

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

PHA Plans

5-Year Plan for Fiscal Years 2005 - 2009

Annual Plan for Fiscal Year 2005

FY April 1, 2005 through March 31, 2006

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

**PHA Plan
Agency Identification**

PHA Name: Housing Authority of the City of Cumberland, Maryland

PHA Number: MD005

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

Public Access to Information

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

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

Display Locations For PHA Plans and Supporting Documents

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

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

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

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

5-YEAR PLAN
PHA FISCAL YEARS 2005 - 2009
[24 CFR Part 903.5]

A. Mission

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

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

The Housing Authority of Cumberland's mission is to ensure safe, decent, sanitary, affordable and well-maintained housing at a fair market rent; to create opportunities for residents' self-sufficiency and economic independence; and to assure fiscal integrity by all low, very low and extremely low-income program participants.

B. Goals

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

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

- PHA Goal: Expand the supply of assisted housing
- Objectives:
- Apply for additional rental vouchers:
- Reduce public housing vacancies:
- Leverage private or other public funds to create additional housing opportunities:
- Enter into agreement with developer to apply for and develop housing through tax credits, bonds, HOPE VI, etc.
- Acquire or build units or developments
- Enter into agreement with developer to apply for and develop housing through tax credits, bonds, HOPE VI, etc.
- Other (list below)

- PHA Goal: Improve the quality of assisted housing
 - Objectives:
 - Improve public housing management: (PHAS score) 93
 - Improve voucher management: (SEMAP score)
 - Increase customer satisfaction:
 - Continue monthly resident meetings
 - Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)
 - Revise/Update Procurement and Capitalization Policies
 - Renovate or modernize public housing units:
 - See Annual Statement and Optional 5-Year Plan
 - Demolish or dispose of obsolete public housing:
 - Benjamin Banneker – 30 Units – Years 2-3
 - Provide replacement public housing:
 - Build replacement housing at demolished site and other sites within the City of Cumberland
 - Provide replacement vouchers:
 - Other: (list below)

- PHA Goal: Increase assisted housing choices
 - Objectives:
 - Provide voucher mobility counseling:
 - Conduct outreach efforts to potential voucher landlords
 - Increase voucher payment standards
 - Implement voucher homeownership program:
 - Implement public housing or other homeownership programs:
 - Apply for Housing Counseling Grant
 - Implement public housing site-based waiting lists:
 - Convert public housing to vouchers:
 - If determined cost effective
 - Other: (list below)

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

- PHA Goal: Provide an improved living environment
 - Objectives:
 - Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
 - Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
 - Implement public housing security improvements:
 - Install security lights at 2 family developments

- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
 - Designate John F. Kennedy Apartments as elderly only
- Other: (list below)

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

- PHA Goal: Promote self-sufficiency and asset development of assisted households
 - Objectives:
 - Increase the number and percentage of employed persons in assisted families:
 - Provide or attract supportive services to improve assistance recipients' employability:
 - Apply for Ross Grants – Family Service Coordinator
 - Provide or attract supportive services to increase independence for the elderly or families with disabilities.
 - Apply for funding to hire person to assist existing service coordinator
 - 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:
 - 100% of eligible applicants will have access to public 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:
 - 100% of families living in public housing will live in a suitable living environment 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:
 - 100% of persons will receive accessible housing if and when available.
 - Other: (list below)

Other PHA Goals and Objectives: (list below)

Annual PHA Plan
PHA Fiscal Year 2005
[24 CFR Part 903.7]

i. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

Standard Plan

Streamlined Plan:

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

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

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

The Housing Authority of Cumberland (HACC) is proud to submit its Agency Plan with the achievement of a High Performing Status. HACC has adopted its Mission Statement and its goals and objectives in coordination and cooperation with HACC Board of Directors, residents and staff as well as the general public.

The HACC will focus mainly on two (2) endeavors this coming year: (1) to be in full compliance with Section 504 Handicap Accessibility Codes and (2) planning for more affordable housing including entering into an agreement with a housing developer.

HACC also plans to revise its Procurement Policy that will assist management to become more efficient in purchasing products and services.

HACC will also provide concentrate on roof replacement at three (3) of its developments.

The plans, statements, budget summary, policies, etc., set forth in this Annual Plan all lead towards the accomplishment of the goals and objectives and are consistent with the City of Cumberland Consolidated 5-Year Plan.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

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

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Attachments

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

Required Attachments:

- Admissions Policy for Deconcentration (Attachment md005a01)
- FY 2005 Capital Fund Program Annual Statement (See Section 7)
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

- PHA Management Organizational Chart (In PHA Plan text)
- FY 2005 Capital Fund Program 5-Year Action Plan (See Section 7)
- Public Housing Drug Elimination Program (PHDEP) Plan
- Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
- Other (List below, providing each attachment name)

- Performance and Evaluation of on-going Capital Fund Program (included in PHA Plan Text at end of template)
- Pet Policy (md005b01)
- Statement of Progress (md005c01)
- Resident Advisory Board Membership (md005d01)
- Assessment of Site-Based Waiting List (md005e01)
- Description of Community Service Program (md005f01)
- Resident Membership on the Governing Board (md005g01)
- Admissions and Continued Occupancy Policy (md005h01)

Supporting Documents Available for Review

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99	Annual Plan: Eligibility, Selection, and Admissions Policies

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	<i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development <input 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 <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	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 HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
X	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
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
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	Annual Plan: 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 <input type="checkbox"/> check here if included in the Section 8	Annual Plan: Homeownership

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	Administrative Plan	
X	Any cooperative agreement between the PHA and the TANF agency	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	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
N/A	Other supporting documents (optional) (List individually; use as many lines as necessary)	(Specify as needed)

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	1,288	5	4	5	3	3	2
Income >30% but <=50% of AMI	488	5	3	4	3	2	2
Income >50% but <80% of AMI	89	4	3	4	2	1	1
Elderly	596	5	3	4	3	3	3
Families with Disabilities	271	5	4	3	5	3	3
Race/Ethnicity(W)	1,732	5	3	4	3	4	2

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Race/Ethnicity (B)	118	5	3	4	3	4	2
Race/Ethnicity (H)	9	5	3	4	3	4	2
Race/Ethnicity (O)	6	5	3	4	3	3	2

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

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

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

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/>	Section 8 tenant-based assistance		
<input type="checkbox"/>	Public Housing		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input checked="" type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
JANE FRAZIER VILLAGE	# of families	% of total families	Annual Turnover
Waiting list total	51		31
Extremely low income <=30% AMI	45	88.2%	
Very low income (>30% but <=50%	5	9.8%	

Housing Needs of Families on the Waiting List			
AMI)			
Low income (>50% but <80% AMI)	1	1.9%	
Families with children	26	51%	
Elderly families	2	3.9%	
Families with Disabilities	2	3.9%	
White/Non-Hispanic	46	88.2%	
White/Hispanic	1	1.9%	
Black/Non-Hispanic	4	7.8%	
Am Ind/Non-Hisp.	1	1.9%	
Characteristics by Bedroom Size (Public Housing Only)			
1 BR	25	49.0%	
2 BR	15	29.4%	
3 BR	11	21.6%	
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

BENJAMIN BANNEKER	# of families	% of total families	Annual Turnover
Waiting list total	5		11
Extremely low income <=30% AMI	5	100.0%	
Very low income (>30% but <=50% AMI)	0	0.0%	
Low income			

(>50% but <80% AMI)	0	0.0%	
Families with children	2	40.0%	
Elderly families	0	0.0%	
Families with Disabilities	0	0.0%	
White/Non-Hispanic	4	80.0%	
Black/Non-Hispanic	1	20.0%	
Race/ethnicity			
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1 BR	3	60.0%	
2 BR			
3 BR	2	40.0%	
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

FORT CUMBER LAND HOMES	# of families	% of total families	Annual Turnover
Waiting list total	8		20
Extremely low income <=30% AMI	7	87.5%	
Very low income (>30% but <=50% AMI)	1	12.5%	
Low income (>50% but <80% AMI)	0	0.0%	
Families with children	7	87.5%	

Elderly families	0	0.0%	
Families with Disabilities	0	0.0%	
White/Non-Hispanic	6	75.0%	
Black/Non-Hispanic	2	25.0%	
Race/ethnicity			
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1 BR			
2 BR	3	37.5%	
3 BR	5	62.5%	
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input checked="" type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
JOHN F. KENNEDY APTS	# of families	% of total families	Annual Turnover
Waiting list total	15		19
Extremely low income <=30% AMI	12	80.0%	
Very low income (>30% but <=50% AMI)	2	13.3%	
Low income			

Housing Needs of Families on the Waiting List			
(>50% but <80% AMI)	1	6.7%	
Families with children	0	0.0%	
Elderly families	4	26.7%	
Families with Disabilities	4	26.7%	
White/Non-Hispanic	15	100.0%	
Race/ethnicity			
Race/ethnicity			
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
0 BR	12	80.0%	
1 BR	3	20.0%	
2 BR			
3 BR			
4 BR			
5 BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input checked="" type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
QUEEN CITY TOWER	# of families	% of total families	Annual Turnover
Waiting list total	8		13

Housing Needs of Families on the Waiting List			
Extremely low income <=30% AMI	7	87.5%	
Very low income (>30% but <=50% AMI)	1	12.5%	
Low income (>50% but <80% AMI)	0	0.0%	
Families with children	0	0.0%	
Elderly families	1	12.5%	
Families with Disabilities	2	25.0%	
White/Non-Hispanic	8	100.0%	
Race/ethnicity			
Race/ethnicity			
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
0 BR	7	87.5%	
1 BR	1	12.5%	
2 BR			
3 BR			
4 BR			
5 BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

C. Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

Select all that apply

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance

- Employ admissions preferences aimed at families with economic hardships
- Adopt rent policies to support and encourage work
- Other: (list below)

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

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

Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

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

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

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

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

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

(2) Reasons for Selecting Strategies

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

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

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

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

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2004 grants)		
a) Public Housing Operating Fund	862,962	
b) Public Housing Capital Fund	600,000	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance		
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants		
h) Community Development Block Grant		
i) HOME		
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
CFP 2004	412,000	Capital Improvements
3. Public Housing Dwelling Rental Income	828,962	Operations
4. Other income (list below)		
Excess Utility and Maint. Charges, & Interest Income	86,930	
4. Non-federal sources (list below)		

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
Total resources	2,790,854	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

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

(1) Eligibility

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

- When families are within a certain number of being offered a unit: (state number)
- When families are within a certain time of being offered a unit: (state time)
- Other: At time of application and again at time of offering a unit

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. 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?5

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? 2

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

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

(3) Assignment

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

- One
- Two
- Three or More

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

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

(4) Admissions Preferences

a. Income targeting:

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

b. Transfer policies:

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

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

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

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

- Residents who live and/or work in the jurisdiction (City of Cumberland and Allegany County)
- 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)
 - Displaced as a result of government action or a disaster.

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

1 Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- 2 Working families and those unable to work because of age or disability
- 5 Veterans and veterans’ families
- 3 Residents who live and/or work in the jurisdiction (City of Cumberland)
- 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
- Other preference(s) (list below)
 - 1 Displaced as a result of government action or a disaster.
 - 4 Residents of Allegany County

4. Relationship of preferences to income targeting requirements:

- The PHA applies preferences within income tiers

- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

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

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

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

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

(6) Deconcentration and Income Mixing

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

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

If yes, list these developments as follows:

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

B. Section 8

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

(1) Eligibility

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

(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 903.7 9 (d)]

A. Public Housing

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

(1) Income Based Rent Policies

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

a. Use of discretionary policies: (select one)

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

---or---

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

b. Minimum Rent

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

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

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

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

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

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

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

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

- For the earned income of a previously unemployed household member
 For increases in earned income
 Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

- Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:

1. 8% working reduction

- For household heads
 For other family members

- For transportation expenses
- For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below)

e. Ceiling rents

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

- Yes for all developments
- Yes but only for some developments
- No

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

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

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

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

f. Rent re-determinations:

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

- Never
- At family option
- Any time the family experiences an income increase

- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)_____
- Other (list below)

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

(2) Flat Rents

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

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

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

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

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

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

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

(2) Minimum Rent

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

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

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

A. PHA Management Structure

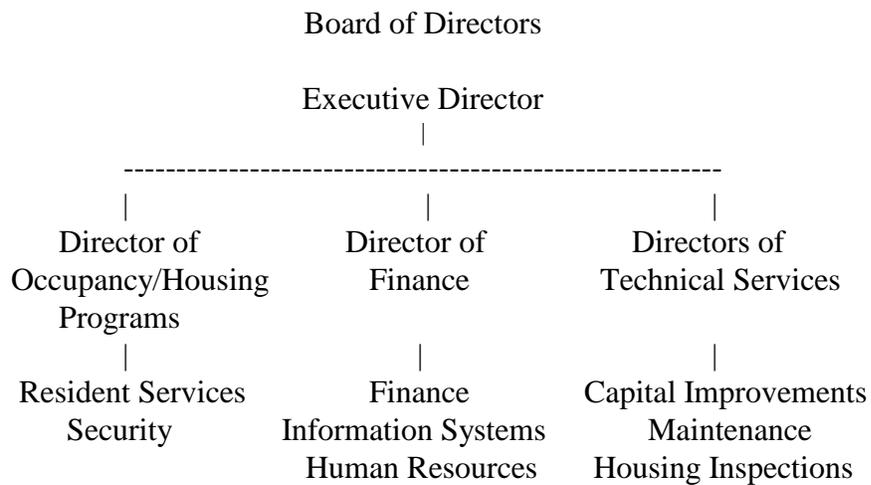
Describe the PHA's management structure and organization.

(select one)

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

The Executive Director of the Cumberland Housing Authority work under the direction of a 5-member Board of Commissioners. There are three (3) departments under the Executive Director (1) Finance, (2) Occupancy, and (3) Technical Services. The Finance Department is responsible for accounting of all funds and assets of the Authority, its information systems and for Human Resources (insurance, retirement, etc.). The Occupancy Department is responsible for tenant applicants, income determinations, background checks, annual re-certifications, etc., compliance with lease requirements and for Resident Services Security. The Technical Services Department is responsible for the upkeep of the Authority's property, including its Modernization Program.

The following is an organization chart of the Authority:
ORGANIZATIONAL MANAGEMENT STRUCTURE



B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	430	100
Section 8 Vouchers		
Section 8 Certificates		
Section 8 Mod Rehab		

Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		
ROSS Service Coord.	195	unknown

C. Management and Maintenance Policies

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

(1) Public Housing Maintenance and Management: (list below)

- Admissions and Continued Occupancy Policy
- Blood Borne Disease Policy
- Capitalization Policy
- Check Signing Policy
- Criminal Records Management Policy
- Disposition Policy
- Drug Free Policy
- Equal Housing Opportunity Policy
- Personnel Policies and Procedures
- Facilities Use Policy
- Funds Transfer Policy
- Investment Policy
- Maintenance Policy
- Natural Disaster Policy
- Procurement Policy
- HACC Lease

(2) Section 8 Management: (list below)

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing

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

If yes, list additions to federal requirements below:

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

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

B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

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

- PHA main administrative office
 Other (list below)

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

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

-or-

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

**PHA Plan
Table Library
Component 7
Capital Fund Program Annual Statement
Parts I, II, and II**

Annual Statement

Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number FFY of Grant Approval: (04/01/05)

Original Annual Statement

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	26,350
3	1408 Management Improvements	110,000
4	1410 Administration	32,488
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	20,000
8	1440 Site Acquisition	

9	1450	Site Improvement	10,000
10	1460	Dwelling Structures	325,450
11	1465.1	Dwelling Equipment-Nonexpendable	
12	1470	Nondwelling Structures	45,000
13	1475	Nondwelling Equipment	25,000
14	1485	Demolition	
15	1490	Replacement Reserve	
16	1492	Moving to Work Demonstration	
17	1495.1	Relocation Costs	13,650
18	1498	Mod Used for Development	
19	1502	Contingency	
20	Amount of Annual Grant (Sum of lines 2-19)		607,938
21	Amount of line 20 Related to LBP Activities		
22	Amount of line 20 Related to Section 504 Compliance		
23	Amount of line 20 Related to Security		60,000
24	Amount of line 20 Related to Energy Conservation Measures		

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

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
MD005-001 Jane Frazier Village	Replace Roofs – 6 Buildings	1460	72,000
	Replace Gutters/Downspouts – 6 Buildings	1460	42,000
	Handicap Renovations	1460	8,225
	Sidewalk Repairs	1450	2,000
MD005-003 Fort Cumberland	Repair Community Center Roof	1470	40,000
	Handicap Renovations	1470	5,000
MD005-004 John F. Kennedy	Replace Roof	1460	124,200
	Seal/Stripe Parking Lot	1450	4,000
	Handicap Renovations	1460	35,550
MD005-005 Queen City Tower	Seal/Stripe Parking Lot	1450	4,000
	Handicap Renovations	1460	43,475
Agency Wide	Maintenance Vehicle	1475	25,000
	Operations	1406	26,350

	Maintenance Training	1408	1,000
	Technical Services Coordinator	1408	35,000
	Security Guards	1408	60,000
	Housekeeping Asst.	1408	14,000
	Technical Services Director	1410	32,488
	A/E Services	1430	20,000
	Relocation Cost	1495.1	13,650

Annual Statement
Capital Fund Program (CFP) Part III: Implementation Schedule

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)
MD005-001 Jane Frazier Village	March 31, 2006	March 31, 2007
MD005-002 Benjamin Banneker	March 31, 2006	March 31, 2007
MD005-003 Fort Cumberland	March 31, 2006	March 31, 2007
MD005-004 John F. Kennedy	March 31, 2006	March 31, 2007
MD005-005 Queen City Tower	March 31, 2006	March 31, 2007
Agency-Wide	March 31, 2006	March 31, 2007

(2) Optional 5-Year Action Plan

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

- a. Yes No: Is the PHA providing an optional 5-Year Action Plan for the Capital Fund? (if no, skip to sub-component 7B)
- b. If yes to question a, select one:
- The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state name
-or-
- The Capital Fund Program 5-Year Action Plan is provided below: (if selected, copy the CFP optional 5 Year Action Plan from the Table Library and insert here)

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

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

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
MD005001	Jane Frazier Village	0	0%	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Accessible route to Community Center			21,000	2006
Replace Refrigerators			62,500	2006
Install Security Lights			59,500	2006
Sidewalk Repairs			12,247	2006
Remove old storage buildings			12,500	2007
Replace Ranges			56,250	2008
Replace Fencing			73,059	2009

Total estimated cost over next 5 years	297,056	

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
MD005002	Benjamin Banneker	0	0%	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Relocation			13,650	2005
Demolition			90,000	2006
Total estimated cost over next 5 years			103,650	

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
MD005003	Fort Cumberland Homes	0	0%	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Install Security Lights			42,000	2006

Total estimated cost over next 5 years	42,000	
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Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
MD005004	John F. Kennedy Apartments	0	0%	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Replace Boilers			150,000	2006
Reconfigure 0-BR Units			150,000	2007
Upgrade Elevators			300,000	2008
Replace make-up air units			20,000	2008
Total estimated cost over next 5 years			620,000	

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
MD005005	Queen City Tower	0	0%	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Repair Roof			18,500	2006
Service primary electrical switchgear			7,500	2006
Reconfigure 0-BR units			90,000	2007
Install energy management system			7,500	2007
Upgrade elevators			300,000	2009
Total estimated cost over next 5 years			423,500	

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

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

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

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

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

- Yes No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?
If yes, list developments or activities below:
Planning Activities for Benjamin Banneker and Fort Cumberland Homes

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

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

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

1. Yes No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If "No",

skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

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

Demolition/Disposition Activity Description	
1a. Development name:	Benjamin Banneker
1b. Development (project) number:	MD005002
2. Activity type:	Demolition <input checked="" type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one)	Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or planned for submission:	<u>(04/01/05)</u>
5. Number of units affected:	30
6. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: April 1, 2006 b. Projected end date of activity: June 30, 2006

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

[24 CFR Part 903.7 9 (i)]

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

1. Yes No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming

fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

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

Designation of Public Housing Activity Description
1a. Development name: John F. Kennedy Apartments 1b. Development (project) number: MD005004
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA’s Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission: <u>(07/01/05)</u>
5. If approved, will this designation constitute a (select one) <input checked="" type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 100 7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

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

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

1. Yes No: Have any of the PHA’s developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If “No”, skip to component 11; if “yes”, complete one

activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

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

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

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

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

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

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

2. Activity Description

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

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name:	
1b. Development (project) number:	
2. Federal Program authority:	
<input type="checkbox"/>	HOPE I
<input type="checkbox"/>	5(h)
<input type="checkbox"/>	Turnkey III
<input type="checkbox"/>	Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one)	
<input type="checkbox"/>	Approved; included in the PHA’s Homeownership Plan/Program
<input type="checkbox"/>	Submitted, pending approval
<input type="checkbox"/>	Planned application

4. Date Homeownership Plan/Program approved, submitted, or planned for submission:
(DD/MM/YYYY)

5. Number of units affected:

6. Coverage of action: (select one)

Part of the development

Total development

B. Section 8 Tenant Based Assistance

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

2. Program Description:

a. Size of Program

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

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

25 or fewer participants

26 - 50 participants

51 to 100 participants

more than 100 participants

b. PHA-established eligibility criteria

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

If yes, list criteria below:

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (1)]

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

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

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

If yes, what was the date that agreement was signed? 08/28/2000

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

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

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

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

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

C. Welfare Benefit Reductions

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

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

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

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

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

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

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

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

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

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

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

Jane Frazier Village, Benjamin Banneker, Fort Cumberland Homes

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

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

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

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

- Jane Frazier Village
- Benjamin Banneker Apartment
- Fort Cumberland Homes

C. Coordination between PHA and the police

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

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- Police provide crime data to housing authority staff for analysis and action
- Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- Police regularly testify in and otherwise support eviction cases
- Police regularly meet with the PHA management and residents

- Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
 - Other activities (list below)
2. Which developments are most affected? (list below)

D. Additional information as required by PHDEP/PHDEP Plan

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

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

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

See attachment (md005b01)

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

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

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

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

17. PHA Asset Management

[24 CFR Part 903.7 9 (q)]

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

1. Yes No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock , including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?

