

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

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# Municipality of Caguas

## PHA Plans

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

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

## PHA Plan Agency Identification

**PHA Name:** Municipality of Caguas

**PHA Number:** RQ007

**PHA Fiscal Year Beginning: (06/2004)**

### Public Access to Information

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

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

### Display Locations For PHA Plans and Supporting Documents

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

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

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

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

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

**B. Mission**

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

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

**B. Goals**

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

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

- PHA Goal: Expand the supply of assisted housing  
Objectives:
  - Apply for additional rental vouchers:
  - Reduce public housing vacancies:
  - Leverage private or other public funds to create additional housing opportunities:
  - Acquire or build units or developments
  - Other (list below)
- PHA Goal: Improve the quality of assisted housing  
Objectives:
  - Improve public housing management: (PHAS score)
  - Improve voucher management: (SEMAP score)
  - Increase customer satisfaction:
  - Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)
  - Renovate or modernize public housing units:
  - Demolish or dispose of obsolete public housing:

- Provide replacement public housing:
- Provide replacement vouchers:
- Other: (list below)

- PHA Goal: Increase assisted housing choices

Objectives:

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

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

- PHA Goal: Provide an improved living environment

Objectives:

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

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

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

Objectives:

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

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

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

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

**Annual PHA Plan**  
**PHA Fiscal Year 2000**  
[24 CFR Part 903.7]

**i. Annual Plan Type:**

Select which type of Annual Plan the PHA will submit.

**Standard Plan**

**Streamlined Plan:**

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

**Troubled Agency Plan**

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

[24 CFR Part 903.7 9 ®]

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

**iii. Annual Plan Table of Contents**

[24 CFR Part 903.7 9 ®]

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

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### Attachments

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

#### Required Attachments:

- Admissions Policy for Deconcentration
- FY 2000 Capital Fund Program Annual Statement
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)
  - Brief Statement of Programs in Meeting 5-Years Plan Mission and Goals
  - Deconcentration and Income Mixing Questions
  - Voluntary Conversion Required Initial Assessment
  - Description of Implementation of Community Service Requirements
  - Description of Pet Policy
  - Most Recent Board-approved Operating Budget (for troubled or at-risk of being designated as troubled PHAs)
  - Announcement of Membership of the Resident Advisory Board
  - Resident Advisory Board Recommendations
  - Resident Membership of the PHA Governing Board
  - Definition of Substantial Deviation and Significant Amendment

#### Optional Attachments:

- PHA Management Organizational Chart
- FY 2000 Capital Fund Program 5 Year Action Plan
- Public Housing Drug Elimination Program (PHDEP) Plan
- Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
- Other (List below, providing each attachment name) Section 8 Homeownership Program Capacity Statement

### Supporting Documents Available for Review

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

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

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	(list individually; use as many lines as necessary)	

## 1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	379	3	3	3	3	3	3
Income >30% but <=50% of AMI	204	3	3	3	3	3	3
Income >50% but <80% of AMI	147	3	3	3	3	3	3
Elderly	39	5	5	5	5	5	5
Families with Disabilities	31	5	5	5	5	5	5
Race/Ethnicity	-	-	-	-	-	-	-
Race/Ethnicity	-	-	-	-	-	-	-
Race/Ethnicity	-	-	-	-	-	-	-
Race/Ethnicity	-	-	-	-	-	-	-

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

- Consolidated Plan of the Jurisdiction/s  
Indicate year: 2003
- U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset
- American Housing Survey data  
Indicate year:

- Other housing market study  
 Indicate year:
- Other sources: (list and indicate year of information)

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

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input checked="" type="checkbox"/>	Section 8 tenant-based assistance		
<input type="checkbox"/>	Public Housing		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	730		15
Extremely low income <=30% AMI	379	52%	
Very low income (>30% but <=50% AMI)	204	28%	
Low income (>50% but <80% AMI)	147	20%	
Families with children	660	91%	
Elderly families	39	5%	
Families with Disabilities	31	4%	
Race/ethnicity	-	-	

Housing Needs of Families on the Waiting List			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	N/A	N/A	N/A
2 BR	N/A	N/A	N/A
3 BR	N/A	N/A	N/A
4 BR	N/A	N/A	N/A
5 BR	N/A	N/A	N/A
5+ BR	N/A	N/A	N/A
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? 48			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			

### C. Strategy for Addressing Needs

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

#### (1) Strategies

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

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

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required

- Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Other (list below)

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select if applicable

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

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

Select all that apply

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

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

**(2) Reasons for Selecting Strategies**

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

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

**2. Statement of Financial Resources**

[24 CFR Part 903.7 9 (b)]

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

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY 2004 grants)</b>		
a) Public Housing Operating Fund		
b) Public Housing Capital Fund	180,473,379	
c) HOPE VI Revitalization	10,689,562	
d) HOPE VI Demolition	74,000	
e) Annual Contributions for Section 8 Tenant-Based Assistance	6,009,888	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants		
h) Community Development Block Grant	200,000	

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
i) HOME	1,110,079	
Other Federal Grants (list below)		
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>		
<b>3. Public Housing Dwelling Rental Income</b>		
<b>4. Other income (list below)</b>		
<b>4. Non-federal sources (list below)</b>		
<b>Total resources</b>	198,556,908	

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

[24 CFR Part 903.7 9 (c)]

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

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

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

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

- When families are within a certain number of being offered a unit: (state number)
- When families are within a certain time of being offered a unit: (state time)
- Other: (describe) When family applied for admission.

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

- Criminal or Drug-related activity
- Rental history
- Housekeeping
- Other (describe)
  - a. History of disturbing or destruction of property.
  - b. Fraud in connection in any housing program.
  - c. Alcohol abuse that interference with the health safety or right to peaceful enjoyment.
  - d. PRPHA records.
  - e. Credit History.
  - f. Previous list violation.
  - g. Debts to the PRPHA.

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

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

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

**(2)Waiting List Organization**

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

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

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

- PHA main administrative office
- PHA development site management office
- Other (list below)
  - a. PHA Municipality Local Office.
  - b. Jose Gautier Benitez Project.

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

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

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

3.  Yes  No: May families be on more than one list simultaneously?  
If yes, how many lists?

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

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

### **(3) Assignment**

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

- One
- Two
- Three or More

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

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

### **(4) Admissions Preferences**

a. Income targeting:

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

b. Transfer policies:

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

- Emergencies
- Overhoused
- Underhoused
- Medical justification
- Administrative reasons determined by the PHA (e.g., to permit modernization work)
- Resident choice: (state circumstances below)
- Other: (list below)
  - a. To protect tenant; must be requested by the Justice Department.
  - b. To accommodate families needed an accessible unit.
  - c. Families who can't be accommodated within the project do the family size of composition change.

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

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

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

Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

**(5) Occupancy**

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

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

b. How often must residents notify the PHA of changes in family composition?  
(select all that apply)

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

**(6) Deconcentration and Income Mixing**

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

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

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

- Adoption of site based waiting lists  
If selected, list targeted developments below:
- Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments  
If selected, list targeted developments below:
- Employing new admission preferences at targeted developments  
If selected, list targeted developments below:
- Other (list policies and developments targeted below)

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

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

- Additional affirmative marketing
- Actions to improve the marketability of certain developments

- Adoption or adjustment of ceiling rents for certain developments
- Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- Other (list below)

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

- Not applicable: results of analysis did not indicate a need for such efforts
- List (any applicable) developments below:

Jose Gautier Benitez Project

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

- Not applicable: results of analysis did not indicate a need for such efforts
- List (any applicable) developments below:

## B. Section 8

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

### (1) Eligibility

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

- Criminal or drug-related activity only to the extent required by law or regulation
- Criminal and drug-related activity, more extensively than required by law or regulation
- More general screening than criminal and drug-related activity (list factors below)
- Other (list below)

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

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

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

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

- Criminal or drug-related activity  
 Other (describe below) They are oriented regarding the established regulations and to realize their own regulations.

**(2) Waiting List Organization**

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

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

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

- PHA main administrative office  
 Other (list below)

**(3) Search Time**

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

If yes, state circumstances below:

**(4) Admissions Preferences**

a. Income targeting

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

b. Preferences

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

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

Former Federal preferences

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

Other preferences (select all that apply)

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

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

1      Date and Time

Former Federal preferences

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families

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

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

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

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

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

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

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

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

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

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

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

- Through published notices
- Other (list below)

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

[24 CFR Part 903.7 9 (d)]

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

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

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

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

a. Use of discretionary policies: (select one)

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

---or---

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

b. Minimum Rent

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

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

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

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

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

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

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

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

For the earned income of a previously unemployed household member

For increases in earned income

Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

Fixed percentage (other than general rent-setting policy)

If yes, state percentage/s and circumstances below:

For household heads

For other family members

For transportation expenses

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

Other (describe below)

e. Ceiling rents

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

Yes for all developments

Yes but only for some developments

No

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

For all developments

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

For specified general occupancy developments

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

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

Other (list below)

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

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

f. Rent re-determinations:

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

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

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

**(2) Flat Rents**

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

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

## B. Section 8 Tenant-Based Assistance

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

### (1) Payment Standards

Describe the voucher payment standards and policies.

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

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

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

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

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

- FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- Reflects market or submarket
- To increase housing options for families
- Other (list below)

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

- Annually
- Other (list below)

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

- Success rates of assisted families

- Rent burdens of assisted families  
 Other (list below)

**(2) Minimum Rent**

a. What amount best reflects the PHA’s minimum rent? (select one)

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

b.  Yes  No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

**5. Operations and Management**

[24 CFR Part 903.7 9 (e)]

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

**A. PHA Management Structure**

Describe the PHA’s management structure and organization.

(select one)

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

**B. HUD Programs Under PHA Management**

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	491	
Section 8 Vouchers	1,291	12
Section 8 Certificates	N/A	
Section 8 Mod Rehab	N/A	
Special Purpose Section 8 Certificates/Vouchers	N/A	

(list individually)		
Public Housing Drug Elimination Program (PHDEP)	N/A	
Other Federal Programs(list individually)	N/A	

### C. Management and Maintenance Policies

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

- Public Housing Maintenance and Management: (list below)
  - Procedure for the inspection of gas stoves in the PRPHA units.
  - Procedure for the inspection water heater tanks in the PRPHA units.
  - Procedure for the inspection of ground faults in the PRPHA units.
  - Procedure for the inspection of electric stoves and refrigerators in the PRPHA units.
  - Procedure for the inspection smoke detectors and water heater tanks in the PRPHA units.
  - Electric stoves, fire extinguishers and water heater tanks delivery procedures.
  - Pest infestation prevention and eradication plans (one for each M.A and R.M.C.).
  
- Section 8 Management: (list below)
  - 24 CFR Part 982
  - Voucher Program Guidebook
  - Section 8 Administrative Plan
  - Fair Housing Policies
  - Analysis of Impediment
  - 24 CFR Part 800
  - HQS Handbooks

## 6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

### A. Public Housing

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

If yes, list additions to federal requirements below:

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)
- PHA main administrative office
  - PHA development management offices
  - Other (list below)

### B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

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

## **7. Capital Improvement Needs**

[24 CFR Part 903.7 9 (g)]

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

### **A. Capital Fund Activities**

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

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

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

Select one:

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

-or-

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

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

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

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

b. If yes to question a, select one:

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

-or-

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

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

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

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

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

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

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

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

## **8. Demolition and Disposition**

[24 CFR Part 903.7 9 (h)]

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

1.  Yes  No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of

1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

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

<b>Demolition/Disposition Activity Description</b>
1a. Development name: 1b. Development (project) number: RQ003033
2. Activity type: Demolition <input checked="" type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission: <u>(DD/MM/YY)</u>
5. Number of units affected: 6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:

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

[24 CFR Part 903.7 9 (i)]

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

1.  Yes  No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the

U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

**2. Activity Description**

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

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

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

[24 CFR Part 903.7 9 (j)]

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

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

1.  Yes  No: Have any of the PHA’s developments or portions of developments been identified by HUD or the PHA as covered

under section 202 of the HUD FY 1996 HUD Appropriations Act? (If “No”, skip to component 11; if “yes”, complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

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

<b>Conversion of Public Housing Activity Description</b>
1a. Development name: 1b. Development (project) number:
2. What is the status of the required assessment? <input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)
4. Status of Conversion Plan (select the statement that best describes the current status) <input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD-approved Conversion Plan underway
5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one) <input type="checkbox"/> Units addressed in a pending or approved demolition application (date submitted or approved: <input type="checkbox"/> Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: ) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: ) <input type="checkbox"/> Requirements no longer applicable: vacancy rates are less than 10 percent <input type="checkbox"/> Requirements no longer applicable: site now has less than 300 units <input type="checkbox"/> Other: (describe below)

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

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

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

[24 CFR Part 903.7 9 (k)]

**A. Public Housing**

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

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

2. Activity Description

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

<b>Public Housing Homeownership Activity Description (Complete one for each development affected)</b>
1a. Development name:
1b. Development (project) number:
2. Federal Program authority: <input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h)

<input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one) <input type="checkbox"/> Approved; included in the PHA's Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY)
5. Number of units affected: 6. Coverage of action: (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

## B. Section 8 Tenant Based Assistance

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

### 2. Program Description:

#### a. Size of Program

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

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

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

#### b. PHA-established eligibility criteria

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

If yes, list criteria below:

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

[24 CFR Part 903.7 9 (l)]

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

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

#### 1. Cooperative agreements:

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

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

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

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

### **B. Services and programs offered to residents and participants**

#### **(1) General**

##### a. Self-Sufficiency Policies

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

- Public housing rent determination policies
- Public housing admissions policies
- Section 8 admissions policies
- Preference in admission to section 8 for certain public housing families

- Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- Preference/eligibility for public housing homeownership option participation
- Preference/eligibility for section 8 homeownership option participation
- Other policies (list below)

b. Economic and Social self-sufficiency programs

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

<b>Services and Programs</b>				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)

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

a. Participation Description

<b>Family Self Sufficiency (FSS) Participation</b>		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing	750	02/01/2004

Section 8	N/A	N/A
-----------	-----	-----

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

**C. Welfare Benefit Reductions**

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

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

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

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

[24 CFR Part 903.7 9 (m)]

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

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

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)

- High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
- Residents fearful for their safety and/or the safety of their children
- Observed lower-level crime, vandalism and/or graffiti

- People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- Other (describe below)

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

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

1. Which developments are most affected? (list below)  
 RQ003033 Jose Gautier Benitez, Caguas

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

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

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

2. Which developments are most affected? (list below)  
 RQ003033 Jose Gautier Benitez, Caguas

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

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

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

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

**Caguas Area**

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

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

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

**14. RESERVED FOR PET POLICY**

[24 CFR Part 903.7 9 (n)]

- Pets Permitted: resident of any PRPHA Public Housing project may keep the following pets.
- Prohibited Pets.
- Pet Ownership Policies.
- Pet Care and Control.
  - Physical Control
  - Pet Disturbances.
  - Unattended Pets.
  - Improper Care.

**15. Civil Rights Certifications**

[24 CFR Part 903.7 9 (o)]

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

## **16. Fiscal Audit**

[24 CFR Part 903.7 9 (p)]

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

## **17. PHA Asset Management**

[24 CFR Part 903.7 9 (q)]

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

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

## **18. Other Information**

[24 CFR Part 903.7 9 (r)]

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

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

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

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

#### 3. Description of Resident Election Process

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

Other: (describe)

b. Eligible candidates: (select one)

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

c. Eligible voters: (select all that apply)

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

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

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

1. Consolidated Plan jurisdiction: (provide name here)

Municipality of Caguas

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

- The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)

Other: (list below)

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

The Consolidated Plan gives support to the PHA Plan in related actions to minimize the necessities of housing. It establishes the statistics of necessities of families in the Municipality of Caguas, and searches for strategies for short and long terms.

