United States' Department of Housing and Urban Development office. Assistance in completing the form and mailing it to the United States' Department of Housing and Urban Development will be provided by the Office of Housing and Community Development.

Chapter Thirteen
Lease Approval, Housing Voucher Contract Execution and Initial Payment to the Landlord

A lease form approved by Office of Housing and Community Development will be used; said lease will be approved upon the unit "passing" inspection and being found to have a reasonable rent. Reasonableness of the rent will be determined by comparing the individual unit rents to comparable units in the area, considering the location and the amenities offered. The lease must be for at least one year. The staff will prepare the Housing Choice Voucher Contract and all necessary documents. The information will be re - checked for verification of computations. The amount of the housing subsidy will be determined for payments to the landlord. This lease will supercede any standing verbal or written lease between the tenant and landlord.

The landlord is asked to sign the necessary documents first, then the tenant. The leases with the Tenancy Addendums, provided by the United States' Department of Housing and Urban Development, are signed by the landlord and the tenant. The Housing Voucher Contract, (HAP) is between the landlord and the Town of East Hampton. The Tenancy Addendum is also attached to the HAP. The initial rental subsidy payment is released to the new landlord when required documents are signed. The landlord, tenant and the Office of Housing and Community Development each keep an original of the documents that are signed. Monthly payments will be sent to the landlord based on the subsidy that the tenant is qualified for.

Security Deposits are between the owner and tenant. The Office of Housing and Community Development does not provide security deposits to participants.

Chapter Fourteen
Disapproval of Owners

The Office of Housing and Community Development owner's disapproval policy only applies at the time the family initially receives the Housing Choice Voucher for occupancy of a particular unit.

Mandatory Denial

The Office of Housing and Community Development must be presented with appropriate documentation by the United States' Department of Housing and Urban Development or an enforcement agency when:

(a) The Federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements, and such action is pending;
(b) A court or administrative agency has determined that the owner violated The Fair Housing Act or other federal equal opportunity requirements
(c) The owner is engaged in drug trafficking and/or manufacture of drugs

Discretionary Denial

The Office of Housing and Community Development may deny a unit on the following grounds:

(a) The owner has violated obligations under a HAP contract under Section 8 of the 1937 Act
(b) The owner has committed fraud, bribery or any other corrupt criminal act in connection with any federal housing program
(c) The owner has engaged in drug related criminal activity
(d) The owner has a history or practice of noncompliance with HQS for units leased under the Section 8 program or other federally assisted programs*
(e) The owner has a history or practice of renting units that fail to meet state or local housing codes*
(f) The owner has not paid state or local real estate taxes, fines or assessments.

*History or practice is defined as failed HQS with inadequate owner response to making repairs and following the Housing Inspector's recommendations as to the overall substandard condition of any rental unit.

Chapter Fifteen
Absence From the Dwelling Unit

Family Absence

Family absence refers to the unit being vacant so that no family members are present during this period. A family absent over thirty, (30) consecutive calendar days must report the absence to the Office of Housing and Community Development. Absences beyond thirty, (30) consecutive days that are not reported to the Office of Housing and Community Development are ground for termination of Section 8 assistance.

Generally, a family may not be absent from the dwelling unit for more than sixty, (60) consecutive days, even if prior notice is given to the Office of Housing and Community Development. However, if prior notice is given to the Office of Housing and Community Development an additional thirty, (30) days may be granted above and beyond the initial sixty, (60) day maximum absence if there are health related circumstances that warrant special consideration, for an absolute maximum of ninety, (90) days. The Director will review the request for absence from the rental unit on a case - by - case basis.

Member Absence

Any member of the household will be considered permanently absent if s/he is away from the unit for thirty days without prior approval and after any ninety-day period with prior approval.

A full time student who attends school away from the home and live with the family during school recess will be considered temporarily absent from the household.

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the PHA will seek advice from a reliable source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home or other facility, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than one hundred eighty (180) consecutive days, the family member will not be considered permanently absent.