2. What types of asset management activities will the PHA undertake? (select all that apply)
 Not applicable
 Private management
 Development-based accounting
 Comprehensive stock assessment
 Other: (list below)

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

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

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

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
 Attached at Attachment (File name)
 Provided below:

Jane Frazier –

- Floor tile needs replaced – cracked and coming loose
- Inside steps need replaced – loose and dangerous
- Need new windows – drafty
- Kitchen cabinets and counters need updated
- Housing Authority should evict residents who continually disturb other residents.

Fort Cumberland Homes

- Residents should be involved in color and product selection of modernization projects.

John F. Kennedy –

- Patio tile needs replaced outside south end of building
- Need for more accessible apartments

Queen City Tower –

- Several trees outside should be removed and additional parking should be made available where trees were.
- Need for more accessible apartments

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

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

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

Other: (list below)

1. Jane Frazier Village -

- Floor tile needs replaced – cracked and coming loose – The Housing Authority agrees this needs to be done at some point in the future, but residents are advised for the moment to report any cracked or loose tile to the Maintenance Department
- Inside steps need replaced – loose and dangerous – The resident who made this suggestion was advised to contact the Maintenance Department
- Need new windows – drafty – This will be considered for future modernization projects.
- Kitchen cabinets and counters need updated - This will be considered for future modernization projects.
- Housing Authority should evict residents who continually disturb other residents – The Housing Authority responded that it does take measures to evict residents who disturb others, but only after receipt of reports by the police or by security staff, or by a sufficient number of written complaints by residents

Fort Cumberland Homes

- Residents should be involved in color and product selection of modernization projects – Monthly modernization meetings were held in the past for resident input, but due to lack of attendance, the meetings were cancelled. Residents were advised that modernization meetings will again be started for resident input.

John F. Kennedy –

- Patio tile needs replaced outside south end of building – This is being accomplished in the 2004 CFP Program
- Need for more accessible apartments – This will be accomplished over the next 5-year period

Queen City Tower –

- Several trees outside should be removed and additional parking should be made available where trees were. This is not feasible due to underground utilities, etc., in the location recommended.
- Need for more accessible apartments – This will be accomplished over the next 5-year period

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

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

3. Description of Resident Election Process

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

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

b. Eligible candidates: (select one)

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

- Other (list) Any adult member of a resident or assisted family organization in good standing with HACC (i.e., all rent paid)

c. Eligible voters: (select all that apply)

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

C. Statement of Consistency with the Consolidated Plan

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

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

- The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
- Provide safe, decent, and sanitary housing to eligible applicants and existing residents.
 - Leverage private or other public funds to create additional housing opportunities.
 - Acquire or build units or developments.
 - Improve public housing management.
 - Increase customer satisfaction.
 - Concentrate on efforts to improve management functions.
 - Modernize public housing units.
 - Apply for Housing Counseling Grant.
 - Install security lights at 2 family developments
 - Apply for Ross Grants – Family Service Coordinator
 - Apply for funding to hire person to assist existing service coordinator
 - 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:
4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below) None

D. Other Information Required by HUD

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

Definition of “Substantial Deviation” and “Significant Amendment or Modification”

• **Substantial Deviation from 5-Year Plan**

Goals

- Additions or deletions of Strategic Goals

• **Significant Amendment or Modification to the Annual Plan**

Programs

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

Capital Budget

- Additions of non-emergency work items in excess of \$25,000 (items not included in the current Annual Statement or Five-Year Action Plan) or change in use of replacement reserve funds in excess of \$25,000.

Policies

- Changes to rent or admissions policies or organization of the waiting lists.

Note: An exception to the above definition will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements.

Attachments

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

Admissions Policy for De-Concentration (md005a01)

Pet Policy (md005b01)

Statement of Progress (md005c02)

Resident Advisory Board Membership (md005d01)

Assessment of Site-Based Waiting List (md005e01)

Description of Community Service Program (md005f01)

Resident Membership on the Governing Board (md005g01)

Admissions and Continued Occupancy Policy (md005h01)

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

PHA Name: Cumberland Housing Authority	Grant Type and Number Capital Fund Program Grant No: MD06P00550102 Replacement Housing Factor Grant No:	Federal FY of Grant: 2002
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"Original Annual Statement "Reserve for Disasters/ Emergencies "Revised Annual Statement (revision no:)
 "Performance and Evaluation Report for Period Ending: "Final Performance and Evaluation Report: 9/31/04

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	20,000	20,000	20,000	20,000
3	1408 Management Improvements	129,000	126,000	126,000	126,000
4	1410 Administration	63,300	63,300	63,300	63,300
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	15,000	27,079	27,079	27,079
8	1440 Site Acquisition				
9	1450 Site Improvement	32,500	44,918	44,918	44,918
10	1460 Dwelling Structures	313,475	329,705	329,705	329,705
11	1465.1 Dwelling Equipment— Nonexpendable	60,500	0	0	0
12	1470 Nondwelling Structures		8,577	8,577	8,577
13	1475 Nondwelling Equipment	18,700	14,808	14,808	14,808
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	20,738	0	0	0
21	Amount of Annual Grant: (sum of lines 2 –	673,213	634,387	634,387	634,387

	20)				
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs	32,000	64,000	64,000	64,000
26	Amount of line 21 Related to Energy Conservation Measures				

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program Grant No: MD06P00550102 Replacement Housing Factor Grant No:				Federal FY of Grant: 2002		
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	
PHA-WIDE	Misc. Authority Expenses	1406	N/A	20,000	20,000	20,000	20,000	Complete
Management Imp	Resident Services Director	1408	1	31,000	31,000	31,000	31,000	Complete
	Resident Maintenance Trainees	1408	6 PT	56,300	19,600	19,600	19,600	Complete
	Security Guards	1408	1 FT, 2 PT	32,000	64,000	64,000	64,000	Complete
	Housekeeping Assistant	1408	1 FT	10,000	11,400	11,400	11,400	Complete
Administration	Technical Services Director	1410	1 FT	38,300	38,300	38,300	38,300	Complete
	Technical Services Clerk	1410	1 FT	25,000	25,000	25,000	25,000	Complete

A/E	Design Fees	1430	All	16,000	29,079	29,079	29,079	Complete
MD005-1	Sidewalks	1450	Misc	15,000	14,111	14,111	14,111	Complete
Jane Frazier	Canopies	1460	30	30,000	33,086	33,086	33,086	Complete
Village	Kitchen Sink Lighting	1460	Misc	4,000	0	0	0	Deleted
	Playground Equipment	1475	Misc	6,000	0	0	0	Deleted

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program Grant No: MD06P00550102 Replacement Housing Factor Grant No:				Federal FY of Grant: 2002		
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	
MD005-4	Replace Sewer Line at MD-5-4	1450	1	0	2,750	2,750	2,750	Complete
John F Kennedy	220 Service	1460	100	65,000	0	0	0	Deleted
Apartments	Electric Ranges	1465	100	31,000	0	0	0	Deleted
	Gas Monitoring System	1460	100	0	63,013	63,013	63,013	Complete
	Pressure Valves	1460	Misc	0	3,300	3,300	3,300	Complete
	Heat Exchangers	1460	Misc	0	1,456	1,456	1,456	Complete
	Washer/Dryers	1475	Misc	1,000	0	0	0	Deleted

MD005-5	220 Service	1460	95	35,000	0	0	0	Deleted
Queen City Tower	Electric Ranges	1465	95	29,500	0	0	0	Deleted
	Gas Monitoring System	1460	95	0	59,862	59,862	59,862	Complete
	Washer/Dryers	1475	Misc	1,000	0	0	0	Deleted

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part III: Implementation Schedule							
PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program No: MD06P00550102 Replacement Housing Factor No:				Federal FY of Grant: 2002	
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	
PHA-Wide	06/30/04		12/31/02	06/30/05		9/30/03	
MD005-1 Jane Frazier Village	06/30/04		9/31/03	06/30/05		9/30/03	

MD005-2 Benjamin Banneker	06/30/04		12/31/02	06/30/05		9/30/03	
MD005-3 Fort Cumberland Homes	06/30/04		12/31/02	06/30/05		9/30/03	
MD005-4 John F. Kennedy	06/30/04		12/31/02	06/30/05		9/30/03	
MD005-5 Queen City Tower	06/30/04		12/31/02	06/30/05		9/30/03	

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program Grant No: MD06P00550103 Replacement Housing Factor Grant No:			Federal FY of Grant: 2003
"Original Annual Statement "Reserve for Disasters/ Emergencies		"Revised Annual Statement (revision no:)			
"Performance and Evaluation Report for Period Ending: 12/31/04		"Final Performance and Evaluation Report:			
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements	99,145	104,385	104,385	104,385
4	1410 Administration	48,900	52,960	52,960	52,960

5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	30,000	30,000	30,000	4,163
8	1440 Site Acquisition				
9	1450 Site Improvement	30,000	73,625	73,625	11,341
10	1460 Dwelling Structures	272,916	255,082	255,082	171,010
11	1465.1 Dwelling Equip. Nonexpendable				
12	1470 Nondwelling Structures	20,000	5,909	5,909	5,909
13	1475 Nondwelling Equipment	21,000	0	0	
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
18	Amount of Annual Grant:	521,961	521,961	521,961	349,768
19	Amount of line 18 Related to LBP Activities				
21	Amount of line 18 Related to Section 504				
22	Amount of Line 18 Related to Security	51,000	65,919	65,919	65,919
23	Amount of line 18 Related to Energy Conservation				

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program Grant No: MD06P00550102 Replacement Housing Factor Grant No:			Federal FY of Grant: 2003			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	

PHA-WIDE	Resident Maintenance Trainees	1408	4 PT	45,270	22,841	22,842	22,842	Complete
Management Imp	Training	1408	N/A	2,875	2,875	2,875	2,875	Complete
	Security Guards	1408	1 FT, 1 PT	51,000	65,919	65,919	65,919	Complete
	Housekeeping Assistant	1408	1	13,000	12,750	12,750	12,750	
Administration	Technical Services Director	1410	1	22,500	35,560	35,560	35,560	Complete
	Technical Services Clerk	1410	1	13,400	17,400	17,400	17,400	Complete
A/E	Design Fees	1430	N/A	30,000	30,000	30,000	4,163	In-Process
MD005-1	Concrete Steps	1450	N/A	15,000	62,284	62,284	0	In-Process
Jane Frazier Village	Entrance Doors	1460	125	45,000	71,113	71,113	505	Complete
MD005-2	A/C Unit – Community Room	1475	1	1,000	0	0	0	Deleted
Benj. Banneker								
MD005-3	Sidewalks	1450	N/A	15,000	11,341	11,341	11,341	Complete
Ft. Cumberland Homes	Roof/Gutter Replacement	1460	All	227,916	183,969	183,969	170,505	Complete

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

PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program Grant No: MD06P00550103 Replacement Housing Factor Grant No:			Federal FY of Grant: 2003	
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost	Total Actual Cost	Status of Work

PHA-Wide	12/31/04		12/31/04	06/30/06			
MD005-1 Jane Frazier Village	12/31/05		12/31/04	06/30/06			
MD005-2 Benjamin Banneker	12/31/04						Work Deleted
MD005-3 Fort Cumberland Homes	12/31/04		12/31/04	06/30/06			
MD005-4 John F. Kennedy	12/31/04		12/31/04	06/30/06		12/31/04	
MD005-5 Queen City Tower	12/31/04		12/31/04	06/30/06		12/31/04	

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program Grant No: MD06P00550103 Replacement Housing Factor Grant No:			Federal FY of Grant: 2003A
"Original Annual Statement "Reserve for Disasters/ Emergencies		"Revised Annual Statement (revision no:)			
"Performance and Evaluation Report for Period Ending: 12/31/04		"Final Performance and Evaluation Report:			
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				

2	1406 Operations				
3	1408 Management Improvements	8,025	8,025	8,025	6,051
4	1410 Administration	10,000	10,000	10,000	10,000
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement	10,000	17,381	17,381	505
10	1460 Dwelling Structures	10,000	0	0	0
11	1465.1 Dwelling Equip. Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	66,000	68,619	68,619	68,001
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
18	Amount of Annual Grant:				
19	Amount of line 18 Related to LBP Activities				
21	Amount of line 18 Related to Section 504	104,025	104,025	104,025	85,400
22	Amount of Line 18 Related to Security	51,000	65,919	65,919	65,919
23	Amount of line 18 Related to Energy Conservation				

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

PHA Name: Cumberland Housing Authority	Grant Type and Number Capital Fund Program Grant No: MD06P00550102 Replacement Housing Factor Grant No:	Federal FY of Grant: 2003A
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Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHA-WIDE	Training	1408	N/A	8,025	1,975	1,975	843	In-Process
Management Imp	Security Guards	1408	1 FT, 1 PT	0	6,050	6,050	6,050	Complete
Administration	Technical Services Director	1410	1	5,000	5,000	5,000	5,000	Complete
	Technical Services Clerk	1410	1	5,000	5,000	5,000	5,000	Complete
MD005-1	Concrete Steps	1450	N/A	10,000	13,614	13,614	505	In-Process
Jane Frazier	Cathodic Protection	1450	N/A	0	3,740	3,740	0	In-Process
Village	Playground Equipment	1475	Set	22,000	24,535	24,535	24,535	Complete
MD005-2	Concrete Steps	1450	N/A	15,000	62,284	62,284	0	In-Process
Benj. Banneker	Entrance Doors	1460	125	45,000	71,113	71,113	505	Complete
	A/C Unit – Community Room	1475	1	1,000	0	0	0	Deleted
MD005-3	Sidewalks	1450	N/A	15,000	11,341	11,341	11,341	Complete
Ft. Cumberland Homes	Roof/Gutter Replacement	1460	All	227,916	183,969	183,969	170,505	Complete

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

PHA Name: Cumberland Housing Authority	Grant Type and Number Capital Fund Program No: MD06P00550102 Replacement Housing Factor No:	Federal FY of Grant: 2003A
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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	
PHA-Wide	12/31/04		12/31/04	06/30/06		12/31/04	
MD005-1 Jane Frazier Village	12/31/05		12/31/04	06/30/06			
MD005-2 Benjamin Banneker	12/31/04		12/31/04	06/30/06			
MD005-3 Fort Cumberland Homes	12/31/04		12/31/04	06/30/06		12/31/04	

Annual Statement/Performance and Evaluation Report			
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary			
PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program Grant No: MD06P00550103 Replacement Housing Factor Grant No:	
		Federal FY of Grant: 2004	
"Original Annual Statement "Reserve for Disasters/ Emergencies		"Revised Annual Statement (revision no:)	
"Performance and Evaluation Report for Period Ending: 12/31/04		"Final Performance and Evaluation Report:	
Line No.	Summary by Development Account	Total Estimated Cost	Total Actual Cost

		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements	121,587		119,000	
4	1410 Administration	60,793		60,793	
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	30,000		16,137	
8	1440 Site Acquisition				
9	1450 Site Improvement	32,558		0	
10	1460 Dwelling Structures	226,000		0	
11	1465.1 Dwelling Equip. Nonexpendable	108,000		76,154	
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	29,000		0	
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
18	Amount of Annual Grant:	607,938		272,084	
19	Amount of line 18 Related to LBP Activities				
21	Amount of line 18 Related to Section 504				
22	Amount of Line 18 Related to Security	61,000		61,000	
23	Amount of line 18 Related to Energy Conservation	10,000			

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Cumberland Housing Authority	Grant Type and Number Capital Fund Program Grant No: MD06P00550102 Replacement Housing Factor Grant No:	Federal FY of Grant: 2004
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Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHA-WIDE	Resident Maintenance Trainees	1408	3 PT	44,000		44,000	4,328	In-Process
Management Imp	Training	1408	N/A	2,587		0	0	In-Process
	Security Guards	1408	2 FT, 1 PT	61,000		61,000	13,096	In-Process
	Housekeeping Asst.	1408	1 PT	14,000		14,000	2,004	In-Process
Administration	Technical Services Director	1410	1	35,793		35,793	2,746	In-Process
	Technical Services Clerk	1410	1	25,000		25,000	4,903	In-Process
A/E	Design Fees	1430	N/A	30,000		16,137	6,326	In-Process
MD005-001	Concrete Steps	1450	6	15,000		0	0	Out for bid
Jane Frazier								
Village								
MD005-003	Sidewalks	1450	N/A	32,558		0	0	Not Started
Fort Cumberland	Entrance Doors	1460	80	65,000		0	0	Out for bid
	Refrigerators	1465.1	80	40,000		22,680	0	In-Process

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

PHA Name: Cumberland Housing Authority	Grant Type and Number Capital Fund Program Grant No: MD06P00550102	Federal FY of Grant: 2004
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PHA Name: Cumberland Housing Authority		Grant Type and Number Capital Fund Program No: MD06P00550102 Replacement Housing Factor No:				Federal FY of Grant: 2004	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
PHA-Wide	10/31/05			10/31/06			
MD005-1 Jane Frazier Village	10/31/05		12/31/04	10/31/06			
MD005-3 Fort Cumberland Homes	10/31/05		12/31/04	10/31/06			
MD005-4 John F. Kennedy	10/31/05		12/31/04	10/31/06			
MD005-5 Queen City Tower	10/31/05		12/31/04	10/31/06			

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

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

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

**DECONCENTRATION POLICY
FOR THE
HOUSING AUTHORITY OF THE CITY OF CUMBERLAND**

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

It is HACC's policy to provide for de-concentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Towards this end, we will skip families on the waiting list to reach other families with a lower or higher income.

HACC will affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

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

INCOME MIX TARGETING: To meet the requirements of the Act and subsequent HUD regulations, at least 40 percent of families admitted to public housing by the Housing Authority must have incomes that do not exceed 30% of the area median. If 40% or more of the Housing Authority families occupy units whose incomes do not exceed 30% of the area median income, this requirement shall be considered as being met.

PROHIBITION OF CONCENTRATION OF LOW-INCOME FAMILIES: The Housing Authority will not, in meeting this income mix targeting, concentrate very low-income families, or other families with relatively low incomes, in public housing units in certain developments or certain buildings. The Housing Authority will review the income and occupancy characteristics of the housing developments and the buildings of each development to ensure that a low-income concentration does not occur.

DECONCENTRATION: The Housing Authority will make every effort to de-concentrate families of certain income characteristics within the Authority development. To achieve this, the Housing Authority will offer incentives for eligible families having higher incomes to occupy dwelling units in developments predominantly occupied by eligible families having lower incomes, and provide for occupancy of eligible families having lower incomes in development predominantly occupied by eligible families having higher incomes. Incentives by the Housing Authority allow for the eligible family to have the sole discretion in determining whether to accept the incentive and the Housing Authority will not take any adverse action toward any eligible family for choosing not to accept these incentives. The skipping of a family on the waiting list to

reach another family to implement this Deconcentration Policy shall not be considered an adverse action. As such, the Housing Authority will continue to accept application and place the individuals on a waiting list. Selection will be made based on a combination of the local preferences and an income target mix.

The Housing Authority will track the income mix within each development as an effort to avoid a concentration of higher or lower income families in any one building or development.

Monitoring will be conducted to confirm that at least forty (40) percent of all leased units will be within thirty (30) percent of median income.

Efforts through marketing and outreach shall be made to increase the number of families with incomes greater than thirty (30) percent of median income in the developments noted above in order to avoid concentrations of very low-income families in the developments as per the requirements of the QHWRA of 1998.

18.0 PET POLICY

It is the intention of the Housing Authority to provide a clean, safe and sanitary environment for all. Residents must have the prior approval of the Housing Authority before moving a pet into their unit.

18.1 PURPOSE

The purpose of this policy is to establish a comprehensive set of rules and regulations governing the maintenance of common household pets within and upon all premises owned by the Housing Authority.

This policy includes only common household pets: cats, dogs, birds, hamsters, guinea pigs, gerbils, ferrets, rabbits and fish in aquariums. The birds, hamsters, guinea pigs, gerbils, rabbits and ferrets must be kept in a cage. All other types of pets are prohibited.

The pet shall not exceed the following size:

Height	18"
Length	24"
Weight	20 pounds

Those residents residing in an efficiency unit or a one-bedroom unit shall be limited to one pet. Those residing in a two-, three- or four-bedroom unit shall be limited to no more than two pets. A separate pet permit shall be required for each pet; as well as the non-refundable pet maintenance fee and pet administrative cost.

Residents are prohibited from feeding or harboring stray animals. The feeding of any stray animals shall constitute having a pet without written permission of the Housing Authority and will be subject to lease termination.

Visitors are not allowed to bring pets with them and the residents shall not engage in "pet-sitting".

Vicious or intimidating dogs, or dogs which disturb, interfere, or diminish the peaceful enjoyment of the pet owner's neighbors or other residents will not be allowed. If the owner does not remove the dog, the Housing Authority will do so.

It is the intention of the Housing Authority to provide a clean, safe and sanitary environment to all.

18.2 APPLICABILITY

This policy is not applicable to animals that aid persons with disabilities. We as an agency may not have any policies affecting the use of service animals assisting persons with disabilities. This policy applies to animals residing in our housing or visiting animals. Nothing in this policy limits or impairs the rights of persons with disabilities; authorizes anyone to limit or impair the rights of persons with disabilities; or affects any authority that the Housing Authority have to regulate service animals that assist persons with disabilities, under Federal, State, or local law. All residents must comply with local and state laws pertaining to the keeping of pets.

