

# PHA Plans

## Streamlined 5-Year/Annual Version

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

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

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

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# Streamlined 5-Year Plan for Fiscal Years 2005 - 2009

## Streamlined Annual Plan for Fiscal Year 2005

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

## Streamlined Five-Year PHA Plan Agency Identification

**PHA Name:** Housing Authority of Fulton

**PHA Number:** KY043

**PHA Fiscal Year Beginning:** (mm/yyyy) 04/2005

**PHA Programs Administered:**

**Public Housing and Section 8**

Number of public housing units:  
 Number of S8 units:

**Section 8 Only**

Number of S8 units:

**Public Housing Only**

Number of public housing units: 211

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

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

**Public Access to Information**

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

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

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

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

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

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

- Main business office of the PHA
- PHA development management offices

Other (list below)

## **Streamlined Five-Year PHA Plan**

### **PHA FISCAL YEARS 2005 - 2009**

[24 CFR Part 903.12]

#### **A. Mission**

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

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The mission of the Housing Authority of Fulton (HAF) is to provide drug free, decent, safe and sanitary housing for eligible families and to provide opportunities that promote self-sufficiency and economic independence for residents.

In order to achieve this mission we will recognize residents as our ultimate customer, improve HAF management and service delivery efforts through effective and efficient management of HAF staff, seek problem-solving partnerships with residents, community and government leadership, and apply limited HAF resources to the effective and efficient management and operation of HAF programs.

#### **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.

The Housing Authority of Fulton elects to use its own goals and objectives which are as follows:

**Goal 1: To promote the overall goal of drug free, decent, safe and sanitary housing.**

Objectives:

1. To ensure a social and economic mix of residents within each HAF neighborhood in order to foster social stability and upward mobility by applying a broad range of incomes and adhering to the local preference policy regarding working families.

2. To ensure the financial stability of HAF.
3. To lawfully deny admission or continued occupancy to applicants or resident whose presence in a HAF neighborhood is likely to adversely affect the health, safety, comfort or welfare of other residents or the physical environment of the neighborhood or create a danger to HAF employees.
4. To ensure elderly families can live in the HAF as long as they are able to live independently and/or have someone to help them live independently as in the case of a live-in aid.

**Goal 2: Comply in letter and spirit with the Title VI of the Civil Rights of 1964, and all other applicable federal laws and regulations to ensure that admission to, and continued occupancy in, the HAF are conducted without regard to race, color, religion, creed, sex, national origin, disability, or familial status.**

Objectives:

1. To continue to use a brochure describing these civil rights. The brochure is given to all upon application, initial lease-up, and recertification. It describes what rights the families have and where to get assistance if they believe their rights have been violated.

**Goal 3: Improve the quality of life for residents by continuing established resident services programs, including the ROSS RSDM Program which provides supportive services to our families and provides educational and job training opportunities to residents through the Computer Learning Center.**

Objectives:

1. Even with shrinking federal financial assistance, the HAF will at least maintain these initiatives at their present level.
2. Complete an application under the ROSS NOFA.
3. Provide educational computer classes to residents and job training programs through the Computer Learning Center.

**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)

# Streamlined Annual PHA Plan

## PHA Fiscal Year 2005

[24 CFR Part 903.12(b)]

### Table of Contents

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

#### **A. ANNUAL STREAMLINED PHA PLAN COMPONENTS**

<input checked="" type="checkbox"/>	1. Housing Needs	7
<input checked="" type="checkbox"/>	2. Financial Resources	11
<input checked="" type="checkbox"/>	3. Policies on Eligibility, Selection and Admissions	12
<input checked="" type="checkbox"/>	4. Rent Determination Policies	20
<input checked="" type="checkbox"/>	5. Capital Improvements Needs	23
<input type="checkbox"/>	6. Demolition and Disposition	
<input type="checkbox"/>	7. Homeownership	
<input checked="" type="checkbox"/>	8. Civil Rights Certifications (included with PHA Certifications of Compliance)	26
<input checked="" type="checkbox"/>	9. Additional Information	
	a. PHA Progress on Meeting 5-Year Mission and Goals	27
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	c. Other Information Requested by HUD	
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<input type="checkbox"/>	10. Project-Based Voucher Program	
<input checked="" type="checkbox"/>	11. Supporting Documents Available for Review	30-32
<input checked="" type="checkbox"/>	12. FY 2005 Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report: ky043a02	
<input checked="" type="checkbox"/>	13. Capital Fund Program 5-Year Action Plan: ky043b02	
<input checked="" type="checkbox"/>	14. Other (List below, providing name for each item):	
	Personnel Policy – ky043c02 (Acrobat file)	
	ACOP – ky043d02 (Acrobat file)	
	CFP Revised 50103 – ky043e02	
	CFP Revised 50203 – ky043f02	
	CFP Revised 50104 – ky043g02	

#### **B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE**

**Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans;**  
**Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.**

For PHAs APPLYING FOR CAPITAL FUND PROGRAM (CFP) GRANTS:

**Form HUD-50070, *Certification for a Drug-Free Workplace*;**

**Form HUD-50071, *Certification of Payments to Influence Federal Transactions*;**

**Form SF-LLL & SF-LLLa, *Disclosure of Lobbying Activities*.**

**Executive Summary (optional)**

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

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

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

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

<b>Housing Needs of Families on the PHA’s Waiting Lists</b>			
Waiting list type: (select one)			
<input type="checkbox"/>	Section 8 tenant-based assistance		
<input checked="" type="checkbox"/>	Public Housing		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	171		111
Extremely low income <=30% AMI	138	82%	
Very low income (>30% but <=50% AMI)	29	18%	
Low income (>50% but <80% AMI)	4	0%	
Families with children	155	91%	
Elderly families	7	4%	
Families with Disabilities	9	5%	
Race/ethnicity/white	94	55%	
Race/ethnicity/black	77	45%	
Race/ethnicity			
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	81		
2 BR	32		
3 BR	39		
4 BR	17		
5 BR			
5+ BR			

**Housing Needs of Families on the PHA's Waiting Lists**

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

If yes:

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

Does the PHA expect to reopen the list in the PHA Plan year?  No  Yes

Does the PHA permit specific categories of families onto the waiting list, even if generally closed?

No  Yes

**B. Strategy for Addressing Needs**

Provide a brief description of the PHA's strategy for addressing the housing needs of families on the PHA's public housing and Section 8 waiting lists **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

**(1) Strategies**

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

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

Select all that apply

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

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

Select all that apply

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing

- Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- Other: (list below)

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

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available
- Other: (list below): Applied for ROSS RSDM for elderly/disabled services.

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

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

Select all that apply

- Seek designation of public housing for families with disabilities
- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- Apply for special-purpose vouchers targeted to families with disabilities, should they become available

- Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)

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

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

Select if applicable

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

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

Select all that apply

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

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

**(2) Reasons for Selecting Strategies**

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

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

## **2. Statement of Financial Resources**

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

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

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY 2005 grants)</b>		
a) Public Housing Operating Fund	\$605,000	
b) Public Housing Capital Fund	392,961	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance		
f) Resident Opportunity and Self-Sufficiency Grants	208,527 '01 57,944 '00	
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>		
KY36P043501-04	392,961	
<b>3. Public Housing Dwelling Rental Income</b>		
	185,000	operations
<b>4. Other income (list below)</b>		
<b>4. Non-federal sources (list below)</b>		
<b>Total resources</b>	1,842,393	

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

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

## A. Public Housing

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

### (1) Eligibility

- a. When does the PHA verify eligibility for admission to public housing? (select all that apply)
- When families are within a certain number of being offered a unit: (state number)
  - When families are within a certain time of being offered a unit: (state time)
  - Other: (describe) When application is taken and at recertification.
- 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)
- c.  Yes  No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- d.  Yes  No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- e.  Yes  No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

### (2) Waiting List Organization

- a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)
- Community-wide list
  - Sub-jurisdictional lists
  - Site-based waiting lists
  - Other (describe)
- b. Where may interested persons apply for admission to public housing?
- PHA main administrative office
  - PHA development site management office
  - Other (list below)
- c. Site-Based Waiting Lists-Previous Year
1. Has the PHA operated one or more site-based waiting lists in the previous year?  
If yes, complete the following table; if not skip to d.

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

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

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

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

d. Site-Based Waiting Lists – Coming Year

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

1. How many site-based waiting lists will the PHA operate in the coming year?
2.  Yes  No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?  
If yes, how many lists?
3.  Yes  No: May families be on more than one list simultaneously  
If yes, how many lists?
4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?
  - PHA main administrative office
  - All PHA development management offices
  - Management offices at developments with site-based waiting lists
  - At the development to which they would like to apply
  - Other (list below)

**(3) Assignment**

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

- One
- Two
- Three or More

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

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

**(4) Admissions Preferences**

a. Income targeting:

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

b. Transfer policies:

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

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

c. Preferences

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

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

Former Federal preferences:

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

- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

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

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)

- 1 Working families and those unable to work because of age or disability
- 4 Veterans and veterans' families
- 1 Residents who live and/or work in the jurisdiction
- 2 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
- 3 Other preference(s) (list below) Job relocation.

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) House Rules  
Civil Rights Brochure

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

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

**(6) Deconcentration and Income Mixing**

a.  Yes  No: Does the PHA have any general occupancy (family) public housing developments covered by the deconcentration rule? If no, this section is complete. If yes, continue to the next question.

b.  Yes  No: Do any of these covered developments have average incomes above or below 85% to 115% of the average incomes of all such developments? If no, this section is complete. If yes, list these developments on the following table:

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

## **B. Section 8 N/A**

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

### **(1) Eligibility**

- a. What is the extent of screening conducted by the PHA? (select all that apply)
- Criminal or drug-related activity only to the extent required by law or regulation
  - Criminal and drug-related activity, more extensively than required by law or regulation
  - More general screening than criminal and drug-related activity (list factors):
  - Other (list below)
- b.  Yes  No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c.  Yes  No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d.  Yes  No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- Criminal or drug-related activity
  - Other (describe below)

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

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- None
  - Federal public housing
  - Federal moderate rehabilitation
  - Federal project-based certificate program
  - Other federal or local program (list below)
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- PHA main administrative office
  - Other (list below)

**(3) Search Time**

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

If yes, state circumstances below:

**(4) Admissions Preferences**

- a. Income targeting

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

- b. Preferences

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

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

Former Federal preferences

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

Other preferences (select all that apply)

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

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second

priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

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

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

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

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

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

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

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

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

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

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

- b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?
- Through published notices
  - Other (list below)

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

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

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

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

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

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

- a. Use of discretionary policies: (select one of the following two)

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

- b. Minimum Rent

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

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

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

3. If yes to question 2, list these policies below: **Exemption for Hardship Circumstances, F-2, ACOP**

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

1.  Yes  No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?
2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

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

- For the earned income of a previously unemployed household member
- For increases in earned income
- Fixed amount (other than general rent-setting policy)  
If yes, state amount/s and circumstances below:
- Fixed percentage (other than general rent-setting policy)  
If yes, state percentage/s and circumstances below:
- For household heads
- For other family members
- For transportation expenses
- For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below) Net income of working family member.

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**

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

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

**B. Section 8 Tenant-Based Assistance N/A**

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. Capital Improvement Needs**

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

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

## A. Capital Fund Activities

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

### (1) Capital Fund Program

- a.  Yes  No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 12 and 13 of this template (Capital Fund Program tables). If no, skip to B.
- b.  Yes  No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to service the debt. (Note that separate HUD approval is required for such financing activities.)

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

Applicability of sub-component 5B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

### (1) Hope VI Revitalization

- a.  Yes  No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to next component; if yes, provide responses to questions on chart below for each grant, copying and completing as many times as necessary)
- b. Status of HOPE VI revitalization grant (complete one set of questions for each grant)  
Development name:  
Development (project) number:  
Status of grant: (select the statement that best describes the current status)
- Revitalization Plan under development
  - Revitalization Plan submitted, pending approval
  - Revitalization Plan approved
  - Activities pursuant to an approved Revitalization Plan underway

- c.  Yes  No: Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year? If yes, list development name/s below:
- d.  Yes  No: Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year? If yes, list developments or activities below:
- e.  Yes  No: Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement? If yes, list developments or activities below:

## **6. Demolition and Disposition**

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

Applicability of component 6: Section 8 only PHAs are not required to complete this section.

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

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

## **7. Section 8 Tenant Based Assistance--Section 8(y) Homeownership Program N/A**

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

- (1)  Yes  No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If “No”, skip to the next component; if “yes”, complete each program description below (copy and complete questions for each program identified.)

**(2) Program Description**

a. Size of Program

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

If the answer to the question above was yes, what is the maximum number of participants this fiscal year? \_\_\_

b. PHA-established eligibility criteria

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

If yes, list criteria below:

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

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

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

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

**8. Civil Rights Certifications**

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

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

## **9. Additional Information**

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

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

*(Provide a statement of the PHA's progress against the goals and objectives established in the previous 5-Year Plan for the period FY 1999 - 2004)*

The FHA is on course with proposed activities, goals and objectives.

### **B. Criteria for Substantial Deviations and Significant Amendments**

#### **(1) Amendment and Deviation Definitions**

24 CFR Part 903.7(r)

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

a. Substantial Deviation from the 5-Year Plan: Substantial deviation from the five-year plan would be fundamental alteration in the mission or goals and objectives as determined by the Board of Commissioners and does not include any emergency that may arise.

b. Significant Amendment or Modification to the Annual Plan: Substantial deviation from the annual plan would be any major alteration in the operations of HAF including any additional Capital Fund work items not previously included in the five-year plan unless an emergency arises.

### **C. Other Information**

[24 CFR Part 903.13, 903.15]

#### **(1) Resident Advisory Board Recommendations**

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

If yes, provide the comments below:

b. In what manner did the PHA address those comments? (select all that apply)

Considered comments, but determined that no changes to the PHA Plan were necessary.

The PHA changed portions of the PHA Plan in response to comments  
List changes below:

Other: (list below)

**(2) Resident Membership on PHA Governing Board**

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

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

Yes  No:

If yes, complete the following:

Name of Resident Member of the PHA Governing Board: Barbara Pearson

Method of Selection:

Appointment

**The term of appointment is (include the date term expires):**

**5/29/2008 – four year term**

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

**Description of Resident Election Process**

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

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

Eligible candidates: (select one)

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

Eligible voters: (select all that apply)

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

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

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

Date of next term expiration of a governing board member:

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

**(3) PHA Statement of Consistency with the Consolidated Plan**

[24 CFR Part 903.15]

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

**Consolidated Plan jurisdiction: Kentucky State Wide**

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

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

b. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: The Consolidated Plan supports the maintenance of affordable housing for the income groups served by the HAF.

## **10. Project-Based Voucher Program**

- a.  Yes  No: Does the PHA plan to “project-base” any tenant-based Section 8 vouchers in the coming year? If yes, answer the following questions.
- b.  Yes  No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option?

If yes, check which circumstances apply:

- Low utilization rate for vouchers due to lack of suitable rental units
- Access to neighborhoods outside of high poverty areas
- Other (describe below:)

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

## 11. List of Supporting Documents Available for Review for Streamlined

### Five-Year/ Annual PHA Plans

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
X	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans.</i>	Standard 5 Year and Annual Plans; streamlined 5 Year Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan.	5 Year Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input checked="" type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the method for setting public housing flat rents. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
N/A	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
X	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
N/A	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
N/A	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
N/A	Any policies governing any Section 8 special housing types <input type="checkbox"/> check here if included in Section 8 Administrative Plan	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>Related Plan Component</b>
N/A	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
X	Public housing grievance procedures <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
N/A	Section 8 informal review and hearing procedures. <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
X	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
X	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
X	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
N/A	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
N/A	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
X	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
N/A	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program (Section _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
X	Public Housing Community Service Policy/Programs <input type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
X	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
N/A	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
X	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
X	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Pet Policy
X	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
N/A	Consortium agreement(s), if a consortium administers PHA programs.	Joint PHA Plan for Consortia
N/A	Consortia Joint PHA Plans ONLY: Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection	Joint PHA Plan for Consortia
	Other supporting documents (optional). List individually.	(Specify as needed)

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

<b>Annual Statement/Performance and Evaluation Report                      Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
<b>PHA Name: Housing Authority of Fulton</b>			<b>Grant Type and Number</b> Capital Fund Program Grant No: KY36P04350105 Replacement Housing Factor Grant No:		<b>Federal FY of Grant: 2005</b>
<input checked="" type="checkbox"/> <b>Original Annual Statement</b> <input type="checkbox"/> <b>Reserve for Disasters/ Emergencies</b> <input type="checkbox"/> <b>Revised Annual Statement (revision no: )</b> <input type="checkbox"/> <b>Performance and Evaluation Report for Period Ending: 9/30</b> <input type="checkbox"/> <b>Final Performance and Evaluation Report</b>					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	40,000			
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit	2,000			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	33,000			
8	1440 Site Acquisition				
9	1450 Site Improvement	195,961			
10	1460 Dwelling Structures	100,000			
11	1465.1 Dwelling Equipment—Nonexpendable	10,000			
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	12,000			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	392,961			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

<b>Annual Statement/Performance and Evaluation Report                      Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)                      Part II: Supporting Pages</b>								
PHA Name: Housing Authority of Fulton			<b>Grant Type and Number</b> Capital Fund Program Grant No: KY36P04350105 Replacement Housing Factor Grant No:			<b>Federal FY of Grant: 2005</b>		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA Wide	Operating Budget	1406	LS	40,000				
HA Wide	Audit	1411	LS	2,000				
HA Wide	Fees & Costs	1430	LS	33,000				
KY43-001; 002	Walks,decks,parking,signs	1450	LS	195,961				
KY43-002	Convert HVAC 24 units	1460	LS	100,000				
HA Wide	Ranges & refrigerators	1465	LS	10,000				
HA Wide	Computers/office furn.	1475	LS	12,000				

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

<b>Annual Statement/Performance and Evaluation Report                      Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)                      Part III: Implementation Schedule</b>							
PHA Name: Housing Authority of Fulton			<b>Grant Type and Number</b> Capital Fund Program No: KY36P04350105 Replacement Housing Factor No:			<b>Federal FY of Grant: 2005</b>	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
HA Wide	9/30/07			9/30/09			
KY43-001	9/30/07			9/30/09			
KY43-002	9/30/07			9/30/09			

## 8. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>					
<b>Part I: Summary</b>					
PHA Name : <b>Housing Authority of Fulton</b>				<input checked="" type="checkbox"/> <b>Original 5-Year Plan</b> <input type="checkbox"/> <b>Revision No:</b>	
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2  FFY Grant: PHA FY: 2006	Work Statement for Year 3  FFY Grant: PHA FY: 2007	Work Statement for Year 4  FFY Grant: PHA FY: 2008	Work Statement for Year 5  FFY Grant: PHA FY: 2009
	Annual Statement				
HA Wide		79,211	149,861	80,211	101,000
KY43-001		183,750	20,000		70,511
KY43-002		130,000	145,100		
KY43-003			75,000	312,750	221,450
KY43-004			3,000		
CFP Funds Listed for 5-year planning		392,961	392,961	392,961	392,961
Replacement Housing Factor Funds					





Personnel Policy  
Housing Authority of Fulton, Kentucky  
Date Adopted: October 16, 2002  
Date Revised:

**WELCOME TO THE HOUSING AUTHORITY OF FULTON, KENTUCKY!**

The Housing Authority of Fulton, Kentucky stresses the need for outstanding people and recognizes that such employees are the key to our success. To ensure continued success, it is important that all employees understand the policies and procedures that have been adopted by the Authority. This Personnel Policy will familiarize employees with the various aspects of working with the Housing Authority. Employees are encouraged to use this Policy Handbook to understand the operations of the Authority. It will also be a useful reference document for all employees.

If you have any questions, please do not hesitate to ask them of either your supervisor or the Executive Director.