Chapter Sixteen
Basic Program Obligations

A family <u>must:</u>

1. Provide such certification, releases of information, consent and/or documentation as the Office of Housing and Community Development and/or the United States' Department of Housing and Urban Development determines to be necessary. Submissions are required for an annual or interim re - examination of family income and composition, including evidence of citizenship or eligible immigration status and criminal background checks
2. Tenants must report changes immediately and in writing to the Office of Housing and Community Development. Immediately is defined as within fifteen calendar days from the date of change.
3. Notify the Office of Housing and Community Development whenever any family member has a change in income in either direction. The Housing Choice Voucher Holder must report this change in income immediately and in writing to the Office of Housing and Community Development. Failure to report is cause for termination.
4. Notify the Office of Housing and Community Development whenever a guest stays longer than thirty consecutive days in the unit with the family. The family must immediately submit all the necessary documentation for the verification of the new household member. Failure to report is cause for termination.
5. Allow the Office of Housing and Community Development to inspect the rental unit on an annual basis at a reasonable time and with reasonable notice, allow the Office of Housing and Community Development to inspect the unit for supervisory inspections and as requested by the tenant or landlord.
6. Notify the Office of Housing and Community Development and landlord before vacating the dwelling unit
7. Use the dwelling unit solely for residence by the family as specified on the lease, contract and certification form as the family's principal place of residence;
8. Disclose and verify social security numbers and sign and submit consent forms for obtaining information;
9. Provide information that is true and complete;
10. Be responsible for any breach of housing quality standards caused by the family
11. Notify the Office of Housing and Community Development before they terminate the lease with the landlord
12. Promptly give the Office of Housing and Community Development a copy of any eviction notice
13. Seek approval for changes in family composition and promptly inform the Office of Housing and Community Development in writing of changes in family composition through birth, adoption or court awarded custody
14. Report any changes of income, assets or other benefits immediately in writing to the Office of Housing and Community Development
15. Supply information as requested to verify that the family is living in the unit or is vacant from the unit or that someone claiming "guest" status is in fact living at

another location.

The family <u>must not</u>

1. Own or have any interest in the dwelling unit, other than per the United States' Department of Housing and Urban Development specified exceptions
2. Rent from a relative
3. Commit any fraud, bribery or other corrupt or criminal act in connection with the Section 8 program
4. Engage in any drug - related or violent criminal activity or permit guests to do so
5. Threaten or harass any employee of the Office of Housing and Community Development
6. Sublease any part of the rental unit or any part thereof, or assign the lease
7. Violate the terms and conditions set forth in the Lease and/or Lease Addendum for the rental unit subsidized on the Section 8 program;
8. Receive additional rent subsidy from any Section 8 agency or Public Housing Agency
9. Allow a guest to stay in the subsidized rental unit more than thirty, (30) consecutive days, or thirty days (30) in any one calendar year without the express written permission of the Office of Housing and Community Development. The office shall require such proof at its sole discretion to establish that the guest has a bonafied place of residence elsewhere.
10. Violate other obligations as specified on their Housing Voucher and material distributed to them notifying them of the United States' Department of Housing and Urban Development regulations.

Chapter Seventeen
Resident Advisory Board

The Office of Housing and Community Development has established a Resident Advisory Board. The Resident Advisory Board is comprised of current participants who reflect and represent those tenants who receive assistance. The role of the Resident Advisory Board is to assist this office in the development and modification of the annual plan.

This board is consulted at the beginning of the development phase of the annual plan and at any point during the year when a modification is proposed to the plan. Membership in the Resident Advisory Board is voluntary. There is no fixed term or officers assigned. A listing of the membership in the Resident Advisory Board will be found as an attachment to the plan.

The Resident Advisory Board formally meets every summer in either June or July. Additionally, the Resident Advisory Board meets at other times as needed to review changes to the plan. Members will be formally invited to attend the meeting by invitation at least two weeks in advance of the date of the meeting. The invitation will disclose the time, the place and the agenda for the meeting. A copy of the complete plan will be available at the meeting for the members to review.

Meeting times will reflect those times when most members are likely to attend.

The Office of Housing and Community Development will consider the recommendations of the Resident Advisory Board. However, the Office of Housing and Community Development is not bound to agree or utilitize the suggestions by the Resident Advisory Board. The recommendations of the Resident Advisory Board will be attached to the annual plan.

Chapter Eighteen
On-going Functions

Payments to Owners

The Town of East Hampton will mail a check to the landlord in the amount determined as the Housing Assistance Payment (HAP). Payment will occur on the first of the month thereafter for the duration of the lease. The staff will review payment procedures and amounts to make certain that owners are receiving their checks for the proper amount at the appropriate time.