18.3 APPLICATION FOR PET PERMIT

All pets shall be registered with the Housing Authority. This must be done before it is brought to reside in the development. The resident must update the registration when the pet permit expires, which is the same month as when the rabies vaccine expires. The registration must include:

- A. A certificate signed by a licensed veterinarian or a state or local authority empowered to inoculate animals, stating that the pet has received all inoculations required by applicable state and local law.
- B. Evidence from a veterinarian that the pet has been spayed or neutered, as applicable;
- C. Using the Cat or Dog for Breeding Purposes:
 - 1. Request for this procedure must be in writing
 - 2. Request will be reviewed by the Executive Director or their designee and if approved, the resident will be required to sign a statement agreeing to:
 - a. Breeding will be done off-site.
 - b. No kittens or puppies will be allowed on the property.

- D. Proof that the dog or cat has had preventive flea treatment on a regular basis.
- E. Proof that the cat has been de-clawed.
- F. A photograph of the dog or cat;
- G. The name, address and telephone number of the responsible party that will care for the pet if the pet owner(s) dies, is incapacitated, or is otherwise unable to care for the pet; and
- H. The Housing Authority shall notify the pet owner if the application for a pet permit is refused. The notice shall be by letter and state the basis for the refusal and shall be delivered directly to the pet owner.

All pet owners of cats and dogs shall pay a non-refundable pet registration fee of \$100. Pet owner may pay first two payments in the amount of \$25.00 and monthly payments thereafter of \$10 until the \$100 is paid in full. The Board of Commissioners may adjust the amount of the pet maintenance fee for those residents with a need due to handicap upon receipt of proper documentation certifying the need of a pet by a resident.

The non-refundable pet registration fee shall be paid for each separate pet and shall not roll over from one pet to another unless the pet is replaced and all required documentation is submitted within a thirty (30) day time period.

18.4 RULES OF PET MAINTENANCE

All residents with pets authorized under this section, shall be governed by, and comply with, the following rules:

- A. When a pet permit expires, residents will be required to update the registration information of the authorized pet before a new pet permit will be issued. Such registration shall include updated information on required inoculations.
- B. Those residents residing in an efficiency unit or a one-bedroom unit shall be limited to one pet. Those residing in a two-, three-, or four-bedroom unit shall be limited to no more than two pets. A separate pet permit shall be required for each pet; as well as the non-refundable pet maintenance fee and pet administrative cost.

- C. The resident shall not allow their pet(s) to deposit waste on the development premises, and must remove and properly dispose of all removable pet waste accidentally deposited on development premises.
- D. In the case of cats and other pets using litter boxes, the litter shall be changed daily. Said waste shall be disposed of in the following manner:

John F. Kennedy Apartments and Queen City Tower

Waste shall be put in a heavy duty plastic bag and placed in the garbage chute.

Jane Frazier Village, Benjamin Banneker Apartments and Fort Cumberland Homes

Waste shall be put in a heavy duty plastic bag and placed in the dumpsters or closed garbage can until you take the garbage to the dumpster.

There will be a tenant charge for clean up of any area as a result of a violation by a pet owner of any of the above sanitary standards. The resident will be charged \$5.00 per occurrence for clean up of pet waste.

- E. Residents shall take adequate precautions and measures necessary to eliminate pet odors within or around the unit and shall maintain the unit in a sanitary condition at all times.
- F. Residents must identify an alternate custodian for pets in the event of resident illness or other absence from the dwelling unit. The identification of an alternate custodian must occur prior to the Housing Authority issuing a pet registration permit.
- G. If pets are left unattended for a period of twenty-four (24) hours or more, the Housing Authority may enter the dwelling unit, remove the pet and transfer it to the proper authorities, subject to the provision of state law and pertinent local ordinances. The Housing Authority accepts no responsibility for the animal under such circumstances.
- H. Visitors are not allowed to bring pets and the residents shall not engage in "pet-sitting".

- I. Residents shall not alter their unit, patio or unit area in order to create an enclosure for any pet.
- J. Residents are responsible for all damages caused by their pets, including the cost of cleaning or fumigation of units. The cost of repairs and /or sanitation will be charged in accordance with the Schedule of Repairs, posted in the Housing Authority's office, and will be due in accordance with the lease agreement.
- K. Residents shall not permit the pet to disturb, interfere, or diminish the peaceful enjoyment of other residents. The terms, "disturb, interfere or diminish" shall include but not be limited to, barking, howling, chirping, biting, scratching and other like activities. Repeated substantiated complaints by neighbors or Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance will result in the owner having to remove the pet or move him/herself.
- L. Dogs and cats must be licensed and residents must show proof of annual rabies inoculations required by state or local law.
- M. All dogs and cats must be spayed or neutered, as applicable.
- N. Vicious or intimidating dogs, or dogs that disturb, interfere, or diminish the peaceful enjoyment of the pet owner's neighbors or other residents will not be allowed. If the owner does not remove the dog, the Housing Authority will do so.
- O. Cats must be under full control of their owners any time they are outside the owner's apartment.
- P. Cats at John F. Kennedy and Queen City Towers must be leashed and under full control of their owners any time they are outside the owner's apartment.
- Q. Dogs at all developments must be under full control of their owners any time they are outside the owner's apartment.
- R. Birds, hamsters, guinea pigs, gerbils, rabbits, and ferrets must be confined to a cage at all times, including inside the resident's unit.
- S. The following area designates as no pet areas, meaning that no pets are allowed in the following areas:

John F. Kennedy Apartments and Queen City Tower

- Basement, lobbies, laundry rooms, social rooms
 - Floors – to be determined based on those residents allergic to pets and the number of residents desiring pets
 - Grounds, driveways and sidewalk areas
- T. Pet Owners must conduct themselves and exercise sufficient control over their pet as not to disturb other residents' peaceful enjoyment of their accommodations.
- U. Resident's pet(s) shall not interfere with HACC responsibilities or operations including maintenance and extermination.
- V. All pets not owned by the resident are not allowed on the property, nor are to be kept in the buildings or grounds. This means no "pet sitting" or "pet visiting".

18.5 ENFORCEMENT

The privilege of maintaining a pet in a facility owned by the Housing Authority shall be subject to the rules set forth above.

This privilege may be revoked at any time, subject to the procedures set forth below, if the animal should become destructive, create a nuisance, represent a threat to the safety and security of other residents, or create a problem in the area of cleanliness and sanitation.

The Housing Authority, or an appropriate community authority, shall require the removal of any pet from a development if the pet's conduct or condition is determined to be a nuisance or threat to the health or safety of other occupants of the development or of other persons in the community where the development is located.

Should a breach of the rules set forth above occur, the Housing Authority may also exercise any remedy granted it in accord with appropriate state and local law, including termination of the lease.

18.6 NOTICE OF PET RULE VIOLATION

If the Housing Authority determines on the basis of objective facts, supported by written statements, that a pet owner has violated a rule governing the owning or keeping of pets, the Housing Authority

shall deliver to the resident a written notice of pet rule violation. Such written notice shall:

- A. Contain a brief statement of the factual basis for the determination and the pet rule or rules alleged to be violated;
- B. State that the pet owner has ten (10) days from the effective date of service of the notice to correct the violation (including, in appropriate circumstances, removal of the pet) or make a written request for a meeting to discuss the violation;
- C. State that the pet owner is entitled to be accompanied by another person of his or her choice at the meeting; and
- D. State that the pet owner's failure to correct the violation, to request a meeting, or to appear at a requested meeting may result in initiation of procedures to terminate the pet owner's tenancy.

18.7 PET RULE VIOLATION MEETING

If the pet owner makes a timely request for a meeting to discuss an alleged pet rule violation, the Housing Authority shall establish a mutually agreeable time and place for the meeting but no later than 15 days from the effective date of service of the notice.

At the pet rule violation meeting, the pet owner and Housing Authority shall discuss any alleged pet rule violation and attempt to correct it. The Housing Authority may, as a result of the meeting, give the pet owner additional time to correct the violation.

18.8 NOTICE OF PET REMOVAL

If both parties are unable to resolve the pet rule violation at the pet rule violation meeting, or if the Housing Authority determines that the pet owner has failed to correct the pet rule violation within any additional time provided for this purpose as described above in this section, the Housing Authority may serve a written notice on the pet owner in accordance with this section, or at the pet rule violation meeting, if appropriate, requiring the pet owner to remove the pet. The notice must:

- A. Contain a brief statement of the factual basis for the determination and the pet rule or rules that have been violated;

- B. State that the pet owner must remove the pet within 10 days of the effective date of service of the notice of pet removal (or the meeting, if notice is served at the meeting); and
- C. State that failure to remove the pet may result in initiation of procedures to terminate the pet owner's tenancy.

18.9 PROCEDURES TO REMOVE A PET OR TERMINATE TENANCY

The Authority may not initiate procedures to terminate a pet owner's tenancy based on a pet rule violation, unless:

- A. The pet owner has failed to remove the pet or correct a pet rule violation within the applicable time period specified in this section, including any additional time permitted by the owner; and
- B. The pet rule violation is sufficient to begin procedures to terminate the pet owner's tenancy under the terms of the lease and applicable regulations.

The Housing Authority as owner may initiate procedures to remove a pet at any time, in accordance with the provisions of applicable State or local law.

18.10 SPECIAL RULES FOR HEALTH THREATS AND RESIDENT MOVES

General

HACC will not permit the presence of a common household pet to constitute a serious threat to the health of a resident or prospective resident, or any member of his or her family. For purposes of this section, a common household pet will constitute a serious threat to the health of an individual only if the individual (or his/her parent or guardian) has filed with HACC a certificate signed by a licensed physician indicating that exposure to the pet will cause an allergic reaction that will constitute such a threat to the individual. The certificate must describe the type of exposure (such as direct contact or presence in the same room, elevator, or common area), duration of exposure, the types or groups of animals (such as longhaired, fur-bearing animals), and any other information relevant to ascertaining the nature and extent of the circumstances that will cause such a reaction.

HACC must take reasonable measures to ensure that the presence of a pet does not constitute such a threat. These measures may include designating buildings, floors of buildings, or sections of buildings as no-pet areas and may include (as required by this part or otherwise appropriate to the circumstances) steps such as requiring residents to move to suitable alternative dwelling units within the development restricting the presence of the pet or types of pets in hallways, elevators and common areas.

Applicants for Residency

HACC shall refuse to admit an applicant for residents if the applicant will keep a common household pet in the dwelling unit and the presence of the pet will cause a serious threat to the health of a resident (or member of a resident's family). HACC may not refuse to admit the applicant if the applicant agrees not to keep the pet in the unit.

An applicant for residents in a development may reject a unit offered by HACC if an existing resident of the development owns or keeps a common household pet in his/her dwelling unit and the presence of the pet will constitute a serious threat to the health of the applicant (or a member of the applicant's family). An applicant's rejection of a unit under this paragraph, shall not adversely affect his/her application for residency in the development, including, but not limited to, his/her position on the waiting list or qualification for any resident selection preference.

18.11 ACQUISITION OF PETS BY EXISTING RESIDENTS

If, after reviewing the registration information, HACC determines that an existing resident of the development intends to own or keep a common household pet in the dwelling unit and the pet will constitute a serious threat to the health of another resident or member of that resident's family, HACC shall refuse to register the pet.

18.12 NUISANCES OR THREAT TO HEALTH OR SAFETY OF RESIDENTS

HACC or an appropriate community authority shall not be prohibited from removing any pet from the developments if the pet's conduct or condition is duly determined to constitute, under the provisions of State and local law, a nuisance or a threat to the health or safety of the occupants of the development or other persons in the community where the development is located.

18.13 EMERGENCIES

If a pet becomes vicious, displays symptoms of severe illness or demonstrates other behavior that constitutes an immediate threat to health or safety of the residents as a whole, HACC may request the pet owner to immediately remove the pet from the housing development.

If the pet owner refuses to remove the pet or if HACC is unable to contact the pet owner, HACC may contact the appropriate State or local authority, or designated agent of such an authority, to have the pet immediately removed from the development.

If the health or safety of a pet is threatened by the death or incapacity of the pet owner, or by other factors that either the pet owner unable to care for the pet, HACC may contact the responsible party listed in the pet registration.

If HACC has made a reasonable attempt to contact the responsible party, but the party is either unwilling or unable to care for the pet, HACC may contact the appropriate State or local authority or designated agent of such an authority, to removed a pet under these circumstances.

**PROGRESS REPORT
CUMBERLAND HOUSING AUTHORITY
FIVE-YEAR PLAN GOALS AND OBJECTIVES
(Those scheduled for completion FYE 3/31/2005)**

PHA Goal: ENSURE VIABILITY OF THE AUTHORITY

Objective: Hold expenses to 3% increase per year.
Progress:

The Cumberland Housing Authority has held expenses to an increase of 2% for the period of fiscal year 2000-2001 and 3.1% for fiscal year 2001-2002. In fiscal 2002-2003, we had an increase of 4.6% due to increases in utilities and insurance and the additional cost we incurred in picking up portions of drug elimination grant programs until other funding could be found. For fiscal year ending March 31, 2004, we had an increase of 8% due to hiring a Director of Occupancy and due to an unexpected increase of non-routine maintenance work.

Objective: Reduce line #590 of Operating Budget
Residual Receipts or Deficit) by 5% per
fiscal year.

Progress:

Residual receipts had shown a positive in each fiscal year except FY 2004. This issue is being resolved in FY 2005, which will show positive residual receipts.

Objective: Increase number of units occupied by
residents with income over 30% of Median
Income by 5% per year, not to exceed 60%
limit.

Progress:

The percent of families exceeding 30% of the median income guidelines was 22.3%. This year the percent exceeding 30% was 24.2%, an increase of only 1.9%. We did not meet our goal of increasing the number by 5% as proposed.

PHA Goal: CHANGE FACE OF PUBLIC HOUSING

Objective: Determine if any or all of the developments should be replaced with housing that would be designed to appeal to the rental market.

Progress:

A Housing Needs Assessment has been completed for the Housing Authority. Considerations for each of the developments are as follows:

Jane Frazier Village:
MD005-001

HACC is considering reducing the density of Jane Frazier Village. The apartments are located in a stable neighborhood and have a new apartment complex located to the South and an older complex to the southeast. To preserve the integrity of the neighborhood for the future, a reduction of units would assist in creating additional green space and update the complex to blend in better with the surroundings. This should be programmed within five to ten years.

Benjamin Banneker Apartments
MD005-002

HACC is considering the demolition of Benjamin Banneker Apartments. This property represents an obsolete building type located on a small lot with limited parking. There is no second means of egress to the individual apartments and no feasible manner of compliance with the Americans with Disabilities Act (ADA). This should be accomplished within the next three years and the vacant lot used as a single-family home site.

Fort Cumberland Homes:
MD005-003

HACC is considering the demolition of Fort Cumberland Homes to create additional property for homeownership in a good growth area of Cumberland. The property is too dense and obsolete in building type. This area of Cumberland would be slated for development as single-family homeownership as it sits close to the new shopping center and next to an area requiring revitalization. This should be programmed within the next seven to ten years.

John F. Kennedy Apartments
MD005-004

HACC is considering designating John F. Kennedy Apartments as "Elderly Only" and keeping and upgrading the property. The downtown area of Cumberland has several elderly properties and this would assist in keeping with that mode. Along with this move, HACC is also considering a reconfiguration of the apartment sizes by eliminating zero-bedroom units to create additional 1- and 2-bedroom apartments. This should occur within seven to ten years.

Queen City Tower
MD005-005

HACC is considering keeping and maintaining Queen City Tower as residence for elderly and disabled persons. HACC is also considering a reconfiguration of the apartment sizes by eliminating zero-bedroom units to create additional 1- and 2-bedroom apartments. This should occur within seven to ten years.

PHA Goal: DEVELOP HOMEOWNERSHIP PROGRAM

Objectives: Prepare homeownership plan.

Progress:

Although a plan had been developed in FY 2001 through the housing authority's non-profit, Cumberland Housing Alliance, HACC had abandoned that plan due to lack of funding. Since then the housing authority had pursued other options with the City of Cumberland, but those options have not come into fruition.

PHA Goal: PROVIDE ASSISTED AND/OR CONGREGATE HOUSING FOR ELDERLY

Objective: Add Assisted and/or Congregate Housing at John F. Kennedy and Queen City Towers by converting at least one floor of each high-rise for this purpose.

Progress:

HACC is no longer considering assisted living

at John F. Kennedy Apartments. HACC is considering Queen City Towers for Assisted Living in the future (7-10 years)

PHA Goal: MAINTAIN HIGH PERFORMER RATING

Objective: Score at least 90% on PHAS during each of the next five fiscal years.

Progress:

The Housing Authority received a 93% on our latest PHAS score (for FYE 3-31-2004).

MEMBERSHIP OF THE RESIDENT ADVISORY BOARDS

FAMILY HOUSING DEVELOPMENTS

JANE FRAZIER VILLAGE

Ruth Adams	Pat Andrews	Connie Beining	Lianne Cofield
Debbie Crawford	Angie Diehl	Nancy Krauss	JoAnn Spencer

BENJAMIN BANNEKER

Garland Kearney

FORT CUMBERLAND HOMES

Wayne Andrews	Emma Banks	Jeff Boyd
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ELDERLY/DISABLED DEVELOPMENTS

JOHN F. KENNEDY APARTMENTS

Josephine Aldridge	Gladys Barbe	Sheila Brown	Geraldine Hudson
Ann Jenkins	Charles Miller	Deloris Miller	Peggy Roller
Ella Saville		Charles Steinmetz	

QUEEN CITY TOWER

Joyce Synder	Lucy Owens
Norma Lintz	Angela Rafferty

**ASSESSMENT OF DEMOGRAPHIC CHANGES
IN DEVELOPMENTS WITH
SITE-BASED WAITING LISTS**

	Year Ending	Race		Ethnicity		Families with Disabilities
		Non-Minority	Minority	Hispanic	Non-Hispanic	
Jane Frazier Village	September 30, 2000	100	20	0	120	31
	September 30, 2003	103	20	0	123	35
	September 30, 2004	106	18	0	124	34
	Percent Change- 1 Yr.	2.91%	-10.00%	N/A	0.81%	-2.86%
	Percent Change- 4 Yrs.	6.00%	-10.00%	N/A	3.33%	9.68%
Benjamin Banneker	September 30, 2000	17	12	1	29	7
	September 30, 2003	18	11	1	28	9
	September 30, 2004	20	10	1	29	10
	Percent Change- 1 Yr.	11.11%	-9.09%	0.00%	3.57%	11.11%
	Percent Change- 4 Yrs.	17.65%	-16.67%	0.00%	0.00%	42.86%
Fort Cumberland Homes	September 30, 2000	58	19	0	77	11
	September 30, 2003	56	20	0	78	18
	September 30, 2004	56	23	0	79	18
	Percent Change- 1 Yr.	0.00%	15.00%	N/A	1.28%	0.00%
	Percent Change- 4 Yrs.	-3.45%	21.05%	N/A	2.60%	63.64%
John F. Kennedy Apartments	September 30, 2000	92	5	0	97	41
	September 30, 2003	94	5	0	99	43
	September 30, 2004	97	3	0	100	45
	Percent Change- 1 Yr.	3.19%	-40.00%	N/A	1.01%	4.65%
	Percent Change- 4 Yrs.	5.43%	-40.00%	N/A	3.09%	9.76%
Queen City Tower	September 30, 2000	94	1	0	95	40
	September 30, 2003	91	3	0	94	50
	September 30, 2004	91	4	0	95	53
	Percent Change- 1 Yr.	0.00%	33.33%	N/A	1.06%	6.00%
	Percent Change- 4 Yrs.	-3.19%	300.00%	N/A	0.00%	32.50%

Totals	September 30, 2000	361	57	1	418	130
	September 30, 2003	362	59	1	422	155
	September 30, 2004	370	58	1	427	160
	Percent Change- 1 Yr.	2.21%	-1.69%	0.00%	1.18%	3.23%
	Percent Change- 4 Yrs.	2.49%	1.75%	0.00%	2.15%	23.08%

Analysis: There were no significant changes in race, ethnic, or disability-related composition at any of the developments for the 4 year period ending September 30, 2004. While percentages may seem high, the actual numbers are rather small; i.e., there is a 300% increase in minorities at Queen City Tower, but the increase only amounts to 3 households.

CONTINUED OCCUPANCY AND COMMUNITY SERVICE

GENERAL

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement

EXEMPTIONS

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

- A. Family members who are 62 or older
- B. Family members who are blind or disabled
- C. Family members who are the primary care giver for someone who is blind or disabled
- D. Family members engaged in work activity
- E. Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program
- F. Family members receiving assistance under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program

NOTIFICATION OF THE REQUIREMENT

HACC shall identify all adult family members who are apparently not exempt from the community service requirement.

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

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or

after 10/1/00. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

VOLUNTEER OPPORTUNITIES

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

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

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

Together with the resident advisory councils, HACC may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

THE PROCESS

At the first annual reexamination on or after October 1, 2000, and each annual reexamination thereafter, HACC will do the following:

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions.
- C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.
- D. Assign family members to a volunteer coordinator who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The volunteer coordinator will

track the family member's progress monthly and will meet with the family member as needed to best encourage compliance.

- E. Thirty (30) days before the family's next lease anniversary date, the volunteer coordinator will advise HACC whether each applicable adult family member is in compliance with the community service requirement.

NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

HACC will notify any family found to be in noncompliance of the following:

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

OPPORTUNITY FOR CURE

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

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

If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, HACC shall take action to terminate the lease.

RESIDENT MEMBERSHIP OF THE PHA GOVERNING BOARD

- 1. The Resident Member of the Cumberland Housing Authority's Governing Board is Mrs. Joyce Snyder who resides at Queen City Tower, MD005-05.**
- 2. Mrs. Snyder was elected by the adult residents of the Housing Authority.**
- 3. Mrs. Snyder's term of appointment is 5 years that ends October 2006.**

ADMISSIONS AND
CONTINUED
OCCUPANCY
POLICY

For The
Housing Authority
Of The
City of Cumberland

Effective April 1, 2005

ADMISSION AND CONTINUED OCCUPANCY POLICY

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ADMISSIONS AND CONTINUED OCCUPANCY POLICY

This Admissions and Continued Occupancy Policy defines the HACC's policies for the operation for the Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail.