**D. Other Information Required by HUD**

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

## **Attachments**

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

# PHA Plan Table Library

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

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

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

Original Annual Statement

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

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

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

**Annual Statement**

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

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

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

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

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



MUNICIPALITY OF CAGUAS  
DEPARTMENT OF HOUSING

*SECTION 8  
ADMINISTRATIVE  
PLAN*

*This Administrative Plan covers the current requirements for the Section 8 Certificate and Voucher Programs.*

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*SECTION I INTRODUCTION:*

*1. Mission Statement: Our goal is to provide decent, safe, and sanitary rental housing for eligible families and to provide opportunities and promote self-sufficiency and economic independence for Section 8 participants.*

- ❖ In order to achieve this mission, we will:*
- ❖ Recognize residents as our ultimate customer*
- ❖ Improve Public Housing Authority (HA) management and service delivery effort through effective and efficient management of HA staff*
- ❖ Seek problem-solving partnership with residents, landlords, community, and government leadership.*
- ❖ Apply limited HA resources to the effective and efficient management and operation of Section 8 programs.*

*2. Purpose of Policy: The purpose of this plan is to establish guidelines for the HA staff to follow in determining eligibility for the Section 8 programs. The basic guidelines for this plan is governed by requirements of the Department of Housing and Urban Development (HUD), with latitude for local policies and procedures. The Policies and Procedures governing admissions and continued occupancy are outlined in this plan and these requirements are binding upon applicants, residents, landlords and this HA alike. Notwithstanding the above, changes in applicable federal laws or regulations shall supersede provisions in conflict with this policy.*

*Federal Regulations shall mean those found in Section 24 CFR (Code of Federal Regulations)*

*3. Primary Responsibilities of the HA:*

*Informing eligible families of the availability of Section 8 assistance;*

*Encouraging owners to make their available for lease by Section 8 participants;*

*Determining the maximum amount of housing assistance payments that can be used for family-paid utilities; and posting the utility allowances annually;*

*Receiving applications from families and determining their eligibility for assistance;*

*Inspecting Section 8 units to determine that they meet or exceed Section 8 Housing Quality Standards;*

*Approving leases:*

*Making Housing Assistance Payments to owners*

*Perform annual and periodic re-examinations of income, family composition and redetermination of rent;*

4. *Objectives: The objectives of this plan are to:*
  - A. *Promote the overall goal of decent, safe and sanitary housing by using the Section 8 program to house eligible families in private rental housing; therefore, increasing the housing stock for very low-income families.*
  - B. *Improve the City's housing stock by requiring participating landlords to meet Section 8 Housing Quality Standards for their rental property.*
  - C. *Facilitate the efficient management of the HA and compliance with Federal Regulations by establishing policies for the efficient and effective management of Section 8 program and staff.*
  - D. *Comply in letter spirit with Title VI of the Civil Rights Act of 1964, and all other applicable Federal laws and regulations to insure that occupancy in assisted housing is administered with regard to race, color, religion, sex, handicap, familial status and national origin.*
  - E. *The Housing and Community Development Act of 1974 reflects Congress's intent that, where possible, the nation's existing housing stock should be preserved. The Section 8 Program will allow the HA utilize existing housing stock and allow family who qualifies for Section 8 Assistance and lives in substandard housing to remain, if the owner brings the house up to HQS standards and the Section 8 participants decides to remain in that unit.*
  
4. *Outreach:*
  - A. *Outreach to Owners: The HA will encourage participation by owners of suitable units located outside areas or low income or minority concentration by distributing and communicating information concerning property owners leasing units under the Section 8 programs through the local media (newspaper, radio, television, etc.)*
  - B. *Outreach the Potential Clients: The HA may make know to the public, through publications in a newspaper of general circulation as well as through minority media other suitable means, the availability and nature of housing assistance for lower-income families. The notice shall inform such families where they may apply for Section 8 rental assistance.*

*The HA shall take affirmative actions to provide opportunity to participate in the program to persons who, because of such factors as race, ethnicity, sex of household head, age, or source of income, are less likely to apply for Section 8 rental assistance. The HA may hold meetings concerning the Section 8 programs with local community agencies.*

## **SECTION II. FAIR HOUSING POLICY AND EQUAL OPPORTUNITY HOUSING PLAN**

1. *Fair Housing Policy: The Fair Housing Policy of the HA to comply fully with all Federal State, and local nondiscrimination laws and in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment and with the Americans with Disabilities Act. Specifically, the HA shall not on the basis of race, color religion, sex, handicap, familial status, and national origin, deny any family or individual the opportunity to apply for or receive assistance under HUD's Section 8 Programs, within the requirements and regulations authorities. To further its commitment to full compliance with applicable Civil Rights laws, the HA will provide access to information to Section 8 participants regarding 'discrimination'. Also, this subject will be discussed during the briefing session and any complaints will be documented and made part of the applicants/participants file.*

*For families and/or individuals who report apparent discrimination in obtaining assisted housing, the HA shall assist them by providing the family/individual with a HUD Housing Discrimination Complaint Form, HUD-903. The individual can complete this form and report apparent discrimination to the Municipality of Caguas, Housing Office. For example, a resident may be trying to obtain other rental housing and/or is attempting to purchase a home and experiences apparent discrimination.*

2. *Equal Opportunity Housing Plan: The HA is a participant in the tenant-based program and is required to comply with equal opportunity requirements imposed by contract or federal law (Ref: 24 CFR 982.54). This includes applicable requirements under:*
  - A. *The fair act, 42 U.S.C. 3610-3619 (implementing regulations at 24 CFR parts 100, et seq.);*
  - B. *Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (implementing regulations at 24 CFR part 1);*
  - C. *The age discrimination act of 175, 42 U.S.C. 6101-6107 (implementing regulations at 24 CFR, part 146);*

- D. *Executive Order 11063, Equal Opportunity in Housing (1962), as amended, Executive Order 12259, 46 FR1253 (1980), as amended, Executive Order 12892, 2939 (1994) (implementing regulations at 24 CFR, part 107);*
- E. *Section 504 of the Rehabilitation Act of 1973; 29 U.S.C. 794 (implementing regulations at 24 CFR, part 8; and*
- F. *Title II of the Americans with Disabilities Act, 42 U.S.C. 12101, et seq.*

3. *Equal Opportunity Posting Requirements:*

*There shall be maintained in the HA's office waiting room a bulleting board, which will accommodate the following posted materials:*

- A. *Statement of Policies and Procedures Governing the Section 8 Administrative Plan.*
- B. *Open Occupancy Notice (Applications being Accepted and/or Not Accepted)*
- C. *Income Limits for Admission*
- D. *Utility Allowances*
- E. *Informal Review and Hearing Procedure.*
- F. *Fair Housing Poster*
- G. *“Equal Opportunity in Employment “ Poster.*

**SECTION III            PRIVACY RIGHTS**

*Applicants will be required to sign the Federal Privacy Act Statement which states under what conditions HUD will release information concerning Section 8 participants. Requests for information by other parties must be accompanied by a signed release request in order for the HA to release any information involving an applicant or participant, unless disclosure under Federal or State law or regulations (Reference HUD 9886).*

**SECTION IV            DEFINITION OF TERM**

*Section 24 part 5 and Section 982.4 definitions effective from time to time are incorporate by reference as if fully set out herein. Copies of this regulation are available in the HA Office.*

*1. Absorption: In portability, the point at which a receiving HA stops billing the initial HA for assistance on behalf of a portability family.*

*2. Adjusted Income: Adjusted Family Income is the income on which total tenant payment is to be based and means the Total Annual Income less the following allowances:*

*A. A deduction of \$480.00 for each member of the family (other than head of household or spouse) who is:*

- 1. seventeen (17) years of age or younger, or*
- 2. who is eighteen (18) years of age or older and a verified full-time student and/or is disabled or handicapped according to this Section.*

*B. A deduction of dollar amounts anticipated to be paid for the care of children (including foster children) under thirteen (13) years of age where care is necessary to enable a family member to be gainfully employed or to further his/her education. The dollar amount must be verified and reflect reasonable charges and cannot exceed the amount of income from employment (if employed).*

*C. A deduction of \$400.00 for Elderly Family whose head, spouse or sole member is sixty-two (62) years of age or older and/or is handicapped or disabled according to this Section.*

*D. A deduction for any elderly family:*

- 1. That has no Handicapped Assistance Expense, an allowance for medical expenses equal to the amount by which the medical expense shall exceed three (3%) percent of Total Annual Family Income.*
- 2. That has Handicapped Assistance Expenses greater than or equal to three (3%) percent of Total Annual Family Income, an Allowance for Handicapped Assistance computed in accordance with paragraph f of this Section, plus an allowance for medical expenses that is equal to the Family's medical expenses.*
- 3. That has Handicapped Assistance Expenses that are less than three (3%) percent of Total Annual Family Income, an allowance for combined Handicapped Assistance expense and medical expense that is equal to the amount by which the sum of these expenses exceeds three (3%) percent of Total Annual Family Income. Expenses used to compute the deduction cannot be compensated for nor covered by insurance.*

E. A deduction for any family that is not an elderly family but has a handicapped or disabled member other than the head of household or spouse, Handicapped Assistance Expense in excess of three (3%) percent of Total Annual Family Income, but this allowance may not exceed the employment received by family members who are eighteen Handicapped or Disabled person.

F. *Child Care Expenses:* Amounts anticipated to be paid by the Family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to **actively seek employment**, be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The reasonable amount of charges is determined by the HA, by conducting surveys of local child care providers. The results are posted in the HA office(s).

#### **NOTE**

***If the Total Annual Income less the above allowances result in a rent that is less than the established minimum rent, the resident rent will be established at the HA established minimum rent.***

3. *Administrative Fee:* Fee paid by HUD to the HA for administration of the program and will include hard-to-house fees paid for moves by families with three or more minors, and extra counseling money that may be authorized by HUD.
4. *Administrative Fee Reserve:* (formerly “operating reserve”) Account established by HA from excess administrative fee income. HA administrative fees may only be used to cover costs incurred to perform HA administrative responsibilities for the program in accordance with HUD regulations and requirements.
5. *Administrative Plan;* The administrative plan describe HA policies for administration of the tenant-based program. This document is the administrative plan for the HA.
6. *Admission:* The effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

7. *Adult: An adult is:  
19 years of age or older;  
18 years of age and married (not common law), or  
A person that has been relieved of the disability of non-age by the juvenile court.*

**NOTE**

***Only persons who are adults shall be eligible to enter into a lease agreement for occupancy.***

8. *Amortization Payment: In a manufactured home space rental, the monthly debt service payment by the family to amortize the purchase price of the manufacture home.*
9. *Annual Contributions Contract (ACC): A written contract between HUD and an HA. Under the contract HUD agrees to provide funding for operation of the program, and the HA agrees to comply with HUD requirements for the program.*
10. *Annual Income: Annual Income is the anticipated total income from all sources received y the family head and spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets, for the 12 month period following the effective date or initial determination or re-examination of income, exclusive of certain other types of income specified in this policy. Annual Income **includes**, but is not limited to, the following: Ref: CFR 5.609.*
- A. *The full amount, before any payroll deduction, of wages and salaries, and overtime pay, including compensation for personal services (such as commissions, fees, tips and bonuses);*
- B. *Net income from the operation of a business or profession. (Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining Net Income). An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or other assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.*
- C. *Interest, dividends and other net income of any kind from real or personal property. (For this purpose, expenditures for amortization of capital indebtedness and an allowance for depreciation of capital assets shall not be deducted to determine the net income from real or personal property.)*

*All allowance for depreciation is permitted only as authorized in Paragraph “B” of this section. Any withdrawal of cash or assets from an investment will be included income, except to the withdrawal is reimbursement of cash investment by the family. Where the family has Net Family Assets in excess of \$5,000.00, Annual Income shall include the greater of the actual income derived from Net Family Assets or a percentage of the value of such assets based on the current passbook savings rate as determined by HUD;*

- D. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefit and other similar types of periodic receipts, including a lump sum payment for the delayed start of a periodic payment;*
- E. Payments in lieu of earnings, such as unemployment and disability compensation, social security benefits, workmen’s compensation and severance pay;*
- F. Welfare assistance. Is the welfare assistance payment includes an amount specifically designated for shelter and utilities that are subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
  - 1. The amount of the allowance or grant exclusive of the amount specifically designated shelter or utilities, plus*
  - 2. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the families’ welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage;**
- G. Periodic and determinable allowances, such as alimony, child support payment, and regular (monthly) contributions gifts, including amounts received from any persons not residing in the dwelling.*
- H. All regular pay, special payments and allowances (such as longevity, overseas duty, rental allowances for dependents, etc.) received by a member of the Armed Forces (whether nor no living in the dwelling) who is head of the family, spouse, or other family member whose dependents are residing in the unit (see “hazardous duty pay”).*
- I. Payments to the head of the household for support of a minor or payments nominally to a minor for his support but controlled for his benefit*

*by the head of the household or a resident family member other than the head, who is responsible for his support;*

- J. *Veterans Administration compensation (Service Connected Disability or Death Benefits).*

**Note:**

*If it not feasible to anticipate a level of income over a 12 month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period.*

***Participants that receive lump-sum payments that are included as income and fall in the categories listed above, must report the income to the Section 8 Coordinator as soon as possible but no later than ten (10) calendar days after receipt of the funds and the applicable portion of the payment that is due as subsidy to the HA is due fourteen (14) days after the HA notifies the family of the amount due.***

***Unreported Income: If a Section 8 participant fails to report changes in income, as required, the Section 8 assistance will be terminated.***

11. *Applicant: (applicant family) A family that has applied for admission to a program, but is not yet a participant in the program.*
12. *Budget Authority: An amount authorized and appropriated by the Congress for payment to Has under the program. For each funding increment in an HA program, budget authority is the maximum amount that may be paid by HUD to the HA over the ACC term of the funding increment.*
13. *Certificate: A document issued by an HA to a family selected for to the rental certificate program. The certificate describes the program, and the procedures for HA approval of a unit selected by the family. The certificate also states the obligation of the family under the program.*
14. *Certificate or Voucher Holder: A family holding a certificate or voucher with expired search time.*
15. *Certificate Program: Rental Certificate Program.*
16. *Child: A member of the family, other than the family head or spouse, who is under 18 years of age.*
17. *Child Care Expenses: Child Care Expenses are amounts anticipated to be paid by the family for the care of children under thirteen (13) years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to*

*actively seek employment, be gainfully employed or to further his/her education and only to the extent such amounts are not reimbursed. In the case of child care necessary to permit employment, the amount deducted must be verified and reflect reasonable charges and shall not exceed the amount of income received from such employment. The HA will not normally determine child care expenses as necessary when the household contains an additional unemployed adult who is physically capable of caring for the children. An example of an exception may be an unemployed adult that is not capable of caring for a child because of some type of disability and/or handicap. The head of household must document the disability/handicap that prevents the adult from providing child care.*

18. *Child Custody: An applicant/participant family who does not have full custody of a child/children may only claim a child as a dependent by the following:*
- A. *The applicant/participant must have primary custody of the child*
  - B. *The applicant/participant must provide sufficient evidence that the child would reside with the Section 8 participant.*

**Note:**

*The same child cannot be claimed by more than one applicant.*

19. *Citizen: A citizen or national of the United States*
20. *Common Space: In shared housing: Space available for use by the assisted family and other occupants of the unit.*
21. *Congregate Housing: Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing.*
22. *Contiguous Metropolitan Statistical Area (MSA): In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial HA is located.*
23. *Continuously Assisted: An applicant is continuously assisted under the 1937 Housing Act if the family already receiving assistance under any 1937 Housing Act program when the family is admitted to the Section 8 program.*
24. *Contract Authority: The maximum annual payment by HUD to an HA for a funding increment.*
25. *Cooperative Housing (Term includes mutual housing): Housing owned by a non-profit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing.*

26. *Dependent: A member of the family (except foster children **and foster adults**), other than the family head or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student. An unborn child shall not be considered a dependent.*
27. *Disabled Person: (See “Handicapped Person”)*
28. *Displaced Family: A person, or family, displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.*
29. *Domicile: The legal residence of household head or spouse as determined in accordance with State and local law.*
30. *Drug-Related Criminal Activity: Term means:*
  - A. *Drug-trafficking, which is: The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell or distribute, of a controlled substance (as defined in section 102 of the controlled substances act (21 U.S.C. 802), or*
  - B. *Illegal use, or possession for personal use, of a controlled substance (as defined in Section 102 of the controlled substances act (21 U.S.C. 802)*
31. *Elderly Family: A family whose head or spouse or whose sole member is at least sixty-two (62) years of age, or disabled, or handicapped and may include two or more elderly, disabled or handicapped persons living together, or one or more such persons living with another person who is determined to be essential to his or her care and well being.*
32. *Elderly person: A person who is at least sixty-two (62) years of age.*
33. *Evidence of Citizenship or Eligible Immigration Status: The documents which must be submitted to evidence citizenship or eligible immigration status (Reference CFR 5.508((b)).*
34. *Exception Rent: In the certificate program, an initial rent (contract rent plus any utility allowance) in excess of the published FMR. For certificates, exception rent is approved by HUD, and is used in determining the initial contract rent. In the voucher program, the HA may adopt a payment standard up to the exception rent limit approved by HUD for the HA certificate program.*

35. *Fair Market Rent (FMR): The rent, including the cost of utilities (except telephone), that would be required to be paid in the housing market area to obtain privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. FMRs for existing housing are established by HUD for housing units of varying sizes (number of bedrooms), and published in the Federal Register in accordance with 24 CFR, part 888).*

36. *Familial Status: A single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 years are processed for occupancy the same as single persons. 9 Reference Federal Register published February 13, 1996, pages 5,662 and 5,663). In Section II “Reinventing Parts 812 and 912 of the Federal Register states:*