My best wishes to you and thank you for taking this first step in knowing your Authority.  
Executive Director

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1.0 GENERAL POLICIES

1.1 Introduction

The policies, practices, and benefits of the Housing Authority of Fulton, Kentucky (HAF) are contained in this Policy Handbook. The Policy Handbook shall be used as a reference for all employees. The policies contained in this document are continuously reviewed and will be changed from time to time. Employees with questions regarding personnel policies should always check with the Executive Director for the most current ones. Authority benefit plans are defined in legal documents such as insurance contracts, official plan

texts and trust agreements. This means that if questions ever arise about the nature and extent of plan benefits or if there is conflicting language, the formal language of the plan documents govern, not the informal wording of this policy. Plan documents are available for inspection in the administrative office.

1.2 Ethical Standards Policy

The Housing Authority of Fulton, Kentucky conducts its business activities with integrity, fairness, and in accordance with the highest ethical standards. Employees are obligated to continue to uphold these standards in every business activity. If there is ever any doubt whether an activity meets the ethical standards of the Authority or compromises its reputation, the problem should be discussed with the Executive Director.

In addition to evaluating HAF's performance as a public agency, the community judges HAF by the way its

employees conduct themselves in the positions in which they are appointed and employed by their attitudes

toward HAF and the public. The community has a right to expect that every person connected with HAF will conduct himself or herself in a manner that will create and preserve public confidence in and respect for, HAF and its programs.

All employees are expected to treat all people with courtesy, impartiality, fairness and equality under the law; and avoid both actual and unintentional conflicts between their self-interest and the public interest.

This Policy attempts to assist in the often difficult task of judging oneself by providing a minimum threshold of appropriate conduct.

Failure to comply with this Policy is grounds for disciplinary action, up to and including termination.

1.3 Open Door Policy

Employees are encouraged to share concerns, seek information, provide input, and resolve problems within

the department. When appropriate, employees should consult with the Executive Director toward those ends. Supervisors are expected to listen to employee concerns, to encourage their input, and to seek resolution to any work-related problems.

1.4 Suggestions

The Housing Authority encourages employees to make constructive suggestions for the improvement of operations. Appropriate recognition will be given for suggestions that are properly submitted and accepted.

1.5 Orientation

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New employees shall report to the Executive Director or his/her designee before starting work to allow for completion of necessary forms and to begin the orientation process. At that time, each new employee shall

be presented with a copy of the Personnel Policy, information on fringe benefits, and job description. Supervisors will be responsible for the orientation of the employee to the job, and the Authority's policies and procedures. It is the responsibility of each employee to take action to become acquainted with the policies, procedures, and rules of the Housing Authority.

#### 1.6 Training

The Housing Authority will provide on-site and off-site training sessions in order to further familiarize employees with agency policies, procedures, organizational characteristics, operational parameters, standards of conduct, etc. Department Heads will be responsible for arranging, conducting, and notifying employees about these and related training sessions.

External training, normally away from HAF premises, consists of meetings, seminars and short courses not exceeding one week.

Meetings, seminars and short courses must be job related. All employees are eligible to attend such sessions.

Normally supervisors or the Executive Director will identify the appropriate employee (s) to attend based on their job responsibilities. The Executive Director must give final approval, based on budgetary constraints, work load, etc. In addition to the cost of the meetings, seminars or courses, appropriate travel costs will be reimbursed per HAF's adopted travel policy.

#### 1.7 Addendum

The Personnel Policy is intended to provide a general overview of the Authority and information regarding policies and benefits. Due to the continuously changing environment of Public Housing, some policies and benefit programs currently in effect may be added, revised, suspended, or eliminated by the Housing Authority in response to business needs or changing legal requirements. If requested by an effected employee, a hearing shall be called so employees may voice their opinions of the proposed change or changes. A hearing must be requested within five working days of notification of any changes. Such hearing

shall be held within ten (10) days of the request, and no change shall be effective until after the hearing is held. The hearing will be conducted by the Executive Director. The decision of the Executive Director shall be final.

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## 2.0 ADMINISTRATIVE POLICIES

### 2.1 Equal Employment Opportunity

This Equal Opportunity Policy applies to all departments of the Housing Authority of Fulton. The Authority maintains a strong policy of equal employment opportunity for all employees and applicants for employment. We hire, train, promote, and compensate employees on the basis of personal competence and

potential for advancement without regard for race, creed, color, religion, sex national origin, age, marital status, disability, citizenship, handicapping conditions, or any political affiliation, as well as other classifications protected by applicable state and/or local laws.

A special effort will be made to eliminate any discriminatory practices that are identified. Efforts will include aggressive recruitment of minorities with the goal of having a workforce that represents the Authority's available labor market at all levels within the organization.

Our equal employment opportunity philosophy applies to all aspects of employment with the HAF including

recruiting, hiring, training, transferring, promoting, job benefits, pay, dismissal, and social and recreational activities. Further, the facilities, programs, and services will be made available to the public on a nondiscriminatory

basis.

## 2.2 The Americans With Disabilities Act

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. In accordance with the Act, the HAF shall hire, promote, train, and compensate employees based on personal competence and potential for advancement. The Act prohibits discrimination against "qualified individuals with disabilities." The HAF shall not discriminate against people with disabilities in regard to any employment practices, terms, conditions, or privileges of employment. All aspects of the employment process are covered by the Act, including:

- application • promotion
- testing • medical examination
- hiring • layoff
- assignments • termination
- evaluation • compensation
- disciplinary actions • leave
- training • benefits

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The Authority shall provide reasonable accommodations which will permit disabled persons to work and advance in careers. Further, any contracts or business arrangements that discriminate against the disabled

are prohibited. All requests and comments should be directed toward the Executive Director who is responsible for handling all ADA issues.

## 2.3 Employment-at-Will

It is the HAF's intent to retain good employees. However, employment at the Housing Authority is for no specified time, regardless of length of service. Just as employees are free to terminate their employment for

any reason, the Authority reserves the right to end/or terminate employment relationships at any time, with

or without notice, for any reason(s) not prohibited by law. All employees are at-will employees and the Personnel Policies and Procedures Handbook is not to be construed as a contract of employment.

## 2.4 Harassment and Discrimination

It is a violation of HAF policy to harass others on the basis of their sex, age, race, color, national origin, religion, marital status, citizenship, disability and other personal characteristics. Harassment includes, but is

not limited to, making offensive or derogatory remarks, "jokes", and, of other verbal, physical and visually offensive behavior.

The harassment of another employee will lead to disciplinary action, up to and including immediate termination.

Any employee who believes he/she has been harassed should speak first with the Executive Director in an attempt to reach a resolution.

### 2.4.1 Sexual Harassment

Sexual harassment is prohibited.

Each supervisor has a responsibility to take all steps possible to maintain the work place free of sexual harassment. It is a violation of HAF policy to threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's condition of employment.

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Examples of sexual harassment include, but is not limited to:

- a) Sexual flirtations, touching, advances, or propositions, repeated requests for dates;
- b) Verbal abuse of a sexual nature, dirty jokes;
- c) Graphic or suggestive comments about an individual's dress or body;
- d) Display in the work place of sexually suggestive objects or pictures, including nude photographs.
- e) Vulgarity, leering, inappropriate touching or obscene or suggestive gestures.

f) Solicitation or coercion of sexual activity, dates or the like by the implied or express threat of punishment.

g) Retaliation against an employee for refusing sexual or social overtures, for complaining in good faith about sexual harassment, or for cooperating in good faith with the investigation of a complaint.

#### 2.4.2 Reporting Harassment and Discrimination

If at any time an employee believes he/she is being subjected to harassment or discrimination, or if an employee becomes aware of such conduct being directed at another employee, that employee should promptly notify the Executive Director in writing. All reported incidents will be addressed under the following general guidelines:

- All complaints will be kept confidential to the fullest extent possible, and will be disclosed only as necessary to allow for an investigation and response to the complaint. No one will be involved with the investigation or response except those with a need to know. Any special concerns about confidentiality will be addressed at the time they are raised.
- Anyone who is found to have violated this policy is subject to corrective action up to and including discharge. Corrective action will depend on the gravity of the offense and may include immediate discharge in appropriate circumstances. Whatever action is deemed necessary to prevent an offense from being repeated shall be implemented.
- There shall be no retaliation against anyone who in good faith makes a complaint or, who in good faith cooperates in an investigation.
- Employees are strongly urged to report all incidents of harassment, discrimination or other inappropriate behavior as soon as possible. HAF is firmly committed to providing its employees with a pleasant and productive work environment. However, HAF cannot meet this commitment and address these issues if they are not brought to the attention of the appropriate authority.

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#### 2.5 Employment Opportunities for Businesses and Lower Income Persons in Connection with Assisted Projects

In accordance with Section 3 of the Housing and Community Development Act of 1968, as amended, it is the policy of the Housing Authority to provide 1) for opportunities for training and employment of lower income residents of the developments, and 2) for contracts for work in connection with the developments to

be awarded to business concerns which are located in or owned in substantial part by persons residing in the area in which the development is located.

#### 2.6 INS Compliance

As required by the Immigration Reform and Control Act of 1986, all employees hired after November 6, 1986, will provide the necessary documentation to verify employment eligibility. Eligibility forms shall be completed at the time of hire. The Statement for Employment Application shall be given to all applicants for positions with the Authority.

#### 2.7 Employment Categories

It is the intent of the Housing Authority to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified time period.

Each employee will belong to one of the following categories:

**Probationary** An employee hired to fill a full-time regular position of 40 hours per week.

This employee will be on probationary period of one year during which time he will be evaluated for regular employment.

The designation of this time frame does not constitute an obligation on the part of the Authority to retain the employee until the end of the period specified. During this time, or at any time during employment, either the HAF or the employee may terminate the working relationship without cause and without advance notice.

Full-time employees may utilize Vacation and Sick Leave as accrued from

the initial date of employment and receive all benefits with the exception of retirement benefits. Retirement benefits will be provided after one year of employment.

Regular An employee who satisfactorily passes the probationary period and attains a regular status. Regular employees are subject to all rules and regulations and entitled to all benefits and rights outlined in the Personnel Policies.

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Temporary The majority of the employee's time is spent performing specific tasks or filling a specific need at the convenience of the Authority. This type of position will be created to complete a special project or to handle a shortterm increase in the work load. The work week for a temporary employee would generally consist of 40 hours. While legally mandated benefits such as workers' compensation and Social Security apply, sick leave and fringe benefits do not apply. Positions funded through grant programs may, at the discretion of the Authority, be considered temporary positions.

Part-Time Employees may be appointed on a part-time basis to work less than 32 hours per week, but on a regular basis. If employed on a part-time basis, they are not entitled to any benefits, unless required by law.

Emergency Appointment of any qualified person to a position to alleviate a hardship or the impairment of business for a period not to exceed thirty days.

Bred-in Service When an employee holds a restrictive or temporary appointment and is employed to a regular appointment, the time worked as temporary employee will be converted to probationary time. The employee must serve a minimum of one year probationary status.

Contracted Persons Individuals in this classification are not employees. They are independent contractors. Leave and fringe benefit portions of this policy do not apply.

These issues are separately addressed in their contracts. However, other portions of the personnel policies may be used as a guide in dealing with contracted persons. Contracted individuals may be utilized to perform specific tasks or work for short time periods, but are differentiated from temporary employees in that they are never eligible for benefits.

All persons employed shall be advised of position, employment status/category, and benefits at the time of hire.

#### 2.8 Authority and Organization

Authority to employ, promote, transfer, demote, and terminate personnel shall be vested solely in the Executive Director. Such action regarding the Executive Director shall be vested in the Board of Commissioners. The Board of Commissioners may, at their discretion, appoint a candidate from the existing

staff or advertise for qualified applicants, as needed.

All employees shall be informed of their level of authority and responsibilities at the time they assume their

duties and shall be given the necessary authority to perform assigned tasks. Employees shall be given clear,

concise job descriptions when employment begins. Job descriptions shall be reviewed and updated as needed. This shall be done in consultation with the employee in each position.

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#### 2.9 Policy Administration

Amendment of any provisions of this Personnel Policy shall be upon Resolution of the Board of Commissioners.

The Executive Director shall have primary responsibility for enforcing the provisions and purposes of this Personnel Policy. Department Heads shall have major responsibility for enforcing the provisions and purposes of this Personnel Policy and any associated procedures. Each employee is individually responsible

for following all Personnel Policy provisions and procedures. This Resolution will become effective and in full force upon the date of acceptance by the Board.

A master copy of the Personnel Policy will be kept in the Executive Director's office. In the event of a discrepancy between any copies, the master copy will be considered the correct copy. Additional official copies of the Personnel Policy will also be held by all Department Heads.

## 2.10 Recruitment and Selection

### 2.10.1 Vacant Positions

Supervisors shall be responsible for notifying the Executive Director of vacant, or soon to be vacant authorized positions in their department. The Executive Director shall review the information and determine whether the vacancy should be filled.

### 2.10.2 Recruitment for Vacant Positions

Employees will be notified of all full-time vacancies. The Executive Director will appoint from within the Authority any employee that he/she deems qualified to fill the vacant position. If a current employee is not qualified for the vacant position, recruitment shall be solicited from outside the Authority.

### 2.10.3 Application Forms

Applications shall be made on Housing Authority application forms as directed in the position announcement. Such application forms shall include information covering education, training, experience, and other pertinent factors. Resumes must be submitted during the job posting period, but the Housing Authority application form must be completed prior to an offer of employment.

### 2.10.4 Pre-Employment Physical Examination

The Housing Authority may not conduct or seek to make an inquiry as to whether an applicant has a disability or the nature or severity of the disability. The Housing Authority may require applicants for employment to take a pre-employment physical examination, provided that all entering employees in the job classification must take such an examination regardless of whether or not they have a disability. The scope of the medical examination should be limited to the physical requirement of the position. All information obtained with respect to pre-employment physical examinations shall be kept confidential.

### 2.10.5 Disqualification

The Executive Director or a designated employee may remove from further consideration the

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application of an applicant who:

- a. Does not meet the minimum qualifications established for the position.
- b. Could not, with reasonable accommodation, satisfactorily perform the essential functions of the job.
- c. Has made false statements of material fact, or practiced deception in the application.
- d. Is addicted to the habitual use of drugs or intoxicating liquors.
- e. Has an unsatisfactory employment record of such a nature as to demonstrate unsuitability for employment.
- f. Has failed to submit an application within the prescribed time limit.
- g. Has been convicted of serious criminal conduct.
- h. Has not submitted a resume with the application.

### 2.10.6 Selection

The Executive Director shall review all applications for employment to determine whether the applicant meets the established standards for employment. Such additional information may be required as is necessary to make determinations, i.e. credit reports, police records, etc. When appropriate, examinations may be used which may be written, oral, physical, or a combination of these. Such tests shall be practical in character and shall relate to the essential duties and the responsibilities of the position for which the applicant is being examined.

All positions shall be filled on the basis of qualifications, competency, and related work experience. In the case of current employees seeking to be promoted or transferred, past performance and such other factors as attendance, punctuality, work initiative, efficiency, and seniority shall be taken into consideration.

### 2.10.7 Appointment

When an applicant is selected, the Executive Director shall authorize an offer of employment.

#### 2.10.8 Emergency Appointment

When an emergency involving the serious impairment of the business makes it impossible to fill a vacant position by normal procedure, the Executive Director may appoint any qualified person to such position on a temporary basis in order to prevent business from stopping or slowing. In the event a permanent position is or becomes vacant, an employee hired through emergency appointment may be made permanent if qualifications criteria are met.

#### 2.11 Salary Administration Principles

It is the policy of the Authority to administer salaries in a fair and equitable fashion and in accordance with

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the following principles:

- a. Employees shall be compensated depending on the job position held..
- b. In so far as possible, salaries and related benefits will be based on comparability, as documented by comparability studies conducted in accordance with HUD Guidelines.
- c. Basic salaries shall be established by the Executive Director.
- d. Increases shall not be based on race, color, creed, sex, national origin, handicapping condition, age, or any factor other than economic conditions, longevity or job performance.
- e. Promotions will be based on job performance and merit as determined by employee evaluation. Seniority or length of service is to be regarded as a factor only when all other factors are equal.

A full comparability survey should be done at a minimum of every five years by the Executive Director or with assistance from qualified public or private agencies. In other years, any annual percentage increases may be determined by the Authority's budget condition, agency or individual performance, or other factors as determined by the Authority.

In addition to a general re-evaluation of all positions during major comparability studies, there are other circumstances, which may require position re-evaluation for pay purposes such as:

- a. When a new position is created.
- b. When a position outside the system is included for the first time.
- c. When examination of the job description for a position indicates that the duties have changed sufficiently to warrant a re-evaluation.

Exceptions to the pay plan may include the following:

- a. Personnel funded through grants, which require their salaries, be set for a specific period of time, or which have other technical requirements which demand exception to the system.
- b. Hourly maintenance workers whose wages are subject to regulations by the Department of Housing and Urban Development.
- c. Participants in special employment programs such as college cooperatives and internships, subsidized training programs, etc.

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#### 2.12 Employee Performance Appraisals

The Authority requires an evaluation of each employee's performance on an annual basis. In addition, each

new employee must be evaluated every 90 days during the probationary period for the purpose of determining if the employee should be recommended for regular status.

The Executive Office shall maintain evaluation forms. All evaluations shall be in writing and provide a section for employees to respond. The review will cover the employee's: 1) ability to carry out the duties prescribed by individual job descriptions, 2) performance of critical elements of the job, and 3) departmental performance. Supervisors will assist employees who are lacking required skills in improving job performance.

All evaluations shall be kept confidential and placed in the employee's personnel file.

#### 2.13 Membership in Organizations

In accordance with HUD regulations, development costs shall not include the costs of individual membership of officials or employees in any organization or the costs of membership in an organization, any

substantial part of whose activities involve promotion of legislation, unless the Executive Director deems the membership to be in the best interest of the Authority.

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### 3.0 COMPENSATION POLICIES

#### 3.1 Pay Period

Employees of Housing Authority of Fulton, Kentucky shall be paid every week. Each pay period consists of

five working days. Paychecks shall be distributed on the each Friday. When a payday falls on a holiday, paychecks will be distributed on the last working day prior to the holiday.

In principle, every effort will be made to ensure the accuracy and timeliness of an employee's pay.

However, the Authority is not responsible for events beyond its control or the actions of its employees.

Adjustments to pay checks will normally be made in the check following pay period. However, adjustments

may be made, depending upon the severity of the error or problem, during the same pay period.

Paychecks will not be released early except when pre-approved by the Executive Director.

#### 3.2 Work Schedule

Employees will work their scheduled hours pursuant to work schedules established by their supervisors.

Full-time employees will work a minimum of 40 hours per week. Actual work periods may fluctuate at the discretion of the Supervisor. Part-time employees are scheduled to work pursuant to scheduling set by

their

supervisors.

#### 3.3 Payroll Deductions

Earnings and payroll deductions are shown on a voucher with employee checks. Deductions required or requested are as follows:

Required by Authorized by

Federal & State Employee

Federal Income Tax Medical and Other Insurance

State Income Tax Life Insurance

Social Security Tax Cafeteria Plan

Medicare Tax Retirement Plan

Garnishments/Wage Attachments Charitable Contributions

Dental Insurance

Any Other Authorized Deductions

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#### 3.4 Overtime/Compensatory Time

Each employee is designated as either NON-EXEMPT or EXEMPT from federal and state wage and hour laws. NON-EXEMPT employees are entitled to overtime pay under the specific provisions of the Fair Labor

Standards Act (FLSA). EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws.