Annual and Interim Certification of Participants

Annually, staff will certify the gross annual income, asset income and composition of families participating in the Section 8 Program. Verification of all required information will be done no more than 120 days prior to the lease date. Families will be notified through the United States Postal Service as to the time and date of their annual certification appointment. The family will be asked to fill out certification forms. This procedure will occur annually for all households. Staff will record any changes in family composition, household income and make appropriate changes in the amendment to the Housing Voucher Contract and renewing the lease and Tenancy Addendum. Interim certifications will be done if there is a change in family composition, if there is a decrease in income, or if there is an increase in income. Tenants sign a form acknowledging it is their responsibility to report these changes in writing immediately to the Office of Housing and Community Development and failure to do so can result in termination of their participation in the Section 8 program.

Reasonable accommodation(s) will be made to meet with participants at alternative locations if their disability hinders them from coming to the office at normally scheduled times. Every effort is made to access supportive services for those participants who find it difficult to meet their family obligations without assistance.

Tenant files

Tenant files will be kept for the entire assisted tenancy and for three (3) years thereafter. Documents to be kept are copies of the executed leases, HAP contracts, application, HUD required reports, unit inspection reports and lead based paint records. Additionally, the application and notice of ineligibility for each ineligible applicant will be kept for three (3) years.

Rent Reasonableness

Rental units leased under the Section 8 program will meet rent reasonableness

guidelines set by the United States' Department of Housing and Urban Development. No new unit will be leased; no renewal of a leased approved if the rent charged is above the rent for comparable unassisted rental units. Factors such as location, quality, size, age, amenities, utilities, services and maintenance provided will be used to determine comparability. A rent reasonableness comparison will be done at the beginning of a new lease, a rent increase, and if the United States' Department of Housing and Urban Development lowers the FMR by five percent.

The staff of the Office of Housing and Community Development will survey existing housing stock and prepare a list of comparable units for each bedroom size. The survey will be updated as needed. The staff will prepare and sign a rent reasonableness form for each leased unit to be maintained in the participant's file.

Review and Adjustment of Allowances for Utilities and Other Services

The utility schedule used for the Section 8 program will be adjusted periodically to reflect current utility rates. Utility fees will be closely monitored to be certain that the certified family is not required to pay a disproportionate amount for utilities. The utility schedule is an estimate and therefore must remain flexible. Changes in utility allowances will be noted by written memo to record the necessary adjustments or by a new utility schedule. Currently, a revised utility schedule is published yearly by the Association of Long Island Housing Agencies, (ALIHA), and all the member agencies in Long Island participate in the process and adopt ALIHA's schedule.

Processing Requests for Rent Increase by Owners

Landlords must request a rent increase in writing at least sixty, (60) days prior to the expiration of the current lease. The rent must be reasonable and within the price range of other similar units. If the rent increase is above the payment standard, the increase must not burden the tenant beyond 40% of their gross annual income. If the increase is above the 40% limit the Director may approve the increase if failure to approve the increase will cause the tenant to become homeless. A tenant may choose to move to a different unit if the rent burden is too great.

The Town may annually increase the payment standard for the program to assure affordability. Currently, as per the United States' Department of Housing and Urban Development regulations, new tenants may not pay more than 40% of their adjusted income for rent and utilities. Tenants who are having their leases renewed have more discretion, but must have sufficient income to pay for their rent and utilities.

If necessary and in order to accommodate requests for rent increase, extensions to the lease, up to one hundred twenty, (120) days/four months, may be granted by the Director on a case - by - case basis. No rent increases will be given during the extension period. An extension agreement will be prepared by the Office of Housing and Community Development to cover the period the lease is extended for.

The Participant Moves to a New Unit

<u>Situations where the participant must vacate the unit</u>

1. If the participant does not move from the unit as scheduled then they will lose program eligibility
2. It is mandatory that the participant move when the owner, with proper notification to the Office of Housing and Community Development, terminates the lease, Tenancy Addendum and HAP contract for cause.
3. It is mandatory the participant move when the Office of Housing and Community Development terminates the contract with the owner who has failed to comply with Housing Quality Standards (HQS) or other contractual requirements.

<u>By Choice</u>

If the family chooses to move they must take the following action to remain eligible for continued participation on the Section 8 program:

1. The family must give the Landlord proper notice in accordance with their lease or receive permission from the owner for early termination during the first year of their lease.
2. The family must give the Office of Housing and Community Development thirty, (30) days notice of their intent to move. The tenants can move out of the unit at the end of the lease term once notice is given. The participant may move during the term of the lease with proper notice and approvals from the landlord and Office of Housing and Community Development.