*“The April 10, 1992 proposed revisions to parts 812 and 912, which concern section 5(b) of the Fair Housing Amendments Act of 1988 (FHAA) and the treatment of single, pregnant women obtaining custody, are not included in this final rule. The statutory prohibition against housing discrimination towards such persons is sufficiently clear and enforceable. Since the percentage limit for occupancy by single persons (which could have been used to mask instances of discrimination against persons in these protected classes) has been eliminated, it is no longer necessary to distinguish persons in the FHAA-protected classes from other single persons”*

*Therefore, a single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 years are processed for occupancy the same as single persons and only entitled to a zero or one-bedroom family unit size.*

37. *Family: (See Below) The term ‘family’ as used in this policy means:*

A. *Two or more persons related by blood, marriage, or by operation of law. A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size); who live regularly together as a single household in the dwelling unit. By definition, a family must contain a competent adult of at least 19 years of age or 18 years of age and married (not common law) to enter into a contract and capable of functioning as the head of the household.*

**Note:**

*If an individual is 18 and qualifies under the definition of family by being married, the head of household and the spouse must be parties to the lease. There must be some concept of family living beyond the mere sharing or intention to share housing accommodations by two or more persons to constitute them as a family within the meaning of this policy. Some recognized and acceptable basis of family relationship must exist as a condition of eligibility.*

- A. *An elderly family;*
- B. *A near-elderly family;*
- C. *A disabled family;*
- D. *A displaced family;*
- E. *The remaining member of a tenant family (Refer Definition No. 101); and*
- F. *A single person who is not elderly or displaced person, or a person with disabilities, or the remaining of a tenant family.*

**Note:**

***Housing assistance limitation for single persons.*** *A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family may not be provided (for tenant-based assistance) housing for which the family unit size exceeds the one bedroom level (Ref. 982.207 Housing assistance limitation for single persons, published in the Federal Register on 2/13/96).*

***The rule does not prohibit a single person from residing in a larger unit (2 or more bedrooms) with the amount of subsidy or for a zero or one-bedroom family unit size. The limit is on the amount of subsidy paid NOT the SIZE of the UNIT!***

- 38 *Family Self-Sufficiency (FFS) Program: The program established by an HA to promote self-sufficiency of assisted families, including the provision of supportive services (42 U.S.C. 1437u). Reference 24 CFR, part 984.*
- 39. *Family Share: The portion of rent and utilities paid by the family.*
- 40. *Family Unit Size: The appropriate number of bedrooms for a family. Family unit size is determined by the HA under the HA subsidy standards*
- 41. *FMR/Exception Rent Limit: The Section 8 Existing Housing fair market rent published by HUD Headquarters, or any exception rent. For a regular tenancy in the Certificate program, the initial rent to owner plus any utility allowance may not exceed the FMR/exception rent limit*

*(for the selected dwelling unit or for the family unit size). For a tenancy in the voucher program the HA may adopt a payment standard up to the FMR/exception limit. For an over-FMR tenancy in the Certificate program, the payment standard is the FMR/exception rent limit.*

42. *Foster Children: With the prior written consent of the HA, a foster child may be added as a Section 8 participant. The factors considered by the HA in determining whether or not consent is granted may include:*
  - A. *Whether the addition of new occupant may require the issuance of a new certificate or voucher, and whether such documents are available.*
  - B. *The Section 8 landlord's obligation to allow reasonable accommodation for handicapped persons.*
43. *Full-Time Student: A member of a family (other than the head of household or spouse) who is carrying a subject load which is considered full-time or day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with diploma, as well as an institution offering a college degree. Verification will be supplied by the attended educational institution.*
44. *Funding Increment: Each commitment of budget authority by HUD to an HA under the consolidated ACC for the HA program.*
45. *Gross Rent: The sum of the rent to owner plus any utility allowance.*
46. *Group Home: A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two or twelve persons who are elderly or persons with disabilities (including any live-aid).*
47. *Handicapped Assistance Expense: Reasonable expense that are anticipated, during the period for which Total Annual Family Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled family member and that are necessary to enable a family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.*
48. *Handicapped person and/or Disabled Person: A person having a physical or mental impairment which:*
  - A. *Is expected to be of long-continued and indefinite duration,*
  - B. *Substantially impedes his/her ability to live independently; and*
  - C. *Is of such a nature that such disability could be improved by more suitable housing conditions.*

*Note*

***All three conditions must be met to qualify as handicapped)***

*A person who is under disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423) or in Section 102(7) of the Development Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7), or his handicapped as defined below:*

*D. Section 223 of the Social Security Act defines disabilities as:*

- 1. 'inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve (12) months; or*
- 2. in the case of any individual who has attained the age of fifty-five (55) and is blind (within the meaning of "blindness" as defined in Section 416(I) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time".*

*E. Section 102(5) of the Development Disabilities Services and Facilities Construction Amendments of 1970 defines disability as:*

*"A disability attributable to mental retardation, cerebral palsy, epilepsy or another neurological condition of an individual found by the Secretary (of Health and Human Resources) to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen (18), which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual".*

- 49. Hazardous Duty Pay: Pay to family member in the Armed Forces away from home and exposed to hostile fire.*
- 50. Head of Household: The adult member of the family who is the head of the household for purpose of determining income eligibility and rent. Also, the head of household is primarily responsible and accountable for the family, particularly in regard to lease obligations.*

51. *Homeless Family: Any individual or family who:*
- A. *Lacks a fixed, regular, and adequate nighttime residence;*
  - B. *Has a primary nighttime residence that is:*
    - 1. *A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing or housing for the mentally ill);*
    - 2. *An institution that provides a temporary residence for individuals intended to be institutionalized; or*
    - 3. *A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.*
  - C. *A homeless family does not include:*
    - 1. *Any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State Law; or*
    - 2. *Any individual who is a Single Room Occupant that is not considered substandard housing as defined in 83 below.*
52. *Housing Agency (HA): Housing Agency (formerly Public Housing Agency (PHA), PHA and HA are the same thing) A State, country, municipality or other governmental entity or public body (or agency or instrumentality there of authorized to engage in or assist in the development or operation of low-income housing.*
53. *Housing Assistance Payment (HAP): The monthly assistance payment by the HA. The total assistance payment consist of:*
- A. *A payment to the owner for rent to owner under the family's lease.*
  - B. *An additional payment to the family if the total assistance payment exceeds the rent to owner. In the certificate program, the additional payment is called a "utility reimbursement". The HA may elect to pay the appropriate amount directly to the utility provider.*
54. *Housing Assistance Payment (HAP) Contract: A written contract between an HA and owner, in the form prescribed by HUD, in which the HA agrees to make housing assistance payments to the owner on behalf of an eligible family.*
55. *Housing Quality Standards (HQS): The HUD minimum quality standards for housing assistance under the tenant-based programs.*
56. *HUD- Housing & Urban Development: The U.S. Department of Housing and*

*Urban Development.*

57. *HUD Requirements: HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters, as regulations, Federal Register notices or other binding program directives.*
58. *Income Exclusions: Annual Income does not include such temporary, non-recurring or sporadic income as the following:*
- A. *Temporary: Casual, sporadic, temporary, nonrecurring income, including gifts.*
  - B. *Medical Reimbursements: Amounts that are specifically received from, or are a reimbursement of, the cost of illness or medical care.*
  - C. *Lump-sum additions to family assets: Such as, but not necessarily limited to, inheritances, insurance payments, including payments under health and accident insurance and workmen's compensation, capital gains, and settlements for personal or property losses.*
  - D. *Scholarships: Full amounts of educational institution and amounts paid by the United States government to a veteran for use in meeting the cost of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses for the students.*
  - E. *Relocation payments: Made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4636.).*
  - F. *Food Stamps: The value of the coupon allotments for the purchase of food in excess of the amount actually charges an eligible household pursuant of the Food Stamp Act of 1973 (7 USC 201(b)).*
  - G. *Domestic Volunteers Service Act: Payments received by participants or volunteers in programs pursuant to the Domestic Volunteers Service Act of 1973 (42 USC 5044 (g), 5058).*
  - H. *Income of a live-in aide: (as defined in this policy).*
  - I. *Job Training Partnership Act: Payments received from the Job Training Partnership Act (29 USC 1552 (b)).*
  - J. *Hazardous Duty Pay: For a Family member in the Armed Forces away from home and exposed to hostile fire.*
  - K. *Minor Income: Income from employment of children (including foster children) under the age eighteen (18).*

- L. *Foster Care: Payment received for the care of foster children.*
- M. *Alaska Native Claim Settlement Act: Payments received under the Alaska Native Claims Settlement Act (43 USC 1626 (a)), or reparation payments made by foreign governments in connection with the Holocaust.*
- N. *Submarginal Land Income: Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 USC 4599e).*
- O. *Home Energy Assistance Program: Payments or allowances made under the Department of Health and Human Services Low-Income Home Energy Assistance Program (42 USC 862(f)).*
- P. *UD Training: Amounts received under training programs funded by the Department of Housing and Urban Development.*
- Q. *Earned Income Tax Credit Refund: For taxable years after December 31, 1990, the earned income tax credit refund. Effective Date: July 25, 1994.*
- R. *Earned Income Tax Credit Refund: A resident stipend is a modest amount (i.e., \$200 or less per month), received by a resident for performing a service for the owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination and resident management. No resident may receive more than one such stipend during the same period of time. The exclusion exempts resident service stipend from annual income, but only if the resident service stipend does not exceed \$200 per month. Compensation from state or local employment training programs and the training of a family member as a resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and excluded only for a limited period as determined in advance.*
- S. *Adoption Assistance Payments: Income payments received for the care of adopted children to the extent that the payment exceed \$480 per adopted child.*
- T. *Student Financial Assistance: This exclusion exemption exempts from annual income all amounts received from student financial assistance . Student financial assistance is interpreted broadly to include various scholarships, educational entitlements, grants, work study programs and financial aid packages.*
- U. *Earned Income of Full-time Students: This exclusion exempts earnings in excess of \$480 for each full-time students eighteen years old or older, except for the head of household and spouse. The exemption only applies to earnings in excess of \$480 since the family already receives a \$480 deduction from income for any full-time student.*

- V. *Adult Foster Care Payments:* This exclusion removes from the computation of annual income payments for the care of foster adults, usually individuals with disabilities, unrelated to the tenant family, who are unable to live alone. Currently, only payments for the care for foster children are excluded from annual income. In adding this exclusion, the Department is not requiring that housing authorities or owner permit foster adults in assisted housing.
  - W. *Compensation from state or local Job Training Programs and Training of Resident Management Staff:* this exclusion exempts compensation received from qualifying employment training programs and the training of resident management staff. To qualify under this exclusion, the compensation received must be a component of a state or local Employment Training Program with the clearly defined goals and objectives. Moreover, only the compensation received incident to the training program is excluded (i.e., any additional income received during the training program, such as welfare benefits, will continue to be counted as income). In addition, this exclusion only covers compensation received while the resident participates in the employment training program and the duration of participation must be for a limited period determined in advance. An example of compensation which falls under this exclusion is compensation received from-on-the-job training and during apprenticeship programs.
  - X. *Property Tax Rebates:* This provision excludes state rent credits and rebates for property taxes paid on a dwelling unit.
  - Y. *Home Care Payments for Developmentally Disabled Children or Adult Family Members:* This exclusion exempts amounts paid by a state agency to families who have developmentally disabled children or adult family members living at home. States that provide families with home care payments do so to offset the cost of services and equipment needed to keep a developmentally disabled family members at home.
  - Z. *Deferred periodic payments:* Of supplemental security income and social security benefits that are received in a lump sum payment.
59. *Infant:* A child under the age of two years.
60. *Initial Contract Rent:* In the certificate program, the contract rent at the beginning of the initial lease term.
61. *Initial HA:* In portability, the term refers to both:
- A. *An HA that originally selected a family that subsequently decides to move out of the jurisdiction of the selecting HA.*
  - B. *An HA that absorbed a family that subsequently decides to move out of the jurisdiction to the absorbing HA.*
62. *Initial Lease Term:* The initial term of the assisted lease. The initial term must be for at least one year.

63. *Initial Payment Standard: The payment at the beginning of the HA contract term.*
64. *Initial Rent to Owner: The rent to owner at the beginning of the initial lease term.*
65. *Interim Redetermination of Rent: Changes of rent between admissions and reexaminations and the next succeeding reexamination.*
66. *INS The U.S. Immigration and Naturalization Service*
67. *Jurisdiction: The area in which the HA has authority under State and local to administer the program.*
68. *Lease:*
- A. *A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease established the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the HA.*
- B. *In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement established the conditions for occupancy of the member's cooperative dwelling unit by the member's family with housing assistance payments to the cooperative under the HAP contract between the cooperative and the HA. For purpose of part 982, the cooperative is the Section 8 "owner" of the unit, and the cooperative member is the Section 8 "tenant".*
69. *Lease Addendum: In the lease between the tenant and the owner , the lease language required by HUD.*
70. *Live-in-Aide: A person who reside with an Elderly, Disabled, or Handicapped person or persons and who:*
- A. *Is determined by the HA to be essential to the care and well-being of the persons (s).*
- B. *Is not obligated for support of the person(s),*
- C. *Would not be living in the unit except to provide supportive services. The income of a Live-in-aide that meets these requirements is not included as income to the tenant family; and,*
- D. *A Live-in-Aide must be approved, in advance, by the HA.*
71. *Low-Income Family: A family whose Annual Income does not exceed eighty percent (80%) of the median income for the area, as determined by HUD with adjustments for smaller and larger families. (Section 982.201(b) describes when a low-income family are income-eligible for admission to the certificate or voucher program.)*

72. *Manufactured Homes: A Manufacture structure that is built on a permeant chassis, that is designed for use as a principal place of residence, and meets the HQS.*
73. *Manufacture Home Space: In manufactured home space rental: a space leased by an owner to a family. An manufactured home owner and occupied by the family is located on the space.*
74. *Medical Expense: Those necessary medical expenses, including medical insurance company premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. Medical expenses, in excess of three percent (3%) of Annual Income, are deductible from income by elderly families only.*
75. *Military Service: Military Service means the active military service of the United States, which includes the Army, Navy, Air Force, Marine Corps, Coast Guard, and since July 29, 1945, the commissioned corps of the United States Public Health Service.*
76. *Minimum Rent: Families assisted under the Public Housing program pay a monthly “minimum rent” of not more than \$50.00 per month. The HA has the discretion to establish the “minimum rent from \$0 up to \$50. The minimum rent establish by this HA is \$25*
77. *Minimum Rent Hardship Exemptions:*
- A. *The HA shall immediately grant an exemption from application of the minimum monthly rent to any family making a proper request in writing who is unable to pay because of financial hardship, which shall include:*
  - B. *The family has lost eligibility for, or is awaiting an eligibility determination for a federal, state, or local assistance program, including family that includes a member who is an allien lawfully admitted for permanent residence under the immigration and nationalization act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.*
  - C. *The family would be evicted as a result of the implementation of the minimum rent.*
  - D. *The income of the family has decreased because of changed circumstance, including loss of employment.*
  - E. *A death in the family has occurred which affects the family circumstances.*
  - F. *Other circumstances which may be decided by the HA on a case by case basis.*
    - 1. *All of the above must be proven by the Resident providing verifiable information in writing to the HA prior to the becoming delinquent and before the lease in terminated by the HA.*
    - 2. *If a resident request a hardship exemption (**prior to the rent being delinquent**) under this section, and the HA reasonably determines the hardship to be a temporary nature, exemption shall not be granted during a ninety day period*

*beginning upon the making of the request for exemption. A resident may not be evicted during the ninety day period for non-payment of rent. In such a case, if the resident thereafter demonstrates that the financial hardship is of a long term basis, the HA shall retroactively exempt the resident from the applicability of the minimum rent requirements for such ninety day period. This Paragraph does not prohibit the HA from taking eviction action for other violations of the lease.*

78. *Minor; A “minor” is a person under nineteen years of age. Provided, that a married person 18 years of age or older shall be considered to be of the age of majority. (An unborn child may not be counted as a minor).*
79. *Mixed Family: A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.*
80. *Monthly Adjusted Income: One-twelfth of Adjusted Annual Income.*
81. *Monthly Income: One twelfth of Annual Income. For purpose of determining priorities based on an applicant’s rent as a percentage of family income, family income is the same as monthly income.*
82. *Mutual Housing: Se definition of “cooperative housing”, above.*
83. *National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.*
84. *Net family Asset: Net Family Assets means the net cash value after deduction reasonable costs that would be incurred in disposing of real property, checking and savings accounts, stocks, bonds, cash on hand, and other forms of capital investment, excluding interest in Indian trust land and excluding equity accounts in HUD home ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under control of, any member of the family or household, the value of the trust fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determined Annual Income).  
*In determining Net Family Assets this HA shall include the value of any business or family assets disposed of by any applicant or Tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of applications for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or Tenant receives important consideration not measurable in dollar terms.**
85. *Noncitizen: A person who is neither a citizen nor national of the United States.*
86. *Notice of Funding Availability (NOFA): For budget authority that HUD distributes by competitive process, the federal register document that invites applications for funding. The document explains how to apply for assistance and the criteria for awarding the funding.*