When operating requirements or other needs cannot be met during regular working hours, employees may be

scheduled to work in excess of their normal schedule. It is the Authority's intention to minimize such occurrence and ensure that overtime work is scheduled and paid in accordance with the Authority's policy and applicable State and Federal laws. The Authority is subject to all regulations of the Fair Labor Standards

Act (FLSA). When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the Executive Director's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Failure to work

scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

Non-Exempt Employees

Non-exempt employees who work in excess of forty (40) hours in a work week will be paid over-time at a rate of one and one-half times the employee's regular pay. For purposes of determining overtime compensation, pay for vacation time, sick leave, holidays, etc., is not pay for time worked and is therefore not considered as hours worked for purpose of overtime computations. Non-scheduled hours of work that fall within the same week of vacation or leave time will not qualify for overtime. Non-exempt maintenance employees may not receive compensatory time off in lieu of paid overtime.

#### Exempt Personnel

Those administrative employees that are classified as exempt according to the FLSA will not be paid overtime compensation. They will not receive payment or compensatory time off for hours worked, travel time, attendance at meetings, etc., in excess of the normal workweek. However, the Executive Director may

allow such employee compensatory leave which may be accumulated but must be compensated for at straight time on the last day of each fiscal year or at separation.

For those exempt employees who are absent from work for part of a day but not all of a day, it shall be up to

the discretion of the Executive Director as to whether or not there should be a charge against that employee's

annual sick leave or other appropriate leave.

#### 3.5 Pay Increases

Pay increases will be determined by the Executive Director and approved through the budget process.

Increases will depend on the following factors:

- Budget restraints.
- Merit or outstanding performance.
- Cost of living.
- Comparability studies.

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#### 3.6 Wage Garnishment

Garnishment of wages results when an unpaid creditor has taken the matter to court. A garnishment is legal

permission for creditors to collect part of an employee's pay directly from the Authority. Although the Authority does not wish to become involved in an employee's private matters, we are compelled by law to administer the court's orders.

In doing so, the Executive Director will contact the employee to explain the details of garnishment and how

it affects wages. Employees are encouraged to resolve these matters privately to avoid the Authority's involvement in this mutually unpleasant situation.

#### 3.7 Payroll Advances

Pay advances shall not be granted, unless the employee demonstrates and documents extreme hardship and it

is approved by the Executive Director.

#### 3.8 Promotions

It is the policy of the Housing Authority to hire employees for entry level positions, to provide training and development for employees when deemed necessary. To fill vacancies above the entry level, management

prefers to promote from within and will first consider current employees with the necessary qualifications and skills, unless outside recruitment is deemed to be in the Authority's best interest.

An employee's basic eligibility for promotion will be determined by the requirements of the new job. In addition, the employee must have held his/her current position for at least one year and have both a satisfactory performance record and no adverse disciplinary actions during the same period. The Executive

Director may waive the minimum time period at his/her discretion based on the individual situation.

Job openings and promotions for which management seeks candidates from within the Authority will be posted on the employee bulletin board.

Current employee candidates for job openings and promotion will be considered and processed as outlined in

the Transfer policy (Section 3.9). Applicants recruited from outside the Authority for such positions will be considered and processed as outlined in the Recruitment and Selection policy (Section 2.10).

Current employee candidates for promotion will normally be screened and selected on the basis of attendance and work records, performance appraisals and job-related qualifications. Seniority will be considered if two or more candidates are judged to be equally qualified based on merit, work record, and other qualifications. In addition, such employees may be required to have a medical examination.

Promoted employees will be placed on probationary status for a period of at least one year. During this period, the provisions of the Probationary Period policy (Section 2.7) will apply.

### 3.9 Transfers

From time to time, the Authority may find it necessary to transfer employees within the organization to positions where their skills will be best utilized.

The Authority may require employees to make either a temporary or long-term job transfer in order to

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accommodate the organization's business needs.

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## 4.0 SEPARATIONS

### 4.1 Types of Separation

Separation of employees from positions in the full-time service shall be designated as one of the following and shall be accomplished in the manner indicated: Resignation, compulsory resignation, layoff, disability, death, retirement, and dismissal.

### 4.2 Resignation

To resign in good standing, and receive any outstanding annual leave, an employee shall give notice, in writing, to the Executive Director at least 2 weeks prior to the effective date of his/her resignation. Failure to

comply with this rule shall be entered on the service record of the employee and will lose annual leave that

has been accrued. An employee who resigns may be reinstated, at the discretion of the Executive Director, if

a suitable position is available and the employee meets the requirements of the job. Employees who resign

and are reinstated shall serve a probationary period of 90 days.

### 4.3 Compulsory Resignation

Any employee who without valid reason or authorized leave fails to report to work for two (2) consecutive work days shall be separated from the payroll and reported as a compulsory resignation. Any accrued leave

time will be forfeited by the employee in the case of a compulsory resignation.

### 4.4 Layoff

The Executive Director may identify a number of positions by job title to be vacated which will result in the layoff of an employee in the full time service when he/she deems it necessary because of a shortage of funds

or work, or other material changes in the duties of organization or for related reasons which do not reflect discredit upon the service of the employee. Any employee who has been separated for a period of two years

or less because of a reduction in force may be considered for reinstatement if the employee meets the minimum qualifications for any new openings. Employees who are laid off and are reinstated shall serve a probationary period of 90 days.

### 4.5 Death

When a full-time employee dies while employed by the Housing Authority, all compensation due in accordance with this policy shall be paid to the legal representative of the employee's estate or any other properly designated individual.

### 4.6 Retirement

Employees are eligible to receive retirement plan benefits in accordance with the requirements of that plan

and shall submit a letter of retirement to the Executive Director at 60 days prior to the effective date of

retirement.

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#### 4.7 Dismissal

The Executive Director may dismiss an employee as outlined in this document. The employee shall be furnished notice of dismissal in writing. The employee has the right to answer the charge in accordance with

the Housing Authority's grievance procedure.

#### 4.8 Employment at Will

All employees who do not have a written, individual employment contract with the Authority for a specific, fixed term of employment, are employed at the will of the Housing Authority for an indefinite period and their employment may be terminated at any time, with or without cause or notice. At the same time, such employees may terminate their employment at any time with or without cause or notice.

This employment relationship between the Housing Authority and its employees is referred to as the "employment-at-will" doctrine. The employment-at-will doctrine has been established by Kentucky law and it defines the employment relationship for most employees in Kentucky. The employment-at-will doctrine will govern your relationship with the Housing Authority of Fulton for as long as you are an employee.

Supervisory and management personnel are prohibited from making any representations to employees or applicants concerning terms or condition of employment with the Authority which are not consistent with the Authority's policy. No statements made in pre-hire interviews or discussions, or in recruiting materials of any kind, are to alter the at-will nature of employment or imply that discharge will occur only for cause.

Authority policy and practices with respect to any matter are not to be considered as creating any contractual obligation on the Authority's part or stating in any way that termination will occur only for "just cause". Statement of specific reasons for termination set forth in this manual or in any other Authority documents are examples only, are not all-inclusive lists, and are not intended to restrict the Authority's right to terminate an employee's employment with or without cause or notice.

At the time of hiring, or upon adoption of this policy by the Board of Commissioners, employees are required to sign a written statement acknowledging that they are employed at the will of the Authority and are subject to termination at any time, with or without cause or notice.

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### 5.0 DISCIPLINARY ACTIONS

#### 5.1 Types of Disciplinary Actions

The following provisions are intended to provide a guideline for disciplining employees:

**Reprimand** The supervisor may, under normal circumstances, verbally reprimand an employee to warn that employee about unsatisfactory work performance or misconduct. The supervisor or the Executive Director may submit a written reprimand to an employee when an oral warning has not resulted in the expected improvement, or when more severe initial action is warranted. A copy of the reprimand shall be filed in the employee's personnel folder.

**Suspension** The supervisor, after consultation with the Executive Director, may suspend without pay an employee for up to 10 days. A written statement specifically setting forth reasons for suspension shall be furnished to the employee. A copy shall be filed in the employee's personnel folder.

**Demotion/Salary Reduction** The supervisor may recommend a reduction in the salary of an employee. A written statement of such action shall be furnished to the employee and a copy filed in the employee's folder. Final approval from the Executive Director for such action is required.

**Dismissal** A dismissal shall be defined as an involuntary separation from employment. Dismissals are discussed in another section.

#### 5.2 Code of Conduct

In recognition of the fact that each instance differs in many respects from somewhat similar situations, the Authority retains the right to treat each occurrence on an individual basis and without creating a precedent for other cases that may arise in the future. The Authority retains the right to suspend any disciplinary action

that it may take at its exclusive discretion and may, depending on the individual circumstance, accelerate the

disciplinary process to include immediate termination. Examples given in any rule do not limit the generality of the rule. The rules and regulations are not to be construed as limitations upon the retained rights of the Authority, but merely a guide.

The rules and regulations for the Code of Conduct are divided into three (3) groups to reflect degree of severity of offenses. In each group and for each rule, consideration will be given to the severity of the offense, the cost involved, the time interval between violations, the length and quality of service records, and

the ability of the employee concerned. In each case where the penalty is modified from the recommended standard penalties, the reason for such modification will be noted.

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#### 5.2.1 Group I Violations

The guideline for this group of violations is as follows:

First Offense - Written reprimand and instructions.

Second Offense - One to ten day suspension without pay.

Third Offense – Dismissal

Group I violations include (but are not limited to) the following:

- a. Failure to work assigned hours, including overtime; working overtime without prior approval.
- b. Not working, wasting time, loitering or leaving assigned work areas during working hours without permission.
- c. Taking more than specified time for meals or rest periods.
- d. Productivity or workmanship not up to required standards of performance.
- e. Mistakes due to carelessness.
- f. Disregarding job duties by loafing or neglect of work during work hours.
- g. Tardiness - reporting to assigned work area after reporting time.
- h. Chronic absenteeism - frequent unexcused absences.
- i. Absent without permission or leave (A.W.O.L.)
- j. Violating a safety rule or safety practice.
- k. Failure to report an accident or personal injury in which the employee was involved while on the job.
- l. Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, demonstrations on the job, or similar types of disorderly conduct.
- m. Creating or contributing to unsafe and unsanitary conditions or poor housekeeping.
- n. Failure to pay just debts due or failure to make reasonable payment of such debts, thereby causing annoyance or embarrassment to the Authority.
- o. Failure to keep the department and/or personnel notified of proper address or telephone number (if any).

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#### 5.2.2 Group II Violations

The guideline for this group of violations is as follows:

First offense - Written reprimand and suspension of up to ten days without pay.

Second offense - Dismissal

Group II violations include (but are not limited to) the following:

- a. Provoking or instigating a fight, or fighting at any time on Authority property.
- b. Threatening, intimidating, or coercing a fellow employee or supervisor (includes abusive language).
- c. Sleeping during work hours.

- d. Reporting to work or working while unfit for duty either mentally or physically.
- e. Leaving the job during regular working hours without permission.
- f. Mistakes due to carelessness which affects the safety of personnel, equipment, tools or property.
- g. Unauthorized posting or removal of any matter on bulletin boards on Housing Authority property.
- h. Distributing written or printed matter of any description on premises unless authorized by the Executive Director.
- i. Failure to report to Executive Director a request for information from an outside agency (e.g., receipt of a subpoena from a law firm, court, or attorney).
- j. Use or possession of another employee's tools or equipment without the employee's consent.
- k. Refusal to give testimony in accident investigations.
- l. Causing materials, parts, or equipment to be lost, damaged or scrapped due to carelessness.
- m. Receipt from any person of any fee, gift or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that afforded other persons.
- n. Smoking in restricted areas.
- o. Gambling or any game of chance on Authority property at anytime.
- p. Unauthorized riders in Authority vehicles or on Authority equipment.

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q. Violation of Authority's policy concerning political activities as follows:

No employee shall engage in personal political activity during work hours; be required to, solicit for, or act as a custodian of funds for political purpose; coerce or compel contributions by another employee of HAF for political purposes; or use any Authority supplies, materials, or equipment for political purposes. Employees do, however, have the right to join or affiliate with organizations of a political or partisan nature outside of work.

r. Violation of Authority resolutions, administrative regulations or department rules.

#### 5.2.3 Group III Violations

The guideline for this group of violations is as follows:

First offense - Dismissal

Group III violations include (but are not limited to) the following:

- a. Wanton and willful neglect in the performance of assigned duties.
- b. Deliberate misuse, destruction, or damaging of any Housing Authority property or property of any employee.
- c. Falsification of personal or Authority records including employment applications, accident records, purchase orders, time sheets, or other reports, records on applications, or work records.
- d. Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits, or Workman's Compensation benefits.
- e. Insubordination by the refusal to perform work assigned or to comply with written or verbal instructions of the supervisory force or discourtesy to persons with whom he/she comes in contact while in the performance of his/her duties.
- f. Unauthorized possession of firearms, explosives, or weapons on Authority property.
- g. Theft or removal from Authority locations without proper authorization, any Authority property or property of an employee or resident.
- h. Immoral, unlawful, or improper conduct or indecency either on or off the job which would tend to affect the employee's relationship to his/her job, his/her fellow workers, his/her reputation or good will in the community. Sexual harassment as defined in the personnel policies.
- i. Reporting for work while obviously under the influence of alcohol or drugs.
- j. The use and/or sale of illegal narcotics in any form.

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- k. Proven incompetence or inefficiency in the performance of assigned duties in his/her position.
- l. Use or attempted use of a political influence or bribery to secure an advantage of any manner.
- m. Concerted curtailment or restriction of production or interference with work in or about the Authority's work stations.
- n. Use of Authority equipment and/or vehicles, including computer equipment, for personal use without authorization from the Executive Director.
- o. Refusal to acknowledge a written reprimand by not signing reprimand form.
- p. Violation of Authority resolutions, administrative regulations or department rules.
- q. Loss of a valid Kentucky drivers license through employees own actions, or is uninsurable or determined to be a high-risk driver.
- r. Disclosure of any confidential information concerning any other employee, resident, contractor or affairs of the Authority.
- s. Allow a resident or any other individual to have access to the master keys.

### 5.3 Housing Authority Equipment

At the time of separation and prior to final payment, all records, assets, and other items of Authority property

in the employee's custody shall be transferred to the Executive Director or his/her designee and certification

to this effect shall be signed by the employee. Any amount due because of a shortage in the above shall be

withheld from the employee's final compensation.

The use of any of the Authority's equipment, vehicles, tools or employees for any purpose other than carrying out the normal official duties is strictly forbidden on or off of the Housing Authority's premises. No equipment, vehicles, tools, etc., are to be loaned out or utilized for private benefit for any employee, resident,

member of the Board of Commissioners, or any other person.

All equipment, vehicles, tools, etc. must be signed out prior to use. All employees are held accountable for

assigned equipment.

At the time of separation and prior to final payment, all records, assets, and other items of Authority property

in the employee's custody shall be transferred to the Executive Director and certification to this effect shall be signed by the employee. Any amount due because of a shortage in the above shall be withheld from the

employee's final compensation and/or proceeds from the employee's pension plan.

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### 5.3.1 Authority Vehicles

No Authority owned maintenance vehicles may be driven home, with the exception of the Director of Maintenance and the on-call emergency person. All other maintenance vehicles must be parked each night at the Shop, except in the following case:

- a. When out of town travel will begin the next morning and it is the benefit of HAF for the traveler to leave directly from his or her residence. This must be approved by the Executive Director.

Use of any HAF vehicle is solely restricted to official business. The vehicle is not to be used for personal trips and other persons may not be transported in and around Fulton except in the course of official business.

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## 6.0 GRIEVANCES AND APPEALS

### 6.1 Policy

It is the policy of the Housing Authority that regular employees should have an opportunity to present their work-related complaints through a dispute resolution/grievance procedure. The Authority will attempt to promptly resolve all appropriate grievances.

## 6.2 Definition

An appropriate grievance is defined as any employee dissatisfaction regarding the interpretation or application of a work-related policy. Employees who have been terminated in accordance with this Policy are not entitled to participate in dispute resolution/grievance procedure. Examples of matters suitable for review through the dispute resolution/grievance procedure include:

- a) A belief that Authority policies, practices, rules, regulations, or procedures have been applied in a manner detrimental to an employee.
- b) Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation.
- c) Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, or disability.
- d) Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority.

## 6.3 Procedure

Employees must notify their Supervisor, in a timely fashion, of the grievance dispute. As used in this policy,

the terms "timely fashion," "reasonable time," and "promptly" will mean five working days.

Employees will not be subject to retaliation for utilizing the dispute resolution/grievance procedure.

However, it is not considered proper if an employee abuses the procedure by raising grievances in bad faith

or solely for the purposes of delay or harassment, or by repeatedly raising grievances that a reasonable person would judge have no merit. Submission of a grievance by an employee does not preclude the Authority from imposing disciplinary action.

Grievance Procedure:

- a) Step One – Present grievance, in writing, to the immediate supervisor. If the grievance involves the immediate supervisor, proceed directly to Step Two. The supervisor is then to investigate the grievance, attempt to resolve it, and give a decision to the employee within a reasonable time. The supervisor should prepare a written and dated summary of the grievance and proposed resolution for file purposes.
- b) Step Two – If dissatisfied with the action taken by the immediate supervisor, or if the

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grievance involves the immediate supervisor, present the grievance to the Executive Director. The Executive Director will, in a timely fashion, confer with the employee, the supervisor, and any other members of management considered appropriate; investigate the issues; and communicate a decision in writing to all the parties involved.

Information concerning an employee grievance is to be held in strict confidence. Supervisors, Department Heads, and other members of management who investigate a grievance are to discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information. Time spent by employees in grievance discussions with management during their normal working hours will be considered hours worked for pay purposes.

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## 7.0 RULES AND REGULATIONS

### 7.1 Overview

Every organization has certain guidelines which were developed to reflect good business practices. In establishing any rules of conduct, the Authority has no intention of restricting the personal rights of any individual. Rather, we wish to define the guidelines that protect the rights of all employees and to ensure maximum understanding and cooperation. Therefore, employees are expected to be:

- On-time and alert when scheduled to be at work.
- Careful and conscientious in performance of duties.
- Thoughtful and considerate of other people.
- Courteous and helpful, both when dealing with the public and with other employees.
- Neat in appearance, wearing the proper attire for Authority business.

### 7.2 Absenteeism and Tardiness

The HAF expects employees to be at work on time and to work a full day. Employees must call by 8:00 a.m. to report their absence from work due to illness. In the event of failure to comply with the call in procedures, the employee will be charged on the payroll as leave without pay. Repeated absenteeism and/or

tardiness may lead to disciplinary action up to and including termination of employment. Maintenance employees must call by 8:00 a.m. to report their absence from work due to illness.

### 7.3 Safety

The HAF expects its employees to conduct themselves in a safe manner. Please use good judgement and

common sense in matters of safety, observe any posted safety rules, and follow all OSHA and state safety

regulations. The Director of Maintenance is designated as the Safety Officer and any problems or comments

should be directed towards this employee.

If injured on the job, the employee is required to report the accident to the Director of Maintenance immediately when possible, but in all cases no later than 24 hours after the injury is incurred. The Director of Maintenance must ensure that a written report of the accident and injury is then completed and turned in

to the Executive Director on a timely basis.

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## 7.4 Substance Abuse and the Drug-Free Workplace

### 7.4.1 Introduction

In recognition of the continued and growing problem of substance abuse, it is the policy of the HAF that the Authority shall take all reasonable measures to assure that drug and/or alcohol use by employees or other persons does not jeopardize the safety of our operations or otherwise adversely affect the Authority, its employees, the community or the public's trust in our ability to carry out our responsibilities.

The HAF cannot and will not tolerate lapses in employee control of their abilities to operate safely and productively. Substance abuse can produce such lapses resulting in errors in judgment, loss of vigilance, and poor coordination, causing accidents and loss of public trust. Therefore, our goal is to establish and maintain a safe work environment within the Authority, free from the effects of substance abuse.

### 7.4.2 Substance Abuse Policy

The following is the Housing Authority of Fulton, Kentucky's Substance Abuse Policy:

a. The use, possession, sale or distribution, or presence in body, of alcohol, drugs or controlled substances in the workplace is strictly prohibited. Violators will be subject to disciplinary action up to and including discharge. For purpose of this policy "drugs or controlled substances" includes legal and illegal (street) drugs taken for non-medical reasons. It does not include prescription medication taken in accordance with a physician's instructions.