1.0 FAIR HOUSING

It is the policy of the HACC to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

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

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

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

2.0 REASONABLE ACCOMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the HACC housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines the Housing Authority will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the Housing Authority will include in its application the opportunity for residents/applicants to request reasonable accommodations. In addition, Housing Authority staff will be prepared to present examples to help applicants and residents understand eligibility, rent computations, applicant screening, reasonable accommodations, and lease compliance. In writing materials for applicants and residents, Housing Authority staff will be prepared to explain rules and benefits verbally, as often as may be needed, because some disabilities may affect an applicant's ability to read or understand. The following are examples of reasonable accommodations that would be provided: In home visits; use of other facilities nearer the persons home; expanded use of other accessible facilities nearer the persons home; expanded use of mail, fax, Fed Express or UPS; use of literature in large type, Braille, or a "reader"; and the use of applicant/tenant supplied interpreter. In addition, none of these precludes the individual's right to have a friend, relative, or advocate accompany him/her for purposes of conducting business with the HACC.

The HACC, in an effort to maintain communications with hearing-impaired individuals, will maintain a Telecommunications Device for the Deaf or participate in a Relay System capable of providing two-way communications.

2.1 COMMUNICATION

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

Notifications of reexamination, appointment, or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by the tenant will include information about requesting a reasonable accommodation.

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

2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

2.2.1. Is the requestor a person with disabilities? For this purpose the definition of person with disabilities is different than the definition used for admission. The Fair Housing definition used for this purpose is:

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

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

2.2.2 Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the Housing Authority will obtain documentation that the requested accommodation is needed due to the disability. The Housing Authority will not inquire as to the nature of the disability.

2.2.3. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:

A) Would the accommodation constitute a fundamental alteration? The Housing Authority's business is housing. If the request would alter the fundamental business that the Housing Authority conducts, that would not be reasonable. For instance, the Housing Authority would deny a request to have the Housing Authority do grocery shopping for a person with disabilities.

B) Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.

2.2.4. Generally the individual knows best what it is they need; however, the Housing Authority retains the right to be shown how the requested accommodation enables the individual to access or use the Housing Authority's programs or services.

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

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

If the tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the Housing Authority will generally approve such request if it does not violate codes or affect the structural integrity of the unit.

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

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS

The HACC will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families. HACC will contact someone from the school or college for interpretation.

4.0 FAMILY OUTREACH

The HACC will publicize the availability and nature of the Public Housing Program for extremely low-income, very low and low-income families in a newspaper of general circulation and by other suitable means when dictated by marketing need.

To reach people who cannot, or do not, read the newspapers, the Housing Authority will distribute brochures, flyers or initiate personal contacts with members of the news media and community service agencies. The Housing Authority will also try to utilize public service announcements. Such informational material shall comply with Fair Housing Act requirements on wording, logo and size of type, etc.

The Housing Authority will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines so they may make proper referrals for the Public Housing Program.

5.0 RIGHT TO PRIVACY

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

Requests for information must be accompanied by a written release request in order for the Authority to release any information involving an applicant or resident, unless disclosure is permitted under Federal or State Laws.

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

- 5.1 The HACC agrees to:
 - 5.1.1 Release pertinent applicant or resident information only in accordance with the signed release.
 - 5.1.2 Release no personal information without a signed applicant or resident release by the individual.
 - 5.1.3 Release information to other Housing Authorities about or concerning other amounts owed to the HACC for claims paid and not reimbursed by the applicant or resident where there is no current Repayment Agreement in effect, or if the applicant or resident has violated the terms of the Repayment Agreement.
 - 5.1.4 Release information to other Housing Authorities about or concerning amounts owed to the HACC for prior overpayments of assistance where there is no current Repayment Agreement in effect.
 - 5.1.5 Release information only by authorization of the Executive Director or designee and written consent of the affected party or by court subpoena.

6.0 REQUIRED POSTINGS

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

- 6.1 Statement of Policies and Procedures governing Admission and Continued Occupancy
 - 6.1.1 Notice of the status of the waiting list (opened or closed)
 - 6.1.2 A listing of all the developments by name, address, number of units, units designed with special accommodations, address of all

project offices, office hours, telephone numbers, TDD/relay numbers, and Resident Facilities and operation hours

6.1.3 Income Limits for Admission

6.1.4. Excess Utility Charges

6.1.5 Utility Allowance Schedule

6.1.6 Current Schedule of Routine Maintenance Charges

6.1.7 Dwelling Lease

6.1.8 Grievance Procedure

6.1.9 Fair Housing Poster

6.1.10 Equal Opportunity in Employment Poster

6.1.11 Any current HACC Notices

7.0 TAKING APPLICATIONS

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications may be mailed to or made in person during regular business hours at:

Housing Authority Office
635 E. First Street, Cumberland, MD 21502

John F. Kennedy Apartments
135 N. Mechanic Street, Cumberland, MD 21502

Queen City Tower
235 Paca Street, Cumberland, MD 21502

Applications may be made in person at the above locations, Monday through Friday from 8:00 a.m. to 4:00 p.m. during open business hours. Applications will not be mailed to interested families residing within a fifteen-mile radius of the above facilities. However, if applicant does not have transportation or has health problems, then an application will be mailed.

Applications are taken to compile a waiting list. Due to the demand for housing in the Housing Authority's jurisdiction, HACC may take applications on an open enrollment basis, depending on the length of the waiting list.

Completed applications will be accepted for all applicants and the Housing Authority will verify the information.

The completed application will be dated and time stamped upon its return to the HACC.

Persons with disabilities who require a reasonable accommodation in completing an application may call the Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) or the Maryland Relay System is available for the hearing impaired.

The application process will involve two phases. The first phase is the initial determination of eligibility. This requires the family to provide basic information that will assist in determining eligibility and any preferences to which they may be entitled. This first phase results in the family's placement on the waiting list.

Upon receipt of the family's application, the Housing Authority will make a preliminary determination of eligibility. The Housing Authority will notify the family by way of written or verbal notice of the approximate wait before housing may be offered. If the HACC determines the family to be ineligible, the notice will state the reasons therefore and will offer the family the opportunity of an informal review of the determination.

The applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The HACC will annotate the applicant's file and will update their place on the waiting list. Confirmation of the changes will be confirmed with the family in writing if the change was reported in writing, otherwise the change will be confirmed verbally with the family at the time the change is reported.

The second phase is the final determination of eligibility, which takes place when the family is in line to be offered a unit. The Housing Authority will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's final eligibility and qualification per HUD regulations for admission into the Public Housing Program.

8.0 ELIGIBILITY FOR ADMISSION

8.1 INTRODUCTION

An applicant is qualified for admission if he/she meets all of the following criteria for public housing: 1) qualifies as a family; 2) has an annual income at the time of admission that does not exceed the income limits (maximum incomes by family size as established by HUD) posted in Housing Authority offices; 3) meets HUD requirements on citizenship or immigration status; and 4) provides documentation of Social Security numbers for family members age 6 or older, or certifies that they do not have Social Security numbers.

In addition to the criteria above, families must also meet the Housing Authority screening criteria in order to be admitted to public housing.

8.2 ELIGIBILITY CRITERIA

8.2.1 Definitions of Eligible Families

The Federal rules define certain types of families, but the Housing Authority establishes the basic definition of what is considered to be a family.

- A) An elderly family is a family whose head, spouse or sole member is a person who is at least 62 years of age. It may include 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. There is nothing in the definition of elderly family that excludes children. Many elderly families today consist of grandparents with custody of grandchildren. This is an elderly family.

- B) A near-elderly family is a family whose head, spouse or sole member 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. Near elderly families are only eligible for admission to projects designated for the elderly if the Housing Authority determines there are an insufficient number of elderly families designated elderly properties if the Housing Authority plan for designation so provides.

- C) A disabled family is a family whose head, spouse or sole member is a person with disabilities. It may include two or more persons who are persons with disabilities living together or one or more persons with disabilities living with one or more live-in aides. The definition below covers public housing eligibility for programs serving persons with disabilities such as mixed population housing, designated housing for persons with disabilities, vouchers targeted for persons with disabilities, and eligibility for the \$400 deduction for disabled families and for medical deductions or disability assistance deductions for persons with disabilities. Families that do not qualify as disabled families may still be eligible for public housing programs and preferences that are not linked to disability status.

- D) A person with disabilities is a person who is disabled as defined in 42 U.S.C. 423 (the Social Security definition); is determined to have a physical, mental or emotional impairment that is expected to be of long-continued and indefinite duration; is substantially impeded in his or her ability to live independently; is of such nature that the ability to live independently could be improved by more suitable housing conditions; or has a developmental disability as defined in 42 U.S.C. 6001. Persons who have the disease of acquired immunodeficiency syndrome (AIDS) or any conditions arising from

the etiologic agency for acquired immunodeficiency syndrome are not excluded. For purposes of qualifying for public housing programs, where eligibility is linked to disability status, a person whose disability is based solely on any drug or alcohol dependence is excluded. A displaced family is a family in which each member or whose sole member is a person displaced by governmental action or a declared natural disaster. This definition does not include all the families who would formerly have qualified for the involuntary displacement federal preference.

- E) The remaining member of a tenant family is a member who was listed on the lease of a public housing unit and is the only family member still remaining in the unit. A child may remain in the unit as a remaining family member if the Housing Authority permits an adult to join the household as a new head of household.
- F) A single person is a person who is not elderly, near elderly, disabled, displaced or the remaining member of a tenant family.
- G) A Live-in Aide is a person who resides with one or more elderly persons or near-elderly persons, or persons with disabilities who:
 - (a) Is determined to be essential to the care and well being of the persons;
 - (b) Is not obligated for the support of the persons; and
 - (c) Would not be living in the unit except to provide the necessary supportive services.
 - (d) Verification will be needed to verify the need for a Live-In Aide, so that the income is not counted.

8.2.2 Income eligibility

- A) To be eligible for admission to units that were available for occupancy before October 1, 1981, the family's annual income must be within the low-income limit set by HUD. This means the family income must not exceed 80% of the medium income for the area. To be eligible for admission to units that were available for occupancy after October 1, 1981, the family's annual income must be within the very low-income limit set by HUD, unless HUD grants an exception. This means that without a HUD exception, the family income cannot exceed 50 percent of the median income for the area.
- B) Income limits apply only at admission and are not applicable for continued occupancy.
- C) A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another Housing Authority without meeting income requirements of the HACC.

- D) If the HACC acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.
- E) Income limit restrictions do not apply to families transferring within our Public Housing Program.
- F) If there are no eligible families on the waiting list and the Housing Authority has published a 30-day notice of available units in at least one newspaper of general circulation, families above the applicable income limit may be housed. They must vacate the unit if an eligible family applies.

8.2.3 Citizenship/Eligibility Status

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

8.2.4 Social Security Number Documentation

To be eligible, all family members 6 years of age and older must provide a Social Security number or certify that they do not have one.

8.2.5 Signing Consent Forms

- A) In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
- B) The consent form must contain, at a minimum, the following:

- 1) A provision authorizing HUD or the Housing Authority to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; **and**
- 2) A provision authorizing HUD or the Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
- 3) A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
- 4) A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

8.3 SCREENING APPLICANTS FOR ADMISSION

All applicants shall be screened in accordance with HUD's regulations and sound management practices.

8.3.1 During screening, the Housing Authority will require applicants to demonstrate ability to comply with essential provisions of the lease as summarized below:

- A) to pay rent and other charges (e.g. utility bills) as required by the lease in a timely manner;
- B) to care for and avoid damaging the unit and common areas;
- C) to use facilities and equipment in a reasonable way;
- D) to create no health, or safety hazards, and to report maintenance
- E) not to interfere with the rights and peaceful enjoyment of others, and to avoid damaging the property of others;
- F) not to engage in criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or staff; and not to engage in drug-related criminal activity;
- G) to comply with necessary and reasonable rules and program requirements of HUD and the Housing Authority; and
- H) to communicate with staff in a civil and non-hostile manner.

8.3.2 How the Housing Authority will check ability to comply with essential lease requirements:

- A) Applicant ability and willingness to comply with the essential lease requirements will be checked and documented in accordance with Authority's Procedure on Applicant Screening. Applicant screening shall assess the conduct of the applicant and other family members listed on the application, in present and prior housing. Any costs incurred to complete the application process and screening will be paid by the Housing Authority.
- B) The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected not to:
 - 1) Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare;
 - 2) Adversely affect the physical environment or financial stability of the project;
 - 3) Violate the terms and conditions of the lease;
 - 4) Require services from Housing Authority staff that would alter the fundamental nature of Housing Authorities program.
- C) Housing Authority will conduct a detailed interview of all applicants using an interview checklist as a part of the screening procedures. The form will ask questions based on the essential elements of tenancy. Answers will be subject to third party verification.
- D) Housing Authority will complete a rental history check on all applicants.
- E) Payment of funds owed to the HACC, other Housing Authority, or any other state/federally assisted housing program is part of the screening evaluation. HACC will reject an applicant for unpaid balances owed to any of these programs by the applicant.
- F) The Housing Authority will complete a criminal background check on all adult applicants or any member for whom criminal records are available. When the Housing Authority rejects an applicant on the basis of criminal history, the Housing Authority must notify the household of the proposed rejection and provide the household member whose criminal history is at issue an opportunity to dispute the accuracy and relevance of that record.
- G) If any screening activity suggests that an applicant household member may be currently engaged in illegal use of drugs, the Housing Authority shall seek information from a drug abuse

treatment facility to determine whether the facility has reasonable cause to believe the household member is currently engaging in illegal drug use.

- H) The Housing Authority will complete a home visit on all applicants that have passed criminal history screening and have incomplete or questionable landlord references to determine if the applicant's housekeeping would create health or sanitation problems. Staff completing the home visit will consider whether the conditions they observe are the result of the applicant's treatment of the unit or are caused by the unit's overall substandard condition.

- I) Housekeeping criteria to be checked shall include, but not be limited to: Conditions in living room, kitchen (food preparation and clean up), bathroom, bedrooms, entranceways, halls, and yard (if applicable); Cleanliness in each room; and General care of appliances, fixtures, windows, doors and cabinets. Other Housing Authority lease compliance criteria will also be checked, such as:
 - 1) evidence of destruction of property;
 - 2) unauthorized occupants;
 - 3) evidence of criminal activity; and
 - 4) conditions inconsistent with application information.

All applicants shall have at least two days' advance notice of Home Visits. If applicant lives out of the area, the home visit will be waived. Notification of home visit will be by telephone. If applicant is unable to be reached by a telephone a letter will be sent advising applicant of the date and time of the home visit.

- J) All applicants must be asked to attend and complete the Housing Authority's Pre-Occupancy Orientation. If the applicant lives out of the area, the interview will be done over the telephone.

- K) Housing Authority's examination of relevant information respecting past and current habits or practices will include, but is not limited to, an assessment of the applicant's adult family members':
 - 1) Past performance in meeting financial obligations, especially rent and utility bills.

 - 2) Record of disturbance of neighbors (sufficient to warrant a police call) destruction of property, or living or housekeeping habits that may adversely affect the health, safety, or welfare of other tenants or neighbors. History of criminal activity on the part of any applicant family member involving crimes of physical violence to persons or property or other criminal acts including drug-related criminal activity that would adversely affect the health, safety, or welfare of other residents or staff or cause damage to the unit or

development.

- 3) The Housing Authority may require an applicant to exclude a household member in order to be admitted if that household member has participated in or been culpable for criminal actions that warrant rejection;
- 4) The Housing Authority may, if a statute requires that the Housing Authority prohibit admission for a prescribed period of time after some disqualifying behavior or event, choose to continue that prohibition for a longer period of time.
- 5) A record of eviction from housing or involuntary termination from residential programs (taking into account date and circumstances).
- 6) An applicant's ability and willingness to comply with the terms of the Housing Authority's lease.

L. The Housing Authority is required to reject the applications of certain applicants for criminal activity or drug abuse by household members:

- 1) The Housing Authority shall reject the application of any applicant for five years from the date of eviction if any household member has been evicted from any federally assisted housing for drug-related criminal activity. However, the Housing Authority may admit the household if the Housing Authority determines that:
 - The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the Housing Authority, or
 - The circumstances leading to the eviction no longer exist (for example, the criminal household member has died or is imprisoned).
- 5) The Housing Authority is required to reject the application of a household if the Housing Authority determines that:
 - Any household member is currently engaging in illegal use of a drug; or
 - The Housing Authority has reasonable cause to believe that a household member's illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other

residents; or

- Any household member has ever been convicted of manufacture or production of methamphetamine on the premises of any federally assisted housing; or
 - Any member of the household is subject to a lifetime registration requirement under a State sex offender registration program; or
 - Any member of the household's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
- 6) An applicant's intentional misrepresentation of information related to eligibility, preference for admission, housing history, allowances, family composition or rent would result in rejection. Unintentional mistakes that do not confer any advantage to the applicant will not be considered misrepresentations.
- 4) Applicants must be able to demonstrate the ability and willingness to comply with the terms of Housing Authority's lease, either alone or with assistance that they can demonstrate they will have at the time of admission. Availability of assistance is subject to verification by the Housing Authority.

8.3.3 Screening applicants who claim mitigating circumstances:

- A) If negative information is received about an applicant, the Housing Authority shall consider the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. To be considered, mitigating circumstances must be verifiable.
- B) Mitigating circumstances are facts relating to the applicant's negative rental history or for purposes of this section a household member is "currently engaged in" the criminal activity if the person has engaged in the behavior recently enough to justify a belief that the behavior is current. Housing Authority must be able to show a relationship between the applicant household member's abuse of alcohol and behavior that threatens the health, safety, or right to peaceful enjoyment of other residents.

Applicants whose landlord, financial, criminal and other references demonstrate that they are already willing and able to comply with lease terms in their existing housing will be considered to have met this criterion, whether or not they are disabled. Applicants whose housing situations make it difficult for the Housing Authority to

determine whether or not they are able and willing to comply with lease terms (e.g. because they are homeless, are living with friends or relatives, or have other non-traditional housing circumstances) will have to demonstrate ability and willingness to comply with lease terms whether or not they are disabled. The discussion of mitigating circumstance in this paragraph is applicable to all applicants. The Housing Authority is required by regulation to consider mitigating circumstance, see 24 CFR § 960.203 (d) (1).

Behavior, that, when verified, indicate: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, AND applicant's prospect for lease compliance is an acceptable one, justifying admission. Mitigating circumstances would overcome or outweigh information already gathered in the screening process.

- C) If the applicant asserts that mitigating circumstances relate to a change in disability, medical condition or treatment, the Housing Authority shall refer such information to persons qualified to evaluate the evidence and verify the mitigating circumstance. The Housing Authority shall also have the right to request further information to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation.
- D) Examples of mitigating circumstances might include:
 - 1) Evidence of successful rehabilitation;
 - 2) Evidence of the applicant family's participation in social service or other appropriate counseling service; or
 - 3) Evidence of successful and sustained modification of previous disqualifying behavior.
- E) Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. The Housing Authority will consider such circumstances in light of:
 - 1) the applicant's ability to verify the mitigating circumstances and prospects for improved future behavior;
 - 2) the applicant's overall performance with respect to all the screening requirements; and
 - 7) the nature and seriousness of any criminal activity, especially drug related criminal activity that appears in the applicant's record.

8.3.4 Qualified and Unqualified Applicants

- A) Verified information will be analyzed and a determination made with respect to:
- 1) Eligibility of the applicant as a family;
 - 2) Eligibility of the applicant with respect to income limits for admission;
 - 3) Eligibility of the applicant with respect to citizenship or eligible immigration status
 - 4) Unit size required for and selected by the family;
 - 5) Preference category (if any) to which the family is entitled; and
 - 6) Qualification of the applicant with respect to the Selection Criteria.
- B) Qualified families will be notified by the Housing Authority of the approximate date of admission insofar as that date can be determined, however the date stated by the Housing Authority is an estimate and does not guarantee that applicants can expect to be housed by that date.
- C) Unqualified applicants will be promptly notified by a Notice of Rejection from HACC, stating the basis for such determination and offering an opportunity for an informal hearing within 10 business days. Informal hearings for applicants are different from the resident grievance process. Applicants are not entitled to the use of the resident grievance process. The purpose of the hearing is to permit the applicant to hear details of the reasons for rejection, present evidence to the contrary if available, and claim mitigating circumstances if possible.

The review will be conducted by a person or persons designated by the Housing Authority other than the person who made or approved the decision under review or a subordinate of this person. The applicant will be given an opportunity to present written or oral objections to the Housing Authority decision. A written record of the hearing decision should be mailed to the applicant within five (5) days and placed in the applicant's file. If the hearing decision overturns the rejection, processing for admission should resume.

- D) Applicants known to have a disability that are eligible but fail to meet the Selection Criteria, will be offered an opportunity for a second meeting to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the Screening Procedures.

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST

Opening of the waiting list will be announced with a public notice stating that applications for public housing will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation. The public notice will state any limitations to who may apply.

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.

Closing of the waiting list will also be announced with a public notice. The public notice will state the date the waiting list will be closed, the reason why it is being closed, and for what bedroom sizes. The public notice will be published in a local newspaper of general circulation.

9.2 ORGANIZATION OF THE WAITING LIST

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

9.2.1 The application will be kept on file for a period of three years from the date that the application is removed from the wait list;

9.2.2 All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and

9.2.3 Any contacts between the Housing Authority and the applicant will be documented in the applicant file.

9.3 SITE-BASED WAITING LIST

October 1, 1999, HACC put into effect Site-Based Waiting Lists. At that time, all applicants were given the opportunity to select which development they wished to apply for housing. Applicants can have a first and second choice, if they so desire.

The waiting list will be maintained by development and bedroom size needed.