Denial of Request to Move

The Office of Housing and Community Development will deny the family's request to move and remain eligible as a participant in the Section 8 program if the tenant is forced to move because of Housing Quality Standards violations by the landlord:

(a) The family owes money to the Office of Housing and Community Development
(b) The participant or a member of the household committed fraud while living in the rental unit.
(c) The family has violated other Section 8 program obligations.
(d) The family moves during the initial term of the lease, which is the first twelve-month period.

Chapter Nineteen
Financial and Office Management

Preparation of Budgets and Reports

(a) **Budgets and Requisitions**; The Director will assure that annual budgets and requisitions of funds will be submitted to the United States' Department of Housing and Urban Development at least two months prior to the end of the fiscal year. Revisions to the budget during the fiscal year will be made as required by the United States' Department of Housing and Urban Development. All financial filings with the United States' Department of Housing and Urban Development will also be copied to the Town Budget Office for review.

(b) **Program Status Reports**; The Housing Program Supervisor or Assistant Director shall prepare lease-up and voucher issuance reports as requested and submit them to the Director for review and to assist in preparation of calculation of administrative fees earned.

(c) **Year-End Statements and Balance Sheets**; After receiving reconciliation of the Section 8 bank accounts from the Town Budget Office that maintains the accounts, the Housing Program Supervisor or Assistant Director will prepare account breakdowns by category as required by the United States' Department of Housing and Urban Development, (i.e. HAP payments, administrative fees, repayment by tenants), and submit them to Director for review.

(d) The **required forms** will be submitted to the United States' Department of Housing and Urban Development in the allotted time period for review and approval. All copies of these financial documents filed with the United States' Department of Housing and Urban Development will be copied to the Town Budget Office.

(e) **Annual Contributions Contract**, (ACC) and renewals and amendments; the United States' Department of Housing and Urban Development will forward ACC's to the Office of Housing and Community Development upon approval of a new allocation, renewal of a prior allocation or an amendment to an existing allocation. The Director of the Office of Housing and Community Development will prepare the required documents, and if required, will prepare a resolution authorizing the town supervisor to sign the required documents.

(f) Accounts and other supporting budget and financial statements for the program will be kept for a period of three (3) years.

Operating Reserve Threshold

Provision for Operating Reserve Threshold

This account is credited with earned administrative fees and recapture fraud monies that exceed expenditures for Program administration during the Town of East Hampton's fiscal year.

Required Use for Administering Program

The operating reserve must be used to pay Section 8 administrative costs that exceed earned administrative fees for the East Hampton Town's fiscal year.

Town Board Approval for Operating Reserve Expenditures

The East Hampton Town Board's approval is required for expenditures from the operating reserve for any purposes. Recommendation of the Director and resolution of the Town Board are required.

Office Management

The Housing Program Supervisor or Assistant Director will supervise daily operations of the Section 8 Program and monitor program performance. His/her duties will include preparation of all program materials, and supervising and monitoring the characteristics of applicants, assuring that all participants are very low - income families and that income targeting guidelines required by the United States' Department of Housing and Urban Development are followed. The Housing Program Supervisor or Assistant Director will also review Housing Voucher contracts, supervise data collection, monitor waiting lists, and investigate complaints. In addition, he/she will provide continuing outreach efforts to owners and managers investigate complaints and act as a liaison between the Office of Housing and Community Development and the real estate community.

The Director will review all files, prepared by the Housing Program Supervisor or Assistant Director. He/she shall reconcile all financial records with the Town Budget Officer as well as supervise the preparation and submission of all data required by the United States' Department of Housing and Urban Development for their record keeping.

The Housing Program Supervisor, Assistant Director or Director will assign preparation of all Section 8 documents to the administrative staff once the file(s) have been approved.

Monitoring Program Functions

The staff will constantly monitor the number of applicants as well as the number of Housing Choice Vouchers issued and participants under lease. Special outreach efforts will be made if participants have difficulty locating rental housing, if there is a shortage of local applicants or the mix of family size is deficient. Because of the difficulty of locating year - round housing from April to August special efforts will be made to assist applicants and to open the waiting list during the time of year applicants are most likely to locate suitable housing in the town.

The Assistant Director will be responsible to the Director for keeping accurate fiscal records. This activity includes the responsibility for making sure housing assistance payments are promptly and correctly made to owners/landlords and managers. The Town

of East Hampton Bookkeeping Department, under supervision of the Town Budget officer will issue all payments, maintain and monitor the rental accounts.