87. *Over-FMR Tenancy: In the Certificate Program: the tenancy for which the initial gross rent exceeds the FMR/exception rent limit.*
88. *Owner: Any person or entity with the legal right to lease or sublease a unit to a participant.*
89. *Participant: A family that has been admitted to the HA program, and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract by the HA for the family.*
90. *Payment Standard: In a voucher or over-FMR tenancy the maximum subsidy payment for a family (before deducting the family contribution). For a Voucher tenancy, the HA sets a payment standard in the range from 80 percent to 10 percent of the current FMR/exception rent limit. For an over-FMR tenancy, the payment standard equals to current FMR/exception rent limit.*
91. *Portability: Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial HA.*
92. *Preference: At the option of the HA, a preference system can be used to select among applicant families.*
93. *Premises: The building or complex in which the dwelling unit is located, including common areas and grounds.*
94. *Private Space: In shared housing : The portion of a contract unit that is for the exclusive use of an assisted family.*
95. *Program: The tenant-based certificate or voucher program.*
96. *Project Based: Rental assistance that is attached to the structure.*
97. *Project Based Certificate Program: Project-based assistance under 24 CFR, part 983, using funding under the consolidated ACC for the HA certificate program.*
98. *Reasonable Rent: A rent to owner that is not more than either:*
  - A. *Rent charged for comparable units in the private unassisted market; or*
  - B. *Rent charged by the owner for a comparable unassisted unit in the building or premises.*
99. *Receiving HA: In portability, an HA that receives a family selected for a participation in the tenant-based program of another HA. The receiving HA issues a certificate or voucher, and provides program assistance to the family.*
100. *Recertification: Sometimes called reexamination. The process of securing documentation which indicates that tenants meet the eligibility requirements of continued occupancy.*

101. *Re-examination Date: The date on which any rent change in effective or would be effective if required as a result of the annual re-examination of eligibility and rent.*
102. *Regular Tenancy: In the certificate program: a tenancy other than a over-FMR tenancy.*
103. *Remaining Member of the Tenant Family: The person (s) of the legal remaining in the subsidized unit after the person (s) who signed the certificate or voucher has (have) left the premises, other than by eviction, who may nor may not normally qualify for assistance on their own circumstances. An individual must have received housing subsidy under the program to which he/she claims head of household status for one year before becoming eligible for Section 8 subsidy as a remaining family member. The person must complete form necessary for Section 8 assistance within ten calendar days from the departure of the leaseholder and may remain in the unit for a reasonable time (not more than 60 calendar days for the date individual request head of household status) pending the verification and hearing process. This person must, upon satisfactory completion of the verification process, then execute all required Section 8 subsidy documents and cure any monetary obligations in order to maintain assistance. Any person who claims him or herself as a remaining member shall, in the event that the HA declares him or her ineligible for remaining member status, be entitled to an informal hearing. The informal hearing process in described in Section XV., of this policy.*
104. *Rent to Owner: The total monthly rent payable to the owner under the lease for the unit. Rent to Owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.*
105. *Residency Preference: An HA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area.*
106. *Residency Preference Area: The specified area where families must reside to qualify for a residency preference.*
107. *Set-up Charges: In a manufactured home space rental: charges payable by the family for assembling, skirting and anchoring the manufactured home.*
108. *Shared Housing: A unit occupied by two or more families. The unit consists of both common space or shared use by the occupants of the unit and separate private space for each assisted family.*
109. *Single Person: A person who lives alone or intends to live alone, and who does not qualify as an elderly family or a displaced person, or as the remaining member of a tenant family.*
110. *Single Room Occupant (SRO): Single Room Occupancy (SRO) Housing is a unit which does not contain sanitary facilities or food preparation facilities, or which contains one but not both types or facilities, and is suitable for occupancy by and eligible individual who is capable of independent living. SRO Housing is not substandard solely because it does not contain sanitary facilities or food preparation facilities, or both.*

111. *Special Admission: Admissions of an applicants that is not on the HA waiting list, or without considering the applicant's waiting list position.*
112. *Spouse: A spouse is the legal husband or wife of the head of the household. This includes common law marriage.*
113. *Subsidy Standards: Standard established by an HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and composition.*
114. *Suspension: Stopping the clock on the term of family's certificate or voucher on the date that the HA receives the request for lease approval by the family (See also Section XII. 3, E, (1)).*
115. *Temporarily Absent Family Members: Any person (s) on the lease that is not living in the household for a period of more than thirty (30) days is considered temporarily absent.*
116. *Tenant: The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.*
117. *Tenant Based: Rental assistance that is not attached to the structure.*
118. *Tenant Rent: The actual amount due, calculated on a monthly basis, under a lease or occupancy agreement between a family and the family's current landlord. The tenant payment is the amount the tenant pays toward rent and allowance for utilities. To arrive at tenant rent, the utility allowance is subtracted from total tenant payment or minimum rent. If the utility allowance is greater than the total tenant payment or minimum rent, the tenant rent is zero and there is a utility reimbursement payment (URP). The URP is the difference between the total tenant payment or minimum rent and the utility allowance.*
119. *Total Tenant Payment (TTP): The TTP for families participating in the certificate and moderate rehabilitation programs must be at least \$25.00, which is the minimum rent established by the HA.*

A. *For the Certificate Program, the TTP must be the greater of:*

1. *30 percent of family monthly adjusted income;*
2. *10 percent of family monthly income;*
3. *Welfare rent (if applicable) in as-paid states; or*
4. *\$25.00 which is the minimum rent set by the HA*

*It is possible for certificate families to qualify for a utility reimbursement despite the requirement of a minimum rent.*

*For the Voucher Program*

1. *The TTP is same as A (1), (2) and (3) above. The utility allowance is applicable for the Voucher Program. Voucher families will pay the owner the difference between the monthly rent the owner the difference between the monthly rent to owner and the housing assistance payment. Voucher families will also pay the cost of tenant-furnished utilities under the lease (Reference Notice 96-7 (HA) for Section 8 Voucher Program Minimum Rent Calculation Worksheet).*
2. *For families admitted to the program after 12/20/1998, and when the HA adopted payment standard exceeds the gross rent and the family remains in the same unit or complex the gross rent will be used as the payment standard.*

120. *Utilities: Utilities may include water, electricity (including air conditioning if applicable. See CFR 982.517), gas, garbage, and sewage services and, where applicable, trash and garbage collection.*
121. *Utility Allowance: The utility allowance, if any, determined for the Section 8 program for tenant purchased utilities (except telephone) that are normally included in rent.*
122. *Utility Hook-Up-Charge: In a manufactured home space rental: cost payable by a family for connecting the manufactured home to utilities such as water, gas, electrical or sewer line.*
123. *Utility Reimbursement Payment (URP): Utility Reimbursement Payment is the amount, if any, by which the Utility Allowance for the unit, if applicable exceeds the Total Payment or minimum rent for the family occupying the unit.*
124. *Very Low-Income Family: A lower Income Family means a family whose annual income does not exceed fifty (50%) percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.*
125. *Violent Criminal Activity: Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use, attempted use, or threatened use of physical force against the person or property of another.*
126. *Voucher: A document issued by an HA to a family selected for admission to the Voucher Program. The voucher describes the program, and the procedures for HA approval of a unit selected by the family. The Voucher also states the obligations of the family under the program.*

127. *Wage Earner: A person in a gainful activity who receives any wages. Said wages or pay covers all types of employee compensation including salaries, vacation allowances, tips, bonuses, commissions and unemployment compensation. The terms “Wage Earner” and “Worker” are used interchangeably.*
128. *Waiting List Admission: An admission form the HA waiting list.*
129. *Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.*

SECTION V.

APPLYING FOR ASSISTANCE

1. *How to Apply:*
  - A. *Families wishing to apply for housing assistance shall complete an application for public assistance.*
  - B. *Applications will be accepted at the following location: Housing Department Centro de Gobierno Municipal Suite 201.*
  - C. *Applications are taken to compile a waiting list. Due to the demand for housing in the HA's jurisdiction. The HA may take applications on a "open enrollment" basis, depending on the length of the waiting list.*
  - D. *Completed applications and their information will be verified by the HA.*
  - E. *Applications may be made in person at the HA during specified dates and business hours posted at the HA's Office.*
  - F. *The applications must be dated, time-stamped, and referred to the HA's office where Section 8 applications are processed.*
2. *Closing of Application Taking: If the HA is taking applications, the HA may suspend the taking of applications if the waiting list is such that additional applicants would not be able to be housed within the next 12 month period.*
3. *Opening of Application Taking: When the HA decides to start taking applications the following procedures will be followed:*

**Note**

*The HA will make know to the public through publication in a newspaper of general circulation, minority media, and other suitable means the availability and nature of housing assistance for eligible families.*

*The Notice must contain the following:*

- A. *The HA will publish the date applications will be accepted and the location where applications can be completed.*

**Note**

*If the HA anticipates suspending the taking of applicants after a period of time, the date of acceptance and closing of applications must be published.*

- B. *Advise families that applications will be taken at the designated office;*
  - C. *Briefly describe the Housing Assistance program; and*
  - D. *State that applicants for Section 8 assistance must specifically apply for Section 8 assistance and that applicants for Section 8 assistance may also apply for to Public Housing and they will not lose their place on the Section 8 Housing waiting list if they also apply for Public Housing.*
  - E. *To reach persons who cannot read the newspapers, the HA will distribute fact sheets to the broadcasting media. Personal contacts with the news media and with community service personnel, as well as public service announcements, will be made.*
4. *Application Period (Dates): The application talking closing date may be determined administratively at the same time that the HA determines to open enrollment. The open enrollment period shall be long enough to allow enough applicants as required by the projected turnover and the number of Section 8 Certificates or Housing Vouchers allocated.*

**SECTION VI. MISSED APPOINTMENTS FOR APPLICANTS OR PARTICIPANTS**

1. *Missed Appointment Without Notification: An applicant or person receiving assistance who fails to keep an appointment without notifying the HA and without re-scheduling the appointment shall be sent a notice of termination of the process or assistance for failure to supply such certification, release of information or documentation as the Ha or HUD determines to be necessary (or failure to allow the HA to inspect the dwelling unit at reasonable times and after reasonable notice, if applicable in the following situations:*
  - A. *Complete Application*
  - B. *Bringing in Verification Information*
  - C. *Program Briefing*
  - D. *Leasing Signature Briefing*
  - E. *HQS Inspections*
  - F. *Recertification*
  - G. *Interim Adjustment*
  - H. *Other Appointments or Requirements to Bring in Documentation as Listed in this Plan.*
  - I. *Scheduled Counseling Sessions*
2. *Process when Appointment (s) are Missed: For most of the functions above, the family may be given two appointments. If the family does not appear or call to reschedule the appointment (s) required, the HA may begin the termination process. The applicant or participant will be given an opportunity for an informal review or hearing pursuant to Section XI.*

*If the representative of the HA makes a determination in favor of the applicant or participant, the HA will comply with decision unless the HA is not bound by a hearing decision concerning a mater for which the HA is not required to provide an opportunity for a hearing pursuant to 24 CFR 982.554 (c) and 982.555 (b).*
3. *Letters Mailed to Applicants by the HA: If the applicant claims they did not receive a letter mailed by the HA, that requested the applicants to provide information or to attend an interview, the HA will determine whether the letter was returned to the HA. If the letter was not returned to the HA, the applicant will be assumed to have received the letter.*

*If the letter was returned to the HA and the applicant can provide evidence that they were living at the address to which the letter was sent, the applicant will be reinstated with the date and time of application in effect at time the letter was sent.*

*Applicants must notify the HA, in writing, if their address changes during the applications process.*

## **SECTION VII. MISREPRESENTATION BY THE APPLICANT OR PARTICIPANT**

*If an applicant or Section 8 participant is found to have made willful misrepresentations at any time which resulted in the applicants or Section 8 participant being classified as eligible, when, in fact, they were ineligible, applicant will be declared ineligible and the Section 8 participant will be terminated because of the act of fraud by the applicant/Section 8 participant. If such misrepresentation resulted in the Section 8 participant paying a lower rent than was appropriate, the Section 8 participant shall be required to pay the difference between the actual payments and the amount which should have been paid. In justifiable instances, the HA may take such other actions as it deems appropriate, including referring the Section 8 participant to the proper authorities for possible criminal prosecution.*

## **SECTION VIII. SECTION 8 ELIGIBILITY CRITERIA**

1. *Eligibility: All individuals who are admitted to the Section 8 Program in the HA must be individually determined eligible under the terms of this plan. In order to be determined eligible, an applicant must be following requirements:*
  - A. *The applicant family must qualify as a family as defined in Section IV.*
  - B. *The applicant family's Annual Income as defined in Section IV, must not exceed income limits established by HUD for the Section 8 Programs.*
  - C. *Head of Household must be:*
    1. *19 years of age or older,*
    2. *18 years of age and married (not common law), or*
    3. *A person that has been relieved of the disability of non-age by a juvenile court.*
2. *Ineligible: Applicants are not automatically determined eligible to receive federal assistance. An applicant will not be placed on a waiting list or offered Section 8 assistance under the following circumstances:*

*If the applicant's annual family income exceeds the Income Limits established by HUD and published in the Federal Register, the applicant will be declared ineligible.*

3. *Informed of Ineligibility: If the applicant has failed to meet any outstanding requirements of eligibility and is determined ineligible, he/she will be informed and the reasons stated in writing. The applicants will be granted ten days from the date stated on the ineligible letter to request an informal meeting. The applicant may bring any person he/she wishes to represent them at the informal meeting. The request for an informal meeting may be submitted in writing and/or within the time frame established by the HA for the meeting.*
4. *Informed of Ineligibility: If the participant has failed to meet any outstanding requirements for eligibility and is determined ineligible, he/she will be so informed and the reasons stated in writing. The applicant will be granted ten days from the date stated on the ineligible letter to request an informal meeting. The applicant may bring any person he/she wishes to represent them at the informal meeting. The request for an informal meeting may be submitted in writing in and/or the request may be verbal. However, the request must be received by the HA within the time frame established by the HA for the meeting.*
5. *Single Person; In addition, under Section 24 CFR 5.405, the HA is permitted to determine as eligible, single persons living alone or intending to live alone who do not meet any of the definitions of a family (Ref CFR 5.403). Single persons are only eligible for a one bedroom certificate or voucher.*
6. *Declaration of Citizenship: Section 214 of the Housing and Community Development Act of 1980 prohibits HAs making financial assistance available to a person other than United States citizens, nationals, or certain categories of eligible noncitizens in HUD's assisted housing programs. This law is referred to as the Noncitizens Rule and is effective June 19, 1995.*
7. *Adding a Person to the Program: Once an applicant becomes a participant in the HA's tenant-based, the head of household must request permission to add another person to the program (except for birth, adoption or court-awarded custody of a child). The person being added must meet all eligibility requirements before the HA will approve any addition to the tenant-based program.*

## **SECTION IX. VERIFICATION AND DOCUMENTATION**

*Families are required to provide Social Security Numbers for all family members age six and older prior to admission, if they have been issued SSN by the Social Security Administration. All members of the family defined above must either:*

1. *Social Security Number (SSN): Submit SSN; or sign a certification if they have not been assigned a SSN. If the individual is under 18, the certification must be executed by his or her parent or guardian. If the participant who has signed a certification form obtains a SSN, it must be disclosed at the next regularly scheduled reexamination, or next rent change.*

*Verification will be done through the providing of a valid Social Security card issued by the Social Security Administration.*

*The HA will accept copies of the Social Security card only when it is necessary for the HA to verify by mail the continuing eligibility of participating families.*

*If an applicant or tenant cannot provide his or her Social Security card; other documents listed below showing his or her Social Security Number may be used for verification. Her or she may be required by the HA to provide one or more of the following alternative documents to verify his or her SSN, until a valid Social Security card can be provided;*

*These documents include:*

- *Drivers license, that displays the SSN*
- *Identification card issued by a Federal, State or local Agency*
- *Identification card issued by an employer or trade union*
- *Identification card issued by a medical insurance company*
- *Earnings statements or payroll stubs*
- *Bank statements*
- *IRS Form 1099, or W-2 Form*
- *Benefit award letters from government agencies*
- *Medicaid Cards*
- *Unemployment benefit letter*
- *Retirement benefit letter*
- *Life insurance policies*
- *Court records such as real estate, tax notices, marriage and divorce, judgment or bankruptcy records*
- *Verification of Social Security benefits with the Social Security Administration*