HACC will certify to the following:

1. The waiting lists are consistent with all applicable Civil Rights and Fair Housing Laws and regulations.

2. HACC regularly submits required occupancy data to HUD's MTCS, in an accurate, complete and timely manner.
3. A system is in place to inform full disclosure of each applicant of any option available to the applicant in the selection of the development in which to reside, including location, occupancy, number and size of accessible units, amenities such as; day care, security, transportation and training programs, and an estimate to the time the applicant will have to wait to be admitted to units of different sizes and types (e.g. regular or accessible) at each site.
4. The adoption of Site-Based Waiting List would not violate any court order or settlement agreement.
5. HACC includes reasonable measures to assure that such adoption is consistent with affirmatively furthering fair housing, such as reasonable marketing activities.
6. HACC provides for review of its Site-Based Waiting List to determine if it is consistent with Civil Rights Laws and certification through the following steps:
 - A. As part of the submission of the Annual Plan, HACC shall assess changes in racial, ethnic or disability related composition at each HACC site that may have occurred during the implementation of Site-Based Waiting List, based upon MTCS occupancy data that has been confirmed to be complete and accurate by an Independent Auditor (which may be the Independent Audit).
 - B. At least biannually, use independent testers or other means satisfactory to HUD, to assure that the Site-Based Waiting List is not being implemented in a discriminatory manner, and that no patterns or practices of discrimination exist and providing the results to HUD; and
 - C. Taking any steps necessary to remedy the problems surfaced during the review and the steps necessary to affirmatively further fair housing.

9.4 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family approaches the top of the wait list, the family will be required to update all applicant information by mail or personally attend an interview and the verification process will begin. It is at this point in time that the family's eligibility for a preference will be verified. If the family no longer qualifies, the family will be

denied assistance. The Housing Authority must notify the family in writing of this determination and give the family the opportunity for an informal review.

Once the preference has been verified, the family will complete the full application process, present Social Security number information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms.

9.5 PURGING THE WAITING LIST

The HACC will update and purge its waiting list at least annually by contacting the applicant in writing by first class mail to the applicant's last known address to ensure that the pool of applicants reasonably represents the interested families for whom the Housing Authority has current information, i.e. applicant's address, family composition, income category, and preferences. At the time of initial intake, the Housing Authority will advise families that they must notify the Housing Authority when their circumstances, mailing address, or telephone numbers change.

9.6 REMOVAL OF APPLICANTS FROM THE WAITING LIST

To ensure vacant units are filled in a timely manner, the Housing Authority needs a waiting list that is accurate. While each applicant must keep HACC apprised of changes in address, telephone number, income or other circumstances, no applicant shall be removed from the waiting list except when one of the following situations occurs:

- A. The applicant receives and accepts an offer of housing;
- B. The applicant requests that his/her name be removed from the waiting list. This request must be in either writing or done verbally. If done verbally, it shall be documented in the file the date and time applicant made this request.
- C. The applicant is rejected, either because he/she is ineligible for public housing at the time of certification, or because he/she fails to meet the applicant selection criteria; or
- D. The application is withdrawn because the Housing Authority attempted to contact the applicant and was unable to do so. In attempting to contact an applicant, the following methods shall be undertaken before an application may be withdrawn:
 - 1) The applicant will be sent a letter by first class mail to the applicant's last known address, asking the applicant to contact the HACC either by returning the update form or in person, bringing proof of identity;
 - 2) When ten calendar days have elapsed from the date when the Housing Authority mails the letter, if there is no response from the applicant, the applicant will be dropped from the waiting list; or

3) If an applicant contacts the Housing Authority as required within any of the deadlines stated above, he/she shall remain on the waiting list at their current position, unless they request to be taken off the waiting list.

E. Persons who fail to respond to Housing Authority attempts to contact them because of verified situations related to a disability shall be entitled to reasonable accommodation. In such circumstances, the Housing Authority shall reinstate these individuals to their former waiting list positions.

9.7 MISSED APPOINTMENTS

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

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

9.8 NOTIFICATION OF NEGATIVE ACTIONS

Notice to any applicant related to the removal of their name from the waiting list shall include an advisory statement to present mitigating circumstances or request an informal review within the time frame stated in the notice of ineligibility.

The Housing Authority system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Housing Authority will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The HACC will select families based on the following preferences within each bedroom size category and unit type:

- 10.1.1 Applicants with an adult family member enrolled in an employment training program, currently working 30 hours a week, or attending school on a full-time basis. This preference is also extended equally to all elderly families and all families whose head or spouse is receiving income based on their inability to work.
- 10.1.2 Displaced person(s): Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster Relief Laws.
- 10.1.3. Applicants who are residents of the City of Cumberland or of Allegany County.
- 10.1.4 Applicants whose head of household or spouse is a disabled veteran.
- 10.1.5 The date and time of application will be noted and utilized to determine the sequence within the above prescribed preferences ranking.
- 10.1.6 Notwithstanding the above, families who are elderly, disabled, or displaced will be offered housing before other single persons.
- 10.1.7 Change in Preference Status While On The Waiting List
- A. Situations of some families who did not qualify for a local or ranking preference when they applied may change information so they are qualified for a preference. The family should contact the HACC so that their status may be recertified or re-verified. Applicants whose preference status changes while they are on the waiting list retain their original date and time of application, or application number, as applicable.
 - B. If the HACC determines that the family does now qualify for a preference they will be moved up on the waiting list in accordance with their preference(s) and their date and time of application. They will then be informed in writing how the change in status has affected their place on the waiting list.
- 10.1.8 Buildings Designed for the Elderly and Disabled: Preference will be given to elderly and disabled families. If there are no elderly or disabled families on the list, preference will then be given to near-elderly families. If there are no near-elderly families on the waiting list, units will be offered to families who qualify for the appropriate bedroom size using these priorities. All such families will be selected from the waiting list using the preferences as outlined above.

10.1.9 Accessible Units: Accessible units will be first offered to resident families who may benefit from the accessible features followed by applicant families. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if, at a future time, a family requiring an accessible feature applies. Any family required to transfer will be given a 30-day notice.

10.2 ASSIGNMENT OF BEDROOM SIZES

10.2.1 The following guidelines will determine each family’s unit size without overcrowding or over-housing:

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

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero bedroom units will only be assigned to one-person families.

10.2.2 In addition, the following considerations may be taken in determining bedroom size: (request must be in writing)

- A. It will not be necessary for persons of different generations or opposite sex, other than husband and wife, to occupy the same bedroom, although they may do so at the written request of the family.
- B. Exceptions to the largest permissible unit size may be made in case of reasonable accommodations for a person with disabilities.
- C. Two children of the opposite sex, will not be required to share a bedroom unless requested by the family in writing.
- D. An unborn child will be counted in determining a unit size.

- E. The Housing Authority will count children who are in the process of being adopted, children who are temporarily away at school, or children who are temporarily in foster-care.
- F. A single head of household shall not be required to share a bedroom with a child, although they may do so at the written request of the family.
- G. Live-in aides will get a separate bedroom or separate designated sleeping area.

10.2.3 Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The Housing Authority will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family shall sign a certification stating they agree to occupy the smaller unit at their request until their family size or circumstances changes.
- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Housing Authority will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.
- C. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.
- D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

10.3 SELECTION FROM THE WAITING LIST

HACC shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met we shall annually monitor the incomes of newly admitted families and the incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, we will skip higher income families on the waiting list to reach extremely low-income families.

If there are not enough extremely low-income families on the waiting list we will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement.

10.4 DECONCENTRATION POLICY

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

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

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement.

10.5 DECONCENTRATION INCENTIVES

The Housing Authority may offer one or more incentives to encourage applicant families whose income classification would help to meet the deconcentration goals of a particular development.

Various incentives may be used at different times, or under different conditions, but will always be provided in a consistent and nondiscriminatory manner.

10.6 OFFER OF A UNIT

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

The Housing Authority will contact the family by telephone to make the unit offer.

If more than one unit of the appropriate size and type is available, the first unit to be offered will be the first unit that became vacant first. The family may request the opportunity to view the unit. After the opportunity to view the unit and/or after notification of acceptance by the Housing Authority, the family will have to make

a decision at that time to accept or reject the unit. This verbal offer and the family's decision must be documented in the tenant file.

10.7 Good Cause for Applicant Refusal of Unit Offer

If an applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence ("good cause") that acceptance of the offer of a suitable vacancy will result in undue hardship not related to considerations of race, color, sex, religion or national origin, the applicant will not be dropped to the bottom of the list.

10.7.1 Examples of "good cause" for refusal of an offer of housing are:

- A. The unit is not ready for move-in at the time of the offer of housing. "Ready for move-in" means the unit has no Housing Quality Standard deficiencies and is broom clean. If an applicant refuses a unit because it is not ready for move-in, the applicant will be offered the next unit that is ready for move-in;
- B. Inaccessibility to source of employment, education, or job training, children's day care, or educational program for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities;
- C. The family demonstrates that accepting the offer will place a family member's life, health or safety in jeopardy. The family must provide specific and compelling documentation such as restraining orders, other court orders, or risk assessments from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption;
- D. A health professional verifies temporary hospitalization or recovery from illness of the principal
- E. The unit has lead paint and the family has children under the age of seven;
- F. The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30 day notice to move;
- G. An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing; or
- H. The Housing Authority has HUD-approved site-based waiting lists and the offer is not for one of the sites the applicant has selected.

- 10.7.2 If good cause is verified, the refusal of the offer shall not require that the applicant be dropped to the bottom of the waiting list or otherwise affect the family's position on the waiting list.
- 10.7.3* HACC will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or refusal, including the reason for the refusal.
- 10.7.4 If in making the offer to the family the Housing Authority skipped over other families on the waiting list in order to meet their deconcentration goal or offered the family any other deconcentration incentive and the family rejects the unit, the family will not lose their place on the waiting list and will not be otherwise penalized.
- 10.7.5 If the Housing Authority did not skip over other families on the waiting list to reach this family, did not offer any other deconcentration incentive, and the family rejects the unit without good cause, the family will forfeit their application's date and time. The family will lose their preferences for a period of six months and the date and time of application will be changed to the date and time the unit was rejected.

10.8 ACCEPTANCE OF UNIT

The family will be required to sign a lease that will become effective no later than three (3) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later.

Prior to signing the lease, all families (head of household) and other adult family members will be required to attend an occupancy orientation. The family will not be housed if they have not attended the orientation. Applicants who provide prior notice of an inability to attend the orientation will be rescheduled. Failure of an applicant to attend an orientation, without good cause, may result in the cancellation of the occupancy process.

During the orientation, the applicant will be provided a copy of the lease, the grievance procedure, utility allowances, excess utility charges, the current schedule of routine maintenance charges, and a request for reasonable accommodation form. These documents will be explained in a clear and simple format. The applicant will sign a certification that they have received these documents and that they have reviewed them with Housing Authority personnel. The certification will be filed in the tenant's file.

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

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to two months rent, but not to exceed \$200.00.

In the case of a move within public housing, the security deposit for the first unit will be transferred to the second unit. Additionally, if the security deposit for the second unit is greater than that for the first, the difference will be collected from the family. Conversely, if the security deposit is less, the difference will be refunded to the family.

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

11.0 DEFINITIONS AND PROCEDURES TO BE USED IN DETERMINING INCOME AND RENT

11.1 Annual Income

Annual income is the anticipated total income from all sources, including net income derived from assets, received by the family head and spouse (even if temporarily absent) and by each additional family member including all net income from assets for the 12-month period following the effective date of initial determination or reexamination of income, exclusive of income that is temporary, non-recurring, or sporadic as defined below, or is specifically excluded from income by other federal statute. Annual income includes but is not limited to:

- 11.1.1 The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- 11.1.2. The net income from operation of a business or profession, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight-line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business;
- 11.1.3 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 the straight-line depreciation of real or personal property is permitted. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the property;

- 11.1.4 If 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;
- 11.1.5 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 [See 11.12.14. below for treatment of delayed or deferred periodic payment of social security or supplemental security income benefits.];
- 11.1.6 Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay (But see paragraph 11.2.3 below concerning treatment of lump-sum additions as Family assets.);
- 11.1.7 All welfare assistance payments (Temporary Assistance to Needy Families, General Assistance) received by or on behalf of any family member. If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud. If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted as income;
- 11.1.8 Periodic and determinable allowances, such as alimony and child support payments, and regular cash and non-cash contributions or gifts received from agencies or persons not residing in the dwelling made to or on behalf of family members; and
- 11.1.9 All regular pay, special pay, and allowances of a family member in the Armed Forces. (See paragraph 11.2.7 below concerning pay for exposure to hostile fire.)

11.2 Items not included in Annual Income

- 11.2.1 Annual Income does not include the following:
- 11.2.2 Income from the employment of children (including foster children) under the age of 18 years;
- 11.2.3. Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident family, who are unable to live alone);
- 11.2.4 Lump sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance, and worker's compensation), capital gains, one-time lottery winnings, and settlement for personal property losses (but see paragraphs 11.1.5 and 11.1.6 above if the payments are or will be periodic in nature);
- 11.2.5 Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- 11.2.6 Income of a live-in aide, provided the person meets the definition of a live-in aide;
- 11.2.7 The full amount of student financial assistance paid directly to the student or the educational institution;
- 11.2.8 The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- 11.2.9 Certain amounts received that are related to participation in the following programs:
 - (A) Amounts received under HUD funded training programs (e.g. Step-up program: excludes stipends, wages, transportation payments, child care vouchers, etc. for the duration of the training);
 - (B) Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income and benefits that are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (C) Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment,

clothing, transportation, child care, etc.) to allow participation in a specific program;

- (D) A resident services stipend. A resident services stipend is a modest amount (not to exceed \$200/month) received by a public housing resident for performing a service for the HACC, on a part-time basis, that enhances the quality of life in public housing. Such services may include but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time; and
- (E) Incremental earnings and/or benefits resulting to any family member from participation in qualifying state of local employment training program (including training programs not affiliated with the local government), and training of family members as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for a limited period as determined in advance by the HACC;

- 11.2.9 Temporary, non-recurring, or sporadic income (including gifts);
- 11.2.10 Reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- 11.2.11. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of the household and spouse);
- 11.2.12 Adoption assistance payments in excess of \$480 per adopted child;
- 11.2.13 The incremental earnings and benefits to any resident 1) whose annual income increases due to employment of a family member who was unemployed for one or more years previous to employment; or 2) whose annual income increases as the result of increased earnings by a family member during participation in any economic self sufficiency or other job training program; or 3) whose annual income increases due to new employment or increased earnings of a family member during or within six months of receiving state-funded assistance, benefits or services, will not be increased during the exclusion period. For purposes of this paragraph, the following definitions apply:

- (A) State-funded assistance, benefits or services means any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the HACC in consultation with the local agencies administering Temporary Assistance for Needy Families (TANF) and Welfare-to-Work programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance – provided that the total amount over a six-month period is at least \$500.
- (B) During the 12-month period beginning when the member first qualifies for a disallowance, the HACC must exclude from Annual Income any increase in income as a result of employment. For the 12 months following the exclusion period, 50% of the income increase shall be excluded.
- (C) Regardless of how long it takes a resident to work for 12 months (to qualify for the first exclusion) or the second 12 months (to qualify for the second exclusion), the maximum period for the disallowance (exclusion) is 48 months.
- (D) The disallowance of increased income under this section is only applicable to current residents and will not apply to applicants who have begun working prior to admission (unless their earnings are less than would be earned working ten hours per week at minimum wage, under which they qualify as unemployed).

11.2.14 Deferred periodic payments of supplemental security income and social security benefits that are received in a lump sum payment;

11.2.15 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;

11.2.16 Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;

11.2.17 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 the United States Housing Act of 1937. (A notice will be published by HUD in the Federal Register identifying the benefits that qualify for this exclusion. Updates will be published and distributed

when necessary.)

- A. The following is a list of benefits excluded by other Federal Statute:
- 1) The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977 [7 USC 2017 (h)];
 - 2) Payments to volunteers under the Domestic Volunteer Service Act of 1973 [42 USC 5044 (g), 5088];
Examples of programs under this Act include but are not limited to:
 - The Retired Senior Volunteer Program (RSVP), Foster Grandparent Program (FGP), Senior Companion Program (SCP), and the Older American Committee Service Program;
 - National Volunteer Antipoverty Programs such as VISTA, Peace Corps, Service Learning Program, and Special Volunteer Programs;
 - Small Business Administration Programs such as the National Volunteer Program to Assist Small Business and Promote Volunteer Service to Persons with Business Experience, Service Corps of Retired Executives (SCORE), and Active Corps of Executives (ACE).
 - 3) Payments received under the Alaska Native Claims Settlement Act [43 USC.1626 (a)];
 - 4) Income derived from certain sub-marginal land of the United States that is held in trust for certain Indian tribes [(25 USC. 459e)];
 - 5) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program [42 USC 8624 (f)];
 - 6) Payments received under programs funded in whole or in part under the Job Training Partnership Act [29 USC 1552 (b)] ;
 - 7) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians [Pub. L. 94-540, 90 State 2503-04];
 - 8) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 USC 1407-08), or from funds held in trust for an Indian Tribe by the Secretary of Interior [25 USC 117b, 1407]; and
 - 9) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs [20 USC 1087 uu].
 - Examples of Title IV programs include but are not

limited to: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College Work Study, and Byrd Scholarships.

- 10) Payments received from programs funded under Title V of the Older Americans Act of 1965 [42 USC 3056 (f)]:
 - Examples of programs under this act include but are not limited to: Senior Community Services Employment Program (CSEP), National Caucus Center on the Black Aged, National Urban League, Association National Pro Personas Mayores, National Council on Aging, American Association of Retired Persons, National Council on Senior Citizens, and Green Thumb.
- 11) Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established in the In Re Agent Orange product liability litigation;
- 12) Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-420, 94 Stat. 1785);
- 13) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 USC 9858q);
- 14) Earned income tax credit refund payments received on or after January 1, 1991 (26 USC 32 (j)).
- 15) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation;
- 16) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990;

11.3 ANTICIPATING ANNUAL INCOME

If it is not feasible to anticipate income for a 12-month period, the Housing Authority may use the annualized income anticipated for a shorter period, subject to an Interim Adjustment at the end of the shorter period. (This method would be used for teachers who are only paid for 9 months, for tenants receiving unemployment compensation or for residents with erratic employment history.)

11.4 ADJUSTED INCOME

Adjusted Income (the income upon which rent is based) means annual Income less the following deductions and exemptions:

For All Families

- 11.4.1 Child Care Expenses — A deduction of amounts anticipated to be paid by the family for the care of children under 13 years of age for the period for which Annual Income is computed, BUT ONLY when such care is necessary to enable a family member to be gainfully employed, to seek employment or to further his/her education. Amounts deducted must be un-reimbursed expenses and shall not exceed: (a) the amount of income earned by the family member released to work; or (b) an amount determined to be reasonable by the Housing Authority when the expense is incurred to permit education or to seek employment (reasonable amount shall be defined as the daily amount established by the Maryland Department of Social Services)
- 11.4.2 Dependent Deduction — An exemption of \$480 for each member of the family residing in the household (other than the head of household, or spouse, Live-in Aide, foster adult or foster child) who is under eighteen years of age or who is eighteen years of age or older and disabled, or a full-time student. Full time student status shall be determined by the educational institution being attended.
- 11.4.3 Work-related Disability Expenses — A deduction of un-reimbursed amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities where such expenses are necessary to permit a family member(s), including the disabled member, to be employed. In no event may the amount of the deduction exceed the employment income earned by the family member(s) freed to work.

Equipment and auxiliary apparatus may include but are not limited to: wheelchairs, lifts, reading devices for the visually impaired, and equipment added to cars and vans to permit their use by the disabled family member. Also included would be the annualized cost differential between a car and the cost of a van required by the family member with disabilities.

- A. For non-elderly families and elderly or disabled families without medical expenses: the amount of the deduction equals the cost of all un-reimbursed expenses for work-related disability expense less three percent of Annual Income, provided the amount so calculated does not exceed

the employment income earned.

- B. For elderly or disabled families with medical expenses: the amount of the deduction equals the cost of all un-reimbursed expenses for work-related disability expense less three percent of Annual Income (provided the amount so calculated does not exceed the employment income earned) PLUS medical expenses as defined below.

For elderly and disabled families only:

11.4.4 Medical Expense Deduction — A deduction of un-reimbursed Medical Expenses, including insurance premiums, anticipated for the period for which Annual Income is computed.

Medical expenses include those eligible expenses specifically stated in the Internal Revenue Service Publication 502 Medical and Dental Expenses. Expenses include, but are not limited to, services of physicians and other health care professionals, services of health care facilities, health insurance premiums (including the cost of Medicare), prescription and prescribed over the counter medicines, transportation to and from treatment, dental expenses, eyeglasses, hearing aids and batteries, attendant care (unrelated to employment of family members), and payments on accumulated medical bills. To be considered by Housing Authority for the purpose of determining a deduction from income, the expenses claimed must be verifiable.

- A. For elderly or disabled families without work-related disability expenses: The amount of the deduction shall equal total medical expenses less three percent of annual income.
- B. For elderly or disabled families with both work-related disability expenses and medical expenses: the amount of the deduction is calculated as described in paragraph 3 (b) above.

11.4.5 Elderly/Disabled Household Exemption — An exemption of \$400 per household.

11.4.6 Optional Deductions/Exemptions: 8% Wage Earners Deduction
All residents who are employed and have payroll taxes deducted shall receive an 8% of gross wages deduction in addition to those deductions now allowed.

11.5 Computing Rent

11.5.1 The first step in computing rent is to determine each family's Total Tenant Payment. Then, if the family is occupying a unit that has tenant-paid utilities, the Utility Allowance is subtracted from the Total Tenant Payment. The result of this computation, if a positive number, is the Tenant Rent. If the Total Tenant Payment less the Utility Allowance is a negative number, the result is the utility reimbursement, which may be paid to the tenant or, directly to the

utility company by the Housing Authority.