Appropriate law enforcement agencies will be notified of any controlled or illegal substances found on HAF property and these substances will be disposed of in accordance with their instructions. Some of the drugs which are illegal under Federal, State or Local laws include among others marijuana, heroin, hashish, cocaine, hallucinogens, inhalant and designer drugs, depressants and stimulants not prescribed for current personal treatment by a licensed physician.

b. Urine tests will be used to determine whether an employee is under the influence of drugs and/or controlled substances. Breath or blood tests will be used to determine the presence of alcohol. All tests will be conducted off site at a private medical laboratory under the supervision of the Executive Director. A positive screening test may be followed by a more detailed confirmation test.

c. The privacy interests of employees and the legitimate interests of the HAF in implementing and maintaining a substance abuse program will be accomplished by (1) limiting the extent of the inquiries to that necessary to effectuate the substance abuse policy; (2) assuring disclosure of, and access to, information is on a strict need-to-know basis; and (3) informing employees of the purpose for which the information is sought.

d. All applicants for employment will be required to do the following as part of the employment process:

1. Sign a Substance Abuse Coverage Form which states that the applicant has read, understands and is subject to the Substance Abuse Policy as a condition of

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employment. The signed form will be retained in the applicant's personnel file.

2. Sign a Test Consent Form authorizing appropriate test to identify the presence of drugs or controlled substances and alcohol and release of test results to the Executive Director. The signed form will be retained in the applicant's personnel file.

3. At the HAF's discretion and expense take a prescribed test for drugs and controlled substances as part of a pre-employment medical examination. Refusal of the applicant to sign the test consent form or the Substance Abuse Coverage Form or failure to receive a negative test result on the pre-employment medical exam will remove the applicant from consideration for employment on the basis of their not meeting all of the qualifications for the position.

e. The HAF, will distribute its Substance Abuse Policy to every employee. Further, employee's communications will be undertaken to ensure that each individual employee understands the policy's requirements and his or her obligation to cooperate fully in the testing program.

f. All employees shall submit urine, and/or breath or blood samples under the following guidelines as a condition of continued employment.

1. Tests for substance abuse where management has reason to suspect that job performance, work place incident, or unusual behavior may be related to substance abuse. Test must be scheduled through the Executive Director or his/her delegate.

2. Where an employee is involved in an accident at work resulting in a compensable injury or property damage.

The number of employees requested by management to participate in drug and alcohol testing may range from a single employee to all personnel who were involved in an accident or who were working in or have access to the work area in which the incident occurred.

g. Supervisory employees are to be constantly alert for any infractions of this policy and are responsible for identifying personnel whose behavior indicates they may be using prohibited substances. The supervisor is also responsible for ensuring that appropriate and prompt disciplinary action is taken.

h. Refusal to submit a urine, and/or breath or blood sample will result in the employee being considered as having refused to follow reasonable instructions connected with a condition of employment and subject to disciplinary action up to and including discharge.

i. Any employee who on a voluntary basis and not in violation of this policy may ask for medical assistance due to alcohol, drug or other controlled substance abuse and will be provided referral assistance to medical and/or community resources by the Executive Director or designee. Such employees will be eligible for health care benefits as provided by the Group Health Insurance Plan, sick leave and as required an unpaid medical leave absence. Such employees will not be subject to disciplinary penalty. An admission of substance abuse during the disciplinary process due to a violation of this policy will to preclude the imposition of disciplinary penalty.

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j. Nothing in this policy shall be deemed to preclude supervisory employees from taking appropriate disciplinary action under circumstances where an employee's behavior indicates the use of alcohol or other controlled substances. Examples of such behavior include, but are not limited to, slurring of speech, disorientation, loss of basic physical coordinate and the like.

The Substance Abuse Policy will assist in establishing and maintaining a safe work environment free from the effects of substance use. Employees having questions concerning this policy should contact their Executive Director.

#### 7.5 Consideration of Smokers and Non-smokers

In keeping with the HAF's intent to provide a safe and healthful work environment, smoking in the workplace is prohibited except in those locations that have been specifically designated as smoking areas.

#### 7.6 Personal Appearance of Employees

It is the policy of the HAF that each employee's dress, grooming, and personal hygiene should be appropriate to the work situation.

Employees are expected at all times to present a professional, business-like image to customers and the public. Favorable personal appearance, like proper maintenance of work areas, is an ongoing requirement of

employment with the Authority. Radical departures from conventional dress or personal grooming and hygiene standards are not permitted.

The personal appearance of office workers and any employees who have regular contact with the public is to

be governed by the following standards.

a) Employees are expected to dress in a manner that is normally acceptable in similar business establishments.

b) Hair should be clean, combed, and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length.

c) Sideburns, moustaches, and beards should be neatly trimmed.

d) At his/her discretion, the Executive Director may designate certain days or events where casual attire is permitted and encouraged.

The personal appearance of employees who do not regularly meet the public is to be governed by the requirements of safety and comfort, but should still be as neat and business-like as working conditions permit.

Certain employees may be required to meet special dress, grooming, and/or hygiene standards depending on

the nature of their job, or may be required to wear employer-supplied uniforms.

Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated, and repeated violations of this policy will be cause for disciplinary action.

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#### 7.7 Conflict of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts

of interest. This policy establishes only the framework within which the Housing Authority wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can

seek further clarification on issues related to the subject of acceptable standards of operation.

All employees and their immediate families are prohibited from transacting any business with the Authority

for himself or on behalf of any business, or for any business in which the employee or a member of his family has a substantial interest. Such business transactions include bidding on vehicles, equipment or tools

sold as surplus by the Authority.

Personal property items remaining in a unit vacated by a resident will be disposed of or donated to a charitable organization.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Housing Authority's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or

marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if

an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she disclose to an officer of the Housing Authority as soon as possible the existence of any actual or potential conflict of interest so the safeguards can be established to protect all parties.

Personal gain may result not only in cases where any employee or relative has a significant ownership in a firm with which the Housing Authority does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the Housing Authority.

The materials, products, designs, plans, ideas, and data of the Housing Authority are the property of the Authority and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct.

Any employee who participates in such a practice will be subject to disciplinary action, up to and including termination of employment.

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#### 7.8 Outside Employment

Employees may hold outside jobs as long as the employee continues to meet the performance standards of his/her job with the Housing Authority. Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by the same performance standards and will be subject to the HAF's scheduling demands, regardless of any existing outside work requirements.

If the Housing Authority determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Housing Authority as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Housing Authority.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the Housing Authority for materials produced or services rendered while performing their jobs.

#### 7.9 Confidentiality

The Authority has certain information about residents that is unique to the HAF. Keeping such records private is a requirement of the Federal Privacy Act. All employees are asked to agree to keep information about residents confidential. An employee who divulges confidential information may be terminated and may also be subject to certain federal fines or imprisonment.

No HAF employee should, except in the ordinary course of his or her assigned duties, or without prior formal authorization of HAF, disclose any confidential information concerning any other employee, resident, contractor or affairs of HAF.

#### 7.10 Personnel Files

It is the policy of the Housing Authority to maintain personnel records for applicants, employees, and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

The Authority strives to balance its need to obtain, use, and retain employment information with each individual's right to privacy. To this end, it attempts to restrict the personnel information maintained to that which is necessary for the conduct of its business or which is required by federal, state, or local law.

The Executive Director is responsible for overseeing the record keeping for all information and will specify what information should be collected and how it should be stored and secured.

Employees have a responsibility to make sure their personnel records are up to date and should notify the Executive Director in writing of any changes in at least the following:

a) Name

b) Address

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c) Telephone Number

d) Marital status (for benefits and tax withholding purposes only)

e) Number of dependents

f) Addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only)

g) Beneficiary designations for any of the Authority's insurance, disability, pension, and profit sharing plans

h) Persons to be notified in case of emergency

In addition, employees who have a change in the number of dependents or marital status must complete a

Form W-4 for income tax withholding purposes within ten days of the change, if the change results in a decrease in the number of dependents.

Only supervisory and management employees who have an employment-related need-to-know for information about another employee may inspect the files of that employee. Such an inspection must be approved by the Executive Director and should be recorded in the file inspected.

Employees are to refer all requests from outside the Authority for personnel information concerning applicants, employees, and past employees to the Executive Director. The Authority normally will release personnel information only in writing and only after obtaining the written consent of the individual involved. Exceptions may be made to cooperate with legal, safety, and medical officials who have need to know specific employee information. In addition, exceptions may be made to release limited general information,

such as the following:

a) Employment dates

b) Position held

c) Location of job site

7.11 Telephone Use

Telephones are a vital part of our business since much of our business is handled on the phone. Personal use

of the telephone should be limited to emergencies and unusual circumstances. Also, personal calls should be

brief. Personal long distance calls not billed to the employee may not be made. Failure to adhere to this policy shall subject the employee to the appropriate disciplinary actions.

7.12 Computer/Internet Use

Computers are a vital and necessary part of everyday business. Personal use of computers is forbidden. HAF employees may, at times, be required to use the Internet. The use of the Internet is reserved for business purposes only. When using the Internet employees shall act ethically and responsibly, in accordance with the following guidelines:

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- The Internet shall be used only for appropriate business related purposes.
- Employees shall protect their user ID and passwords to prevent unauthorized use.
- Employees shall conduct virus checks on all files that are downloaded onto the HAF computer system.

The Internet must not be used for:

- The creation or transmission of defamatory material which is designed or likely to cause annoyance, inconvenience or needless anxiety.
- The transmission of material such that it infringes the copyright of another person.
- The transmission of unsolicited commercial or advertising material.
- Deliberate unauthorized access to facilities or services accessible via the Internet.
- The access of pornographic or other inappropriate sites.

HAF considers any violation of this policy to be a serious offense. HAF reserves the right to copy and/or examine any files or information that resides on HAF computers. Violators of this policy are subject to disciplinary actions as prescribed in Section 5.0 of this policy.

### 7.13 Gifts and Gratuities

It is the Authority's policy to refrain from accepting gifts or gratuities that are of significant value (generally defined as \$25 or more) during the course of business. The Authority, however, realizes that occasionally meals or gifts of insignificant value (less than \$25) may be received during the course of business, especially during holiday periods. Where practical, all such gifts will be for the general consumption or use by all Authority employees, residents, or members of the general public. At no time, shall any employee or PHA representative receive any gift or gratuity, regardless of value, when a vendor, company, firm, or any other contractor is being considered for work (i.e. engaged in the selection process) in order to avoid even the appearance of influence.

### 7.14 Political Contributions

In accordance with the provisions of the "Hatch Act", 5 USCS Chapter 15, 5 CFR Part 151, and employees

shall not take an active part in politics or political campaigns during work hours as defined in the Act.

No employee shall engage in personal political activity during work hours; be required to, solicit for, or act as a custodian of funds for political partisan purpose; coerce or compel contributions by another employee of

the HAF for political purposes; or use any Authority supplies, materials, or equipment for political purposes.

Employees do, however, have the right to join or affiliate with organizations of a political or partisan nature outside of work.

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### 7.15 Solicitations and Distributions

Employees must not solicit other employees for any purpose during working time. This does not include meal times. Employees are not permitted to distribute literature of any kind at any time on Authority property, unless prior approval has been given by the Executive Director.

People who don't work for the Authority or are not approved vendors are prohibited from distributing literature of any kind or soliciting employees for any purpose at any time on Authority property.

### 7.16 Protection of Authority and Employee Property

Respect and protection of Authority property and employee personal property is everyone's concern. If you

find property missing or damaged, report it to your supervisor immediately.

### 7.17 Authority Premises

All employees are required to leave the Housing Authority's premises as soon as practical after their designated working hours. Non-employees must receive prior approval when the need arises to access nonpublic

areas of the Authority's premises.

### 7.18 Release of Information

Except for records and information that we are legally required to provide to government agencies, no information will be released unless there is a signed authorizing form from the employee on file, and the request is in writing.

### 7.19 Employment of Relatives

The employment of relatives in the same area of an organization may cause serious conflicts and problems

with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Employment of relatives is prohibited in so much as possible. If circumstances arise where the employment

of a relative is the most beneficial choice for the Authority, prior approval must be obtained by the Executive

Director.

The attempt by any hiring official to recommend, influence, or express interest which may be construed as

influence in the appointment or promotion of a relative is prohibited. It is important to protect public and

employee confidence in the integrity of HAF selection procedures.

#### 7.20 Employment of Commissioners

A member of the Board of Commissioners shall not be employed by the Housing Authority during his/her tenure or for one year thereafter in a salaried position; such an employment relationship would constitute a

conflict of interest under Section 515 of the ACC. A HUD waiver of the ACC requirement would be required from the HUD Field Office to authorize an exception to this requirement.

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### 8.0 LEAVE AND BENEFITS

#### 8.1 Annual Leave (Vacation)

Annual leave (vacations) are earned and based on length of continuous service. The primary purpose is to provide an opportunity for rest and relaxation, so that the employee can return to work refreshed. Annual leave may also be used for personal reasons.

Annual leave allowance for full-time employees in the Housing Authority service shall accrue as follows:

.. During the first year of employment, employees will accrue five (5) days of annual leave.

.. During the second through the tenth years of employment, employees will accrue ten (10) days of annual leave per year.

.. During the eleventh through the twentieth years of employment, employees will accrue fifteen (15) days of annual leave.

.. After twenty consecutive years of employment, employees will accrue twenty (20) days of annual leave.

Annual leave should be requested and approved in advance. Reasonable efforts will be made to accommodate the employee's request; approval will be subject to advance notification and the needs of the

Department.

Annual leave will be accumulated for probationary employees. Annual leave shall not be accrued while an employee is on leave without pay. Annual leave may be granted for an illness or injury in the event that all accrued sick leave has been exhausted.

Annual leave may be accumulated from year to year but accumulated annual leave may not exceed thirty days or 240 hours. Any annual leave in excess of thirty days will be paid at the end of the year at current rates. Upon separation from employment, an employee shall be entitled to payment of accrued annual leave

at the date of termination if the required two-week notification of resignation has been received by the Executive Director.

The Authority reserves the right to withhold and utilize as an off-set all or any portion of unused annual leave pay if the employee owes the Authority money.

Employees may contribute any of their annual leave balance to another Authority employee when the following criteria are met:

.. The employee is in need of sick leave time due to critical circumstances.

.. The employee in need has used all sick and annual leave.

.. The annual leave hours contributed are transferred from one employee to another in hourly increments and calculated based upon the monetary value of the receiving employee's hourly rate.

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In the event of the death of an employee, his estate shall be entitled to payment of his accrued annual leave

as of the last day worked. An employee does not accrue annual leave for time worked in excess of 40 hours

per week.

If an employee begins employment between the 1st and 15th of the month, the employee shall accrue annual

leave for the full month. If an employee begins employment on the 16th, the employee shall not accrue annual leave for that month.

An employee may take annual leave just before the employee's separation from Authority employment.

Annual leave may not be taken in less than four (4) hour increments.

The Executive Director is the delegated authority for approving requests for earned annual leave of all personnel. The Executive Director will determine the length of annual leave granted at any one time in order

to insure efficient program operations. Annual leave shall not exceed two (2) consecutive weeks without prior authorization of the Executive Director.

## 8.2 Holidays

Full-time employees are eligible for holiday pay.

The following paid holidays will be observed:

New Year's Day

Dr. Martin Luther King Jr. Day or President's Day (by employee vote each year)

Memorial Day

Independence Day

Labor Day

Veterans Day

Thanksgiving and the day preceding or following (as determined by ED)

Christmas Day and the day preceding or following (as determined by ED)

Employees may not elect financial compensation in lieu of taking time off for a holiday. If an employee is requested to work on a holiday, an alternate day off will be allowed in lieu of taking the holiday. If a nonexempt

employee is requested to work on a holiday, he/she will be paid at the applicable overtime rate.

Employees who have an unexcused absence on the day prior to, or the day immediately following the holiday will not be paid for the holiday.

If a holiday falls on a weekend, the holiday will be observed on the closest Friday or Monday, or on the customary day.

## 8.3 Sick Leave

Employees are granted sick leave if their absence is due to their personal sickness, bodily injury, quarantine, required physical or mental examinations or treatment, exposure to a contagious disease, or when continuing

work might jeopardize the health of others. Sick leave may also be taken for medical appointments.

Employees are strongly encouraged to schedule appointments for early morning or late afternoon.

A physician's certificate, identifying the employee, the nature of the illness/injury, the time period of the absence (if applicable), and the extent to which the employee's job would be damaging to health, shall be

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provided by all employees when on sick leave with pay for three or more consecutive working days. The Executive Director shall ensure that the employee shall not endanger his or her own health or the health of

others by being on duty during an illness, injury, or pregnancy.

An employee who sustains an injury on the job just at the time of the injury or as soon as possible thereafter,

notify his supervisor who shall follow the Authority procedures for reporting job related accidents or injuries. Employees who are otherwise eligible for sick leave accumulation and receive injury arising out of

and in the course of employment shall be paid for the lost time as a result of the job related injury for the first

seven days (i.e., until Worker's Compensation benefits begin), through the use of accrued sick or annual leave available. When lost time as a result of an on-the-job injury is covered by the State Worker's Compensation Act, the employee shall be paid those payments received as Worker's Compensation benefits.

All permanent employees, working full-time are eligible to accrue sick leave as outlined below.

Temporary,

seasonal, and other part-time or substitute employees are not eligible for sick leave.

Sick leave benefits accrue at the rate of one (1) day per completed month of service, and may be accumulated to a total not to exceed 90 days or 720 hours at any one time. For accrual purposes, an new

employee who reports for work on or before the 10th day of the month shall accrued the full amount for that month; if employed on or after the 11th day of any month, a new employee shall begin accruing sick leave the beginning of the following month.

To be eligible for sick leave, an employee must report his/her illness to the Executive Director no later than

the time he or she is scheduled to report to work or by noon of that day. Failure to do so may result in denial

of leave with pay for the period of absence. If an employee is absent on sick leave for more than 3 (three) consecutive days, the employee must furnish a doctor's certificate to the Executive Director stating that the

employee has been ill, was under his or her treatment and was unable to work because of said illness.

Sick leave may be carried over from year to year, up to a maximum of 90 days. Upon the death of an employee or an employee becomes disabled, compensation for unused sick leave over 30 days (240 hours)

shall be payable to the employee's estate or the employee at one third (1/3) the hourly rate. An employee who has qualified for retirement (including medical retirement) may elect to either be compensated for 50%

of accrued sick leave or apply 50% toward early retirement. An employee who is separated from HAF employment for any other reason other than retirement shall not be paid for accumulated sick leave.

Sick leave is not to be considered a right that an employee may use at his discretion, but a privilege not to be

abused. Department Heads who feel an employee is abusing their sick leave privileges may require the employee to furnish a doctor's certificate for each period of absence regardless of the length. Department Heads will be responsible for making sure that sick leave privileges are not abused.

Abuse of sick leave privileges will result in immediate termination of employment.

#### 8.4 Leaves of Absence

A written request for a leave of absence, providing full explanation of the circumstances, must be presented

to the Executive Director at least two weeks before the start date of the leave of absence. If the absence exceeds 30 days, the cost of benefits may be charged directly to the employee.

#### 8.5 Disability Leave of Absence

The HAF will grant a leave of absence for medical disabilities, including pregnancy disability. A certificate from a physician stating the period that the employee must be out and any limitations on job performance

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may be required. When the employee returns to work, he or she will be reinstated in the same or a substantially similar position. The employee must provide certification that he/she can return to work and perform all normal duties.

#### 8.6 Military Leave of Absence

An employee who is drafted for service in the armed forces shall take a military leave of absence. Upon return from service, the employee will be eligible for re-employment and will be reinstated in the same or substantially similar position.