Complete files with accurate statistics will be kept of all participating families and unit sizes available, to satisfy program requirements and limitations. The Office of Housing and Community Development will record the time it takes families to be certified and the length of time it takes them to find an adequate unit. Should it take a number of families an inordinate amount of time, the staff will look into and determine the problems.

Chapter Twenty
Violations of Program Guidelines

Denial of a Housing Choice Voucher/Applicant Eligibility

An applicant for Section 8 assistance may be denied program eligibility for the following reasons:

1. Misinformation or fraud on the preliminary application or subsequent certification documents
2. Failure to respond to requests for information in a timely manner
3. Inconsistent or incomplete documentation
4. Failure to sign consent forms
5. Over income
6. Does not meet the definition of a family
7. Does not meet criteria of legal immigration status
8. Eviction for serious violation of a lease, (and therefore family obligation) in a previous Section 8 program or federally assisted housing project
9. Threatening or abusive or violent behavior towards the Office of Housing and Community Development personnel
10. Past Section 8 program violations that resulted in the applicant's loss of Section 8 program participation
11. Violent criminal or drug related activity by household members or guests
12. Life time registration as a sex offender
13. Such other grounds as allowed by the United States' Department of Housing and Urban Development and by federal regulation(s) that may be amended from time to time.

Termination of Tenancy

The landlord may terminate the tenancy for cause under the terms and conditions specified in the lease and tenancy addendum and after giving the Office of Housing and Community Development proper notice and copies of any legal papers.

The Office of Housing and Community Development may move to terminate the family's participation in the Section 8 program if the grounds for violating the lease can be substantiated. Termination of tenancy is not automatically grounds for termination of Section 8 assistance. The tenant /participant may terminate the tenancy as well for the grounds specified in this Plan. The Office of Housing and Community Development may move only to terminate the HAP contract with the owner, not the tenancy. If the tenant chooses to remain in the rental unit after the HAP contract with the landlord is terminated, the tenant is responsible to the owner for the entire rent and the Office of Housing and Community Development has no contractual obligations to the owner.

Termination of the Family's Participation in the Section 8 Program

The Office of Housing and Community Development may move to terminate the family's participation in the Section 8 program for the following reasons:

(a) Fraud related to the Section 8 program;
(b) Drug - related criminal activity and other criminal activity
(c) Life time registration as a sex offender
(d) Failure to repay outstanding monies owed to Office of Housing and Community Development, another PHA or federally assisted housing project
(e) Threatening, abusive or violent behavior towards Office of Housing and Community Development personnel;
(f) Failure to meet other family obligations as per the guidelines of the United States' Department of Housing and Urban Development
(g) If the family member with legal status passes away during the lease year then the family will be considered ineligible and be terminated from the program.

HAP Contract Violations by the Owner/Landlord

The Director will notify the owner in writing if there is reason to believe that the owner has violated the terms of the HAP contract. If the allegations are that the owner is responsible for the breach of the contract, the owner will be given a time period to respond. The notice may be withheld if the disclosure would compromise the investigation by all appropriate enforcement agencies.

Violations include but are not limited to; uncorrected violations of Housing Quality Standards, creating an illegal secondary dwelling unit during the term of the contract, collecting more rent from the tenant than is permitted under the terms of the contract, violating the lease or tenancy addendum with the tenant and evicting the family without cause or without proper notification to the Office of Housing and Community Development.

Termination of the HAP Contract with the Owner/Landlord

Prior to moving to terminate the contract the Office of Housing and Community Development will take the following actions:

(a) Give written notice to the owner and the Section 8 participant;
(b) The notice will state the reasons for termination and possible remedies if any, the effective date, a statement of the family's responsibility to pay the entire rent if they choose to remain in the unit after the termination of the contract.

Welfare Sanctions

If the Department of Social Services, (DSS) has sanctioned a family by reducing welfare assistance, then the family's rent will not be reduced to reflect the decrease in income, if this reduction by DSS is due to:

(a) Fraud;
(b) Failure to participate in an economic self - sufficiency program;
(c) Failure to comply with work requirement activities.

Chapter Twenty-One
Complaints, Appeals, Informal Hearings and Informal Reviews

Complaints or appeals of Section 8 staff rulings, decisions or actions will be reviewed by the Director and must be requested in writing. When required, an informal review will be granted for an applicant and an informal hearing for a participant. If an informal review or hearing is not applicable the Director or his or her designee, after receiving a written request, will contact the applicant or participant and schedule an informal meeting to discuss the matter further if necessary.