- 11.5.2 Total Tenant Payment is the highest of:
- 30% of adjusted monthly income; or
 - 10% of monthly income; but never less than the
 - Minimum Rent; and never more than the
 - Flat Rent, if chosen by the family
- 11.5.3. Tenant rent is computed by subtracting the utility allowance for tenant-supplied utilities (if applicable) from the Total Tenant Payment. In developments where the Housing Authority pays all utility bills directly to the utility supplier, Tenant Rent equals Total Tenant Payment.
- 11.5.4 HACC has set the minimum rent at amount equal to the utility allowance for a four-bedroom unit at the family developments and \$50.00 minimum rent for the elderly and disabled buildings. Examples under which residents would qualify for the hardship exemption to the minimum rent would be limited to the following:
- A. The family has lost eligibility for or is applying for an eligibility determination for a Federal, State or local assistance program;
 - B. The family would be evicted as result of the imposition of the minimum rent requirements;
 - C. The income of the family has decreased because of changed circumstances, including loss of employment;
 - D. A death of a household member has occurred; or
 - E. Other circumstances as determined by Housing Authority.
- The minimum rent hardship exemption is retroactive to October 21, 1998, so if any resident who qualified for the hardship exemption was charged a minimum rent since that time, the resident may be entitled to a retroactive credit.
- 11.5.5 At initial certification and at each subsequent annual reexamination the resident shall be offered a choice of paying either the income-based rent or the Flat Rent applicable to the unit they will be occupying.

12.0 VERIFICATION

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

12.1 ACCEPTABLE METHODS OF VERIFICATION

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

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

When third party verification cannot be obtained within fourteen calendar days of the initial request, the Housing Authority will accept documentation received from the applicant/tenant. Photocopies of the documents provided by the family will be maintained in the file.

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

12.1.A Third Party Verification of SS/SSI Benefits of Applicants and Household Members

Third party verification of SS/SSI benefits of applicants and household members is not available. PHAs should request a current (dated within the last 60 days) SSA benefit verification letter for each household member that receives social security benefits. If the applicant and/or household member are unable to provide the requested document, ask the applicant/household member to call

SSA at 1-800-772-1213 to request a benefit verification letter. The request for a benefit verification letter can also be made at the SSA Internet Website at www.ssa.gov. From the front page of the website (Social Security Online), click on Already receiving benefits, which is located in the center column of the page. From the right side of the page under Things You Can Do Online, click on [Get a "Proof of Income Letter."](#) Follow the instructions on the page to complete the request for a benefit verification letter. The applicant/household member should provide the POA with the original benefit verification letter. The POA should make a photocopy of the original benefit verification letter, return the original benefit verification letter to the applicant/household member, and maintain the photocopy of the benefit verification letter in the tenant file.

12.1.B Third Party Verification of SS/SSI Benefits of Participants and Household Members

Third party verification of SS/SSI benefits of participants and household members is available through HUD's Tenant Assessment Subsystem (TASS) or Upfront Income Verification (UIV) System. All PHAs are required to use TASS or UIV to verify SS/SSI benefits of current participants and household members. PHAs who do not currently have access to TASS may contact HUD's Real Estate Assessment Center (REAC) on 1-888-245-4860 or by logging on the REAC web page: <http://www.hud.gov/reac>. On the REAC web page, on the left side, click on [Online Systems](#). From the right side of the web page, click on [Online Registration](#) to request access to TASS.

If benefit information is not available in HUD Systems, the POA should request a current SSA benefit verification letter from each household member that receives social security benefits. If the participant and/or household members are unable to provide the requested document, ask the participant/household member to call SSA at 1-800-772-1213 to request a benefit verification letter. The request for a benefit verification letter can also be made at the SSA Internet Website at www.ssa.gov. From the front page of the website (Social Security Online), click on [Already receiving](#) benefits, which is located in the center column of the page. From the right side of the page under Things You Can Do Online, click on [Get a "Proof of Income Letter."](#) Follow the instructions on the page to complete the request for a benefit verification letter. The participant/household member should provide the POA with the original benefit verification letter. The POA should make a photocopy of the original benefit verification letter, return the original benefit verification letter to the participant/household member, and maintain the photocopy of the benefit letter in the tenant file.

12.1.C Documentation of Unavailability of Third Party Verification of SS/SSI Benefits

In the event that third party verification is not available, the PHA must document the tenant file as to why third party verification was not available. Below are some examples of acceptable file documentation:

* New admission, information not available in TASS

- * New tenant, information not available in TASS
- * Current tenant, information not available in TASS due to change in re-examination date
- * Current tenant, information not available in TASS due to discrepancy with name, date of birth, or social security number in SSA file
- * Current tenant, information not available in TASS, reason unknown

12.1.D How to Ensure Availability of Social Security Benefit Information in HUD Systems

The availability of social security benefit information in HUD systems is dependent upon data quality and timely submission of [HUD Form 50058](#) to the Public and Indian Housing Information Center (PIC). PHAs must ensure that data entered on HUD Form 50058 is accurate and complete. If a family's HUD Form 50058 is not successfully submitted to PIC, social security benefit information will not be available in HUD income verification systems. Below is a summary of error descriptions, explanations, and corrective actions to take in order to reduce the number of unavailable Social Security Benefit reports.

Error Description	Explanation	Corrective Action
Member SSN not sent to SSA anticipation invalid SSN	HUD did not submit the SSN to SSA based on the invalid characteristics of the SSN. For example, 999-99-9999, 111-11-1111, etc.	Enter a valid SSN on HUD Form 50058, or request original social security card from tenant. Confirm SSN displayed on the social security card matches the SSN reported on the HUD Form 50058. If the numbers do not match, make the necessary correction to the HUD Form 50058.
No benefits reported by SSA	The tenant's identity was verified by SSA based on the SSN/Last Name/Date of Birth combination. However, the tenant does not and has never received SS/SSI benefits.	None Note: In some cases a tenant may actually receive benefits but the local SSA field office has not updated SSA's master file with the benefit information. Thus the current benefit information is not displayed.

<p>SSN not found in SSA records</p>	<p>The tenantundss SSN is not a valid number issued by SSA.</p>	<p>Request original social security card from tenant. Confirm SSN displayed on the card matches the SSN reported on the HUD Form 50058. If the numbers do not match, make the necessary correction to the HUD Form 50058.</p>
<p>SSN was not verified by SSA</p>	<p>The tenantundss SSN is not a valid number issued by SSA.</p>	<p>Request original social security card from tenant. Confirm SSN displayed on the social security card matches the SSN reported on the HUD Form 50058. If the numbers do not match, make the necessary correction to the HUD Form 50058.</p>
<p>Surname matched, but date of birth did not match with SSA records</p>	<p>The tenantundss identity was not verified because while the Surname matched with SSA records, the Date of Birth did not match. However, based on the SSN/Last Name combination, SSA has indicated that the tenant does not receive SS/SSI benefits.</p>	<p>Request original birth certificate from tenant. Confirm Date of Birth displayed on the birth certificate matches the Date of Birth reported on the HUD Form 50058. If the Date of Birth does not match, make the necessary correction to the HUD Form 50058.</p>
<p>Date of birth matched, but surname did not match with SSA records</p>	<p>The tenantundss identity was not verified because while the Date of Birth matched with SSA records, the Surname did not match. However, based on the SSN/Date of Birth combination, SSA has indicated that the tenant does not receive SS/SSI benefits.</p>	<p>Request birth certificate and social security card of tenant/household member. Confirm Surname on all documents matches the Surname reported on the HUD Form 50058. If the Surname does not match, verify the change in Surname (court order, marriage license, etc.) and make the necessary correction to the HUD Form 50058.</p>
<p>SS benefits cannot be</p>	<p>The tenantundss identity was</p>	<p>Request original birth</p>

disclosed due to discrepancy in date of birth	verified by SSA based on the SSN/Last Name combination and the <u>tenant is receiving SS benefits</u> . However, due to the discrepancy in the Date of Birth, the benefit information cannot be disclosed.	certificate from tenant. Confirm Date of Birth displayed on the birth certificate matches the Date of Birth reported on the HUD Form 50058. If the Date of Birth does not match, make the necessary correction to the HUD Form 50058.
SS benefits cannot be disclosed due to discrepancy in name	The tenantundss identity was verified by SSA based on the SSN/Date of Birth combination and the <u>tenant is receiving SS benefits</u> . However, due to the discrepancy in the Last Name, the benefit information cannot be disclosed.	Request birth certificate and social security card of tenant/household member. Confirm Surname on all documents match. If the Surnames do not match, verify the change in Surname (court order, marriage license, etc.) and make the necessary correction to the HUD Form 50058.
SSI benefits cannot be disclosed due to discrepancy in date of birth	The tenantundss identity was verified by SSA based on the SSN/Last Name combination and the <u>tenant is receiving SSI benefits</u> . However, due to the discrepancy in the Date of Birth, the benefit information cannot be disclosed.	Request original birth certificate from tenant. Confirm Date of Birth displayed on the birth certificate matches the Date of Birth reported on the HUD Form 50058. If the Date of Birth does not match, make the necessary correction to the HUD Form 50058.
SSI benefits cannot be disclosed due to discrepancy in name	The tenantundss identity was verified by SSA based on the SSN/Date of Birth combination and the <u>tenant is receiving SSI benefits</u> . However, due to the discrepancy in the Last Name, the benefit information cannot be disclosed.	Request birth certificate and social security card of tenant/household member. Confirm Surname on all documents match. If the Surname does not match, verify the change in Surname (court order, marriage license, etc.) and make the necessary correction to the HUD Form 50058.
SS and SSI benefits cannot be	The tenantundss identity was	Request original birth

disclosed due to discrepancy in date of birth	verified by SSA based on the SSN/Last Name combination and the tenant <u>is receiving both SS and SSI benefits</u> . However, due to the discrepancy in the Date of Birth, the benefit information cannot be disclosed.	certificate from tenant. Confirm Date of Birth displayed on the birth certificate matches the Date of Birth reported on the HUD Form 50058. If the Date of Birth does not match, make the necessary correction to the HUD Form 50058.
SS and SSI benefits cannot be disclosed due to discrepancy in name	The tenant's identity was verified by SSA based on the SSN/Date of Birth combination and the tenant <u>is receiving both SS and SSI benefits</u> . However, due to the discrepancy in the Last Name, the benefit information cannot be disclosed,	Request birth certificate and social security card of tenant/household member. Confirm Surname on all documents match. If the Surname does not match, verify the change in Surname (court order, marriage license, etc.) and make the necessary correction to the HUD Form 50058.

12.2 TYPES OF VERIFICATION

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the Housing Authority may: 1) send a request form to the source along with a release form signed by the applicant/tenant via pre-paid first class mail; or 2) utilize the appropriate electronic communication.

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party/Up Front verification	Hand-carried verification
General Eligibility Items		
Social Security Number	Letter from Social Security, electronic reports (TASS)	Social Security card

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party/Up Front verification	Hand-carried verification
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
Value of and Income from Assets		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CD's, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party/Up Front verification	Hand-carried verification
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
Income		
Earned income	Letter from employer, Electronic Reports	Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating <ul style="list-style-type: none"> - whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local govt., or local program - whether it is employment training - whether it has clearly defined goals and objectives - whether program has supportive services 	N/A

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party/Up Front verification	Hand-carried verification
	<ul style="list-style-type: none"> - whether payments are for out-of-pocket expenses incurred in order to participate in a program - date of first job after program completion 	Evidence of job start

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NON-CITIZEN STATUS

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

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

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

Prior to being admitted or at the first reexamination, all eligible non-citizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the Housing Authority will mail information to the INS in order that a manual check can be made of INS records.

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

Non-citizen students on student visas, though in the country legally, are not eligible to be admitted to public housing.

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

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

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

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

For each family member, citizenship/eligible non-citizen status will be verified only once. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible non-citizen status will be verified.

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Prior to admission, each family member who has a Social Security number and who is at least 6 years of age must provide verification of their Social Security number. New family members at least 6 years of age must provide this verification prior to being added to the lease. Children in assisted households must provide this verification at the first regular reexamination after turning six.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the Housing Authority will accept letters from the Social Security Agency that establishes and states the number. Documentation from other governmental agencies will also be accepted that establishes and states the number. Driver's licenses, military IDs, passports, or other official documents that establish and state the number are also acceptable.

If an individual states that they do not have a Social Security number, they will be required to sign a statement to this effect. The Housing Authority will not require any individual who does not have a Social Security number to obtain a Social Security number.

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

If a member of a tenant family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to sixty (60) days to provide the verification. If the individual is at least 62 years of age, they will be given one hundred and twenty (120) days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

For each family member age 6 and above, verification of Social Security number will be obtained only once. When a family member who did not have a Social

Security number at admission receives a Social Security number, that number will be verified at the next regular reexamination. Likewise, when a child turns six, their verification will be obtained at the next regular reexamination.

12.5 TIMING OF VERIFICATION

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

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

13.1 FAMILY CHOICE

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

13.1.1 Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo. However, the Housing Authority may elect to do so on a more frequent basis.

13.1.2 Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:

- A. The family's income has decreased.
- B. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
- C. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

13.2 THE FORMULA METHOD

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or

C. The welfare rent.

The family will pay the greater of the total resident payment or the minimum rent set at an amount equal to the utility allowance for a four-bedroom unit at the family developments and \$50.00 minimum rent for the elderly and disabled buildings, but never more than the ceiling or flat rent.

In the case of a family who has qualified for the income exclusion at Section 11 B upon the expiration of the 12-month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12-month period following the 12-month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase the family would have otherwise received.

13.3 MINIMUM RENT

HACC has set the minimum rent at amount equal to the utility allowance for a four-bedroom unit at the family developments and \$50.00 minimum rent for the elderly and disabled buildings. However, if the family requests a hardship exemption, HACC will immediately suspend the minimum rent for the family until HACC can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

13.3.1 a hardship exists if the resident can document the following circumstances:

- A. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program;
- B. When the family would be evicted as a result of the imposition of the minimum rent requirement;
- C. When the income of the family has decreased because of changed circumstances, including loss of employment;
- D. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
- E. When a death has occurred in the family that affects the family financial circumstances.

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

13.3.3 Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a

temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement for any rent not paid during the period of suspension. During the suspension period, the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.

13.3.4 Long-term hardship. If the Housing Authority determines there is a long-term hardship (lasting more than ninety (90) days), the family will be exempt from the minimum rent requirement until the hardship no longer exists. During the suspension period, the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.

13.3.5 Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

13.4 THE FLAT RENT

Flat rents for public housing units are based on the market rent charged for comparable units in the private unassisted rental market. In other words, flat rent is the unsubsidized amount any landlord could charge and lease the unit promptly after preparation for occupancy.

13.4.1 Setting Flat Rents (24 CFR § 960.253(b))

To calculate a flat rent, Housing Authority's are required to take into consideration the following for each property:

- A. Location (this will include the value and quality of neighboring housing);
- B. Quality(need for rehabilitation);
- C. Unit size (both number of bedrooms and square footage);
- D. Unit type (Generally single family units are valued the highest, with semi-detached and town homes next, then walk-up or garden-type apartments. Elevator buildings are usually considered a negative for family housing, although that is not necessarily the case in mixed population housing.);
- E. Age of property;

- F. Amenities at the property and in immediate neighborhood (e.g. laundry facilities, child care, recreation room, play areas, open space, parking, public transportation, schools, shopping, etc.);
- G. Housing services provided;
- H. Market demand for larger units;
- I. Maintenance provided by the Housing Authority; and
- J. Utilities provided by the Housing Authority.

13.4.2 In determining the flat rent for each unit size, the Housing Authority will use the following method:

- A. Rent reasonableness data available from Section 8 agencies within the Authority's jurisdiction shall be collected and analyzed to determine average market rents per bedroom size.
- B. The Housing Authority may further adjust these rents for age, location, amenities and other factors affecting marketability.
- C. These average rents will be compared to HUD's FMR schedule to establish a % of FMR.
- D. The established % will be applied to each FMR update thereafter, annually. Under no circumstances will this % exceed 100% of FMR.
- E. Once each 5 years, a new RR analysis will be conducted.

Documentation on the method used to determine flat rents will be retained by the Housing Authority. Flat rents that are appropriately set can help rent an otherwise hard to rent property. There is no utility allowance or reimbursement with flat rents. Instead, the Housing Authority takes the utility payment into consideration in setting the flat rents. In two otherwise identical properties, the flat rent would be higher for the property with Housing Authority supplied utilities and lower for the property with tenant-paid utilities.

13.4.3 Annual Review of Flat Rents (24 CFR § 960.253)

The Housing Authority will review their flat rents on an annual basis in accordance with the procedures established above.

Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family.

The Housing Authority will post the flat rents at each of the developments and at the central office and are incorporated in this policy upon approval by the Board of Commissioners.

13.4.4 Rent Choice (24 CFR § 960.253)

Once each year, the Housing Authority must offer families the choice between a flat rent and an income-based rent. The Housing Authority must provide sufficient information for families to make an informed choice. This information must include the Housing Authority's policy on switching due to financial hardship and the dollar amount of the rent under each option.

13.4.5 Reexamination (24 CFR § 960.253)

If a family chooses a flat rent, the Housing Authority is required to conduct a reexamination (updates) of income at least once every three years, although the Housing Authority may opt to do so more often.

- A. The Housing Authority must conduct an annual reexamination of the family composition, community service, self-sufficiency, and other criteria related to continued occupancy.
- B. The Housing Authority is required to provide an income-based rent amount only in the year that a reexamination is conducted or if the family specifically requests it and submits updated income information.

13.4.6 Switching from Flat Rent to Income-Based Rent Because of Hardship (24 CFR § 960.253)

At any time families experiencing financial hardship and unable to pay flat rents because their situations have changed can opt to switch to an income-based rent. The Housing Authority will immediately suspend the flat rent to any flat rent family making a proper request in writing for a hardship. The Executive Director (or their designee) of the Housing Authority will determine whether the hardship exists and whether the hardship is of a temporary or long-term nature within seven days of submission.

- A. A hardship exists if the resident can document the following circumstances:

1. When the family has lost eligibility for a Federal, State, or local assistance program;
 2. When the income of the family has decreased because of changed financial circumstances, including loss of employment;
 3. When the family has an increase in expenses because of changed financial circumstances, for medical costs, childcare, transportation, education, or similar items;
 4. When a death has occurred in the family which affects the family financial circumstances; or
 5. Other situations determined by the Housing Authority. (This could include permitting families to switch whenever the income-based rent would be lower than the flat rent to prevent loss of the resident family.)
- B. No hardship. If the Housing Authority determines there is no qualifying hardship, the flat rent will be reinstated, including requiring back payment of flat rent for the time of suspension.
- C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the flat rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the flat rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement for any rent not paid during the period of suspension. During the suspension period, the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.
- D. Long-term hardship. If the Housing Authority determines there is a long-term hardship (lasting more than ninety (90) days), the family will be exempt from the flat rent requirement until the hardship no longer exists or the next annual re-exam.
- E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

13.4.7 Re- determination of Rent Following Hardship

The Housing Authority has established a maximum amount of rent to be paid by families who previously were granted a hardship under the flat rents. The maximum amount of the rent shall be equivalent to the ceiling rent for the same unit.

13.5 CEILING RENTS

13.5.1 The Housing Authority will incorporate ceiling rents that will be capped at the flat rent level. The function of the ceiling rent is to assist flat rent families whose incomes are reduced, causing the families to be placed on income-based rents. If their incomes increase before the annual reexamination date, the families cannot be placed back on the flat rents until the reexamination, but if the PHA has ceiling rents, the family can be placed on a ceiling rent (of exactly the same amount as the flat rent) until the annual re-examination.

13.6 RENT FOR FAMILIES UNDER THE NON-CITIZEN RULE

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

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

13.6.2 If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision is eighteen (18) months. The HACC will grant each family a period of six (6) months to find suitable affordable housing. If the family

cannot find suitable affordable housing, the HACC will provide additional search periods up to the maximum time allowable.

- 13.6.3 Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

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

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

13.7 UTILITY ALLOWANCE

The HACC shall establish a utility allowance for all check-metered utilities and for all tenant-paid utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, the HACC will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances.

The utility allowance will be subtracted from the family's formula rent to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to the HACC. The amount of the utility allowance is then still available to the family to pay the cost of their utilities. Any utility cost above the allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance belongs to the tenant.

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

Families with high utility costs are encouraged to contact the HACC for an energy analysis. The analysis may identify problems with the dwelling unit that once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs.

Requests for relief from surcharges for excess consumption of HACC purchased utilities or from payment of utility supplier billings in excess of the utility allowance for tenant-paid utility costs may be granted by the HACC on reasonable grounds. Requests shall be granted to families that include an elderly member or a member with disabilities. Requests by the family shall be submitted under the Reasonable Accommodation Policy. Families shall be advised of their right to individual relief at admission to public housing and at time of utility allowance changes.

13.8 PAYING RENT

Rent and other charges are due and payable on the first day of the month. All rents should be paid at the HACC main office or mailed to this office or at any First United Bank. Reasonable accommodations for this requirement will be made for persons with disabilities. As a safety measure, no cash shall be accepted at HACC's main office for rent payments.

Residents may also sign up to pay their rent through the ACH. (Electronic Banking)

If the rent is not paid by the seventh of the month, tenant is issued a letter advising that eviction procedures are being initiated. In addition, a late charge will be assessed to the tenant at 5% of the late rental payment, or \$10.00, whichever sum is less.

If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and will incur the late charge plus an additional charge of \$10.00 for processing costs. After a second check is returned for insufficient funds, all future payments will be required to be made in the form of a money order or certified bank check.

13.8.1 Rental Payment Plan for those Receiving Wages

For those resident's who are unable to pay their rent on the first of the month, because of their pay dates, can request to go on a Rental Payment Plan. This plan will allow residents to pay their rent based on their pay dates.