An employee who is a member of the Armed Forces Reserve or the National Guard and who is required to

attend active duty for training or other short-term reserve or Guard duty (i.e. forest fire fighting, police duty for natural disaster, etc.) is eligible for a military leave of absence. Such time off will not be considered vacation time. The employee will be allowed up to eighteen (18) days of military service per year with no reduction in pay. During such military leave, the employee shall be paid a sum equal to the difference between the military pay received for such period of active duty and normal Authority salary.

#### 8.7 Civil Leave of Absence

Authority policy is to encourage employees to serve on jury panels. Any pay an employee receives from the

court will be in addition to their regular salary or pay. The Housing Authority will pay an employee who serves on a jury regular pay. Employees who are excused from jury duty must return to work.

At the discretion of the Executive Director, an employee may also be granted Civil leave with pay when

performing emergency duty with the Civil Defense in connection with a national emergency of disaster, or for the purpose of voting when the polls are not open at least two hours before or after the employee's scheduled working hours.

#### 8.8 Emergency Leave

Special or emergency leave with pay may be granted by the Executive Director to any employee to cover such personal emergencies as serious illness, special declared holidays, hazardous weather condition, natural

disasters, etc. Such leave may be counted against vacation leave, sick leave, or compensatory leave.

Special

or emergency leave is not to be considered as a right which the employee may use at his discretion. Such leave will be approved by the Executive Director only in emergency situations. Employees will be required to document emergency situation before approval will be granted to use leave.

#### 8.9 Bereavement Policy

Any permanent employee in the service of the Authority shall be entitled to bereavement leave without financial loss for a period of three days in the event of a death in an employee's immediate family.

Immediate family is defined as spouse, children, parent of employee and/or spouse, brother, sister, grandparent, grandchildren, of the employee or current spouse. Leave beyond the three-day period will be

charged to sick/annual leave with prior approval of the Executive Director.

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Employees are entitled to one (1) day without loss of compensation in the event of the death of an aunt or uncle or other close blood relative as determined by the Executive Director.

All bereavement leave must be taken within seven (7) days of the death of the family member.

#### 8.10 Inclement Weather

It is the policy of the Authority to provide service to its clients even during inclement weather. The following guidelines will govern Authority operations whenever snow, ice, or other hazardous conditions exist:

a. Generally, the Authority will be open for business.

b. When weather is such that conditions may not be safe, the Executive Director may close the Authority at his/her discretion. However, unless otherwise specified by the Executive Director, one person must remain on call to provide emergency service to clients.

An employee who leaves work on approved leave status due to inclement weather will usually not have the

hours of leave reduced by the early closing time, however, this is at the discretion of the Executive Director

#### 8.11 Maternity Leave

In order to be granted maternity leave, a pregnant employee must notify her supervisor in writing within two

weeks following confirmation of pregnancy. The notification must contain plans for leave including date she will leave her job, approximate leave time required following birth, and estimated total leave time required including sick leave, annual leave, compensatory leave, and leave without pay. The notification shall be accompanied by a doctor's certificate stating the last day she will be able to work. In the event of

a

dispute the Authority may request a certificate from a second doctor.

Upon return, the employee will be reinstated to her original job or to a position of like status and pay and without loss of service credits. In the event an employee fails to return to work on the date established without authorized approval, her employment with the Authority shall be considered terminated and no special re-employment rights shall be given.

If the employee chooses not to take a leave of absence she must supply the Housing Authority with a physician's certificate stating the last day she will be able to work, and that she is physically able to perform

her job's duties with the same efficiency as a non-pregnant employee. In the event of a dispute, the Authority may require a certificate from a second physician.

#### 8.12 Leave Without Pay

When it is deemed in the best interest of the Housing Authority, a full-time employee may be granted

leave

without pay for personal or other reasons, provided such leave is recommended and approved by the Executive Director. The Executive Director may grant leave without pay for a period not to exceed one year. Valid reasons for such leave shall include, but not be confined to, the following: prolonged illness or disability of the employee or a member of employee's household, educational or training enrichment, pregnancy and childbirth, and military service.

Application for leave without pay shall be submitted in writing in advance showing the employee's reason

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for requesting such leave and shall contain a statement that he/she intends to return to the Authority service

upon expiration of the leave, and that he/she agrees to the terms and conditions outlined in this Policy. Employees granted leave without pay shall be considered to have effected a break in service except as outlined below:

- a. In the case of a probationary status employee (either from initial or promotional appointment) the effective date of the probationary period shall be adjusted month for month for each month he/she is on leave.
- b. For purposes of retirement benefits for eligible employees, breaks in service shall be as defined in the retirement plan.
- c. Continuation of Insurance benefits for eligible employees during the time the employee is on leave without pay shall be in accordance with the provisions of employee group insurance contracts, and provided that such employees reimburse the Authority the cost of premiums on such insurance during the leave period.
- d. Employees granted leave without pay under this policy shall not accrue sick and annual leave or seniority credits beyond two months while in leave status. However, any sick leave accrued at the time leave is granted shall be continued upon return to duty. Any employee who fails to return to duty and is terminated shall forfeit any sick leave that had been accumulated.

#### 8.13 Medical Coverage

All full-time employees are eligible for medical insurance as offered through various plans. Temporary and part-time employees are not eligible on the Housing Authority's plan. Benefits start on the first day of the month after 60 days of employment.

This Medical Plan was selected to ensure the employees are not burdened with extreme medical costs.

This

comprehensive policy was developed for the benefit of all full-time employees. You are encouraged to take

sick leave for medical appointments. Please schedule appointments for early morning or late afternoon.

The specific coverage and cost of the Plan will be provided to all employees during the orientation process.

#### 8.14 Retirement Plan

All employees of the Housing Authority are required to participate in the Retirement Plan. Employees are eligible to participate after one year of employment. No participating employee may withdraw from the Retirement Plan as long as he/she continues to be an employee of the Authority.

All participants in the plan become fully vested after five years at the rate of 20% per year.

The specific coverage of the plan will be given to all employees.

#### 8.15 Worker's Compensation

Worker's compensation is provided by the Authority to employees who are injured on the job. Employees who are injured on the job will still have an income even though an injury prevents them from working.

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If injured on the job, the employee is required to report the accident to the supervisor immediately when possible, but in all cases no later than 24 hours after the injury is incurred. The supervisor must ensure that a

written report of the accident and injury is then completed and turned into the Executive Director on a timely

basis. The Executive Director will provide employees with assistance in contacting an approved physician

as needed. Employees are required to obtain medical treatment. Before being treated, the employee should inform the medical personnel that the injury was job related so that the proper forms can be filled out as required by the Kentucky Worker's Compensation Board. An employee is obligated to cooperate and any fraudulent activities is grounds for termination of employment.

#### 8.16 Continuation of Benefits

Upon separation from the Authority, employees and their dependents may be eligible to continue certain fringe benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA) and any other applicable federal regulations. The Act contains a requirement for extension of health insurance benefits to

employees and eligible family members. All terminated eligible employees shall be supplied with a package

for coverage selection. The package will be supplied when a qualifying event occurs and the Authority is aware of that event.

#### 8.17 Family and Medical Leave Act of 1993

All provisions of the Family and Medical Leave Act of 1993 shall be complied with by the Authority. A summary of the Act follows:

1. On February 5, 1993 President Clinton signed the Family and Medical Leave Act. The Act applies to public and private employers and will take effect on August 5, 1993. For employers subject to collective bargaining agreements, the Act will take effect on the earlier of: (1) the date of termination of the agreement after August 5, 1993, or (2) February 5, 1994. The federal Act describes the minimum benefits to be provided. In states which already have family and medical leave laws, any benefits provided by state or local law which are greater than the federal benefits must still be provided.

2. Under the Act, covered employees are entitled to 12 work weeks of unpaid leave during any one-year period. Such leave must be granted for the following reasons:

- a. the birth or adoption of a child;
- b. to care for a spouse, child, or parent with a serious health condition; or
- c. a serious health condition makes the employee unable to perform required job functions.

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#### 3. Definitions:

- a. A serious health condition is an illness (physical or mental) or injury requiring inpatient hospital care or continuing healthcare treatment.
- b. A covered employee is one who has been employed for at least one year, who has worked for at least 1,250 hours during the previous twelve months and who works at a facility whose employer has 50 or more employees within 75 miles of that location. The Act applies equally to male and female employees.
- c. Son and daughter include biological, adopted, stepchildren legal wards and "a child of a person standing "in loco parentis" (for example, foster children). The terms include children under 18 and older children who are "incapable of self-care because of mental or physical disability."
- d. Parent means the biological parent or other person who stands "in loco parentis" to the employee.
- e. Spouse means husband or wife.

#### 4. Scheduling:

a. Other than leave for birth or adoption, leave may be taken intermittently when medically necessary, including leaves of less than one day.

Employees who take intermittent leave may be required to transfer temporarily to another job with equivalent pay and benefits that is less disruptive of operations.

b. If possible, an employee must give at least 30 days' notice before taking leave and must make a reasonable effort to minimize the disruption of the employer's operations.

- c. The Act makes special provisions for elementary and high schools, noting that the intermittent absence of a teacher for more than 20% of classroom time is considered disruptive. The Act therefore allows the school to require the instructor to transfer to another position or take a continuous leave.
- d. Leave for birth or adoption must be scheduled for 12 consecutive weeks, unless the employer agrees to a different schedule.
5. An employer may require employees to use vacation, personal leave, etc., for family leave and may require use of sick leave for personal medical leave. Such accrued leave does count toward the total 12 weeks the employer is required to provide.
6. Seniority and employment benefits do not accrue during leave, however, the employer must maintain the employee's group health coverage. If the employee fails to return from leave,

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the employer may recover the premium paid during the leave period.

#### 7. Proof of Illness

a. An employer may require medical certification for leaves involving a serious health condition affecting either the employee or a family member. This certification must include the date of the onset of illness, the probable duration and other appropriate medical facts.

b. Where an employee takes leave to care for a family member, the certification must state that the employee is needed to care for the family member. This certification must include the date of the onset of illness, the probable duration and other appropriate medical facts.

c. If an employer has reason to doubt the validity of a certification, the employer may require a second opinion. If the health care providers disagree, a third provider approved jointly will be the final authority of the matter. Second and third opinions are at the employer's expense. However, the employer may not use a doctor or other health care provider that it employs on a regular basis to supply second or third opinions. The employer may require the employee to obtain subsequent recertification on a reasonable basis.

8. When employees return from leave they must be returned to their original positions or to positions with equivalent pay and benefits. An exception applies to highly compensated employees (top 10% within a 75 mile radius) where restoration would cause "substantial and grievous economic injury."

9. Employers who discriminate against employees for exercising their rights under the Act may be liable for back pay and benefits, actual monetary losses, interest, attorneys' fees, expert witness fees, liquidated damages (an additional amount equal to the sum of all other damages and interest) and litigation costs.

The employee must submit completed FMLA request forms to the Executive Director.

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## 9.0 TRAVEL REGULATIONS

### 9.1 Overview

This policy establishes the procedures to be followed for all out-of-town travel outside the reasonable commuting distance of the Authority when using Authority funds for travel.

### 9.2 Authorization

The Housing Authority will reimburse for travel expense by the following schedule:

- Actual cost of meals and room accommodations.
- Actual cost of transportation for travel by common carrier.
- In the event HAF required an employee to use their personal vehicle for HAF business or travel, the federally allowed rate per mile will be paid for each mile logged for business use.
- Travel by private vehicle outside of Fulton County must be justified in terms of comparable cost of travel by common carrier when available.
- When two or more employees attend the same function, they are expected to travel in the

same vehicle, where possible. If the employees choose to ride separately, reimbursement for only one set of mileage will be allowed.

- Receipts must be provided for all expenses over \$10.00.

#### 9.3 Responsibility of Traveler

The traveler shall prepare the voucher for reimbursement in accordance with Authority policies. The traveler shall submit a travel voucher and receipts no later than five (5) days of return. The traveler shall not

submit reimbursement claims which are not in accordance with this policy.

#### 9.4 Transportation

The most economical means of travel shall be authorized using criteria established by the Authority. The Authority will determine the nature and urgency of the business. The most efficient and economical means

of travel will be selected considering the time of the traveler and the cost of the mode of transportation. The

Authority will also consider the number of people making the trip and the distance that will be traveled.

##### 9.4.1 Authority Vehicles

Authority vehicles should be used for travel whenever it is possible subject to mileage limitations or other considerations stipulated in this policy. When using Authority vehicles, all expenses accumulated for the operation of the vehicle should be documented with a receipt. A valid drivers license is required for any employee to operate an Authority vehicle. An employee without a valid license, is not insurable, or determined to be high-risk shall not operate any Authority vehicle.

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##### 9.4.2 Private Automobile

Private vehicles may be authorized if the use of an Authority vehicle is not feasible or where the Authority is better served by this arrangement. The employee is required to document on the travel expense voucher the odometer reading from the beginning to the end of the trip.

##### 9.4.3 Commercial Aircraft

For trips over 200 miles, the feasibility of air transportation should be considered. The fare should not exceed the regular tourist fare except when no tourist accommodations are available. A copy of the paid ticket must be submitted if the traveler pays for the ticket personally. An overnight weekend stay may be required.

##### 9.4.4 Other Modes of Transportation

If a rental car is used, all receipts should accompany the travel voucher. Travel by train, bus, or other means of transportation may be used if they are the only practical way to travel. Again, all receipts should be submitted. Travelers shall not be allowed mileage when they are transported by another traveler who is entitled to mileage or transportation expenses.

#### 9.5 Lodging

Travel to a conference or convention should be accompanied by a stay in the hotel where the event is being

held. If it is necessary to make alternative plans, the accommodations shall have comparable rates. For routine business, the actual cost of lodging at the single room occupancy rate will be reimbursed. The Authority recognizes that the cost of lodging varies among cities and will reimburse travelers suitable accommodations based on a single occupancy rate or double, depending on the number in the party. Travelers must submit receipts for lodging costs.

#### 9.6 Incidental Expenses

The following costs will be reimbursed to the traveler while on official business:

1. Ferry fares and bridge, road, and tunnel costs
2. Parking fees
3. Conference and convention registration fees upon submittal of a receipt
4. Taxi, bus, and subway fares
5. Tips and gratuities
6. Telephone and telegraph charges for conducting official business.
7. Valet or laundry service if the trip is longer than five (5) days.

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## 9.7 Travel Authorization

Travel request and authorization forms shall be submitted and approved by the Executive Director. Travel must be fully described and justified. Funds may be advanced to the traveler at the time of authorization.

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## APPENDIX

The Housing Authority of Fulton, Kentucky

### ACKNOWLEDGEMENT OF RECEIPT

This policy is provided to you for information and immediate reference. Read it carefully and completely. Policies included are subject to unilateral change by the Authority from time to time, with or without notice, in writing, verbally or in practice.

All employees are at-will and the Personnel Policies and Procedures Handbook is not to be construed as a contract of employment.

Please acknowledge receipt of this Policy by signing and returning this page to your supervisor.

Employee Signature Date

Executive Director Signature Date

The Housing Authority of Fulton, Kentucky

### TERMINATION CERTIFICATION

This is to certify that I do not have in my possession nor have I failed to return, any documents, data, resident lists, resident records, sales records, or copies of them, or other documents or materials, equipment

or other property belonging to the Authority, its successors and assigns.

I further agree, I will not discuss confidential information, knowledge, data or other information relating to residents, processes, test data, resident lists or other subject matter pertaining to any business of the Authority or any of its clients, customers, consultants, licensees, or affiliates.

Employee Signature Date

Executive Director Signature Date

FULTON HOUSING AUTHORITY  
ADMISSIONS AND CONTINUED OCCUPANCY POLICY  
DECEMBER 2004

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HOUSING AUTHORITY  
ADMISSIONS AND CONTINUED OCCUPANCY POLICY  
Part A  
INTRODUCTION

Fulton Housing Authority  
Admissions and Continued Occupancy Policy  
October 2004

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## INTRODUCTION

### I. Purpose of the ACOP

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

### II. Civil Rights Policy

It is the policy of the Housing Authority, also referred to as the "Housing Authority" and the "PHA", to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 3 of the 1968 Civil

Rights Act, and with all rules and regulations. Specifically, the PHA shall not on account of race, color, sex,

creed, or national origin deny any family or individuals the opportunity to apply for assistance under the Low-Rent Housing Program. Neither will the PHA discriminate because of religion, age, physical handicap,

pregnancy, parenthood, nor marital or veteran status.

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

Briefing and all applicable forms and printed material will be made available to prospective resident families.

### III. Privacy Policy

It is the policy of the Housing Authority (PHA) to facilitate the full exercise of rights conferred on individuals under the Privacy Act of 1974, 5 U.S.C 552A, and to ensure the protection of privacy of individuals about whom the Housing Authority maintains records under its Low-Rent Housing Program. Therefore, the PHA shall not disclose any personal information contained in such records by any means of

communication to any person or to another agency unless the individual to whom such information pertains

requests or consents to such disclosure or unless such disclosure is authorized under the applicable provisions of the Privacy Act. The PHA has determined that disclosure under any other circumstances would constitute an unwarranted invasion of privacy in violation of the Privacy Act and the United States Constitution. The PHA shall refuse any and all requests for any unauthorized and unlawful disclosures. It is

important to note that this privacy policy is applicable to the disclosure of participant information and NOT the gathering and use of information necessary to ensure full compliance with HUD regulations governing such items including, but not limited to, the following:

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

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

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### IV. Authority

Eligibility for admission to and occupancy of Low-Income Public Housing is governed by requirements of the Department of Housing and Urban Development, with some latitude for local policies and procedures.

This Admissions and Continued Occupancy Policy (ACOP) incorporates these requirements and is binding

upon applicants, residents, and the Housing Authority alike, the latter two through inclusion of the ACOP into the Dwelling Lease by reference. Notwithstanding the above, changes in applicable Federal law or regulations shall supersede this policy at any point in which they are in conflict.

#### V. Objectives

The objectives of this policy are to:

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

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

2. Ensuring the fiscal stability of the Housing Authority; and,

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

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

C. Comply in letter and spirit with Title VI of the Civil Rights Act of 1964 and all other applicable Federal Laws and regulations to ensure that admission to and occupancy of public housing neighborhoods is conducted without regard to race, color, creed, sex or national origin.

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

#### VI. Terminology

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

### HOUSING AUTHORITY

#### ADMISSIONS AND CONTINUED OCCUPANCY POLICY

##### Part B

#### DEFINITIONS

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#### DEFINITIONS

##### FAMILY

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

A. A family with or without children;

B. An elderly family;

C. A near-elderly family;

D. A disabled family;

E. A displaced family;

F. The remaining member of a tenant family; and

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

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

A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

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

A family in which each member, or whose sole member, is a person displaced by governmental action, or a

person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

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

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

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

A family whose head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

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

A person who is at least 62 years of age.

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

A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- A. Is determined to be essential to the care and well-being of the persons;
- B. Is not obligated to financially or otherwise support the person(s); and
- C. Would not be living in the unit except to provide the necessary supportive services.

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

A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of

62: or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one

or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.

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

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

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

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

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

- 1. Is expected to be of a long-continued and indefinite duration;
- 2. Substantially impedes his or her ability to live independently; and
- 3. Is of such a nature that such ability could be improved by more suitable housing conditions; or

C. Has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5)).

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

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## ANNUAL INCOME

### I. Income

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

### II. Annual Income

Annual Income means all amounts, monetary or not, which go to, or on behalf of, the family head or spouse

(even if temporarily absent) or to any other family member; or are anticipated to be received from a source outside the family during the 12-month period following reexamination effective date; and, which are exclusive of income that is temporary, nonrecurring, sporadic, and exclusive of certain other types of income specified in this policy; and, amounts derived during the 12-month period from assets to which any member of the family has access.