#### *NOTE*

*If the HA verifies Social Security benefits with the Social Security Administration, the acceptance of the SSN by the Social may be considered documentation of its validity. Applicants may not become participants until the documentation is provided and verified. The applicant will be given a reasonable time, subject to the circumstances, to furnish the documentation before losing their place on the waiting list and the time may be extended, if such circumstances requires an extension, if such circumstances requires an extension. The decision will be made by a HA representative and documented, in writing, and placed in the applicant's file.*

2. *Employer Identification Number (EIN) and applicable consent form.*
3. *Additional Documentation that may be required in determining eligibility:*
  - *Temporary Assistance To Needy Families (TANF)*
  - *Birth Certificate, or Drivers License that displays the date of Birth and/or form (s) that are issued by a Federal, State, City or Country Agency that displays the date of Birth*
  - *Child Care Verification*
  - *Credit Reference (History)*
  - *Employer's Verification*
  - *Landlord Verification*
  - *Social Security Benefits*
  - *Assets Verification*

- *Bank Accounts: Checking Accounts \$500 + Balance*
- *Saving Accounts - \$100 + Balance*
- *Marriage Certificate: If a marriage certificate is not available the following information is acceptable*
- *Drivers License that displays the same address and last names*
- *Federal Tax Forms that that indicate that the family filed taxes as married couple during the last tax reporting period.*
- *Other acceptable forms of documentation of marriage would include any document that has been issued by a Federal, State, City or Country Government and indicate that the individuals are living as a married couple. Couples that are considered married under common law can provide the same information, as listed above, to document that they are living together as a married couple.*
- *The couple also certificate in their application for housing that they are married.*
- *Personal References: Personal references (other than from family members) may be used when an applicant cannot produce prior rental history records. Personal References must be notarized.*
- *Police Report (s)*
- *Current report from drug treatment centers or facilities*
- *Supplemental Social Security Income (SSI) Benefits*
- *Unemployment Compensation*
- *VA Benefits*
- *Documentation to support medical expenses*
- *Any other reasonable information needed to determine eligibility may be requested by the HA.*

**NOTE**

*For the purposes of this plan, if a member of the current family has committed acts of fraud or has an arrest record, including a drug related arrest, that reflects that the family ,member may be a danger to the health, safety, or welfare of the community then that person will not be allowed to be a participant on the program. The HA shall prohibit assistance to any household that includes any individuals who is subject to a lifetime registration requirement under a state sex registration program.*

*Individuals who have been evicted from any housing complex for engaging in criminal activities, including drug-related criminal activities may be denied assistance.*

4. *Separation with Children: Separation means the ending of co-habitation by mutual agreement. If an applicant from a person and has children by that person or former spouse, applicant must provide at least one of the verifications listed below:*
  - A. *A FINAL divorce decree. Applies to individuals who are divorced and not separated and is the only documentation accepted for individuals that are divorced.*
  - B. *Receiving court-ordered child support from former spouse.*

- C. *Verification that applicant is pursuing child support through Department of Human Resources, Child Support Unit or Circuit Clerks Office..*
  - D. *If applicant is receiving personal child support, then applicant can make arrangements to have the child support paid through the court system, either through the circuit clerks office, Department of Human Resources, or through a court referee.*
  - E. *Receiving TANF through the Department of Human Resources for former spouse's children.*
  - F. *A notarized statement from current landlord (not family) verifying that the current landlord knows that the applicant and spouse have not lived together for the last six (6) months or more.*
  - G. *Income tax statements from both husband and wife indicating both filed income taxes separately the last year and that they filed from different addresses.*
  - H. *Written statement from Lawyer that applicant has filed suit for divorce because of physical abuse.*
  - I. *A written statement from an abuse shelter, law enforcement agencies, social services agencies that applicants needs housing due to physical abuse.*
  - J. *Food stamp verification. If no other documentation is available.*
5. *Separation – No Children: If applicant is separate from a person and has no children by that person, applicant must provide at least one of the verifications listed below:*
- A. *A FINAL divorce decree. Applies to individuals who divorce and not separate and is the only documentation accepted for individuals that are divorced.*
  - B. *A notarized statement from current landlord (not family) verifying that the current landlord knows that the applicants and spouse have not lived together for the last six (6) months or more.*
  - C. *Income tax statements form both husband and wife indicating both filed income taxes separately the last year and that they filed from different addresses.*
  - D. *Written statement from Lawyer that applicant has filed suit for divorce because of physical abuse.*
  - E. *A written statement from an abuse shelter, law enforcement agencies, social services agencies that applicant needs housing due to physical abuse.*
  - F. *Food Stamp Verification. If no other documentation is available.*

**Note**

*This section also applies to program participants*

6. *U.S. Citizenship Verification and Appeal Procedures: The housing authority (HA) must follow the verification procedures (to be provided by HUD) and verify the person or persons declaration of U.S. citizenship through the INS SAE system.*

*Once the verification is completed and verification from the INS SAVE system confirms the declaration of U.S. Citizenship and the applicant (s) meets all other conditions for occupancy, as outlined in the Admissions and Continued Occupancy Policy (ACOP), Section VIII Admissions Eligibility Criteria, or the Section 8 Administrative Plan, Section VIII Section 8 Eligibility Criteria (as appropriate), the application will be processed for assistance.*

*If the INS SAVE system does not confirm U.S. citizenship, the HA must request that a manual search be conducted of INS records. The HA must request the secondary verification (manual search) by INS within ten calendar days of receipt of the initial failed verification. INS will issue a decision within 30 days of its receipt of the request for a secondary verification. If the secondary verification fails to confirm eligible immigration status, the HA shall notify the family of the right of appeal to INS. If INS is unable to issue a decision within 30 days, the INS will inform the family and the HA of the reasons for the delay. When the HA receives a copy of the INS decision (and the decision does not confirm the declaration of U.S. citizenship), the HA will notify the family of its right to request an informal hearing. The informal hearing will be conducted in accordance with Section XI.*

A. *Assistance to an applicant may not be delayed, denied, or terminated, if:*

1. *The primary and secondary verification of any immigration documents that were timely submitted has been completed;*
2. *The family member of whom required evidence has not been submitted has moved;*
3. *The family member who is determined not be in an eligible immigration status following INS verification has moved;*
4. *The INS appeals process has not been concluded;*
5. *For a tenant, the HA hearing process has not been concluded;*
6. *Assistance is prorated;*
7. *Assistance for a mixed family is continued*

B. *Assistance to an applicant shall be denied, and a tenant's assistance shall be terminated, upon the occurrence of any of the following:*

1. *Evidence of citizenship (i.e. the declaration) is not timely submitted;*

2. *Evidence of citizenship and eligible immigration status is timely submitted but INS primary and secondary verification does not verify eligible immigration status;*
3. *The family does not pursue INS appeal or HA informal hearing rights:*
4. *INS appeal and informal hearing rights are pursued, but the final appeal or hearing decisions are decided against the family member.*

C. *Notice must be given to the family and shall advise:*

1. *The financial assistance or housing will be denied or terminated, and provide a brief explanation of the reasons:*
2. *That they may be eligible for proration of assistance:*
3. *In the case of a tenant, the criteria and procedures for obtaining relief for mixed families and other families: and,*
4. *Any future appeal rights have been exercised.*

8. *Criminal Records Management Policy: All adult applicants and tenants shall complete and "Authorization for Release of Police Record". The HA shall request an National Crime Information Center (NCIC) check for criminal history for an applicant or tenant. Applicants and tenants may be requested to furnish fingerprints for this purpose through the local law enforcement office to be sent to the FBI. NCIC information shall be furnished to the HA pursuant to the agreement between the U.S. Department of Housing and Urban Development and the U.S. Department of Justice Regarding Access to National Crime Information Center Data.*

*For the purpose for screening applicants, lease enforcement and eviction the HA of its Agents will attempt to obtain NCIC reports and any police records from law enforcement agencies related to a persons criminal conviction records for persons eighteen (18) years of age or older. The HA may also request this information for juveniles, to the extent that the release of such information is not prohibited by State, local, or tribal laws.*

*Before the HA takes any adverse action based on a criminal conviction record, the HA or its Agents must provide the applicants or tenant with a copy of the criminal records and an opportunity to dispute the accuracy or relevancy of the record. For applicants, the copy will be provided at a hearing. The hearing is afforded to each applicant that is denied admission and provides the applicant the opportunity to dispute any information used to deny and applicant housing assistance. For participants, the copy will be provided in accordance with the HA's Informal Review or Hearing Procedure.*

*The HA will keep all criminal records received confidential and not misuse or improperly disseminate the information. Criminal records of any adult applicant/tenant which are used as the basis of denying tenancy or eviction confidential and shall not be disclosed to any person or entity other than for official use or for use in court proceedings. The term "adult" means a*

*person who is 18 years of age or older, or who has been convicted of a crime as an adult under any Federal, State, or tribal law. Said records shall be maintained in separate files and shall be kept in a locked, secure location. Access shall be limited to those employees approved by the Executive Director.*

*Records shall be destroyed once action is taken and any grievance procedure, or court proceeding is completed. A notice for record destruction shall be maintained in a separate file.*

*The HA will work through their local law enforcement agencies to obtain information from NCIC. Also, the HA may pay reasonable fees charged by law enforcement agencies that provide the information. The applicant or tenant may not be charged for any expenses related to the investigation.*

## **SECTION X                      GROUND FOR DENIAL OR TERMINATION OF ASSISTANCE**

- I. Denied Admission: The HA may deny an applicant admission to participate in the Section 8 Program or, with respect to a current participant, may refuse to issue another Certificate or Voucher for a move to another unit, approve a new lease, or execute a new Contract for the Section 8 participant, if the applicant or participant: (Ref.: 24 CFR 982.552).*
  - A. Owes rent, other amounts, or judgement to any HA or any other federally subsidized housing program, the applicant will be declared ineligible. At the HA's discretion, the applicant may be declared eligible upon payment of the debt, with the date and time of application being the time fo payments and meeting other criteria.*

### **NOTE**

***Applicants that owe a HA or any other federally subsidized programs funds will not be processed for receiving assistance. The applicant must pay the funds owed prior to the application being processed. Re-paying funds that are due does not necessarily qualify an applicant for housing assistance. Such payments will be considered along with other factors in the application process. Any money owed to a HA which has been discharged by bankruptcy shall not be considered in making this determination.***

- B. As a previous participant in the Section 8 Program or as a participant in the Public Housing Program, the applicant has not reimbursed the HA or another HA for any amounts paid to an owner under a housing assistance contract for rent or other amounts owed by the Family under its lease and for a vacated unit.*
- C. Has violated any Family obligation listed on the certificate or voucher.*
- D. Engage in drug-related criminal activity or violent criminal activity, including criminal activity by the Family member. (Reference 24 CFR 982.553(a)(1)(2).*

- E. *Breaches a repayment agreement to the HA and/or owner.*
- F. *Committed acts which would constitute fraud in connection with and/or has been evicted from any federally assisted housing program.*
- G. *Did not provide information required within the time frame specified (the applicable dates are contained in the letters from the HA to the applicant) in during the application process.*
- H. *The HA shall deny the admission of a Family, if the applicant, or any member of the applicant's family does not sign and submit consent forms that are provided by the HA for the purpose of verifying employment and income information.*
- I. *The applicant family must have properly completed all application requirements, including verifications. Misrepresentation of income, family composition or any other information affecting eligibility, will result in the family being declared ineligible. In the event the misrepresentation in admission, the assistance will be terminated for such misrepresentation.*
- J. *The applicant and all adults must sign a release allowing the HA to request a copy of a police report from the National Crime Information Center, Police Department of other law Enforcement Agencies. The applicant and all adults further agree to provide fingerprints if requested. If the HA uses the information to deny or terminate assistance the HA must provide a copy of the information used upon proper request.*
- K. *If the applicant is a former Public Housing or Section 8 participant who vacated the unit in violation of program requirements, the applicant may be declared ineligible.*
- L. *If the Ha determines that a person is illegally using a controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The HA may waive this requirement if:*
  - 1. *The person demonstrates to the HA's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol:*
  - 2. *has successfully completed a supervised drug or alcohol rehabilitation program:*
  - 3. *has otherwise been rehabilitated successfully; or*
  - 4. *is participating in a supervised drug or alcohol rehabilitation program*

5. *if any household includes any individual who is subject to a lifetime registration requirement under a stated sex offender registration program.*
2. *Notification of Denial: If a applicant is denied admission, the HA will notify the applicant, in writing, of its determination and inform the applicant that they have an opportunity for an informal review on such determination. The denial letter will allow the applicant ten (10) calendar days to request an informal review (verbal and/or writing) with the HA. (Reference Section XI)*
  3. *Times Frames for Denial: As a general rule applicants may be denied admissions to the Section 8 Program for the following times frames, which shall being on the date of application, unless otherwise provided for the herein below:*
    - A. *Denied admission for one year for violation of certificate/voucher and illegal use, or possession for personal use, of a controlled substance or alcohol.*
    - B. *Denied admission for three (3) years for the following:*

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

*The HA can waive this requirement if: the persona demonstrate to the HA's satisfaction successful completion of a rehabilitation program approved by the HA, or the circumstances leading to the eviction no longer exist.*
    - C. *Denied admission for five (5) years for the following:*
      1. *Fraud (giving false information on the application is considered fraud).*
      2. *An arrest or conviction record that indicates that the applicant may be a threat and/or negative influence on other residents. The five years shall begin on the date of the last reported act, completion of sentence and/or probation period.*
    - D. *Denied admission for ten (10) years for a conviction of Drug Trafficking..*

- E. Denied admission for life to any household that includes any individual who is subject to a lifetime registration requirement under a stated sex offender registration program.*
- F. Denied admission for life to any persona who has been convicted of manufacturing or producing methamphetamine (commonly referred to as “speed”) on the premises of the assisted housing. Premises is defined as the building or complex in which the dwelling unit is located, including common areas and grounds.*

## CERTIFICATION

The grantee hereby certifies that he has conducted an analysis to determine the impediments to fair housing choice in its Housing and Community Development Program and related activities.

The recipient has taken lawful steps consistent with 570.904, relating to housing and community development to overcome the effects of conditions that limit fair housing choice within the recipient jurisdiction. Such actions include:

- That the fair housing choice of each individual will be protected and the law will be enforced so as to provide or make available the same housing choices regardless of race, color, religion, sex, national origin or income levels to all concerned.
- That the public policies (under municipal ordinance and proclamation) affecting the building sites and other building requirements will be made part of the daily and routinely disposition of the housing programs under the city's jurisdiction.
- That all administrative policies concerning community development and related housing activities and programas (as evidenced in our Consolidatd Plan) will be executed in a fashion which will not affect the opportunities of minority and/or low income families to select housing inside or outside their area of minority concentration, and;
- That the city administration and its housing and Community Development Program will enact and enforce the federal fair housing law, provide for fair housing consistent with the law, develop voluntary partnerships with external institutions and organization to promote "fair housing choice", and will remedy unlawful segregation or discrimination within the program and legal statutes of the Title VIII of the Civil Rights Act of 1968.

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William Miranda Marín, Mayor

Date

**FAIR HOUSING ANALYSIS AND  
ACTIONS TO ELIMINATE BARRIERS**

Municipality of Caguas  
April 2003

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# **INTRODUCTION**

## INTRODUCTION

The Municipality of Caguas is located at the Central-Eastern Region of the island of Puerto Rico. Caguas has grown into an industrial, commercial, services and manufacturing center because of its closeness to San Juan and excellent transportation network.

Caguas doubled its population from 1960 to 133,447 inhabitants in 1990, and 140,502 in 2000..

The estimate of homeless persons in Caguas is between 675 and 1,300. There is a high mobility of homeless persons to the city since Caguas heads the region's main governmental health and social services centers.

The 1968 Civil Rights Act (P.L. 90-284) requires that the administration and the programmatic implementation of all Community Development Block Grant Programs be carried-out in an "affirmative fashion". The Municipality of Caguas has developed strategies and initiatives which strive to promote and assure fair housing for it's low and moderate income residents.

Activities such as on-going, case by case counseling services; community education programs, maximum utilization of qualifiable housing units; as well as a closely monitored compliance process are part of the city's action plan.

Housing is one of the basic needs of all human beings. It is one of the most important areas of need to be addressed within city governance due to the fact that for 2000, 47.8% of all families will be eligible to participate in subsidized housing programs according to the definition of low-income persons addressed in section 8.

To date, 4,598 families are participating of some sort of housing assistance, where 1,123 are enrolled in the city's sponsored program. There are approximately 860 families within the city which are not receiving any assistance nor do have the financial purchasing power to buy or rent a decent, safe and sanitary dwelling.