Upon acceptance to the payment plan, an amount equal to one (1) months rent will be credited to the rental account and an equal amount will be set up as an installment due and will be payable at \$20 per month until paid.

Payments based on rent, installments, utility charges, maintenance charges added are divided by # times person gets paid in a month.

All payments shall be made on dates specified unless changes are made in dates payroll is received. Notification must be made in 30 days in advance of change.

Failure to make payments on time will result in removal from the plan.

Upon termination from the plan, credit will be applied toward the unpaid installment balance, then against any old balances and finally against any future amount due or tenant will be refunded the amount.

14.0 COMMUNITY SERVICE

14.1 BACKGROUND

The Quality Housing and Work Responsibility Act of 1998 requires that all non-exempt (see definitions) public housing adult residents (18 or older) contribute eight (8) hours per month of community service (volunteer work) or participate in eight (8) hours of training, counseling, classes or other activities that help an individual toward self sufficiency and economic independence. This is a requirement of the Public Housing Lease.

14.2 DEFINITIONS

14.2.1 Community Service - volunteer work that includes, but is not limited to:

- A. Work at a local institution including but not limited to: school, child care center, hospital, hospice, recreation center, senior center, adult day care center, homeless shelter, indigent feeding program, cooperative food bank, etc.;
- B. Work with a non-profit organization that serves public housing residents or their children such as: Boy Scouts, Girl Scouts, Boys or Girls clubs, 4-H program, Garden Center,

Community cleanup programs, beautification programs, other youth or senior organizations;

- C. Work at the Housing Authority to help improve physical conditions;
- D. Work at the Housing Authority to help with children's programs;
- E. Work at the Housing Authority to help with senior programs;
- F. Helping neighborhood groups with special projects;
- G. Working through resident organization to help other residents with problems, serving as an officer in a Resident organization, serving on the Resident Advisory Board;
- H. Caring for the children of other residents so they may volunteer; and
- I. Providing primary caring for family's minor children so that an adult family member may be employed or attend school or job training programs.

For the purpose of this policy, political activity is excluded.

14.2.2 Self Sufficiency Activities - activities that include, but are not limited to:

- A. Job readiness programs;
- B. Job training programs;
- C. GED classes;
- D. Substance abuse or mental health counseling;
- E. English proficiency or literacy (reading) classes;
- F. Apprenticeships;
- G. Budgeting and credit counseling;
- H. Any kind of class that helps a person toward economic independence; and

- I. Full time student status at any school, college or vocational school.

14.3 REQUIREMENTS OF THE PROGRAM

- 14.3.1 The eight (8) hours per month may be either volunteer work or self-sufficiency program activity, or a combination of the two.
- 14.3.2 At least eight (8) hours of activity must be performed each month. An individual may not skip a month and then double up the following month, unless special circumstances warrant special consideration. The Authority will make the determination of whether to allow or disallow a deviation from the schedule.
- 14.3.3 Activities must be performed within the community and not outside the jurisdictional area of the Authority.
- 14.3.4 Family obligations:
 - A. At lease execution or re-examination after July 31, 2003, all adult members (18 or older) of a public housing resident family must:
 - 1. Provide documentation that they are exempt from Community Service requirement if they qualify for an exemption, and
 - 2. Sign a certification that they have received and read this policy and understand that if they are not exempt, failure to comply with the Community Service requirement will result in nonrenewable of their lease.
 - B. At each annual re-examination, non-exempt family members must present a completed documentation form (to be provided by the Authority) of activities performed over the previous twelve (12) months. This form will include places for signatures of supervisors, instructors, or counselors certifying to the number of hours contributed.

- C. If a family member is found to be noncompliant at re-examination, he/she and the Head of Household will sign an agreement with the Authority to make up the deficient hours over the next twelve (12) month period.

14.3.5 Change in exempt status:

If, during the twelve (12) month period, a non-exempt person becomes exempt, it is his/her responsibility to report this to the Housing Authority and provide documentation of such.

If, during the twelve (12) month period, an exempt person becomes non-exempt, it is his/her responsibility to report this to the Housing Authority. The Housing Authority will provide the person with the Recording/Certification documentation form and a list of agencies in the community that provide volunteer and/or training opportunities.

14.4 HOUSING AUTHORITY OBLIGATIONS

14.4.1 To the greatest extent possible and practicable, the Housing Authority will provide:

- A. names and contacts at agencies that can provide opportunities for residents, including disabled, to fulfill their Community Service obligations. (*According to the Quality Housing and Work Responsibility Act, a disabled person who is otherwise able to be gainfully employed is not necessarily exempt from the Community Service requirement*); and
- B. in-house opportunities for volunteer work or self-sufficiency programs.

14.4.2 The Housing Authority will provide the family with exemption verification forms and Recording/Certification documentation forms and a copy of this policy at initial application and at lease execution.

14.4.3 The Housing Authority will make the final determination as to whether or not a family member is exempt from the Community Service requirement. Residents may use the Housing Authority's Grievance Procedure if they disagree with the determination.

14.4.4 Noncompliance of family member:

- A. At least sixty (60) before the family's next lease anniversary date, a review will be done to see whether each applicable adult family member is in compliance with the community service requirement.

- B. If the Housing Authority finds a family member to be noncompliant, the Housing Authority will enter into an agreement with the noncompliant member and the Head of Household to make up the deficient hours over the next twelve (12) month period;
- C. If, at the next annual re-examination, the family member still is not compliant, the lease will not be renewed and the entire family will have to vacate, unless the noncompliant member agrees to move out of the unit;
- D. The family may use the Housing Authority's Grievance Procedure to protest the lease termination.

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement

14.5 EXEMPTIONS

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

- 14.5.1 Family members who are 62 or older
- 14.5.2 Family members who are blind or disabled
- 14.5.3 Family members who are the primary care giver for someone who is blind or disabled
- 14.5.4 Primary caretaker of a child or children 13 years of age and under in a single parent household
- 14.5.5 Family members engaged in work activity
- 14.5.6 Family members who are exempt from work activity under Part A of title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program
- 14.5.7 Family members receiving assistance under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program

14.6 NOTIFICATION OF THE REQUIREMENT

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

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

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 10/1/00. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

14.7 VOLUNTEER OPPORTUNITIES

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

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

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

Together with the resident advisory councils, the Housing Authority of Allegany County may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

14.8 THE PROCESS

At the first annual reexamination on or after October 1, 2000, and each annual reexamination thereafter, the Housing Authority will do the following:

14.8.1 Provide information about obtaining suitable volunteer positions.

- 14.8.2 Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.
- 14.8.3 The Executive Director or designee will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The Executive Director or designee, will track the family member's progress monthly and will meet with the family member as needed to best encourage compliance.
- 14.8.4 Sixty (60) days before the family's next lease anniversary date, a review will be done to see whether each applicable adult family member is in compliance with the community service requirement.

14.9 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

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

- 14.9.1 The family member(s) has been determined to be in noncompliance;
- 14.9.2 That the determination is subject to the grievance procedure; and
- 14.9.3 That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated;

14.10 OPPORTUNITY FOR CURE

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

The Executive Director or designee, will assist the family member in identifying volunteer opportunities and will track compliance on a monthly basis.

If any applicable family member does not accept the terms of the

agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the Housing Authority shall take action to terminate the lease.

15.0 RECERTIFICATIONS

15.1 ELIGIBILITY FOR CONTINUED OCCUPANCY

Residents who meet the following criteria will be eligible for continued occupancy:

- 15.1.1 Qualify as a family as defined in this policy.
- 15.1.2 Are in full compliance with the resident obligations and responsibilities as described in the dwelling lease.
- 15.1.3 Whose family members, age 6 and older, each have Social Security numbers or have certifications on file indicating they have no Social Security number.
- 15.1.4 Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent.
- 15.1.5 Who are in compliance with the Housing Authority's 8 hour per month community service requirements.

15.2 REMAINING FAMILY MEMBERS AND PRIOR DEBT

- 15.2.1 Remaining family members age 18 years or older will be held responsible for arrearages incurred by the former head or spouse. Housing Authority will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.
- 15.2.2 Remaining family members under age 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

15.3 REEXAMINATIONS

- 15.3.1 Regular reexaminations: the Housing Authority shall, at least once a year, re-examine the family composition and incomes of all resident families, except that families paying Flat Rent shall have their incomes reexamined only every three years. However, the Housing Authority may elect to do so on a more frequent basis.
- 15.3.2 Special Reexaminations: When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special reexamination will be scheduled every 60 days until a reasonably accurate estimate of income can be made.
- 15.3.3 Special reexamination shall be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.
- 15.3.4 Zero Income Families: Unless the family has income that is excluded for rent computation, families reporting zero income will have their circumstances examined every 30 days until they have a stable income. Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than the payment or reimbursement of medical expenses shall be considered income.
- 15.3.5 Reexamination Procedures
- A. At the time of reexamination, all adult members of the household will be required to sign an application for continued occupancy and other forms required by HUD and the Housing Authority.
 - B. Income, allowances, Social Security numbers, and such other data as is deemed necessary will be verified, and all verified findings will be filed in the resident's folder.
 - C. For zero income or minimum rent families, a credit check may be conducted at re-certification to help detect any unreported income, family members not reported on the lease, etc.
 - D. Verified information will be analyzed and a determination made with respect to:
 1. Eligibility of the resident as a family or as the remaining member of a family;
 2. Unit size required for the family; and

3. Rent the family should pay.
4. Residents with a history of employment whose reexamination occurs when they are not employed will have income anticipated based on past and anticipated employment. Residents with seasonal or part-time employment of a cyclical nature will be asked for third party documentation of their employment including start and ending dates.
5. Income shall be computed in accordance with the definitions and procedures set forth in Federal regulations and this policy.
6. Families failing to respond to the initial reexamination appointment will be issued a final appointment within the same month. Failure to respond to the final request will result in the family being sent a notice to vacate.

E. Action Following Reexamination

1. If there is any change in rent, the lease will be ended, a new lease will be executed, or a Notice of Rent Adjustment will be issued.
2. If any change in the unit size is required, the resident will be placed on a transfer list in accordance with the transfer criteria in this policy and moved to an appropriate unit when one becomes available.

15.4 INTERIM RENT ADJUSTMENTS: FIXED RENT SYSTEM

Adjusting Rent Between Regular Reexaminations

- A. Residents are required to report all changes in family composition or status to the Housing Authority within 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, residents must report income decreases prior to the close of business on the last working day of the month.

Residents are also required to report interim increases in income if they have been granted interim rent reductions.

- B. Complete verification of the circumstances applicable to rent adjustments must be documented and approved by the Executive Director or his/her designee.

- C. The Housing Authority will process interim adjustments in rent as follows:

INCOME CHANGE	HOUSING AUTHORITY ACTION
(a) Decrease in income for any reason, except for decrease that lasts less than 30 days. Increase in income following Housing Authority granting of interim rent decrease.	<ul style="list-style-type: none"> • Housing Authority will process an interim reduction in rent if the income decrease will last more than 30 days. The Housing Authority will process an interim increase for income increases that follow interim rent reductions.
(b) Increase in earned income from the employment of a current household member.	<ul style="list-style-type: none"> • The Housing Authority will either process an interim increase in rent or, if the individual is eligible for an earned income disallowance, will grant the disallowance.
(c) Increase in unearned income (e.g. COLA adjustment for social security).	<ul style="list-style-type: none"> • The Housing Authority will defer the increase to the next regular reexamination.
(d) Increase in income because a person with income (from any source) joins the household.	<ul style="list-style-type: none"> • The Housing Authority will process an interim increase in rent.
(e) Misrepresentation of facts upon which is based by the Resident	<p>The Housing Authority will process an interim increase in rent if the resident has misrepresented or failed to report facts upon which rent is based, so the rent the Resident is paying is less than it should have been. The Housing Authority will apply any increase in rent retroactive to the month following the month in which the misrepresentation occurred.</p>

- D. When a decrease in income is reported, and the Housing Authority receives confirmation that the decrease will last less than 30 days, an interim adjustment will not be processed. (Decreases in income resulting from welfare fraud or from welfare cuts for failure to comply with economic self-sufficiency requirements are not eligible for rent reductions.)
- E. Residents reporting decreases in income that are expected to last more than 30 days will have an interim adjustment processed.
- F. Residents granted a reduction in rent under these provisions would be required to report for special reexaminations at intervals determined by the Housing Authority. Reporting is required until income increases or it is time for the next regularly scheduled reexamination, whichever occurs first.

15.5 EFFECTIVE DATE OF ADJUSTMENTS

Residents will be notified in writing of any rent adjustment including the effective date of the adjustment.

Rent decreases go into effect the first of the month following the reported change. Income decreases reported or verified after the tenant accounting cut-off date will be effective the first of the second month with a credit retroactive to the first month.

Rent increases (except those due to misrepresentation) require 30 days notice and become effective the first of the second month.

15.6 VERIFICATION OF "0" INCOMES

1. All resident(s) who are head of household who report that they are without income shall sign a statement each month that they are still without income. This statement shall be returned to the HACC office by the fifth day of each month. However, if it is determined that this would create a hardship to the resident, a form and a self addressed envelope shall be furnished to the resident in order that the form may be submitted by mail.
2. If the head of household is married, both husband and wife or a couple that qualify as a family under the definition in the Admission and Occupancy Policy, and if one has a source of income, the other will not be required to sign a monthly no-income statement.
3. All other members of said family, 18 years of age or over and not a student shall be required to sign the statement.

15.7 LEASING POLICIES

15.7.1 General Leasing Policy

- A. All units must be occupied pursuant to a lease that complies with HUD's regulations.
- B. The lease shall be signed by the head, spouse, and all other adult members of the household and by the authorized representative(s) of the Housing Authority, prior to actual admission.
- C. If a resident transfers from one Housing Authority unit to another, a new lease will be executed for the dwelling into which the family moves.
- D. If at any time during the life of the lease agreement, a change in the resident's status results in the need for changing or amending any provision of the lease, either:
 1. A new lease agreement will be executed; or

2. A Notice of Rent Adjustment will be executed; or
 3. An appropriate rider will be prepared and made a part of the existing lease. All copies of such riders or insertions are to be dated and signed by the Resident and by the authorized representative(s) of the Housing Authority.
- E. Residents must advise the Housing Authority if they will be absent from the unit for more than 7 days. Residents shall notify the Occupancy staff, secure the unit and provide a means for the Housing Authority to contact the resident in an emergency. Failure to advise the Housing Authority of an extended absence is grounds for termination of the lease.

15.7.2 Showing Units Prior to Leasing

When offering units, the Housing Authority will provide the applicant with a brief property description and other information to help orient the applicant to the neighborhood and location in the property. If the offer of a unit is preliminarily accepted by the applicant, the occupancy staff will contact the applicant to set up a date to show the unit.

- A. Once the unit is shown and the applicant accepts the unit, the occupancy staff will execute a lease. If the applicant refuses the unit the Housing Authority makes a notation within the file with a reason for the refusal.
- B. No lease will have an effective date before the unit is ready for occupancy.

15.7.3 Additions to the Household and Visitors

- A. Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit. All other individuals will be considered visitors.
 1. Except for natural births to or adoptions by family members, or court awarded custody, any family seeking to add a new member must request approval in writing before the new member moves in.
 2. Also included, would be situations in which a person (often a relative) comes to the unit as a visitor but stayed on in the unit because the tenant needed support, for example, after a medical procedure
 3. All persons listed on the most recent certification form and the lease must use the dwelling unit as their sole residence.
- B. When a resident requests approval to add a new person to the lease, the Housing Authority will conduct pre-admission

screening of any proposed new adult member to determine whether the Housing Authority will grant such approval.

Children under the age below which Juvenile Justice records are made available, or added through a formal custody award or kinship care arrangement are exempt from the pre-admission screening process, although the resident still needs prior permission from the Housing Authority to add children other than those born to, adopted by or awarded by the court to the family.

- C. Examples of situations where the addition of a family or household member is subject to screening are:
 - 1. Resident plans to be married and requests to add the new spouse to the lease;
 - 2. Resident desires to add a new family member to the lease, employ a live-in aide, or take in a foster child(ren) over the age for which juvenile justice records are available;
 - 3. A unit is occupied by a remaining family member(s) under age 18 (who is not an emancipated minor) and an adult, not a part of the original household, requests permission to take over as the head of the household.

- D. Residents who fail to notify Housing Authority of additions to the household or who permit persons to join the household without undergoing screening are violating of the lease. Persons added without Housing Authority approval will be considered unauthorized occupants and the entire household will be subject to eviction.

- E. Visitors maybe permitted in a dwelling unit so long as they have no previous history of behavior on Housing Authority premises that would be a lease violation, are not in violation of a Criminal Trespass Policy, or have been served a "No Trespass Notice".
 - 1. Visits of less than three days need not be reported to or approved by the Housing Authority.
 - 2. Visits of more than three and less than fourteen days within a calendar year are permitted, provided they are reported to the Housing Authority within 72 hours and authorized by the Housing Authority.
 - 3. Visits of more than 14 calendar days in a twelve (12) month period shall be authorized only by the Executive Director or their designee with advance documentation of extenuating circumstances.
 - 4. Visitors remaining beyond this period shall be considered unauthorized occupants and the head of the household shall be guilty of a breach of the lease.
 - 5. Tenant(s) who permits visitors on Housing Authority

property, who has been served a “No Trespass Notice”, shall be in breach of the lease.

- F. Roomers and lodgers shall not be permitted to move in with any family. Violation of this provision is ground for termination of the lease.
- G. Residents will not be given permission to allow a former resident of Housing Authority who has been evicted to occupy the unit for any period of time. Violation of this requirement is ground for termination of the lease.
- H. Family members over age 17 or emancipated minors who move from the dwelling unit to establish new households shall be removed from the lease.
 - 1. The resident shall report the move-out within 30 calendar days of its occurrence.
 - 2. These individuals may not be readmitted to the unit and must apply as a new applicant household for placement on the waiting list.
 - 3. The Housing Authority shall consider a medical hardship, or other extenuating circumstance in making determinations under this paragraph.

15.7.4 Absence From The Unit

- A. Absence means that no member of the family is residing in the unit. The family may be absent a maximum of 7 days without notice to the Housing Authority.
- B. The family must provide advance written notice to the Housing Authority of absence expected to exceed 7 days but to continue less than 21 days. Such written notice will confer permission to the Housing Authority to periodically check the unit for safety and/or property damage. Any family absent for more than 21 days without authorization will be subject to termination of tenancy.
- C. The family must request advance permission from the Housing Authority for absences expected to exceed 21 days. Such request must be made in writing and state the reasons for the absence. The Housing Authority will make a determination within five business days of the request. An authorized absence may not exceed ninety (90) calendar days. Authorized absences may include, but are not limited to:
 - 1. Prolonged hospitalization
 - 2. Absences beyond the control of the family (i.e., death in the family, other family member illness);

3. Other absences that are deemed necessary by the Housing Authority.

The authorized absence may be extended up to 180 days if the resident is temporarily residing in a special medical care or rehabilitation facility and is expected to result in a return to the unit.

- D. The family must supply any information or certification requested by the Housing Authority to verify that the family is living in the unit, or relating to family absence from the unit, including any Housing Authority requested information or certification on the purposes of family absences. The monthly rent amount must continue to be paid in full before the due date for each month during the absence.

16.0 UNIT TRANSFERS

16.1 GENERAL TRANSFER POLICY

- 16.1.1 Transfers will be made without regard to race, color, national origin, sex, religion, or familial status. Residents can be transferred to accommodate a disability.
- 16.1.2 Residents will not be transferred to a dwelling unit of equal size except to alleviate hardship of the resident or other undesirable conditions as determined by the Executive Director or designee.
- 16.1.3 Residents will receive one offer of a transfer. Refusal of that offer without good cause will result in lease termination for mandatory transfers or the removal of the household from the transfer list for voluntary transfers.
- 16.1.4 Resident will be required to complete the transfer within seven (7) calendar days of the date of unit availability. However, if they need a few extra days, request must be put in writing and approved by the Executive Director or designee.

16.2 ADMINISTERING THE APPLICANT AND TRANSFER WAIT LISTS

- 16.2.1 Applications for admission and transfer will be processed centrally. Initial intake, wait list management, screening, and assigning of housing (including transfers) will be made from the central office. Offers may be made in person, in writing or by phone from the central office.
- 16.2.2 The Housing Authority has five possible types of transfers:
 - A. Emergency

B. Administrative: Category 1, Category 2, Category 3

C. Incentive

- 16.2.3 Emergency and Category 1 and 2 administrative transfers and Incentive transfers will take priority over admissions. Category 3 administrative transfers will be processed as determined by HACC. The specific definitions of each type of transfer are covered in this Section.
- 16.2.4 Tenants on the transfer list may refuse transfer offers for the “good cause” reasons cited in this Section without losing their position on the transfer list.
- 16.2.5 Tenants who refuse a transfer offer without good cause may be removed from the transfer list and tenants whose transfers are mandatory are subject to lease termination.
- 16.2.6 Tenants may use the Housing Authority’s Grievance Procedure if they are refused the right to transfer or if Housing Authority is requiring them to transfer and they do not wish to do so.

16.3 TYPES OF TRANSFERS

- 16.3.1 The order in which families are transferred shall be subject to the hierarchy by category set forth below.
- 16.3.2 Emergency Transfers are **mandatory** when the Housing Authority determines that conditions pose an immediate threat to resident’s life, health or safety. Emergency transfers may be made to: permit repair of unit defects hazardous to life, health, or safety; alleviate verified disability problems of a life threatening nature; or protect members of the household from attack by the criminal element in a particular property or neighborhood. **These transfers shall take priority over new admissions.**
- 16.3.3 Category 1 Administrative transfers include **mandatory** transfers to: remove residents who are witnesses to crimes and may face reprisals; provide housing options to residents who are victims of hate crimes or extreme harassment; alleviate verified medical problems of a serious (but not life-threatening) nature; permit modernization or demolition of units; perform work (e.g., repair, modernization, or lead hazard reduction work) above a specified scale and duration that disturbs lead-based paint or controls lead-based paint hazards, or permit a family that requires a unit with accessible features to occupy such a unit. **These transfers shall take priority over new admissions.**

Requests for these transfers will be made to the Executive Director, or their designee, with necessary documentation to substantiate the need for such transfers. Transfers may also be

initiated by the Housing Authority (e.g. moving a person with mobility problems to a unit with accessible features or temporarily moving residents to a unit free of lead-based paint hazards).