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

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
2. The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the Family;
3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in (ii) above of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate, as determined by HUD;

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4. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum payment for the delayed start of a periodic payment;
  5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (see "lump sum additions" in this policy);
  6. Welfare assistance;
    - a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus,
    - b. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
  7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;
  8. All regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling, see paragraph 5 in the next sub-section regarding special pay);
- B. Annual Income does not include:

1. Income from employment of children (including foster children) under the age of 18 years;
2. Payments received for the care of foster children or foster adults;
3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (see "payments in lieu of earnings" in this policy);
4. Amounts that are specifically for or in reimbursement of the cost of medical expenses, when applicable;
5. Income of a Live-in Aide, as defined in 24 CFR §913.102;

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6. Amounts of educational scholarships paid directly to the student or the educational institution, and amounts paid by the Government to a veteran, for use in meeting the costs of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student. Any amount of such scholarship or payment to a veteran not used for the above purposes that are available for subsistence is to be included in income;
7. The special pay to a family member in the Armed Forces away from home and exposed to hostile fire;
8. Temporary, nonrecurring or sporadic income (including gifts);
9. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
10. Earnings in excess of \$480 for each full-time student 18 years old or older, excluding the head of household and spouse;
11. Adoption assistance payments in excess of \$480 per adopted child;
12. Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts;
13. Transitional Assistance or other similar payments under Medicare.
14. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
15. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
16. Certain stipends (not to exceed \$200/mo) and other income received by participants in qualified training, self-sufficiency and work incentive programs. Includes CIAP and CGP training programs;
17. Earned income:
  - a. Disallowance of earned income from rent determinations applies when a family member becomes employed after being unemployed for at least one (1) year, or when income increases during the participation in any family self-sufficiency or job training program, or who is or was assisted under TANF within six (6) months and whose earned income increases. Such disallowance shall be granted to eligible families for a twelve (12) month period, contingent upon continued employment or increased income.

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- b. Upon expiration of the 12-month period of disallowance of earned

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

18. Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. When such exclusions are mandated by Federal statute or regulation, they will become effective as prescribed by the Federal government without the necessity to amend this policy. The following is a list of types of benefits that qualify for that exclusion effective February 1998;

- a. Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636);
- b. The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));
- c. Payment to volunteers under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5044(g), 5058);
- d. Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626 (a));
- e. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);
- f. Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));
- g. Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b));
- h. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503 2504);
- i. The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Authority or the Court of Claims (25 U.S.C. 1407-1408) or from funds held in trust for an Indian tribe by the Secretary of the Interior (25 U.S.C. 117); and

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

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

### III. Monthly Income

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

### IV. Adjusted Income

Adjusted Income means Annual Income less the following:

- A. \$400 for any elderly or disabled family;
- B. The amount by which 3% of the annual family income is exceeded by the sum of:
  1. Unreimbursed medical expenses for any elderly family or disabled family;
  2. Unreimbursed reasonable attendant care and auxiliary apparatus expenses for

- each handicapped member of the family, to the extent necessary to enable any member of such family (including such handicapped member) to be employed.
- C. Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education;
  - D. \$480 for each member of the family residing in the household (other than the head of the household or his or her spouse) who is less than 18 years of age, or is attending school or vocational training on a full-time basis, or who is 18 years of age or older and is a person with disabilities;
  - E. The amount of any earned income of a member of the family who is not:
    - 1. 18 years of age or older, and
    - 2. The head of the household (or the spouse of the head of the household).
  - F. Amount equal to the difference between gross and net pay for all employment income.

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

VI. Income for Rent

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

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#### TOTAL TENANT PAYMENT

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

- A. 30 percent of monthly Adjusted Income; or
- B. 10 percent of Monthly Income;
- C. The welfare rent, if applicable;
- D. A minimum rent amount of \$50. Note: QHWRA established certain exceptions to the minimum rent requirements relating to hardship which are discussed in the Rent Collection Policy of this ACOP.

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

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

The Authority provides three (3) options for any public housing dwelling unit owned, assisted or operated by the Authority:

- A. Minimum Rent: \$50.
- B. Income-Based Rent: Based on a family's income and is determined by the methods described in 1 and 2 above;
- C. Flat Rent: Based on competitive market analysis and market value of the public housing unit.

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OTHER

- I. Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The Housing Authority will not normally determine child care expenses as necessary when the household contains an additional unemployed adult who is physically capable of caring for children.
- II. Dependent: A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a Full Time Student. An unborn child shall not be considered a dependent.
- III. Designated Housing: A project (or projects) or a portion of a project (or projects) that has been designated in accordance with 24 CFR Part 945.
- IV. Employment: Individual who is head of household or spouse and is employed. The employment income must be countable under the U.S. Department of Housing and Urban Development's definition of Annual Income.
- V. Enrolled in a Job Training Program: Individual who is head of household or spouse and is currently enrolled and participating in a job training program that prepares the applicant to enter or reenter the job market. Verification shall be required from the job training program.
- VI. Extremely Low-Income Family: A family's who's Annual Income does not exceed 30% of the area median income, as determined by HUD.
- VII. Graduate of Job Training Program: Individual who is head of household or spouse is a graduate of a job training program that prepares the applicant to enter or reenter the job market. Verification shall be required from the job training program.
- VIII. Head of Household: Head of Household means the adult member of the family who is held primarily responsible and accountable for the family, particularly in regard to lease obligations.
- IX. Low Income Family: A family who's Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs of unusually high or low family incomes.
- X. Medical Expenses: Those medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by Insurance. Medical expenses, in excess of 3% of Annual Income, are deductible from Annual Income for elderly families only.

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- XI. 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.
- XII. Minor: A "minor" is a person less than eighteen years of age. (An unborn child may not be counted as a minor but is counted for eligibility of a single, pregnant female.) An infant is a child under the age of two. Unemancipated minors shall not be eligible for participation in the public housing program because they cannot be legally held to a contract.
- XIII. Mixed Population Project: A public housing project, or portion of a project, that was reserved for elderly families and disabled families at its inception (and has retained that character). If the project was not so reserved at its inception, the PHA has obtained HUD approval to give preference in tenant selection for all units in the project (or portion of a project) to elderly families and disabled families. These projects formerly were known as elderly projects.
- XIV. Net Family Assets: "Net Family Assets" include the value of, or equity in, real property, savings, bonds, stocks, and other forms of capital investments after deducting reasonable costs that would be incurred in the disposition of such assets. The value of personal property such as furniture and automobiles is to be disregarded in the Net Assets determination. Also, the interests in Indian trust

land and equity accounts in HUD homeownership programs are to be disregarded. (In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered as an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.) In determining Net Family Assets, the PHA shall include the value of any assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or resident received important consideration not measurable in dollar terms.

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

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

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

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

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

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

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

XIX. Utility Allowance: If the cost of utility (except telephone) and other housing services for an assisted unit is not included in the Total Tenant Payment but is the responsibility of the family occupying the unit, an amount equal to the estimate made by PHA or HUD, of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a quality living environment.

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

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

HUD may establish income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

XXII. 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.

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

XXIV. Handicapped Assistance Expenses: Reasonable expenses that are anticipated, during the period for

which Annual Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled Family member and that are necessary to enable a Family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the Family nor reimbursed by an outside source.

XXV. Public Housing Authority/Agency (PHA): A State, County, municipality or other government entity or public body (or agency or instrumentality thereof) that is authorized by the 1937 Housing

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Law, as amended, to engage in or assist in the development or operation of housing for lower income families. The term "public housing" includes dwelling units in a mixed finance project that are assisted by a public housing authority with capital or operating assistance.

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#### PREFERENCES

HAM has adopted local preferences, in accordance with the Quality Housing and Work Responsibility Act of 1998 and HUD regulations, that are applied when determining an applicant's place on the waiting list.

These preferences, are as follows (refer to the Applicant Selection and Assignment Plan for points and procedures):

- .. Working
- .. School/Education
- .. Job Relocation
- .. Relocating to the County because of a job or working in Fulton County
- .. Veteran/Widow of a Veteran

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ADMISSIONS

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#### ADMISSIONS

##### I. Non Discrimination

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

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

## II. Income Targeting

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

## III. Deconcentration

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

Refer to the appendix for the Deconcentration Policy.

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## OUTREACH TO HIGHER INCOME FAMILIES

### I. Outreach to Higher Income Families

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

### II. Incentives

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

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## APPLICATION TAKING

All admissions to public housing shall be made on the basis of a personal interview where an application is

completed by the applicant family and Housing Authority personnel. The Application for Admission shall constitute the basic legal record of each family applying for admission and shall support the Housing Authority's determinations of eligibility status, priority status, rent, and size of unit for which the applicant is

qualified. All supplemental materials pertaining to eligibility shall be considered a part of the application record and carefully recorded. This includes verifications of income and family composition and such other

data as may be required. The following conditions shall govern the taking and processing of applications:

I. Applications for the public housing program will be completed during a one on one interview between the applicant family and Housing Authority personnel and shall be maintained on the Housing Authority's computer system. Applicants shall complete and sign the application and certify, subject to civil and criminal penalties, to the accuracy of all statements made therein. The Housing Authority reserves the right to require the signature of any or all adult members of the applicant household.

- II. Applicants will be required to submit verification documentation as part of the application process. Applicants will be given a list of required verifications at the time of their interview with designated PHA personnel for the purpose of determining eligibility.
- III. Should applicants fail to provide required verification documentation within the time frame established by the PHA, their case will be placed in an inactive status and the applicants will be required to reapply during the next enrollment period.
- IV. The Housing Authority reserves the right to suspend application taking when the current supply of completed full applications exceeds the number of families that could be reasonably expected to be housed within the next twelve months.
- V. The Housing Authority will normally take applications from a central location which will allow for processing by staff persons knowledgeable of the rules and regulations governing resident selection and assignment, but reserves the right to establish satellite locations for application taking.
- VI. The Housing Authority reserves the right to establish times for taking applications, including by appointment. The Housing Authority staff may, at its discretion, provide for application interviews outside normal hours when necessary for hardship reasons.
- VII. Insofar as possible, application interviews shall be conducted in private.
- VIII. Applications shall be updated as applicants report changes in income and family circumstances. All modifications to applications shall be properly documented and the transaction initialed by the staff member making the change.
- IX. All active applications will be purged no less than once every 12 to 18 months. Notification shall be sent to each applicant informing him/her that unless he/she confirms his/her continued interest, his/her application will be retired from the active file. Returned notification will be attached to the respective application as evidence of unsuccessful effort to locate the applicant. All applicants will be instructed to notify the PHA whenever there is a change in family composition, income, address,

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- and any other factors relative to their eligibility status. Applicants should notify the PHA if he/she no longer desires consideration for public housing.
- X. Applicants on waiting lists for any other type of assisted housing will have no special status with respect to the Low-Rent Public Housing Program. Applicants must submit separate applications for other programs. Applicants will not lose their place on any other PHA waiting list should they make an application for "Low-Rent" public housing. This right will be explained to each applicant who might have previously filed an application for a dwelling unit through any other PHA program.
- XI. The Housing Authority shall maintain such records as are necessary to document the disposition of all applications and to meet Department of Housing and Urban Development audit requirements.

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#### ELIGIBILITY CRITERIA

- I. The Housing Authority shall use the guidelines and procedures prescribed by HUD at the time of applicant processing to make a final determination of household eligibility.
- II. All families who are admitted to Public Housing must be individually determined eligible under the terms of this policy. In order to be determined eligible, an applicant family must meet ALL of the following requirements:
- A. The applicant family must qualify as a family as defined in Section B.
  - B. The single person applicant must qualify as a single person as defined in Section B.
  - C. The applicant's Annual Income as defined in Section B (HUD Secretary's definition) must not exceed income limits established by the Department of Housing and Urban Development for Public Housing in the County of PHA jurisdiction.
  - D. The applicant family must conform to the Occupancy Standards contained in this policy regarding unit size and type.

E. The applicant must have a satisfactory record in meeting past financial obligations, especially in payment of rent. Applicants shall not have a history of habitual late rent payments in the past five years. In situations where an unsatisfactory record is obtained the PHA may take into consideration extenuating circumstances such as illness, or other incidents beyond the control of the applicant.

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

G. Any tenant evicted from federally assisted housing by reason of drug-related criminal activity shall not be eligible for federally assisted housing during the 3-year period beginning from the date of such eviction. At the Authority's discretion, consideration may be given to an evicted tenant who successfully completes a rehabilitation program and/or if the circumstances leading to the eviction no longer exist.

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

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

1. Has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol (as applicable);
2. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of controlled substance or abuse of alcohol (as applicable); or
3. Is participating in a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol (as applicable).

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

J. The Housing Authority may prohibit admission of any applicant or member of the applicant's household who has been convicted of a felony in the past 10 years.

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

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

1. The health, safety, or welfare of other residents;

2. The peaceful enjoyment of the neighborhood by other residents; or  
3. The physical environment and fiscal stability of the neighborhood.

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

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

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

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

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

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

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

1. Household has no outstanding indebtedness to the PHA or any other federal housing program;
2. Family will occupy unit as their sole place of residence.

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

IV. Sources of information for eligibility determination may include, but are not limited to, the applicant (by means of interviews or home visits), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by the particular circumstances. Information relative to the acceptance or rejection of an applicant shall be documented in accordance with Part C; Verification, and placed in the applicant's file. Such documentation may include reports of interviews, letters or written summaries of telephone conversations with reliable sources. At a minimum, such reports shall indicate the date,

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the source of information, including the name and title of the individual contacted, and a summary of the information received.

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

A. Evidence of rehabilitation;

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

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

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

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

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

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

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

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**SCREENING**

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

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

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

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

reasonable cause to believe that the applicant is currently engaging in the illegal use of a controlled substance.

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

V. Conditions for Denial

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

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

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

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

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

F. INS Denial

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

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

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

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

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

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RECORDS MANAGEMENT AND CONFIDENTIALITY

I. Records Management

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

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

1. Maintained in the applicant file in a locked file cabinet.

2. The PHA shall retain current applications as long as an applicant’s status on the waiting list is active.

3. Once the applicant is taken off the waiting list, the PHA must retain the

application, initial rejection notice, applicant reply, and copy of the PHA's response and all documentation supporting the reason for removal from the list for three years.

4. All applications must be maintained in the tenant file for the duration of tenancy and for three years after the tenant leaves the property.

5. The PHA must keep records and submit reports and information as required by HUD to enable HUD and the PHA to ascertain whether the PHA has complied, or is complying with nondiscrimination requirements.

## II. Confidentiality

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

Any officer, employee, or authorized representative of the Housing Authority who knowingly and willfully requests or obtains any information concerning an applicant for, or tenant of the Housing Authority, under false pretenses, or any officer, employee, or authorized representative of the Housing Authority who knowingly and willfully discloses any such information in any manner to any individual not entitled under any law to receive it, shall be guilty of a misdemeanor and such to the fines of the state. Any applicant or resident of the Housing Authority affected by negligent or knowing disclosure of information referred to in this subsection about such person by an officer, employee or authorized representative of the Housing Authority, which disclosure is authorized by this subsection, or any other negligent or knowing action that is inconsistent with this subsection, may bring a civil action for damages and such other relief as may be appropriate against the Housing Authority. The district court of the United States in the district in which the affected applicant or resident resides, in which such unauthorized

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action occurred, or in which the officer, employee, or representative alleged to be responsible for any such unauthorized action resides, shall have jurisdiction in such matters.

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## III. Release of Resident Information

There are numerous occasions when credit organizations, loan companies and/or other public or private agencies request information, either by telephone, by mail or in person, regarding citizens who reside or have previously resided in the Authority units. Authority staff will adhere to the following policy in those circumstances.

1. Housing Programs Manager, Public Housing Specialist and or their staff are to accurately verify the following information only:

- a. Resident's Name, address, and length of occupancy.
- b. Family Composition.
- c. Place or places of employment and/or source of income.
- d. Rental pay habits (Good-Fair-Problem).

2. Release of other information, except to duly authorized member of the F.B.I., armed services intelligence agencies, city police, or public welfare agencies is unauthorized. In no case shall information regarding the amount of earnings or hourly rate of pay of the lessee or any member of his/her household be revealed except upon written permission of the lessee. All such requests shall be filed in the resident's folder.

3. Requests for information other than provide for above, must be referred to the Administrator. It will be released in accordance with the Privacy Act of 1974 and the Freedom of Information Act.

#### VERIFICATION OF INCOME AND CIRCUMSTANCES

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

- I. Letters or other statements from employers and other pertinent sources giving authoritative information concerning all items and amounts of income and deductions, together with other eligibility and preference determinations;
- II. Third party verification forms supplied by the PHA and returned properly completed by employers, public welfare agencies, etc.;
- III. Originals, photocopies, or carbon copies of documents in the applicant's possession which substantiate his statements, or a brief summary of the pertinent contents of such documents signed and dated by the staff member who viewed them. Such documents must be within 60 days current. No determinations will be made based upon information/documents more than two (2) months old;
- IV. Statements from self-employed persons, and from persons whose earnings are irregular, such as salesmen, etc., sworn to before a Notary, setting forth gross receipts, itemized expenses and net income (expenses incurred for business expansion or amortization of capital indebtedness are to be included in net income);
- V. Memoranda of verification data obtained by personal interview, home visit, telephone, or other means, with source, date received, name and title of person receiving the information clearly indicated, and a summary of information received;
- VI. Certified birth certificates, or other substantial proof of age, to support claims to the various entitlements in these policies for each member of the household;
- VII. Proof of disability, or of physical impairment, if necessary to determine the applicant's eligibility as a family or entitlement to consideration under the criteria established in these policies, provided in written form by the appropriate government agency;
- VIII. Statements from landlords, family social workers, parole officers, court records, drug treatment centers, clinics, physicians, Kentucky law-enforcement agencies, county sheriff's department or police departments, where warranted in individual cases;
- IX. Receipts for utility services;
- X. For households reporting "zero" income, the Housing Authority will require statements and verification from parties who are identified as providing non-cash contributions such as groceries and clothing;
- XI. When verification cannot be accomplished by either form of third party verification or review of documents, the applicant/resident will be required to submit a notarized statement.

.. Where a notarized statement has been accepted for income determination purposes, the family will be appraised of requirement to undergo a re-exam every 3 months (at the PHA discretion).

#### XII. Verification of Citizenship/Eligible Immigrant Status

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

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

B. Eligible Immigrants who were Participants and 62 years of age or over on June 19, 1995. A

signed declaration of eligible immigration status and provide proof of age.

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

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

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

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

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

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

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

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

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

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

has occurred in his status, the data will be considered as reflecting the applicant family's status at the time of admission. If data are more than two months old, all factors are to be re-verified and findings recorded. As part of the application record of each applicant determined to be eligible for admission, the admitting officer or his supervisor shall certify that an investigation has been made of such family and that on the basis of this investigation, it has been determined that the applicant and his family meet all the conditions governing eligibility.

#### XIV. Special Verification Requirements for Phase-In Rents

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

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

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No resident or applicant is automatically entitled to an earned income exclusion. Determination of the eligibility for the earned income exclusion is the sole responsibility of the Housing Authority. Notwithstanding the above, it is the responsibility of the resident/applicant to supply the complete and accurate information which the Housing Authority requires to make an eligibility determination.

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

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

As with other interim rent changes, any reduction in rents which result from the application of this policy shall be effective on the first day of the month following that month in which the eligibility for the deduction is determined. The Housing Authority shall not be liable for retroactive reductions if the resident fails to report the change within the required time period. Rent increases resulting from expiration of the phase-in disallowance period provided under the earned income exclusion, are effective on the first day of the following month. All other rent increases resulting from the application of this policy, are implemented in the same manner as other increases resulting from changes in income or benefits. If the resident complies in an accurate and timely manner with all reporting requirements, (including requirements to report any changes in training or employment status which affect eligibility for exclusions) any increase in rent will be effective on the first day of the second month after the income changes are reported. Failure to meet reporting requirements will result in rent increases retroactive to the date the change actually took place.