Current housing related statistics show the following.:

- The low and moderate income population do not rent a housing unit because they cannot afford it.
- The median price of a home in Caguas is approximately **\$92,500.00** while the median family income is **\$12,532.00**. This income would permit the purchase of a house worth approximately **\$40,855.00** if a down payment is not required or **\$59,151.00** if the government grants a **\$15,000.00** down payment and the family gets FHA financial aid.

Under the U.S. Department of HUD, lower income is established at \$16,000.00 thus the great majority of the “working poor” in the City will be in a critical position to obtain a home in the near future.

Barriers that affect the supply  
of affordable housing units in Caguas

## **BARRIERS THAT AFFECT THE SUPPLY OF AFFORDABLE HOUSING UNITS IN CAGUAS**

- The lack of an appropriate housing stock
- High mortgage interest rates
- High cost of renting
- High cost of land, especially lots considered highly desirable for housing construction
- High cost of living, low salaries
- High cost of land to developers
- High cost of construction materials
- Infrastructure limitation (specially water and sewer facilities)
- Slow permit approval process
- Limited tax incentives to owners and builders
- Uncertainty among developers as to implementation of Municipal ordinances in regard to property, franchise and construction taxes.
- The development of housing clusters for those who have a high margin to save and thus, to purchase a home.
- The negative credit history of most of the low and very low income householders applying for assistance disqualifying them for assuming a mortgage loan.

- It is estimated that around 13,225 or 50% of Caguas housing stock is still contaminated with lead-base paint, and therefore, unavailable for occupancy until corrected.
- The housing units for the handicaps are inaccessible. According to institutions established in Caguas to assist this community, handicaps residing in Caguas oscillates between 25,000 to 30,000.

**Actions to affirmative  
Fair Housing**

## SECTION 8

According to our housing department, services, counseling and information were provided to 608 families to Section 8 applicants for the period 2002-2003 as follows:

CLASIFICACION	FAMILIES	SINGLE MOTHER WITH CHILDREN	ELDERLY	DISABLE
Domestic Violence		59	2	
Displacement	9	59	5	
Substandard Housing	24	95	9	1
Desplacement for Governmental Action	1			
Homeless	15	2		
Victims of Crime	1	8		
Total	50	223	16	1

**ACTION:** The above persons visited the office because of their housing needs. Ninety five percent of these are within low income budget . Due to the high demand for the services requested and all the families in the waiting list, the Municipality of Caguas is carrying out several projects to promote and improve better housing for low and moderate income families.

**RESULT:** People who participated in the Housing Departments Program should enjoy satisfactory living conditions with rent payments based on the family's income and composition. The Department's goal is to develop a housing program that will maximize the opportunity for families in Caguas to live in sanitary and safe housing.

**ACTION:** Advice is provided to families about their rights and procedures available to file application for housing assistance, against housing discrimination from our housing office, from the other governmental agencies and private owners involved in the housing field. This is accomplished by:

- The provision of a waiting list in non-discriminatory manner for the Section 8, Housing Choice Voucher programs.

- The staff is instructed to apply and follow up all pertinent Fair Housing Laws.
- An appeal procedure has been established and is kept by the department.

**RESULT:** Ten percent of these cases have been referred to private projects, Housing Urban Renewal Corporation and Economic Assistance, with the purpose of providing a solution to their housing problem.

The procedures to notify all that have shown interest in participating in our housing programs will be published in a local newspaper. A holder's packet is provided to all new clients of Section 8, Housing Choice Vouchers program. A certification is signed by all recipients of the information package and counseling.

**ACTION:** In projects requiring acquisition and relocation, information and counseling was provided about displacement, relocation assistance and requirements of Housing Quality Standards for decent, safe and sanitary housing and their rights within the law.

**RESULTS:** Structures were acquired for those requiring relocation. In all cases, the families received the information and were instructed about the relocation assistance provided to displaced home-owners and tenants.

## **HOUSING REHABILITATION PROGRAM**

This program provides construction materials to low and moderate income families to rehabilitate their homes.

The process begins with an orientation to the participants and a list of documents necessary to open a file for assistance. Upon submission of the documents, the families are qualified based on their houses rehabilitation needs

(verified by an inspector) and their family income. This program provided assistance to an average 811 households per year for the years 2000-2003.

## **HOME INVESTMENT PARTNERSHIP PROGRAM**

This program serves the families of low and very low income giving them the opportunity to acquire, rehabilitate or build a safe, hygienic and sanitary home. To receive the assistance they need to qualify with the requirements established for the program.

## **SECTION 8 HOMEOWNERSHIP PROGRAM**

This program helps participants of the Section 8 Program whose income is low and their annual salary is over \$10,300.00. They have the opportunity to become a homeowner.

The Homeownership program will contribute a subsidy aid on a monthly basis to a mortgage bank to cover part of the mortgage cost.

# Needs Assessment

## NEEDS ASSESSMENT

In order to determine the level and degree of imposing impediments of the low and moderate income population in the identification and securing of appropriate and affordable housing, the city has studied and analyzed the following factors:

Housing background information delineates and accounts of violation segregation or integration within the city's census tracts versus the general community norm. Many factual data information has been compiled for the Housing Assistance Plan. Based on the census data of the year 2000, in the Municipality of Caguas there is a total of **140,502** habitants with an annual rate of growth of **.52**, comparatively to the years of **1960, 1970, 1980 & 1990**.

There is a total of **50,568** houses, **34,469 (73.44%)** are occupied by the owners, **12,468 (26.56%)** are occupied by the tenants and **3,631** are vacant. The total urban population is **88,680** and the rural is **51,822**. The median income is **\$27,936.00** with a **46.8%** of the families under low level of poverty. It should be noted that the housing stock available for renters (subsidized rent) in the 1990 Census is 1,506 approximately. This represents a short fall of approximately 150 available housing units for the previous year. In addition, neither the economic profile of the Caguas low and moderate income constituency nor the availability of safe, decent, and sanitary housing to 'house' said clientele will contribute in the future to the resolution of the current city's housing crisis.

Caguas faces a constituency profile of an economic standard below the poverty level, a shortfall of "available" housing stock for renters, an inadequate quantity of vouchers or certificates and on operation "old and transient" housing stock within the urban areas which may be facing an up surge in urban blight if it's not confronted soon.

- *Population Profile*

The jurisdiction, The Municipality of Caguas, P.R. doubled its population during the last 30 years from 65,098 in 1960 to 133,449 habitants in 1990. This represents an increase of 68,349 habitants or 51.2% percent population growth.

According to the Puerto Rico Planning Board's population projections for 1995, its estimate is 140,988. **For the year 2,000 it's projected to be 146,858.** This estimate projects a decade rate of population increase of **10.05% or 13,411** habitants, much lower than the 1980-90 decade.

# Needs Assessment

# FAMILY STATISTICAL PROFILE 2000

**Table I**

## Family Income

	1990*	2000 Projection
Median family Income in Caguas	\$11,432.00	\$12,532.00
Monthly Income	\$952.67	\$1,044.33
30% of Monthly Income	\$282.80	\$313.29
Interest Rate	8%	7.75%
Mortgage Term	30	30
Closing Costs	4.2%	3.0%
Affordable House (0 down)	\$37,313.93	\$70,000
FHA Interest Rate	7.5%	7.75%
Home Grant	\$15,000.00	\$15,000.00
Closing Cost	4.64%	3.0%
Affordable House (FHA, HOME)	\$53,977.86	\$59,151.00

\* According to the 1990 Census

**FAMILY STATISTICAL PROFILE 1990-2000**  
**Table II**

*FAMILY COMPOSITION*

	1990*	2000 Projection
Persons in households	132,734	146,183
Family Households	34,938	46,389
Married-Couple Family	25,046	32,398
Person by Family	3.62	3.98
Female Householder, no husband present	8,257	9,086
Non-Family Households	5,337	5,873
House Holder living alone	4,959	5,457
65 Years and over	2,043	2,248
Median Income in Families	\$11,432.04	\$12,352.00
Per Capita Income	\$4,547.00 (1989)	\$4,925.00
Median Income in Households	\$10,420	\$11,467.00
Families with income in 1989 below poverty level	17,046 = 48.8%	19,354 = 47.9

\* According to the 1990 Census

*According to the 1990 Census and projections:*

46.8% of the Caguas population falls below the poverty level. According to a special tabulation of the Census Data 2000, 46,937 households (82% of total households) had income under \$27,936, household had income below \$17,861 - 46.8% of total households. This is below the HUD adjusted median family for Caguas.

Population Estimate	2000	140,502
Census Population	1990	133,447-(92,429 urban zone – 41,368 rural zone)
Percent Change	1990-2000	10.05
Persons in households		146,183

*Components of change, 1990 to 2000:*

Births	23,768
Deaths	11,330
Natural Increase	12,438
Residual Change	973

*Persons 16 years and over*

*Projections for 2000:*

Person 16 years and over	107,864	(under 16) 38,994
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Labor Force:

Percent in Labor Force (of total)	58.8 (63,424)	Females 42.3 (in labor force)
Civilian Labor Force	53,680	
Percent unemployed	9.2	
Workers	60,440	

Means of Transportation to work:

Percent using car, truck or van	80.3
Percent in Carpools	6.2
Percent using public transportation	13.5
Worked in 1999	59,758
Worked 40 or more weeks in 1999	48,404
Usually worked 35 or more hours per week, 50 to 52 weeks	36,452

Females with own children under 6 years:

Total 10,139 (9.4%)	Percent in labor force	50.5 (5,120)
Own children under 6 years in families and subfamilies, all parents in household in labor force 6,894		

*Civilian non-institutionalized persons 16 to 64 years residing in Caguas*

Civilian noninstitutionalized persons 16 to 64 years		91,689
Percent with a work disability	12.0 (11,035)	Prevent from working 8.7 (960)
Percent with a mobility of self-care limitation		6.8
Mobility limitation		5.6
Self-care limitation		3.8
Civilian noninstitutionalized persons 65 years and over		12,919
Percent with a mobility or self-care limitation		31.5
Mobility limitation		28.8
Self-care limitation		16.0

Percent in labor force of civilian noninstitutionalized persons 16 to 64 years with:

A work disability	20.4
No work disability	62.7
A mobility limitation	14.1
No mobility limitation	59.9

- *Transportation*

Transportation constitutes an indispensable resource to accomplish economic growth. It is assumed that there is a deficit of an appropriate and efficiently operated parking area within the city, thus discouraging potential renters or homeowners from making a decision to become residents in the existing housing stock.

Caguas is the Municipality with the highest percent in the utilization of Public Transportation. The cities around to Caguas use our public transportation. Those cities are Juncos, Aguas Buenas, San Lorenzo, Cidra and Gurabo because they do not have direct transportation to the Metropolitan Area. This represents 22% of the population.

A four year program has been developed and programmed to complete the transportation primary system under the construction improvement program. The City's Consolidated Plan provides a shared transportation system for improvement of the quality of life of all jurisdiction's residents.

According to the 1990 Census, 79.2% of the workers use their own automobile, truck or van to commute to-from work as shown below.

Workers means of transportation to work (projection for 2000)	
Private Automobile	82,219
Carpools	185
Public Transportation	277

The Municipality of Caguas is aware of its responsibility to the handicapped and the elderly and has implemented a public transportation program for these citizens. The public transportation plan for the handicapped is know as "Complementary Paratransit System Plan Of The American With Disabilities Act (ADA) For The Municipality Of Caguas. The purpose of this plan was to initiate transportation for the handicapped and the elderly based on the operation of four vehicles totally equipped for these purposes.

- *Employment*

A recent study by Estudios Técnicos Inc., reflects that over 35% of the gainfully employed within the city are employees of the manufacturing industry. The second largest group falls within the government/public sector.

It should be noted that the potential earning power and their relative purchasing power of a residential unit in Caguas is totally encumbered by the financial prospectus required by most secondary lending institutions. The city shall engage in a “future new construction policy with an innovative financial twist which will permit those in the working class” to purchase a home and /or rent a housing unit.

The Labor Force represents the active economic force, and generates the dynamic economic development. In the Caguas Municipality, City Government labor force is approximately 2,500 employees.

The total employees in 2002, were 63,194; which represents a 17.4% unemployment rate with 58,101 employment and 5,048 unemployment.

The principal employment sectors are:

- Industrial Professional and related Services
- Manufacturing, Sales, Public Administration and Government
- The agriculture represents only 1.3% of employed persons

- *Housing Profile*

Reflective of the condition of housing stock is the proportional difference of rental vs ownership and cost ranges. An independent study conducted by the city's planning staff reflects that:

The current barriers which limit a low and moderate income resident to live in a safe, decent and sanitary dwelling are:

- a. Limited purchasing power, because it has some degree of potentially earning some monies and does not qualify for any type of subsidy to alleviate the rent conditions of a landlord, and eventhough they would qualify for subsidize housing, the city government does not have the resources to assist them in the provision of a housing unit and/or rent.
- b. The housing inventory is not sufficient (in terms of options according to legal specification) so as to satisfy the housing need that many renters are in need of irrespective of full-rent or subsidized rent.
- c. The lack of a network of multi-disciplinary services to all those citizens that qualify and are currently participating in subsidize housing programs and or those citizens which also qualify but are not able to participate in the program for lack of resources at hand.

During the year 2003, the promotion of homebuyers for families of moderate income has expanded very well. This is possible throughtout the promotion of the Grants for the Home Program and The Key to your Home Program. These grants serves the purpose for principlal mortgages to have a lower level of payment, giving better opportunities for the acquisition of a proper home.

In addition, the Municipality of Caguas is developing houses of Social Interest at a cost of \$70,000.00 or less, so that individuals can consolidate other grants making the home acquisition possible.

- *Public Policies*

Need assessment of the existing and future impact of achieving fair housing for all concerned. Of special is interest in the newly implemented revitalization strategies for the Caguas Central Business District which clearly delineates, within a specific zone/sector, the housing and urban homesteading plan to be undertaken. Most importantly, these actions/activities will be achieved without causing undue displacement or relocation hardships to low and moderate income constituents. Our Consolidated Plan for years 2000-2005 delineates our low and moderate income plan for our inner City for that period. Several sectors will be revitalized or reconstructed based on a 25-year development plan by internationally-known architect Antonio DiManbro.

- *Institutional Practices*

The lending practices of Commercial Banks and Mortgage Institutions are about the same except for the percentage of debt financed. Mortgage Institutions finances up to 97% of the loan and the banks provide only 80% of FHA loans.

Persons who want to adquire housing through a Bank must fill an application, reporting their income and debt. Based on the provided information the bank pre-qualifies the applicants. The average cost of a house is approximately \$92,500.00 at present.

The bank will then request additional documents to fully qualify the applicants.

These documents are:

1. The housing assessed value
2. The housing deed
3. Debt certification of the property
4. Employment verification
5. Letter explaining the purpose of the loan and the source of the down payment.
6. A check for \$300.00 for appraisal, credit study and any additional documents that they understant will be required.

When the applicant presents all required documents the authorized official evalutes them in a term of no more of 90 days. Then they notify the applicant if approval was granted. This evaluation includes the sum agreed for financing (FHA is 80%, conventional 97% and veterans 100%). The terms for financing will be 30, 20 or 15 years depending on the prevailing marketing loan interest which as of to date is 7.75 to 7.0 (up to 7.98 APR and 7.59 APR). If the Bank approves the mortgage loan, the applicant will present a down-payment and pay the closing costs. They will then proceed to sign the deed and the bank will provide a copy to the applicant.

- *Community Institutions*

The main services and facilities for the homeless in the Municipality of Caguas are:

1. Emergency Shelter for Men
  - a. Los Peregrinos
  - b. Hogar Resurrección
  - c. Villas Del Peregrino
  - d. Programa REDES
2. Hogar de Crianza for Children (since 3/95)
3. Institution for Children - shelter (since 3/95)  
- La Cuna San Cristóbal
4. Substitute Homes for the elderly (since 3/95)
5. Institution for the Elderly (since 3/95)
6. Substitute home for the mentally Ill (since 9/93)
7. Groups housing for the mentally Ill (since 9/93)
8. Geriatric Aid for the mentally Ill (since 9/93)
- 9 Shelter/Services for drug and alcohol abusers  
- Centro Nuevas Actitudes
10. Shelter for HIV/AIDS patients and substance abusers
  - a. Remanso La Esperanza
  - b. Sueño De Amor
11. Emergency shelter for women
  - a. Hogar La Piedad
  - b. Casa San Gerardo

12. General assistance programs - Several civic and religious programs

The Department of Citizens Affairs will continue to strengthen, develop and protect the handicapped, the elderly and the veteran population. The program for the handicapped, plans to continue providing services to the severely handicapped such as home services, medical, transportation to medical facilities supplies and equipment to improve their living conditions. All services will be provided along with the State Council for Developmental Disabilities and with the Municipal Office of Services to the Handicapped. The program will also continue coordinating with community organizations for ramp installation and access to sporting facilities.