All applicants and participants entitled to an informal review or hearing will be given prompt written notice of the reasons for the action taken by the Office of Housing and Community Development. They will be notified that they have an opportunity to appeal this decision and given a time limit to submit the appeal in writing to the Office of Housing and Community Development.

Granting or Denying an Informal Review

(a) **Granting an Informal Review**; an informal review for the applicant with the Director will be granted for the following reasons:

i. Applicant is denied a place on the waiting list;
ii. Applicant is denied issuance of a voucher;
iii. Applicant is denied participation in the program after the voucher is issued.

(b) **Denying an Informal Review**; an opportunity for an informal review will not be offered in the following cases:

i. To review discretionary administrative determinations by the Office of Housing and Community Development, or to consider general policy issues or class grievances;
ii. To review the sequencing of selection and offering assistance to a family from the waiting list;
iii. To review the decision not to offer an extension to a voucher holder once allotted time to locate a rental unit has expired.

Granting or Denying and Informal Hearing

Participants will be given a written statement of the reason behind the informal hearing. This notice will inform the participant that he or she is entitled to an informal hearing and will include the statement that they are entitled to legal representation at his or her own expense. The Hearing Officer will be an individual familiar with Section 8 regulations who is not employed by the Town of East Hampton.

(a) **Granting an Informal Hearing**; an opportunity for an informal hearing will be offered to a participant under the following conditions:

i. Denial or Termination of assistance;
ii. Dispute of TTP, TFC or tenant rent calculations;
iii. Determinations of bedroom size entered on the voucher.

(b) **Denying an Informal Hearing**; an opportunity for an informal hearing will not be offered in the following cases:

i. To review discretionary administrative determinations by the Office of Housing and Community Development, or to consider general policy issues or class grievances;
ii. To review the determination that the unit does not comply with the Office of Housing and Community Development's Housing Quality Standards, that the owner has failed to maintain or operate the contract unit to provide decent, safe and sanitary housing, including all services, maintenance and utilities required under the lease, or that the contract unit is not decent, safe and sanitary because of an increase in family size or composition;
iii. To review a decision by the Office of Housing and Community Development to exercise any remedy against the owner under an outstanding contract, including the termination of Housing Assistance Payments to the owner;
iv. To review the agency's decision not to approve the family's request for an extension of term of the certificate or voucher when an assisted family is looking for another rental unit and the current unit is no longer subsidized.

Final Decisions Rendered for Informal Reviews or Hearings

The person who conducts the informal review or hearing will make his or her best effort to render a written decision, stating briefly the reasons for the decision within ten (10) days from the date of the hearing. A copy of the decision will be sent to the applicant or participant. Factual determinations relating to the evidence presented and the individual applicant's or participant's circumstances will be considered. Minutes will be kept of the hearing and available to the participant upon request.

Repayment Agreement Policy

It is the policy of the Office of Housing and Community Development not to provide rental assistance to a family who has indebtedness to the United States' Department of Housing and Urban Development incurred through their participation the Section 8 program until either the balance is paid in full or a repayment agreement is executed.

A monthly payment amount will be established after a review of all relevant family income information. A minimum monthly payment of $20 will be required. The family an initial payment of 10% of the total owed. The applicant or participant will remain in

good standing as long as the payments are received in a timely manner. Failure to abide by the repayment agreement will result in one of the following actions:

(a) Section 8 applicants will have their applications denied until full payment has been received;
(b) Section 8 participants will have their rental assistance terminated, provided proper notice to the owner has been given; and the Office of Housing and Community Development will refer the case to the Town Attorney's Office for further legal remedies for the remaining unpaid balance.

The repayment agreement will be in default, when two, (2) payments are delinquent. When the repayment agreement is in default, no future repayment agreements shall be made with the same family. All monies are due in full.

Future Program Eligibility

A family that applies for Section 8 rental assistance and has been a previous participant in any Section 8 program, will be denied assistance if:

(a) The family owes the Office of Housing and Community Development or any other agency administering a Section 8 program monies and has failed to repay the monies owed in a satisfactory manner;
(b) An informal hearing has been held and it has been determined fraud has been committed by the family in connection with their Section 8 assistance even if the amount of money owed to the agency cannot be determined;
(c) A family member who has been convicted of felonious criminal activity during their residency in a Section 8 assisted rental unit

The applicant will be notified that they are entitled to request an informal review of their case upon the declaration that they are not eligible to participate in the Section 8 program.