#### XV. Summary of Verified Data

A summary of verified information shall be prepared upon receipt of all required verification documentation

and shall include the following determinations:

A. Eligibility -- the applicant meets the definition of Family as defined in this policy and income is within the appropriate income limits for admission.

- B. Preferences
- C. Date and time of completed application
- D. Size of unit needed by family
- E. Income Exclusions and Rent to be paid

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#### DETERMINATION AND NOTIFICATION OF ELIGIBILITY

- I. As soon as possible after receipt of an application, the Housing Authority will determine the applicant family's eligibility for public housing in accordance with the provisions of this policy, and will determine whether a preference exists. In the event an applicant family is determined to be eligible, the family shall be placed on the waiting list, and informed of the time estimated before an offer of a dwelling unit will be made. If this period is estimated to be longer than one year, the applicant family shall be informed of this fact.
- II. Apparently eligible applicant families will be notified that its eligibility determination is tentative in nature, being largely based on declarations made by the applicant family, and is subject to further reviews prior to admission.
- III. In the event an applicant family is determined to be ineligible, it shall also be informed in writing of the basis for this determination. An applicant family does not have the right to use the Tenant Grievance Procedure, but will be given, upon request, the opportunity for an informal hearing to present such facts as it wishes. The applicant family will be advised that should an informal review be desired, a written request to this effect must be received by PHA within 5 working days of the date of the notification of ineligibility.
- IV. Thorough investigation of each application will be conducted during the Tenant Interview. Eligibility will be verified by the PHA staff within the provisions of this policy. The Tenant Interview will be conducted at the time that the application is submitted for review.
- V. Applicants denied a preference shall be notified in writing about the denial. The notice shall contain a brief statement of the reason(s) for the determination and state that the applicant has a right to meet with a representative of the Housing Authority to review the determination.
- VI. In all cases, the Housing Authority reserves the right to withdraw any determination of eligibility, tentative or otherwise, when additional information indicates that the prior determination was inappropriate.
- VII. Informal Review
  - A. If a request for a review is received within the specified five (5) day period, the PHA will notify the applicant, in writing, of the scheduled time and date of review.
  - B. The PHA will appoint a Review Officer to conduct the informal review. The Review Officer shall be a Housing Authority employee or other designated individual who did not participate in the original determination of denial. The Review Officer shall not be a subordinate of the party who made the original decision to deny.
  - C. The applicant will be apprised that they may be represented by legal counsel or other representative at his/her own expense.
  - D. The PHA will present factual or other basis for its decision. The applicant may also present his/her position. Subject to the direction of the Review Officer, the applicant and the Housing Authority may offer and examine evidence and question any witnesses.

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- E. The Review Officer will issue a written decision, stating the facts and/or other basis for the decision. The decision or any other issue of fact will be based solely upon evidence presented at the hearing. A copy of the decision will be furnished to the applicant.
- F. The PHA will not be bound by a decision of the Review Officer where it is determined that the Officer exceeded his/her authority or has made a determination which is inconsistent

with HUD regulations, federal statute, or state or local law that imposes obligations on applicants or residents.

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

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#### OCCUPANCY STANDARDS

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

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

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

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

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

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

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

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

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

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

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

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

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

B. That the mother is expecting another child.

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

A. Relationship of family members to one another;

B. Ages of household members;

C. Sex of persons to occupy the unit;

D. Handicap; or

E. Other individual circumstances.

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

V. The following standards regarding the minimum and maximum number of persons who will occupy a unit will be applied within the restraints of financial solvency and program stability. The PHA will also assign units based on the type of unit needed by the individual applicant or applicant family. This refers primarily to the family's ability to use stairs or their status as an elderly family.

When it is found that the size of the dwelling is no longer suitable for the family in accordance with these standards, the family will be required to move as soon as a dwelling of appropriate size becomes available. These families will be transferred in accordance with the Transfer Policy. In the situation where a tenant requires a different size dwelling unit and the tenant has either an outstanding balance, a history of poor housekeeping standards or destruction of property, or has not been a desirable tenant the tenant will be deemed ineligible for transfer and will be referred for termination.

Number of Bedrooms Number of Persons

Min Max

0 1 2

1 1 2

2 2 4

3 3 6

4 3 8

5 4 10

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#### APPLICANT SELECTION AND ASSIGNMENT PLAN

##### I. Applicant Ranking

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

##### II. Preferences

HAM has adopted local preferences, in accordance with the Quality Housing and Work Responsibility Act of 1998 and HUD regulations, that are applied when determining an applicant's place on the waiting list.

In

cases where applicants' numerical points are equivalent, selection will be based on chronological order of application. These preferences, are cumulative, i.e., an applicant may have as many preference points as he

or she qualifies for.

These preferences, and the points assigned, are as follows (NOTE: please see the certification section immediately following the list of preferences):

Points

##### 1. Working

a. More than 36 hours/week 20

b. Equal to or greater than 20 but less than 36 10

c. Equal to or greater than 10 but less than 20 8

##### 2. School/Education

a. Full-time as determined by the institution  
(college or vocational school) 7

b. Part-time as determined by the institution  
(college or vocational school) 5

c. Adult continuing education  
(e.g. JOBS, JTPA, GED, etc.) 5

##### 3. Job Relocation

a. Relocating to the County because of a job or working

In Fulton County 5

#### 4. Veteran/Widow of a Veteran 5

### III. Preference Certification Requirements

The following certifications are required in order to be granted any preference(s):

1. Employment: The "Employer Verification Form" supplied by the FHA and verified by the employer.
2. Student: A student schedule showing total credit hours or a letter from the educational institution on its letterhead, stating total number of credit hours.

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3. Adult continuing education: A certification form the relevant agency on its letterhead stating the program participating in.
4. Job relocation: Letter from the employer on its letterhead stating the applicant's current address outside of the County.
5. Veteran/veteran's widow: A copy of the DD2 form.

### IV. Denial of Preference

A preference shall not be given to an applicant if any member of the family is a person who has been evicted from housing assisted under a 1937 Housing Act program due to drug related criminal activity.

However, a preference may be given if:

1. The applicant or family member evicted has successfully completed a drug rehabilitation program; or,
2. The applicant or family member clearly did not participate in drug related criminal activity; or,
3. The Housing Authority determines that the applicant or family member no longer participates in any drug related criminal activity.

### V. Waiting List

The Housing Authority-Wide Waiting List will be ordered as follows:

1. By unit type (regular, elderly, special handicapped) and in unit size by bedrooms.
2. By preference only.
3. Within the priorities above, by date and time of application.
4. Families who claim no preference will be notified by the Housing Authority that their names will be retained on the waiting list as non-priority applicants. If at some future time, their status changes in regards to a preference, they will be entitled to claim the preference, and be added to the priority waiting list.

### VI. Waiting List Skipping

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

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

### VII. Updating of the Waiting List

The Housing Authority will update the waiting list as needed in order to maintain the most current information. Applicants will be requested to provide the Housing Authority with updated information through writing. Applicants who do not respond to the request to update shall be removed from the waiting

list. If the applicant's failure to respond was due to the applicant's disability, the Housing Authority shall

provide reasonable accommodations to give the applicant an opportunity to respond.

#### VIII. Applicant Selection and Assignment

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

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

#### IX. Special Use Dwelling Units

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

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

#### X. Dwelling Unit Offers

The Authority will make an offer of one unit that is suitable for the application. The offer will not be based on the distribution of vacancies in the Authority's developments. If the unit is rejected, the applicant goes to

the bottom of the waiting list.

When the applicant is matched to the specific unit, that dwelling unit becomes "unrentable" until the offer is

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

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

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

C. Upon offer of an apartment, the applicant shall have five (5) days to accept or reject the apartment. An additional business day may be granted if necessary to allow the applicant to inspect the apartment. Failure to give an answer within the prescribed time period shall be counted as rejection of the offer.

D. Upon acceptance of the offer, the applicant will then be assigned a deadline for move-in. Before the end of this period, the applicant must complete all outstanding pre-occupancy requirements, such as joint HQS unit inspection, establishment of utility services, leasing interview, and lease execution. Failure to complete move-in requirements within the assigned period will result in withdrawal of the offer and inactivation of the application.

#### IX. Unit Refusals

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

B.

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

C. When an applicant refuses an offer of an apartment, his/her application shall be returned to the bottom of the waiting list, unless the applicant can document that a move at that time would create an undue hardship on the family which is NOT related to race, creed, sex, national origin, religion, handicap or familial status. This may include, but is not limited to: making employment, day care facilities or other necessary services inaccessible. The applicant must present evidence substantiating this hardship.

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

E. An applicant will have five (5) working days to accept or reject an offer of housing after receipt of notice of unit availability. Failure to respond to a notice of unit availability will be treated as a no response.

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#### RENT POLICIES

The Housing Authority shall provide three (3) rent options for any public housing dwelling unit owned, assisted, or operated by the Housing Authority:

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

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

C. Minimum Rents: A minimum rent of \$50.

##### I. Flat Rents

The Authority has set a flat rent for each public housing unit. In doing so, it considered the size and type of

the unit, as well as its age, condition, amenities, services, and neighborhood. The Authority determined the

market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated

annually and adjustments applied. Affected families will be given a 30-day notice of any rent change.

Adjustments are applied on the anniversary date for each affected family.

Current Flat Rents are provided in the Appendix.

##### II. Income Based Rents

The Housing Authority shall calculate income-based rent according to HUD rules and regulations. Rent shall not exceed 30% of monthly adjusted income. In order to provide incentives for economic selfsufficiency

the following mandatory policies have been implemented.

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

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

C. Permissible Deduction: As an incentive for working families, the Authority shall use the family's net earned income when calculating rent. This applies to income derived from employment only.

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### III. Treatment of Income Changes Resulting from Welfare Program Requirements

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

#### A. Decreases in Income for Failure to Comply

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

#### B. Fraud

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

#### C. Reduction Based on Time Limit for Assistance

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

#### D. Notice

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

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#### E. Grievance

Any family affected by this policy shall have the right to review the determination through the Housing Authority's Grievance Procedure.

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### LEASING OF DWELLING UNITS

#### I. Lease Agreement

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

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

B. Each lease shall specify the unit to be occupied, the date of admission, the size of the unit to be occupied, all family members who will live in the unit, the rent to be charged, the date

rent is due and payable, other charges under the lease, and the terms of occupancy. It shall be explained in detail to the head of household or other responsible adult before execution of the lease.

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

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

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

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

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

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#### II. Security Deposit

The resident shall provide the Housing Authority prior to occupancy with a security deposit as designated in the Lease Agreement unless other terms are agreed upon prior to lease execution.

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

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#### ADMISSION OF ADDITIONAL MEMBERS TO A CURRENT HOUSEHOLD

##### I. Purpose

Population in excess of the number of persons for which a neighborhood or unit was designed is often the cause of many serious management problems including crime, vandalism, excessive maintenance costs, and

low tenant satisfaction. It is with this in mind that this section of this ACOP is established.

##### II. Application Procedure

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

##### III. Eligibility Criteria:

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

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

#### IV. Application Denial

The PHA may deny the application for any of the following reasons:

- A. Applicant(s) do not meet Eligibility Criteria as outlined in Part C.
- B. The dwelling unit is overcrowded or would exceed the Occupancy Standards as outlined in Part C.
- C. Applicant(s) do not meet the criteria for family as established in Part B.
- D. Applicant(s) are former members of resident family and have since become emancipated and are attempting to re-enter household for support or other reasons.
- E. Other reasons as determined from time to time by the Executive Director.

#### V. Additions which do not require approval of the applications

The PHA shall not deny approval for any of the following:

- A. Newborn infants of members currently on the lease.
- B. Minor children of members currently on the lease who were removed from their care by court action and are being returned. This may require a unit transfer in order to assign the appropriate sized unit.

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#### VI. House Guests

Dwelling units are adequate in size for the resident family only, and house guests staying with the family for a period in excess of fourteen (14) consecutive days shall be permitted only upon advance written consent of the Authority.

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

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

- A. Local Building health codes, requirements for license or governmental approval;
- B. Local Zoning Ordinances;
- C. The effect on PHA Insurance Coverage;
- D. Utility Consumption;
- E. Possible Damage to the leased unit;
- F. Estimated traffic and parking;
- G. Disturbance of other residents;
- H. Attraction of non-residents to the neighborhoods; and,
- I. Possible use of tenant business as a cover for drug-related activities.

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#### SPECIAL OCCUPANCY PROVISIONS

## I. Occupancy by Police Officers

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

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

### Terms and Conditions of Tenancy

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

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

a case, the Housing Authority will pay moving expenses for the family.

## HOUSING AUTHORITY

### ADMISSIONS AND CONTINUED OCCUPANCY POLICY

#### Part D

#### CONTINUED OCCUPANCY

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#### ELIGIBILITY FOR CONTINUED OCCUPANCY

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

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

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

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

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

A. The health, safety, or welfare of other residents

B. The peaceful enjoyment of the neighborhood by other residents

C. The physical environment and fiscal stability of the neighborhood

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

- VI. Who have not been involved in drug related or criminal activity;
- VII. Who have not been convicted of a crime;
- VIII. Who are not currently engaging in the use of controlled substances and/or engaging in alcohol abuse;
- IX. Who is not subject to a lifetime registration requirement under the state sex offender registration program;
- X. Who meet the requirements for community service or participation in self-sufficiency programs;
- XI. Who continues to occupy the apartment on a full time basis. Ownership or occupancy of another dwelling unit or failure to occupy the unit for a period greater than thirty days shall be grounds for termination of the lease;
- XII. Who are, with the aide of such assistance as is actually available to the family, physically and mentally able to care for themselves and their apartment and to discharge all lease obligations.

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

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

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

- A. Evidence of rehabilitation as verified by a duly qualified professional or representative of state or local government;
- B. Evidence of the family's participation in, or willingness to participate in, social services or appropriate counseling service programs and the availability of such programs;
- C. Evidence of the family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.

XIV. Citizenship/Eligible Immigration Status

In order to remain eligible for continued occupancy, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD. For the Citizenship/Eligible Immigration requirements the status of each member of the family is considered individually before the family's status is defined.

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

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

C. Non-Citizen Students: Defined by HUD in the noncitizen regulations and are not eligible for assistance.

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## INSPECTIONS AND REEXAMINATIONS

### INSPECTIONS

#### I. Move-In Inspections

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

## II. Annual Inspections

The Housing Authority shall maintain its public housing properties in a condition that complies with standards that meet or exceed the housing quality standards established by HUD. Such housing standards

shall ensure that dwelling units are safe and habitable.

The Housing Authority shall make an annual inspection of each public housing development to determine whether units in the development are maintained in accordance with the Secretary's requirements, as well as spot inspections where there exists a threat to health and/or safety. The Housing Authority shall retain the results of such inspections and, upon request of the Secretary, the Inspector General for the Department of Housing and Urban Development, or any other auditor conducting an audit under section 5(h), shall make such results available.

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

Where the corrective action to be taken is necessary to remedy an immediate threat to health and/or safety,

the reinspection will occur within twenty-four (24) hours. Non-compliance by the family can result in termination of tenancy.

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## III. Move-Out Inspections

Prior to the family vacating a dwelling unit, the family will be encouraged to participate in a move-out inspection along with a member of the PHA staff. The actual move-out inspection will not be conducted until the family has vacated the unit. The condition of the dwelling unit will be recorded on the inspection form utilized for the pre-occupancy inspection of the same dwelling unit, allowing for a comparison of preand

post-occupancy condition comparison. Any claim against the family for tenant caused damages will be based upon this comparison.

Following move-out by the family, renovation and/or redecoration of the dwelling unit as a result of the family's occupancy will be accomplished. Charges for items of repair, renovation, and/or redecoration of the dwelling unit made necessary by abuse, negligence, or deliberate destruction by the family will be assessed against the family's security deposit. Should the security deposit prove insufficient relative to the

actual cost of such repairs, PHA management will take any and all actions at its disposal to collect the remaining balance from the family.

## REEXAMINATIONS

### I. Purpose

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

- A. To comply with the Federal requirements relating to annual reexaminations;
- B. To determine if each family remains eligible for continued occupancy under the terms of the lease and this policy;
- C. To determine if the unit size and type is still appropriate to the family's needs and in compliance with the Occupancy Standards;
- D. To establish the Total Tenant Payment and the Tenant Rent to be charged to the family.

#### II. Annual Reexaminations

Annual reexaminations are necessary to comply with the federal requirement that each family have its eligibility reexamined at least every twelve months

At any time, the resident may report changes in income and family circumstances to obtain an appropriate

rent adjustment. Determination of resident rent will be made based upon information collected during the verification process utilizing applicable HUD forms and all appropriate worksheets and rent formulas.

Such

documents must be at least one hundred and twenty (120) days current. The family will be notified in writing of any increase in resident rent thirty (30) days prior to the effective rent change. Decreases in resident rent will go into effect the first month following the reported change in income.

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

Failure to complete reexamination includes:

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

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- B. Refusal to properly execute required documents.

#### III. Special Reexaminations

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

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

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

#### IV. Interim Reexaminations

Interim Reexaminations are performed to allow residents to comply with the dwelling lease requirements to

report changes in income and family circumstances. The following are specific changes that must be reported in writing within ten (10) days of their occurrence:

- A. All changes in family composition. Additions to the family, other than through birth of a child to a family member on the lease, must be approved by the Housing Authority in advance in accordance with Part C; Admission of Additional Members;
- B. The loss or addition of a wage earner;
- C. The loss or addition of an income source;
- D. In cases of ten (10) month employment cycles, for example public school food service workers, custodial workers and teacher aides, no interim rent changes shall be effective during the two (2) months of non-employment. Instead, the ten (10) month income shall be considered annual income and shall be computed on a twelve (12) month basis following

the normal eligible deductions for dependents, etc.;

E. All requests for an interim reexamination must be submitted and the reported change verified by the 25th of the month in order for a decrease in rent to be effective the first of the following month. Rent adjustments shall not be made for sporadic changes in income due to irregular work schedules of less than thirty (30) days in duration (e.g. sick days, temporary reduction in hours, etc.).

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

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#### V. Processing Reexaminations

All reexaminations shall be processed under the following conditions:

A. All data must be verified and documented as required in Part C, Verification. The Housing Authority will NOT adjust rent downward until satisfactory verification is received.

Verification must be received by the 25th of the month in order for the decrease to be effective on the first of the following month.

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

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

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

E. Interim decreases in rent shall be effective on the first day of the month following the month in which the change was reported in writing and verification is completed to the satisfaction of the Housing Authority, as long as the verification has been completed by the 25th day of the month.

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

G. If it is found that a tenant has misrepresented or failed to report facts upon which his rent is based so that he is paying less than he/she should be paying, the increase in rent shall be made retroactively to the date that the increase would have taken effect. The tenant may be required to pay within seven (7) days of official notification by PHA, the difference between the rent he has paid and the amount he should have paid. In addition, the tenant may be subject to civil and criminal penalties. Any misrepresentation is a serious lease violation that may result in termination of the lease. The Authority may at its discretion, execute a repayment agreement for the repayment of retroactive rent or other amounts and staying current with the terms of that agreement shall become a condition of continued occupancy.

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#### TERMINATION OF THE DWELLING LEASE

The Housing Authority shall not terminate or refuse to renew a Lease Agreement other than for serious or repeated violation of the terms of the lease, violation of applicable federal, state, or local law, or other good

cause. The Dwelling Lease shall be terminated by the Housing Authority in accordance with applicable HUD Regulations.

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

forth in the lease.

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

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

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

V. The Housing Authority may terminate the lease for any violent or drug-related criminal activity on or off of the premises of the Housing Authority, or any activity resulting in a felony conviction. The term "drug-related criminal activity", for the purpose of this policy, means the illegal manufacture, sale, distribution, use, or possession with intent to sell, distribute, or use of a controlled substance.