The Veterans Program plans to continue bringing orientation services on a free basis in relation to disability benefits education, health, home loans and others.

The Geriatrics Program plans to continue providing health information services, nutrition, recreation, and housekeepers services to the elderly population.

All of these institutions may positively impact fair housing.

**STRUCTURAL CONDITIONS OF HOUSING  
MUNICIPALITY OF CAGUAS 1990**

		Standard				
Tenure	Total Housing Stock	Standard	Total	% Total Housing Stock	Suitable for Rehab.	% of total substandard units
Total Housing Stock	50,568			100%		
Occupied Units	46,937			92,8%		
Owner Occupied	34,469			73.4%		
Renter Occupied	12,468			26.6%		
Vacant Units	3,631			5.6%		

**Source:** *P.R. Planning Board, Bureau of the Census, 2000 of Census of Population Planning - SFT3A, Caguas*

## STRUCTURAL CHARACTERISTICS \*

All housing Units	50,568
All occupied housing units	46,937
Urban Zone	28,491
Rural Zone-Town	8,717

### Bedrooms per unit:

None or one	7.5%
4 or more	14.5%
Condominium	1.8%
All owner -occupied housing units	34,469
Urban Zone	
Rural Zone-Town	5,259

### Specified owner-occupied housing:

Adequate original construction	41,941
Construction rated sound	40,426
Built with concrete walls and concrete slabroof	36,861
Units with a mortgage	12,377
Not Mortgaged	14,512
All renter - occupied housing units	12,468
Percent with householder moved into unit	35.1 (1989 to march 1990)
Specified renter paying cash rent	175 (Median gross rent (dollars))
Median gross rent as a percentage of household income in 1989	23.7%

\* According to the 2000 census

**Caguas**  
**Distribution of Income**  
**as Reported in the Census**  
**Projection For 2000**

Personal Income Brackets		Households	Percent of Total
<i>From</i>	<i>To</i>		
\$0	\$1,000	580	1.6%
\$1,000	\$2,500	1,586	4.1%
\$2,500	\$5,000	2,686	6.7%
\$5,000	\$7,500	3,431	8.7%
\$7,500	\$10,000	4,443	11.2%
\$10,000	\$12,500	4,186	10.5%
\$12,500	\$15,000	3,125	7.9%
\$15,000	\$25,000	8,721	22.0%
\$25,000	Or more...	10,826	27.5%
<b>Total</b>		<b>39,584</b>	<b>100.00%</b>

**Caguas**  
**Effective Demand for Housing**  
**1994-1998**

Income Brackets		Number of Households	Price of Housing Unit		Effective Demand	In Market	Accumulated	Average per year
<i>From</i>	<i>To</i>		<i>From</i>	<i>To</i>				
\$0	\$4,318	6,836	\$0	\$19,645	950	0	0	0
\$4,318	\$8,637	7,089	\$19,645	\$33,734	986	0	0	0
\$8,637	\$12,236	5,528	\$33,734	\$44,264	768	311	311	39
\$12,236	\$17,994	7,599	\$44,264	\$59,799	1,056	1,056	1,056	132
\$17,994	\$25,191	5,954	\$59,799	\$77,746	828	828	828	103
\$25,191	\$35,987	5,391	\$77,746	\$102,683	749	749	749	94
\$35,987	\$50,382	3,923	\$102,683	\$133,500	545	545	545	68
\$50,382	\$71,974	2,470	\$133,500	\$176,321	343	343	343	43
\$71,974	\$86,368	717	\$176,321	\$203,266	100	100	100	12
\$86,369	\$107,961	606	\$203,266	\$241,910	84	84	84	11
\$107,961	or more	466	\$241,910	or more	65	65	65	8
<b>Total</b>		46,579			6,475	4,082	4,082	510

**MAP OF POPULATION  
BY WARD  
CAGUAS 1990**

**POPULATION PROJECTIONS  
YEARS 1990-2025  
MUNICIPALITY OF CAGUAS**

**HOUSING AND  
COMMUNITY DEVELOPMENT  
STRATEGY**

## **HOUSING AND COMMUNITY DEVELOPMENT STRATEGY**

It constitutes our main goal to promote the quality of life, particularly for very low income and low income persons, by assisting the communities in the development of suitable living environments, by providing safe and viable neighborhoods, revitalizing deteriorated areas, preserving properties of special historic architectural or aesthetic value and strengthening partnerships among all levels of government and private sectors to provide decent housing.

*Note: The Municipal Department of Housing is mainly responsible for several federal Housing Programs: Home, Minimal Rehabilitation (CDBG), Section 8 Program, and Residents Initiatives for Section 8 participants. This Department partners with private entities in the implementation of The Home Program.*

Community Development Programs are mainly the responsibility of several Municipal Departments as Housing, Sports and Recreation, Culture, Citizen Affairs, Police, and Economic Development. Homeless Program is coordinated mainly with private non-profit institutions.

The Municipality of Caguas established communication with M.J. Consulting, the private agency that administers public housing in Caguas, in order to give follow-up to the needs expressed by public housing residents. The Municipality of Caguas is also in the process of developing links with non-profit private organizations to formalize referral process to satisfy the needs of the Caguas Population.

*- Housing needs will be addressed mainly by:*

- a) Maintaining operation of Section 8 Rental Assistance Program.
- b) Assisting Section 8 participants to become firsttime homebuyers.
- c) Attracting participation of rental homeowners to Section 8 and Home Program.
- d) Providing for development of a public housing project.
- e) Rehabilitating owners-occupied housing units.
- f) Assisting low income families to obtain ownership titles.
- g) Assisting development of Community Housing Development Organization Services (CHDOS) and monitoring Fair Housing Choice.

AFFIRMATIVE FAIR HOUSING  
PROGRAM AND  
ACTION PLAN

## **AFFIRMATIVE FAIR HOUSING PROGRAMS**

Based on the analysis presented in the previous section and taking into consideration public and institutional policies, demographic trends, possible and emerging impediments; the City of Caguas will promote the following Affirmative Fair Housing objectives:

1. Community Education  
Civic/Social Groups  
Religious organizations  
Self-Help Support Network

Expected result: Outreach to the community to improve the quality of life of low and moderate income families

2. Outreach to Private Sector  
Banking and secondary mortgage institutions, public-private foundations and corporations

Expected result: To develop an outreach dialogue with non-profit institutions to deal with innovative, non-traditional housing and insure the satisfaction of the Fair Housing public

3. Organizational Life of the business, Civic/Cultural, Religious community  
Develop neighborhood pilot programs

Expected result: Assist neighborhood or resident organizations in pursuing an affirmative housing choice for all concerned

4. Program Monitoring  
Design and recommend new policies and program activities that would better serve the low and moderate income families of the City

Expected result: Enable the City to receive a better apportionment of

- programs and serve the emerging “homeless” class in Caguas
5. Formulation of public policy  
Target new ordinances and proclamations to improve the utilization of existing and future housing stock

Expected result: Development of innovative housing programs to extend and solidify minimal rehabilitation procedures for below-poverty level families

6. Support Fair Housing policy  
To observe the policy of “Fair Housing Choice”

Expected result: Watch for compliance with Municipal Ordinance Number 38, Series 1991-92 of November 6, 1991, “Fair Housing”. Perform the necessary actions to overcome obstacles to fair housing in Caguas.

7. Reduce the risk of lead-based paint to a minimum  
Give follow-up to State agency activities in terms of problem detection and main priorities

Expected result: Identify sources and request funds to abate lead-based contamination

## FAIR HOUSING ACTION PLAN

The City's action plan to ensure a legally-binding and program-responsive strategy to ensure "Affirmative Fair Housing" under 24 CFR Section 570.904 © will take into consideration the following elements:

- The "fair housing choice" of each individual will be protected and the law will be enforced so as to provide or make available the same housing choices regardless of race, color, religion, sex, national origin or income levels to all concerned
- All administrative policies concerning community development and related housing activities and programs will be executed in a fashion which will not affect the opportunities of minorities and/or low income families to select housing inside or outside their area of minority concentration
- Comply with the requirements of the FHA specified in Part 570.904 © of the CFR (CDBG) and supervise the mechanism that the Municipality of Caguas has to empower them
- Present resolutions that provide laws for executin the equal housing program and create equal opportunities in the Municipality Administrative policies
- Insure compliance with all policioes regarding HUD and State housing programs
- Supervise and encourage the application of anti-discriminatory laws in activities under HUD funded programs particularly in those cases where the rehabilitation law of 1973 applies

- Provide a communication system for the hearing-impaired (TDD) and services for the blind by braille and oral interpreters. The Family Services Department will provide the services in coordination with other municipal agencies
- Execute Part 570.904 of the Fair Housing Review Criteria (CDBG) to verify that the recipient has carried out its CDBG-funded program according to civil rights certification and requirements act relating to Equal Employment Opportunity, equal opportunity in services, benefits, and participation; and that he is affirmatively furthering fair housing

Additionally, the City administration will continue to provide, in an affirmative and “program-responsive” fashion, its subsidized housing programs for low and moderate income constituents. Will also pursue the identification and implementation of other housing programs which will target their resources to the City’s most needy groups.

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Municipal Housing Department



## **ATTACHMENT 1**

### **BRIEF STATEMENT OF PROGRSS IN MEETING IN THE FIVE-YEARS PLAN MISIÓN AND GOALS**

*The Municipality of Caguas has increased the viability of affordable housing through means of the project development of those private and social interest that are accessible to families of moderate income; such as:*

- *Troche*
- *Idamaris Gardens I & II*
- *Alturas de Beatriz*
- *Estancias del Bosque*
- *Notre Dame Apartments*
- *Balcones Las Catalinas*
- *Casa Rosa*
- *Fundación de Hogares para Trabajadores en el CTU*
- *Bosque Verde*
- *Sector Muñoz Grillo*
- *Hogar Las Catalinas*
- *CHDO El Camino Safe Haven*
- *Apartamentos Borikén*
- *CHDO Villas El Peregrino*
- *CHDO Hogar la Piedad*
- *CHDO Fundación Socio-Educativa*

*During this year 2003, the Municipality will proceed with the Administration of Residential Public Housing, i.e. “José Gautier Benítez” (in Caguas) to improve the living conditions and standards, better quality of live.*

*We have increased the opportunities, to the Section 8 participants to obtain their own property, because the Municipality implements the Homeownership Program. At presents the Municipality close five cases.*

***ATTACHMENT 2***

***COMPONENT 3 (6) – DESCONCENTRATION AND INCOME MIXING***

*This section does not apply to Section 8 Tenants Based, based on the Template instruction.*

***ATTACHMENT 3***

***VOLUNTARY CONVERSION REQUIRED INITIAL  
ASSESEMENT***

*This section does no apply to Section 8 Tenants Based, based on the  
Template instruction.*

## ***ATTACHEMENT 4***

### ***DESCRIPTION OF THE PHA'S IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENTS***

*The PHA is actually associated with the services that the WIA Program offers within the "Caguas-Guayama Consortium". Based on this program, we offer orientation to the community and to the program participants. In general, services provided are:*

- Employment Orientation*
- Education*
- Diversified alternatives of housing and others*

*The Community Service does not apply to Section 8 Tenant Based.*

## ***ATTACHMENT 5***

### ***DESCRIPTION OF THE PHA'S PET POLICY***

*The Municipality of Caguas permits only special cases of Section 8 participants to have guide dogs for the blind and/or pets for the elderly.*

***ATTACHMENT 6***

***MOST RECENT BOARD APPROVED OPERATING BUDGET***

*This section does not apply.*

## **ATTACHMENT 7**

### **ANNOUNCEMENT OF MEMBERSHIP OF THE RESIDENT ADVISORY BOAR (RAB)**

1.	<i>Altagracia Tejera</i>	34
2.	<i>Carmen Ayala</i>	131
3.	<i>Carmem Mass Rosario</i>	132
4.	<i>Carmen Velásquez</i>	1220
5.	<i>Célida Ortiz</i>	650
6.	<i>Crisanta Dávila</i>	878
7.	<i>Delia M. Merced</i>	V-008-63
8.	<i>Ida Delgado</i>	100
9.	<i>José A. Robles</i>	V-008-117
10.	<i>Luz E. Gómez</i>	1411
11.	<i>Marcelo Murillo</i>	207
12.	<i>María del C. Mojica</i>	466
13.	<i>Martín Pérez</i>	925
14.	<i>Mildred Rivera</i>	615
15.	<i>Miriam Gómez</i>	1411
16.	<i>Paula de la Cruz</i>	320
17.	<i>Rafael Segarra</i>	673
18.	<i>Rosa N. Rodríguez</i>	198
19.	<i>Sonia Román</i>	42
20.	<i>Zoraida Montañés</i>	768

## **ATTACHMENT 8**

### **RESIDENT ADVISORY BOARD RECOMMENDATIONS**

***Mentally ill and Handicap persons need housing that are accessible according to their necessities. This topic should be brought to the attention of the homeowners so that rental units would have these facilities available.***

*Homeowners can also explore the possibility of obtaining federal, state, and municipal funds to rehabilitate the unit for the purpose of implementing such facilities. These facilities should be structure to include railing ramps, banisters in the bathrooms, special sinks and showers, toilets, etc. If the units are apartment buildings, the lower floors should be assigned to the handicap.*

*ASUME “Child Support” cases that payments are not up-to-date, should have a follow-up process which will identify those cases that are behind and at the same time request that continuous evidence of payment be reported to our Agency in a confidential matter. The participant should sign this agreement. Child support debts should not be reported as an income.*

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*Create workshops with federal, state and municipal agencies, as well as with private firms; to educate and establish housing conscientiousness.*

## ***CONT. ATTACHMENT 8***

*There are some Unemployment agencies that offer their services and really help out in the search of job placement. The Department of Social Services also has a similar program.*

*Attractions and more incentive should be provided to the homeowners to have them become interested in enlisting their property through the Section 8 Program. This will minimize the cases that request extensions for property location and will give more options and opportunity to the participants.*

*Orientate the participants of their rights and responsibilities in pertaining to the Section 8 Program.*

***The Consolidated Plan gives support to the PHA Plan in related***

*actions to minimize the necessities of housing. It establishes the statistics of necessities of families in the Municipality of Caguas, and searches for strategies for short and long terms.*

***ATTACHMENT 9***

***RESIDENT MEMBER OF THE PHA GOVERNING BOARD***

*The members of the PHA Plan requested the presence of the resident to invite them to form part of the Resident Board Member. The orientation has commenced in order to begin this process.*

***ATTACHMENT 11***

***DEFINITION OF SUBSTANTIAL DEVIATION AND  
SIGNIFICANT AMENDMENT OR MODIFICATION***

*The Municipality of Caguas-Autonomus will participate in a  
Administrative Pilot Project of the Department of Public Housing of*

*Puerto Rico to administer 492 residential public housing “José Gautier Benítez”.*

*The Municipality will receive Federal Funds assigned for Building Rehabilitation Maintenance, Personnel Administration Expenses and the Development of Integrated Programs, which are directed to develop residents’ autosufficiency. This will improve their quality of live.*

*The agreement for the Administration of the Department of Public Housing “José Gautier Benítez” will be for a period of two (2) years, commencing the 2nd. quarter of the year 2003.*

## **UNIDAD DE RENTA SUBSIDIADA, SECCION 8**

### **PROGRAMA COMPRADORES “HOMEOWNERSHIP”**

El Municipio Autónomo de Caguas tiene interés en implantar dentro del Programa de Renta Subsidiada, Sección 8, administrado por el Departamento de Vivienda Municipal, el Programa de Compradores que fue autorizado dentro de la Ley titulada “Quality Housing & Work Responsibility Act” de 1998, según enmendada. Esta ley provee la oportunidad para que los participantes del programa Sección 8 puedan adquirir mediante compraventa de una propiedad o vivienda. Pueden utilizar el “voucher” de Sección 8 para pagar el préstamo hipotecario.

#### **FUNDAMENTO LEGAL**

El Programa de “Vouchers” de Sección 8 fue autorizado por la Ley de Reforma de Vivienda Pública de los Estados Unidos de 1937 y enmendado por la Ley de Calidad de Vivienda y Responsabilidad de 1998 para incluir el Programa de Compradores. Este Programa de Compradores al igual que el Programa de “Vouchers” tiene como objetivo el proveer una vivienda **sana, segura y asequible** a personas de bajos ingresos. El Municipio Autónomo de Caguas como PHA tiene la facultad de administrar este nuevo programa.

#### **OBJETIVO DEL PROGRAMA**

El objetivo del Programa de Compradores es proveer ayuda para que pueda el participante tener una vivienda propia, mediante el pago parcial o total de la hipoteca del préstamo que garantiza la vivienda.

El programa en su primer año de implantación será limitado inicialmente a siete (7) familias, pero nunca excederá el 25% del total de vouchers asignado.

## **CRITERIOS DE ELEGIBILIDAD**

- ✓ La familia participante será elegible si cumple con los requisitos establecidos por HUD y por el Municipio Autónomo de Caguas. A estas familias se le entregará la información que explica en que consiste el Programa de Compradores, los requisitos y obligaciones del participante.

Entre los requisitos están:

- La familia debe haber participado del Programa de “Vouchers” de Sección 8 por lo menos un año previo a antes de solicitar.
- La familia debe cumplir con los requisitos para continuar su participación en el Programa de Sección 8.
- El participante debe estar en cumplimiento satisfactoriamente con el Programa de Sección 8, incluyendo, no tener deuda por renta.
- El participante debe estar en “good standing” con el PHA
- Para comenzar en el Programa de Compradores la familia debe cumplir con alguno de estos:
  - Primer comprador (que no haya sido dueño de una propiedad en los últimos 3 años), o miembro de una Cooperativa de Vivienda; o
  - Si existe en el núcleo familiar alguna persona con impedimento, que la vivienda sea necesaria para hacerla accesible a dicha persona.
  - La familia debe tener un ingreso mínimo de \$10,300.00 anuales (Ej: 2000 horas a \$5.15) salario que se revisará de acuerdo al salario mínimo federal) Dentro del núcleo familiar debe haber algún adulto que demuestre un historial de estabilidad de empleo.

- No haber participado en el Programa de Compradores anteriormente y haberlo dejado, quedando atrasos en el préstamo, no podría participar en el programa.
- Presentar Certificación del CRIM como que no posee ninguna propiedad a su nombre
- No tener deuda contributiva con Hacienda
- Haber radicado Planillas de Contribución sobre Ingresos por los últimos cinco (5) años; de lo contrario debe presentar un Affidavit que indique la razón por lo que no radicó planillas.

### **REQUISITOS DE LA UNIDAD A ADQUIRIR**

Para que la vivienda a comprar sea aceptada en el Programa de Compradores, ésta debe cumplir con los requisitos de HUD y del PHA. Entre los requisitos que debe tener la unidad a ser seleccionada por el participante se encuentran:

- ✓ Unidad de vivienda existente o en construcción, pero que este terminada al momento de darse el “Housing Assistance Payment”.
- ✓ Unidad individual, sujeta al régimen de propiedad horizontal como por ejemplo una unidad de vivienda en condominio, “walk-ups”
- ✓ Cumplir con los “Housing Quality Standards”, antes de hacer el Contrato de Venta.
- ✓ Inspección de un **Inspector independiente certificado**, que incluya todo lo relacionado, según la reglamentación, que certifique que la propiedad a ser adquirida carece de deficiencias, copia del cual debe someterse a la Agencia de Vivienda.
- ✓ La familia debe identificar y adquirir mediante compra venta una propiedad en un término de ciento ochenta (180) días. De no adquirir la unidad en ese período, tiene que solicitar una extensión de tiempo al PHA y de no cumplir con este requisito deberá devolver el voucher.

- ✓ La familia debe obtener el financiamiento hipotecario en el mismo período tiempo, siendo responsabilidad de la familia el obtener el financiamiento hipotecario.

## **PROPIEDAD A SER OBTENIDA**

- El vendedor podrá ser Municipio, Corporación Privada, individuo o sociedad, o entidad sin fines de lucro que cumpla con los requisitos de ley. El vendedor no puede haber sido desaforado, suspendido o que sus proyectos hayan sido limitados por el Departamento de Vivienda Federal.
- El vendedor de la propiedad no podrá proveer el financiamiento hipotecario de la vivienda, salvo que sea esto una propiedad reposeída por la institución financiera.

## **AYUDA EN CONSEJERIA**

- Las familias deberán asistir a consejería para adquirir una vivienda y haber completado el adiestramiento que será ofrecido por el PHA o la Banca Privada. Este será gratuito para los participantes. El PHA se reserva el derecho a ofrecer consejería o a solicitar cooperación de la Banca Privada o a utilizar una organización capacitada la cual puede estar certificada por HUD para proveer consejería.

El programa de adiestramiento debe incluir consejería para la adquisición antes de la compra y luego de adquirir:

- ✓ ¿Cómo mantener en buenas condiciones la unidad?
- ✓ ¿Cómo hacer un presupuesto con sus ingresos y cómo administrar el dinero?
- ✓ Consejería para mantener un buen crédito

- ✓ Consejería para obtener financiamiento y los tipos de financiamiento que existen en el mercado.
- ✓ ¿Cómo buscar una vivienda y ver qué beneficios tiene una propiedad sobre otra? (ej. Area urbana vs. Area rural)
- ✓ Derechos que tienen los compradores de vivienda.
- ✓ Orientación para obtener un seguro adecuado para la propiedad.

Si la entidad que provee la consejería no fuese un “HUD approved counseling agency”, el PHA verificará que el contenido del seminario sea consistente con las guías establecidas en el programa de consejería establecido por HUD.

## **FINANCIAMIENTO**

El participante es responsable de obtener financiamiento hipotecarios para la unidad a comprar. El financiamiento deberá ser ofrecido por una entidad autorizada para proveer financiamiento por el gobierno estatal o federal y deberá cumplir con los requisitos o procesos de evaluación (“underwriting”) del mercado secundario y de la banca hipotecaria. El PHA no asume la responsabilidad de obtener el financiamiento para la familia.

El PHA revisará el tipo de financiamiento que le ofrecen al participante podrá denegar el mismo si las condiciones para obtenerlo o los terminos del financiamiento son onerosos o que hagan que los costos mensuales sean imposibles de cumplir por parte de la familia.

El costo de la unidad no deberá exceder \$ 99,000. La cantidad a financiarse no pasará del 97% del valor de la propiedad, excepto en los casos que el financiamiento por el mercado secundario permita exceder este parámetro.

La familia es responsable de cumplir con los requisitos de la Institución hipotecaria que estará evaluando su caso. Estas instituciones deben cumplir con el “Equal Credit Opportunity Act”:

- ❖ El Municipio tendrá una lista de las Instituciones Financieras que ofrecen este tipo de financiamiento y podrá proveerla al participante, pero éste escogerá a quién recurriría.
- ❖ El PHA ni el Departamento de Vivienda Federal serían considerados co-deudores ni tienen responsabilidades en la hipoteca solicitada.
- ❖ El PHA no ofrecerá información a la institución financiera sin que la familia lo autorice por escrito.
- ❖ La institución financiera enviará copia del documento de financiamiento con los ingresos reportados por el Participante y esto se verificará con los ingresos reportados al PHA. Si la información ofrecida por el participante no coincide con la de la institución financiera se procederá con el proceso de cancelación de contrato.

### **OBLIGACIONES DE LA FAMILIA PARTICIPANTE**

- El participante no podrá vender, donar, ceder, permutar o empeñar el inmueble, sin la previa autorización del PHA, mientras reciba la asistencia.
- Deberá cumplir con los pagos del préstamo hipotecario.
- Deberá cumplir con todos los requisitos del Programa de Sección 8 (Vouchers)
- Deberá notificar al PHA si tiene planes de mudarse de la propiedad
- Deberá asistir a citas programadas por el PHA
- Ninguna persona del núcleo familiar podrá entrar en adquisición de otra propiedad.
- Si la familia entra en incumplimiento, “default” con la institución hipotecaria, deberá notificar al PHA dentro de tres (3) días luego de haber recibido la notificación del incumplimiento, de no hacerlo así podremos comenzar con el proceso de cancelación de contrato.
- Miembros de la familia no pueden cometer fraude, soborno u otro delito criminal con relación al programa.
- Miembros de la familia no pueden estar involucrados en actividades de drogas o de violencia criminal.

- La familia deberá suplir información anualmente, requerida por el PHA para la re-evaluación de la composición familiar y su ingreso.
- Luego de seis (6) meses de haber comprado la propiedad, la familia deberá someter una certificación de que los pagos de la hipoteca, seguros y utilidades están al día.

## **OBLIGACIONES**

- ✓ La forma en que se va a hacer los pagos a las instituciones financieras serán mediante transferencia electrónica, mediante un acuerdo por escrito con la institución.
- ✓ El subsidio del pago de la hipoteca será hasta quince (15) años, si la hipoteca es de veinte (20) o más años. Si la hipoteca es menos de 20 años, sólo podrá dar el subsidio hasta un máximo de diez (10) años.
- ✓ Envejecientes o personas con impedimentos que al momento de solicitar los beneficios de este programa tengan la condición, recibirán ayuda por el término de la hipoteca; la clasificación será al momento de obtener la ayuda del programa..

## **PORTABILIDAD (PORTABILITY)**

El participante tiene derecho a portabilidad pero sólo si el PHA al que se muda corre un programa similar y acepta familias adicionales en su plan.

## **APORTACION DEL MUNICIPIO**

La aportación del Municipio al pago de la hipoteca será igual a la aportación que está realizando al arrendador al momento del participante entrar al Programa de Compradores y ninguna excederá al Payment Standard. La aportación a la hipoteca se calcula de la siguiente manera:

1. Se calcula primero el Total Tenant Payment

Family Total Tenant Payment es la cantidad mayor de:

- 30% del ingreso mensual ajustado
- 10% del ingreso bruto ajustado
- Renta Mínima establecida

2. Luego se calcula el Gasto Mensual de la Hipoteca que son:
  - Principal e interés de la hipoteca
  - Seguro hipotecario
  - Contribuciones sobre la Propiedad
  - Seguro de Propiedad
  - Utilidades pagadas por el Municipio
  - Aportación del Municipio para el Mantenimiento
  - Aportación del Municipio para reparaciones mayores
  - Cuotas de mantenimiento
  
3. La aportación del Municipio se obtiene seleccionando el más bajo de:
  - Payment Standard- Family Total Tenant Payment (TTP)
  - Gasto Mensual de la Hipoteca-Total Tenant Payment

Si el pago de la hipoteca excede el payment standard es responsabilidad de la familia realizar el pago adicional a la institución. El Payment Standard utilizado para el cálculo de la asistencia en la propiedad será el más alto de :

- El que tenía al comenzar en el Programa
- El utilizado durante el último re-examen

Para el cálculo del subsidio en el re-examen anual, el valor de la propiedad no se contará como un activo de la familia.

La porción del pago de la hipoteca que le corresponde al Municipio se hará directamente al banco.

## **OBLIGACIONES DEL PHA**

- El PHA realizará el pago a la institución financiera mediante deposito directo, haciendo referencia a nombre de la familia.
- Al participante del programa se le otorgara un período de 180 días para conseguir una vivienda, y una prorroga adicional de 30 días, de no conseguir se procederá con el proceso de cancelación del voucher. Para facilitar este procedimiento de conseguir vivienda se ofrecerá una lista de viviendas para comprar disponibles en el pueblo de Caguas

- **Política sobre gastos permisibles de cierre:**

Se permitira que los participantes del Programa puedan utilizar fondos de los siguientes programas para cubrir sus gastos de cierre:

- Programa HOME
- La Llave para tu hogar
- Autoridad para el Financiamiento del Departamento de la Viviendas
- First Home Club de Doral Bank, o de cualquiera otra institución hipotecaria que tenga un programa de ahorro para la adquisición de una vivienda.

- **Políticas sobre preparaciones necesarias antes del cierre:**

- Si la vivienda que se va a seleccionar para la compra tiene deficiencias, se le solicitara un estimado de gastos de rehbilitar la vivienda, tanto de materiales como la mano de obra, fotografía de la estructura,y demás documentos que entendamos son necesarios para la evaluación del caso. Para determinar si la vivienda es elegible una vez rehabilitada, debemos tener una evaluación de cuanto tiempo toma la misma y si es viable o no de acuerdo al tiempo que tienen disponible. Se tomara en cuenta la infraestructura disponible.

- **Política sobre el costos de la vivienda a ser adquirida:**

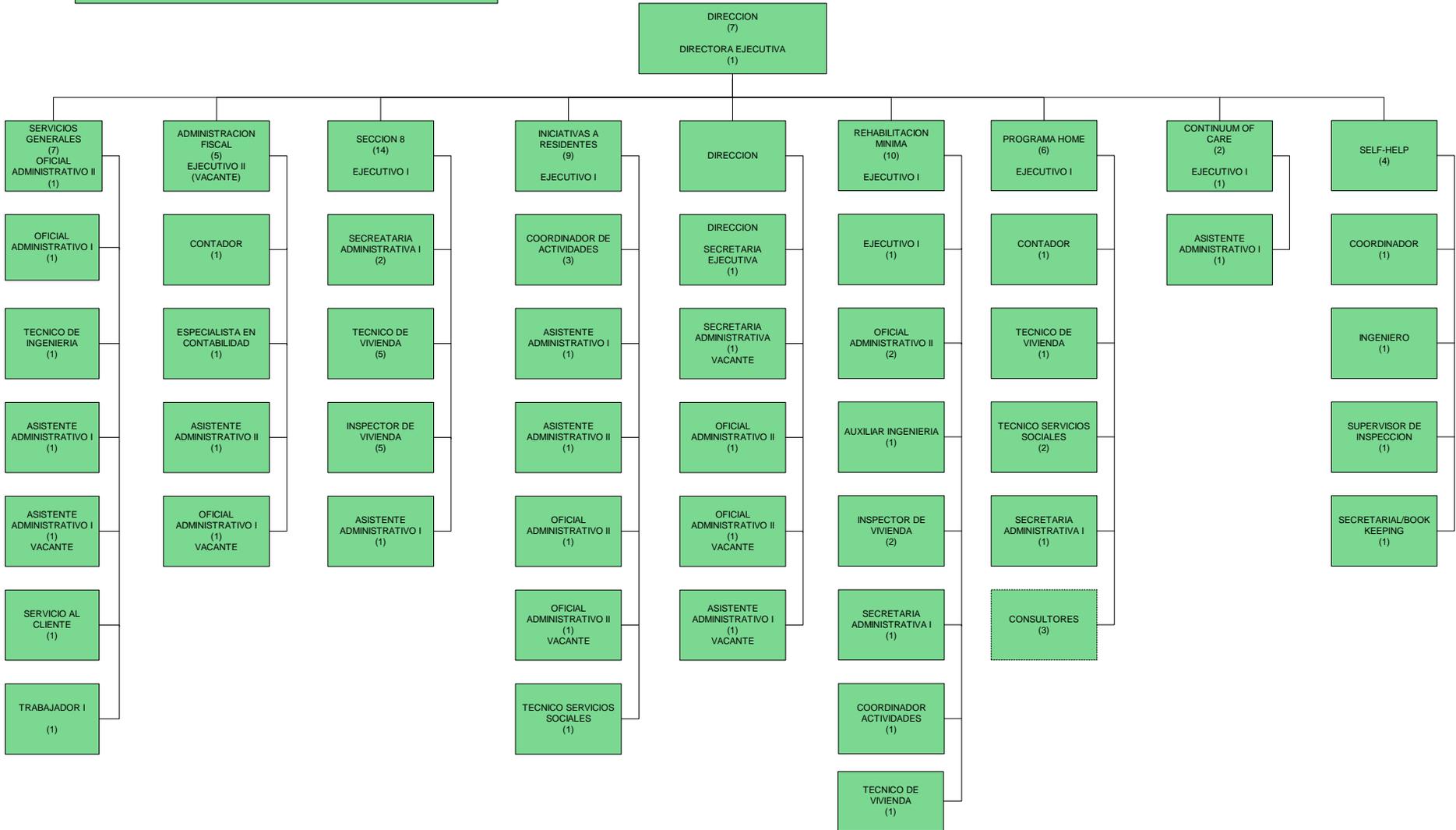
- Si la vivienda excede los \$99,000, el PHA se reservará el derecho de no permitir la compra, independientemente que cumpla con los Housing Quality Standard.
- Una vez se evalúe el caso si el PHA determina que el costo de la vivienda sometida, no es viable para la capacidad de pago de la familia no aprobará la misma.

- **Política sobre cambios en el núcleo familiar del participante que adquiere la vivienda**

- Cada año se llevará a cabo una revisión anual sobre la composición familiar y los ingresos.
- Si muere el participante que era el jefe de familia, los remanentes tendran derechos hasta el momento de la revisión anual, de continuar con el beneficio de homeownership, una vez se realice la entrevista de re-examen se procederá a efectuar el cambio para alquiler.



MUNICIPIO AUTONOMO DE CAGUAS  
DEPARTAMENTO DE VIVIENDA  
(60)



## **RESIDENT ADVISORY BOARD RECOMMENDATIONS**

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