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

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

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

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

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

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

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

XII. The Housing Authority may terminate the lease for allowing unauthorized guests to remain in the household for more than fourteen (14) days per calendar year. PHA management may find that extenuating circumstances exist, however. The Housing Authority will terminate the lease of any resident whose address has been used by an individual other than a member of the household as their address (e.g., driver's license, job application, etc.).

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

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

B. The Housing Authority may evict a tenant without notice if the health or safety of other tenants, Housing Authority employees, or persons residing in the immediate vicinity of the premises is threatened, or in the event of any drug-related or violent criminal activity or any felony conviction, except that if the state or local law provides for a shorter period of time, such shorter period shall apply.

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

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

1. Name and identification of the unit occupied.

2. Date and copy of Notice of Termination.
3. Specific reason(s) for Notice to Terminate
4. Date and method of notifying tenant of reasons for lease termination.
5. Summary of any conference(s) with the tenant, including names of conference participants

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#### TRANSFER POLICY

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

##### I. Objectives of the Transfer Policy

- A. To fully utilize available housing resources while avoiding overcrowding by ensuring that each family occupies the appropriately sized unit.
- B. To facilitate human relocation when required for modernization or other management purposes.
- C. To eliminate vacancy loss and other expense due to unnecessary transfers.

##### II. Types of Transfers

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

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

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

a. If the condition of the unit is the fault of the Housing Authority, the resident shall be provided with relocation assistance such as the cartage of household goods, the cost and methods of which are to be determined by management. A transfer to a correctly sized apartment will be considered permanent.

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b. If the condition of the unit is the fault of neither the Housing Authority nor the resident, as in the case of a natural disaster, the Housing Authority may provide such relocation assistance as management deems appropriate. A transfer to a correctly sized apartment will be considered permanent.

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

sized apartment will be considered permanent.

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

#### B. Transfers for Approved Medical Reasons

A resident who desires to relocate on advice of a physician may request a transfer with the PHA, however, the resident must provide the PHA with verification from an approved physician. Transfers for a medical reason must be approved by the Executive Director.

#### C. Transfers to Appropriately Sized Unit

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

1. Determination of the correctly sized apartment shall be in accordance with the Housing Authority's Occupancy Standards.
2. The PHA may, at its discretion, separate a single household into multiple households if sufficiently large units are not available or if management and the family determine this to be in the interest of both the family and the neighborhood. Based on the selection criteria for new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contains a leaseholder capable of discharging lease obligations.
3. The number of units offered to a family transferring will be one (1) unless there is a hardship situation as determined by PHA. If the resident refuses the dwelling unit offered, the lease may be terminated by management.
4. Transfers for underhoused families shall take precedence over new admissions.

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5. Tenants will have seven (7) days to move from one unit to the other and must move all possessions within this time.

#### D. Transfers for Non-Handicapped Families Living in Handicapped Designated Units

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

2. The PHA may from time to time have an excess of handicapped accessible units.

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

3. This section establishes both that the Housing Authority has an obligation to transfer non-handicapped residents residing in handicapped designated units to non-handicapped designated units and that the non-handicapped families are obligated to accept such transfers.

#### E. Convenience Transfers:

Convenience transfers may be granted within the following parameters:

1. The reason for the transfer must be based on a validated need and shall be at the Executive Director's discretion;
2. The move must be accomplished within seven (7) calendar days of the actual availability of a unit or the family will lose the unit;
3. The family must agree to pay any charges assessed as the result of repairs/redecoration (other than "normal wear and tear") on the vacated unit on the first of the month following the month the family is notified of such charges; and
4. All moving costs associated with convenience transfers are to be borne by the family.

The resident shall not be transferred to a dwelling unit of equal size either within a complex or between complexes, except for alleviating hardships as determined by the Executive Director or his/her designee. Convenience Transfers will be approved only if:

1. The resident has a positive rental history;
2. The resident has no lease violations;
3. All utilities are turned on;

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4. The resident's history of written complaints or disturbances are minimal;
5. The resident has a history of good housekeeping;
6. If applicable, the resident is on schedule with their work requirement.

### III. Priorities for Transfers

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

1. Housing Authority initiated transfers;
2. Residents who are underhoused by two bedrooms;
3. Medical transfers;
4. Residents who are underhoused by one bedroom;
5. Residents who are overhoused by two bedrooms;
6. Residents who are overhoused by one bedroom;

B. The first three priorities always have priority over new move-ins.

The remainder shall be prioritized based on the need established by the PHA. In the case of an involuntary transfer, the date will be that on which management verifies that the change occurred. Management reserves the right to immediately transfer any family who has misrepresented family circumstances or composition. Whenever feasible, transfers will be made within a resident's current dwelling area.

### IV. Transfer Procedures

A. The Executive Director or other designated staff shall:

1. Prepare and prioritize a transfer list for each neighborhood monthly.
2. Notify residents by letter of their pending transfers or approval of transfer request.
3. Determine whether a vacancy is used for transfer or move-in.
4. Maintain transfer logs and records for audit.
5. May conduct home visits at the current dwelling unit for housekeeping.
6. Participate in evaluation of requests for transfer based on approved medical reasons.

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7. Issue final offer of vacant apartment as soon as vacant apartment is identified.
8. Issue notice to transfer as soon as vacant apartment is available for occupancy. This notice will give the resident seven (7) calendar days to complete transfer.
9. Process transfer documents to appropriate PHA staff.

10. Participate in planning and implementation of special transfer systems for modernization and other similar programs.

11. Inspect both apartments involved in the transfer, charging for any resident abuse.

12. Family signs new lease.

B. When a person who has requested a transfer for approved medical reasons declines the offer of such an apartment, the Housing Authority is not obligated to make any subsequent offers.

The Housing Authority will notify the resident in such cases that the Housing Authority has discharged its obligations to the resident, that he remains in the apartment at his own risk, and that the Housing Authority assumes no liability for his condition.

C. In the case of convenience transfers the resident may reject the unit offer and return to the bottom of the convenience transfer list. If the resident rejects a second unit, they will be removed from the convenience transfer list for three (3) years.

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

V. Right of Management to Make Exceptions

This policy is to be used as a guide to ensure fair and impartial means of assigning units for transfer. It is not

intended that this policy shall create a property right or any other type of right for a resident to transfer or refuse transfer. Management reserves the right to make exceptions to this policy as circumstances require,

consistent with applicable regulations of the Department of Housing and Urban Development. Transfer disputes are subject to the Grievance Procedure.

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#### ABANDONMENT OF A UNIT

The PHA may take possession of the dwelling after a resident has moved out. In the absence of actual knowledge of abandonment, it shall be presumed that the resident has abandoned the dwelling if the resident

is absent from the dwelling for a period of fifteen (15) days, and the resident has not notified the PHA in writing in advance of an intended absence, or otherwise as provided in this Agreement. The following criteria will be used in determining if the unit has been abandoned:

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

B. A dramatic reduction in utility/electric bills;

C. Repeated inability to contact the resident;

D. Incarceration or sentencing of the head of household for more than thirty (30) days;

E. No personal possessions remaining in the apartment.

The Housing Authority will post a ten (10) day notice at the abandoned unit. The ten (10) day notice shall inform the participant family of the Housing Authority's intention to terminate the lease and related actions.

If the participant family does not respond to the notice within five (5) days, the family's lease will be terminated and the Housing Authority will enter the unit to remove any remaining personal possessions.

The

PHA may remove and dispose of any personal property, left in the resident's dwelling or elsewhere on the PHA's property in accordance with Kentucky Statutes, after the resident has abandoned the dwelling, with the reasonable cost of any storage, removal and/or disposal charged to resident or assessed against resident's

security deposit, unless in PHA's sole discretion, it is determined that documentable conditions existed which prevented the resident from occupying the dwelling.

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#### COMMUNITY SERVICE AND FAMILY SELF-SUFFICIENCY

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

- A. Contribute eight (8) hours per month of community service (not including political activities) within the community in which that adult resides; or,
- B. Participate in an economic self-sufficiency program for eight (8) hours per month.

#### I. Exemptions

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

- A. Is 62 years of age or older;
- B. Is a blind or disabled individual defined under section 216(i)(1) or 1614 of the Social Security Act (42 USC 416(i)(1); 1382c) and who is unable to comply with this section, or is a primary caretaker of such individual;
- C. Is engaged in a work activity (as such term is defined in section 407(d) of the Social Security Act (42 USC 607(d), as in effect on and after July 1, 1997);
- D. Meets the requirements for being exempted from having to engage in a work activity under the state program funded under part A of title IV of the Social Security Act (42 USC 601 et seq) or under any other welfare program of the state in which the public housing agency is located, including a state-administered welfare-to-work program; or,
- E. Is in a family receiving assistance under a state program funded under part A of title IV of the Social Security Act (42 USC 601 et seq) or under any other welfare program of the state in which public housing agency is located, including a state administered welfare-to-work program, and has not been found by the state or other administering entity to be in noncompliance with such program.

#### II. Annual Determinations

For each public housing resident, the Housing Authority shall, thirty (30) days before the expiration of each lease term of the resident, review and determine the compliance of the resident with the requirement

under paragraph 3 above. Such determinations shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

#### III. Noncompliance

If the Housing Authority determines that the resident subject to the requirement under paragraph 3 has not

complied with the requirement, the Housing Authority shall notify the resident in writing of such noncompliance. The written notification shall state that the determination of noncompliance is subject to the administrative Grievance Procedure and that failure by the resident to enter into an agreement, before the expiration of the lease term, to cure any noncompliance by participating in an economic self-sufficiency program for, or contributing to community service, as many additional hours as the resident

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needs to comply in the aggregate with such requirement over the 12-month term of the lease, may be cause for lease termination.

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

cure the noncompliance.

#### IV. Location of the Community Service or Family Self-Sufficiency Program

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

The Housing Authority may provide a community service or an economic self-sufficiency program to meet the requirements of paragraph 3; however, the Housing Authority shall not substitute participation in community service or an economic self-sufficiency program for work performed by an employee of the

Housing Authority or supplant a job at any location at which community work requirements are fulfilled.

HOUSING AUTHORITY  
ADMISSIONS AND CONTINUED OCCUPANCY POLICY  
Part E  
FRAUD

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If the PHA has reason to believe that a family may have (or had before participating in the public housing programs) committed fraud, bribery, or other corrupt or criminal acts the PHA will take action to determine whether there has been program abuse. Once the PHA determines that fraud has occurred and decides to

terminate the lease due to fraud, the PHA will provide the family with a 30 day Notice to Evict. The PHA may require repayment by the family. Further, the PHA shall refer all fraud cases to the Regional Inspector

General for Investigation (RIGI) or to local or state prosecutors with a copy to RIGI for investigation and possible criminal prosecution.

The Housing Authority considers the misrepresentation of income and family circumstances to be a serious

lease and policy violation as well as a crime and will take appropriate action if apparent fraud is discovered.

Specifically:

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

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

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

IV. If it is found that the tenant's misrepresentations resulted in his/her paying a lower Tenant Rent than he/she should have paid, he/she will be required to pay the difference between rent owed and the amount that should have been paid. This amount shall be paid whether or not the tenant remains in occupancy, but failure to pay under terms established by the Housing Authority shall always result in immediate termination of the lease. The Housing Authority reserves the right to demand full payment within seven (7) days.

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

HOUSING AUTHORITY  
ADMISSIONS AND CONTINUED OCCUPANCY POLICY  
Part F  
RENT COLLECTION POLICY

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RENT COLLECTION POLICY

I. Rent Collection

A. Rent is due on the first of each month and is considered late if not paid by the fifth (5th) working day of the month.

B. A late charge of \$20 will be added to the monthly rental payment for any rent paid after the fifth (5th) working day of the month.

C. A 14-Day Notice of Termination will be served on the tenant on the seventh (7th) day of the month if rent is not paid. If the total rental payment due is not paid within fourteen (14) days, the PHA will issue a notice of eviction.

D. If a family has , more than (4) late payments in a 12 month period, their lease shall be terminated for chronic rent delinquency.

#### II. Retroactive Rent Charges

Retroactive Rent Charges will be due and payable within seven (7) days of written notice unless arrangements are made prior to this day to make installment payments. Normally retroactive rent installment

payments must be computed not to exceed a three (3) month pay off. If the amounts are large and the tenant

will not be able to pay off the retro rent charge within three (3) months a repayment schedule may be established allowing a longer period upon approval of the Executive Director.

#### III. Terms and Conditions of Other Charges in Addition to Rent

The resident agrees to pay for all repairs made to the unit due to resident damage or neglect. The resident

must pay such charges at the first of the month following the charge. Such charges will be made based on

actual cost of labor and materials.

In the event of damages discovered at move-out, the family's security deposit will be reduced by the amount

necessary to execute repairs above "normal wear and tear". Any remaining balance will be refunded to the

resident under the following conditions:

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

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

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

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#### IV. Exemption from Hardship Circumstances

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

A. The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program, including a family that includes a member who is an alien lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996;

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

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

D. A death in the family has occurred.

If a resident requests a hardship exemption and the Housing Authority reasonably determines the hardship

to be of a temporary nature, an exemption shall not be granted during the 90-day period beginning upon the making of a request for the exemption. A resident shall not be evicted during the 90-day period for

non-payment of rent. In such a case, if the resident thereafter demonstrates that the financial hardship is of a long-term basis, the Housing Authority shall retroactively exempt the resident from applicability of the minimum rent requirement for such 90-day period.

#### V. Switching Rent Determination Methods Because of Hardship Circumstances

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

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

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

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

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

#### VI. Vacated Tenants With Balances

Fulton Housing Authority  
Admissions and Continued Occupancy Policy  
October 2004  
F-3

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

#### APPENDIX A INCOME LIMITS

#### APPENDIX B UTILITY ALLOWANCES

#### APPENDIX C GRIEVANCE PROCEDURE

#### APPENDIX D PET POLICY

#### APPENDIX E ONE STRIKE AND YOU'RE OUT POLICY

#### APPENDIX F FLAT RENTS

#### FLAT RENTS Bedroom Size Flat Rent

0 BR \$249

1 BR \$290

2 BR \$359

3 BR \$464

4 BR \$522

5 BR \$600

#### APPENDIX G DECONCENTRATION POLICY

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

<b>Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
<b>PHA Name: Housing Authority of Fulton</b>			<b>Grant Type and Number</b> Capital Fund Program Grant No: KY36P04350103 Replacement Housing Factor Grant No:		<b>Federal FY of Grant: 2003</b>
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no: ) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 9/30 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	30,000.00	30,000.00	30,000.00	12,182.21
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit	1,500.00	1,500.00		
6	1415 Liquidated Damages				
7	1430 Fees and Costs	30,000.00	10,000.00	10,000.00	2,051.32
8	1440 Site Acquisition				
9	1450 Site Improvement	6,000.00	2,000.00	2,000.00	2,000.00
10	1460 Dwelling Structures	131,814.00	88,000.00	88,000.00	73,344.81
11	1465.1 Dwelling Equipment—Nonexpendable	20,000.00	5,319.00	5,319.00	2,920.00
12	1470 Nondwelling Structures	100,000.00	192,495.00	192,495.00	100,000.00
13	1475 Nondwelling Equipment	20,000.00	10,000.00	10,000.00	1,448.00
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	339,314.00	339,314.00	337,814.00	193,946.34
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

<b>Annual Statement/Performance and Evaluation Report                      Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)                      Part II: Supporting Pages</b>								
PHA Name: Housing Authority of Fulton			<b>Grant Type and Number</b> Capital Fund Program Grant No: KY36P04350103 Replacement Housing Factor Grant No:			<b>Federal FY of Grant: 2003</b>		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA Wide	Operating Budget	1406	LS	30,000.00	30,000.00	30,000.00	12,182.21	
HA Wide	Audit	1411	LS	1,500.00	1,500.00			
HA Wide	Fees & Costs	1430	LS	30,000.00	10,000.00	10,000.00	2,051.32	
KY043-004	Dumpster Pad Enclosure	1450	LS	6,000.00				
KY043-003	Sewer Cleanout Repair	1450	LS		2,000.00	2,000.00	2,000.00	
KY043-001	Roofs	1460	10 bldgs	44,000.00	44,000.00	44,000.00	29,344.81	
KY043-003	Emergency Ceiling Repair	1460	23 units	34,750.00	33,874.35	33,874.35	33,874.35	
KY043-003	Roofs	1460	10 bldgs	53,064.00	10,125.65	10,125.65	10,125.65	
HA Wide	Dwelling Equipment	1465	LS	20,000.00	5,319.00	5,319.00	2,920.00	
HA Wide	Office Phase II	1470	LS	100,000.00	192,495.00	192,495.00	100,000.00	
HA Wide	Non-dwelling Equipment	1475	LS	20,000.00	10,000.00	10,000.00	1,448.00	

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

<b>Annual Statement/Performance and Evaluation Report                      Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)                      Part III: Implementation Schedule</b>							
PHA Name: Housing Authority of Fulton			<b>Grant Type and Number</b> Capital Fund Program No: KY36P04350103 Replacement Housing Factor No:				<b>Federal FY of Grant: 2003</b>
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
HA Wide	9/17/03	9/01/04	9/17/05	9/17/03	9/01/04	9/17/07	
KY043-001	9/17/03	9/01/04	9/17/05	9/17/03	9/01/04	9/17/07	
KY043-003	9/17/03	9/01/04	9/17/05	9/17/03	9/01/04	9/17/07	
KY043-004	9/17/03	9/01/04	9/17/05	9/17/03	9/01/04	9/17/07	

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

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: <b>Housing Authority of Fulton</b>			Grant Type and Number Capital Fund Program Grant No: KY36P04350203 Replacement Housing Factor Grant No:		Federal FY of Grant: 2003
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no: ) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 9/30 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	67,623		67,623	2,775.68
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	67,623		67,623	2,775.68
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				





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

<b>Annual Statement/Performance and Evaluation Report                      Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
<b>PHA Name: Housing Authority of Fulton</b>			<b>Grant Type and Number</b> Capital Fund Program Grant No: KY36P043501-04 Replacement Housing Factor Grant No:		<b>Federal FY                      of Grant:                      2004</b>
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no: 1 <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 9/30 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	33,500			
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit	1,500			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	26,000			
8	1440 Site Acquisition				
9	1450 Site Improvement	30,000			
10	1460 Dwelling Structures	78,000			
11	1465.1 Dwelling Equipment—Nonexpendable	20,000			
12	1470 Nondwelling Structures	120,314	131,647		
13	1475 Nondwelling Equipment	30,000			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	339,314	392,961		
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b> <b>Part II: Supporting Pages</b>								
PHA Name: Housing Authority of Fulton			<b>Grant Type and Number</b> Capital Fund Program Grant No: KY36p043501-04 Replacement Housing Factor Grant No:			<b>Federal FY of Grant:</b> 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA Wide	Operating Budget	1406	LS	33,500				
HA Wide	Audit	1411	LS	1,500				
HA Wide	Fees & Costs	1430	LS	26,000				
HA Wide	Site Improvements	1450	LS	30,000				
KY 43-01	Roofs, Turbines, Vents	1460	5 Bldgs	20,000				
KY 43-03	Roofs, Turbines, Vents	1460	27Bldgs	58,000	111,647			
HA Wide	Dwelling Equipment	1465	LS	20,000				
HA Wide	Phase II-A/C, Tile, Carpet	1470	LS	120,314				
HA Wide	Non-Dwelling Equipment	1475	LS	30,000				

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

<b>Annual Statement/Performance and Evaluation Report                      Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)                      Part III: Implementation Schedule</b>							
PHA Name: Housing Authority of Fulton			<b>Grant Type and Number</b> Capital Fund Program No: KY36P043501-04 Replacement Housing Factor No:			<b>Federal FY of Grant:</b> 2004	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
HA Wide	9/30/06			09/30/07			
KY 43-01	9/30/06			09/30/07			
KY 43-03	9/30/06			09/30/07			