- 16.3.4 Category 2 Administrative transfers correct serious occupancy standards problems. **These transfers take priority over new admissions.** Category 2 transfers will only be made if the family size is so small that it includes fewer persons than the number of bedrooms, or so large that the household members over age 4 would equal more than two persons per bedroom. **These transfers are mandatory.**

If a family's size is between the smallest and largest size permissible for the unit, the family may request a transfer, but it shall be considered a Category 3 transfer.

- 16.3.5 Category 3 Administrative transfers may be made to: avoid concentration of the most economically and socially deprived families, correct occupancy standards, or address situations that interfere with peaceful enjoyment of the premises. **These transfers will not take priority over new admissions.**

- 16.3.6 Incentive transfers are offered to residents who have good rental histories and want to move to units other than those they currently occupy on a non-discriminatory basis. Incentive transfers are Category 2 administrative transfers.

The Housing Authority may occupy recently modernized and scattered site units through incentive transfers. Modernized units will be filled with incentive transfers, new applicants, or a combination of both in a manner that has the least impact on vacant units.

Resident requests for incentive transfers should be made in writing to the Executive Director, or their designee, to be considered for an incentive transfer, the following conditions must be met:

- A. Residency in a Housing Authority development for at least one year.
- B. There shall have been no more than two repayment agreements or unpaid balances at any time in the past two (2) years.
- C. No history of disturbances that resulted in lease violations or violence toward staff or neighbors as indicated by notices of lease violation in the applicant's file.
- D. Good housekeeping record. (No exceptions will be granted to the good record requirement for incentive transfers.)

The Housing Authority's failure to process or recommend an Incentive Transfer is subject to the Grievance Procedure.

16.4 PROCESSING TRANSFERS

- 16.4.1 A centralized transfer waiting list will be administered by the Housing Authority. Occupancy staff submits requests for transfer, including necessary documentation, to the Executive Director or their designee.
- 16.4.2 Transfers will be sorted into their appropriate categories by the Occupancy staff. Admissions will be made in the following order:
 - A. First: Emergency transfers, then
 - B. Category 1 Administrative Transfers,
 - C. Category 2 Administrative Transfers,
 - D. Incentive Transfers,
 - E. Category 3 Administrative Transfers
- 16.4.3 Within each category, transfer applications will be sorted by the date the completed file (including any verification needed) is received by the Executive Director or their designee.
- 16.4.4 Category 2 transfers to correct occupancy standards may be recommended at time of re-examination or interim re-determination.
- 16.4.5 Residents in a Category 2 over/under housed status will be advised in their 30 day "Notice of Result of Reexamination" that a transfer is recommended and that the family has been placed on the transfer list.
- 16.4.6 When a head of a household, originally housed in a bedroom by him/herself, has or adopts a child, the family will not be approved for a Category 2 transfer until the child is two (2) years of age. Exceptions: spouse or partner returns to the unit, marriage takes place, or family decides to remain in the unit and the unit is large enough (using the smallest-unit standard) to accommodate the number of persons now in the household.

16.5 GOOD RECORD REQUIREMENT FOR TRANSFERS

16.5.1 In general, and in all cases of all resident-requested transfers, residents will be considered for transfers only if the head of household and any other family members, for the past two years:

- A. has not engaged in criminal activity that threatens the health and safety of residents and staff;
- B. Does not owe back rent or other charges, or evidence a pattern of late payment
 - 1. have met reasonable housekeeping standards and have no housekeeping lease violations; and
 - 2. can get utilities turned on in the name of the head of household (applicable only to properties with tenant-paid utilities).

16.5.2 Exceptions to the good record requirements may be made for emergency transfers or when it is to Housing Authority's advantage to make the transfer. The exception to the good record requirement will be made by the Executive Director, or their designee, taking into account recommendation by the Occupancy staff.

16.5.3 Absent a determination of exception, the following policy applies to transfers:

- A. If back rent is owed, the resident will not be transferred until a payment plan is established or, if prior payment plans have failed, back rent is paid in full.
- B. A resident with housekeeping standards violations will not be transferred until he/she passes a follow-up housekeeping inspection.

16.6 PAYING FOR TRANSFERS

The family will be responsible for paying rent at the old unit as well as the new unit for any period of time they have possession of both. The prorated rent and other charges (key deposit and any additional security deposit owing) will be billed on their account and due by the first of the following month.

However, where there is a hardship due to health, disability, or other factors, the Executive Director may recommend that families be reimbursed their out-of-pocket expenses for an occupancy standards transfer in an amount not to exceed a reasonable moving allowance established by the Housing Authority. Transfers requested or required by the Housing Authority, including those for temporary relocation during lead

hazard reduction work, and all transfers for reasonable accommodations will be paid for or made by Housing Authority.

17.0 INSPECTIONS

17.1 MOVE-IN INSPECTIONS

An authorized representative of the Housing Authority and an adult family member will inspect the premises prior to commencement of occupancy. A written statement of the condition of the premises and all Housing Authority owned equipment will be provided, and the statement will be signed by both parties with a copy retained in the Housing Authority file and a copy given to the family member.

17.2 ANNUAL INSPECTIONS

The Housing Authority will inspect each public housing unit at least annually to ensure that each unit meets the Housing Authority's housing standards. Work orders will be submitted and completed to correct any deficiencies that are found during the inspection.

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

This inspection may be conducted at various times or intervals and is intended to keep items in good repair. It checks: weatherization; checks the condition of the smoke detectors; water heaters; furnaces; automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters; and provides other minor servicing that extends the life of the unit and its equipment.

17.4 SPECIAL INSPECTIONS

A special inspection may be scheduled to enable HUD, contractors, the Housing Authority or others to inspect the housing stock maintained by the Housing Authority.

17.5 HOUSEKEEPING INSPECTIONS

Generally, at the time of annual reexamination and at various times or intervals as necessary, the Housing Authority will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.

If a resident fails three (3) housekeeping inspections in a row, the resident will be asked to go through our Housekeeping Training Program in lieu of receiving a notice to vacate. If resident does not go through the Housekeeping Training Program, then the resident will be issued a notice to vacate.

17.6 NOTICE OF INSPECTION

For inspections defined as annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections the Housing Authority will give the tenant at least two (2) days written notice.

17.7 EMERGENCY INSPECTIONS

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

17.8 PRE-MOVE-OUT INSPECTIONS

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

17.9 MOVE-OUT INSPECTIONS

An authorized Housing Authority representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice under State law. When possible, the tenant is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit. The resident's security deposit can be used to offset against any Housing Authority damages to the unit.

18.0 PET POLICY

It is the intention of the Housing Authority to provide a clean, safe and sanitary environment for all. Residents must have the prior approval of the Housing Authority before moving a pet into their unit.

18.1 PURPOSE

The purpose of this policy is to establish a comprehensive set of rules and regulations governing the maintenance of common household pets within and upon all premises owned by the Housing Authority.

This policy includes only common household pets: cats, dogs, birds, hamsters, guinea pigs, gerbils, ferrets and fish in aquariums. The birds, hamsters, guinea pigs, gerbils, and ferrets must be kept in a cage. All other types of pets are prohibited.

The pet shall not exceed the following size:

Height	18"
Length	24"
Weight	20 pounds

Those residents residing in an efficiency unit or a one-bedroom unit shall be limited to one pet. Those residing in a two-, three- or four-bedroom unit shall be limited to no more than two pets. A separate pet permit shall be required for each pet; as well as the non-refundable pet maintenance fee and pet administrative cost.

Residents are prohibited from feeding or harboring stray animals. The feeding of any stray animals shall constitute having a pet without written permission of the Housing Authority and will be subject to lease termination.

Visitors are not allowed to bring pets with them and the residents shall not engage in "pet-sitting".

Vicious or intimidating dogs, or dogs which disturb, interfere, or diminish the peaceful enjoyment of the pet owner's neighbors or other residents will not be allowed. If the owner does not remove the dog, the Housing Authority will do so.

It is the intention of the Housing Authority to provide a clean, safe and sanitary environment to all.

18.2 APPLICABILITY

This policy is not applicable to animals that aid persons with disabilities. We as an agency may not have any policies affecting the use of service

animals assisting persons with disabilities. This policy applies to animals residing in our housing or visiting animals. Nothing in this policy limits or impairs the rights of persons with disabilities; authorizes anyone to limit or impair the rights of persons with disabilities; or affects any authority that the Housing Authority have to regulate service animals that assist persons with disabilities, under Federal, State, or local law. All residents must comply with local and state laws pertaining to the keeping of pets.

18.3 APPLICATION FOR PET PERMIT

All pets shall be registered with the Housing Authority. This must be done before it is brought to reside in the development. The resident must update the registration when the pet permit expires, which is the same month as when the rabies vaccine expires. The registration must include:

- A. A certificate signed by a licensed veterinarian or a state or local authority empowered to inoculate animals, stating that the pet has received all inoculations required by applicable state and local law.
- B. Evidence from a veterinarian that the pet has been spayed or neutered, as applicable;
- C. Using the Cat or Dog for Breeding Purposes:
 - 1. Request for this procedure must be in writing
 - 2. Request will be reviewed by the Executive Director or their designee and if approved, the resident will be required to sign a statement agreeing to:
 - a. Breeding will be done off-site.
 - b. No kittens or puppies will be allowed on the property.
- D. Proof that the dog or cat has had preventive flea treatment on a regular basis.
- E. Proof that the cat has been de-clawed.
- F. All pet owners of cats and dogs shall pay a non-refundable pet maintenance fee of \$100. Pet owner may pay first two payments in the amount of \$25. and monthly payments thereafter of \$10 until the \$100 is paid in full. The Board of Commissioners may adjust the amount of the pet maintenance fee for those residents with a need due to handicap upon receipt of proper documentation certifying the need of a pet by a resident.

There will also be an annual charge of \$25 for pet administrative cost. This charge is placed on the resident's account each November. These charges will be applicable for each pet permit.

The non-refundable pet maintenance fee shall be paid for each separate pet and shall not roll over from one pet to another unless the pet is replaced and all required documentation is submitted within a thirty (30) day time period. It is not part of the rent payable by the pet owner and is in addition to any other financial obligation generally imposed on residents of the development where the pet owner lives.

- F. A photograph of the dog or cat;
- G. The name, address and telephone number of the responsible party that will care for the pet if the pet owner(s) dies, is incapacitated, or is otherwise unable to care for the pet; and
- H. The Housing Authority shall notify the pet owner if the application for a pet permit is refused. The notice shall be by letter and state the basis for the refusal and shall be delivered directly to the pet owner.

18.4 RULES OF PET MAINTENANCE

All residents with pets authorized under this section, shall be governed by, and comply with, the following rules:

- A. When a pet permit expires, residents will be required to update the registration information of the authorized pet before a new pet permit will be issued. Such registration shall include updated information on required inoculations.
- B. Those residents residing in an efficiency unit or a one-bedroom unit shall be limited to one pet. Those residing in a two-, three-, or four-bedroom unit shall be limited to no more than two pets. A separate pet permit shall be required for each pet; as well as the non-refundable pet maintenance fee and pet administrative cost.
- C. The resident shall not allow their pet(s) to deposit waste on the development premises, and must remove and properly dispose of all removable pet waste accidentally deposited on development premises.
- F. In the case of cats and other pets using litter boxes, the litter shall be changed daily. Said waste shall be disposed of in the following manner:

John F. Kennedy Apartments and Queen City Tower

Waste shall be put in a heavy-duty plastic bag and placed in the garbage chute.

*Jane Frazier Village, Benjamin Banneker Apartments and
Fort Cumberland Homes*

Waste shall be put in a heavy duty plastic bag and placed in the dumpsters or closed garbage can until you take the garbage to the dumpster.

There will be a tenant charge for clean up of any area as a result of a violation by a pet owner of any of the above sanitary standards. Resident will be charged at the current hourly rate of \$20.00.

- E. Residents shall take adequate precautions and measures necessary to eliminate pet odors within or around the unit and shall maintain the unit in a sanitary condition at all times.
- F. Residents must identify an alternate custodian for pets in the event of resident illness or other absence from the dwelling unit. The identification of an alternate custodian must occur prior to the Housing Authority issuing a pet registration permit.
- G. If pets are left unattended for a period of twenty-four (24) hours or more, the Housing Authority may enter the dwelling unit, remove the pet and transfer it to the proper authorities, subject to the provision of state law and pertinent local ordinances. The Housing Authority accepts no responsibility for the animal under such circumstances.
- H. Visitors are not allowed to bring pets and the residents shall not engage in "pet-sitting".
- I. Residents shall not alter their unit, patio or unit area in order to create an enclosure for any pet.
- J. Residents are responsible for all damages caused by their pets, including the cost of cleaning or fumigation of units. The cost of repairs and /or sanitation will be charged in accordance with the Schedule of Repairs, posted in the Housing Authority's office, and will be due in accordance with the lease agreement.
- K. Residents shall not permit the pet to disturb, interfere, or diminish the peaceful enjoyment of other residents. The terms, "disturb, interfere or diminish" shall include but not be limited to, barking, howling, chirping, biting, scratching and other like activities. Repeated substantiated complaints by neighbors or Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance will result in the owner having to remove the pet or move him/herself.

- L. Dogs and cats must be licensed and residents must show proof of annual rabies inoculations required by state or local law.
- M. All dogs and cats must be spayed or neutered, as applicable.
- N. Vicious or intimidating dogs, or dogs that disturb, interfere, or diminish the peaceful enjoyment of the pet owner's neighbors or other residents will not be allowed. If the owner does not remove the dog, the Housing Authority will do so.
- O. Cats must be under full control of their owners any time they are outside the owner's apartment.
- P. Cats at John F. Kennedy and Queen City Towers must be leashed and under full control of their owners any time they are outside the owner's apartment.
- Q. Dogs at all developments must be under full control of their owners any time they are outside the owner's apartment.
- R. Birds, hamsters, guinea pigs, gerbils and ferrets must be confined to a cage at all times, including inside the resident's unit.
- S. The following area designates as no pet areas, meaning that no pets are allowed in the following areas:
 - John F. Kennedy Apartments and Queen City Tower**
 - Basement, lobbies, laundry rooms, social rooms
 - Floors – to be determined based on those residents allergic to pets and the number of residents desiring pets
 - Grounds, driveways and sidewalk areas
- T. Pet owners must conduct themselves and exercise sufficient control over their pet as not to disturb other residents' peaceful enjoyment of their accommodations.
- U. Resident's pet(s) shall not interfere with HACC responsibilities or operations including maintenance and extermination.
- V. All pets not owned by the resident are not allowed on the property, nor are to be kept in the buildings or grounds. This means no "pet sitting" or "pet visiting".

18.5 ENFORCEMENT

The privilege of maintaining a pet in a facility owned by the Housing Authority shall be subject to the rules set forth above.

This privilege may be revoked at any time, subject to the procedures set forth below, if the animal should become destructive, create a nuisance, represent a threat to the safety and security of other residents, or create a problem in the area of cleanliness and sanitation.

The Housing Authority, or an appropriate community authority, shall require the removal of any pet from a development if the pet's conduct or condition is determined to be a nuisance or threat to the health or safety of other occupants of the development or of other persons in the community where the development is located.

Should a breach of the rules set forth above occur, the Housing Authority might also exercise any remedy granted it in accord with appropriate state and local law, including termination of the lease.

18.6 NOTICE OF PET RULE VIOLATION

If the Housing Authority determines on the basis of objective facts, supported by written statements, that a pet owner has violated a rule governing the owning or keeping of pets, the Housing Authority shall deliver to the resident a written notice of pet rule violation. Such written notice shall:

- A. Contain a brief statement of the factual basis for the determination and the pet rule or rules alleged to be violated;
- B. State that the pet owner has ten (10) days from the effective date of service of the notice to correct the violation (including, in appropriate circumstances, removal of the pet) or make a written request for a meeting to discuss the violation;
- C. State that the pet owner is entitled to be accompanied by another person of his or her choice at the meeting; and
- D. State that the pet owner's failure to correct the violation, to request a meeting, or to appear at a requested meeting may result in initiation of procedures to terminate the pet owner's tenancy.

18.7 PET RULE VIOLATION MEETING

If the pet owner makes a timely request for a meeting to discuss an alleged pet rule violation, the Housing Authority shall establish a mutually agreeable time and place for the meeting but no later than 15 days from the effective date of service of the notice.

At the pet rule violation meeting, the pet owner and Housing Authority shall discuss any alleged pet rule violation and attempt to correct it. The Housing Authority may, as a result of the meeting, give the pet owner additional time to correct the violation.

18.8 NOTICE OF PET REMOVAL

If both parties are unable to resolve the pet rule violation at the pet rule violation meeting, or if the Housing Authority determines that the pet owner has failed to correct the pet rule violation within any additional time provided for this purpose as described above in this section, the Housing Authority may serve a written notice on the pet owner in accordance with this section, or at the pet rule violation meeting, if appropriate, requiring the pet owner to remove the pet. The notice must:

- A. Contain a brief statement of the factual basis for the determination and the pet rule or rules that have been violated;
- B. State that the pet owner must remove the pet within 10 days of the effective date of service of the notice of pet removal (or the meeting, if notice is served at the meeting); and
- C. State that failure to remove the pet may result in initiation of procedures to terminate the pet owner's tenancy.

18.9 PROCEDURES TO REMOVE A PET OR TERMINATE TENANCY

The Authority may not initiate procedures to terminate a pet owner's tenancy based on a pet rule violation, unless:

- A. The pet owner has failed to remove the pet or correct a pet rule violation within the applicable time period specified in this section, including any additional time permitted by the owner; and
- B. The pet rule violation is sufficient to begin procedures to terminate the pet owner's tenancy under the terms of the lease and applicable regulations.

The Housing Authority as owner may initiate procedures to remove a pet at any time, in accordance with the provisions of applicable State or local law.

18.10 SPECIAL RULES FOR HEALTH THREATS AND RESIDENT MOVES

A. General

HACC will not permit the presence of a common household pet to constitute a serious threat to the health of a resident or prospective resident, or any member of his or her family. For purposes of this section, a common household pet will constitute a serious threat to the health of an individual only if the individual (or his/her parent or guardian) has filed with HACC a certificate signed by a licensed physician indicating that exposure to the pet will cause an allergic reaction that will constitute such a threat to

the individual. The certificate must describe the type of exposure (such as direct contact or presence in the same room, elevator, or common area), duration of exposure, the types or groups of animals (such as longhaired, fur-bearing animals), and any other information relevant to ascertaining the nature and extend of the circumstances that will cause such a reaction.

HACC must take reasonable measures to ensure that the presence of a pet does not constitute such a threat. These measures may include designating buildings, floors of buildings, or sections of buildings as no-pet areas and may include (as required by this part or otherwise appropriate to the circumstances) steps such as requiring residents to move to suitable alternative dwelling units within the development restricting the presence of the pet or types of pets in hallways, elevators and common areas.

B. Applicants for Residency

HACC shall refuse to admit an applicant for residents if the applicant will keep a common household pet in the dwelling unit and the presence of the pet will cause a serious threat to the health of a resident (or member of a resident's family). HACC may not refuse to admit the applicant if the applicant agrees not to keep the pet in the unit.

An applicant for residents in a development may reject a unit offered by HACC if an existing resident of the development owns or keeps a common household pet in his/her dwelling unit and the presence of the pet will constitute a serious threat to the health of the applicant (or a member of the applicant's family). An applicant's rejection of a under this paragraph, shall not adversely affect his/her application for residency in the development, including, but not limited to, his/her position on the waiting list or qualification for any resident selection preference.

18.11 ACQUISITION OF PETS BY EXISTING RESIDENTS

If, after reviewing the registration information, HACC determines that an existing resident of the development intends to own or keep a common household pet in the dwelling unit and the pet will constitute a serious threat to the health of another resident or member of that resident's family, HACC shall refuse to register the pet.

18.12 NUISANCES OR THREAT TO HEALTH OR SAFETY OF RESIDENTS

HACC or an appropriate community authority shall not be prohibited from removing any pet from the developments if the pet's conduct or condition is duly determined to constitute, under the provisions of State and local law, a nuisance or a threat to the health or safety of the occupants of the

development or other persons in the community where the development is located.

18.13 EMERGENCIES

If a pet becomes vicious, displays symptoms of severe illness or demonstrates other behavior that constitutes an immediate threat to health or safety of the residents as a whole, HACC may request the pet owner to immediately remove the pet from the housing development.

If the pet owner refuses to remove the pet or if HACC is unable to contact the pet owner, HACC may contact the appropriate State or local authority, or designated agent of such an authority, to have the pet immediately removed from the development.

If the health or safety of a pet is threatened by the death or incapacity of the pet owner, or by other factors that either the pet owner unable to care for the pet, HACC may contact the responsible party listed in the pet registration.

If HACC has made a reasonable attempt to contact the responsible party, but the party is either unwilling or unable to care for the pet, HACC may contact the appropriate State or local authority or designated agent of such an authority, to removed a pet under these circumstances.

19.0 REPAYMENT AGREEMENTS

When a resident owes the HACC back charges and is unable to pay the balance by the due date, the resident may request that the HACC allow them to enter into a Repayment Agreement. HACC has the sole discretion of whether to accept such an agreement. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

Payment Plan payments for damages that are above normal wear and tear are calculated as follows:

<u>Amount of Debt</u>	<u>Payment Due</u>	<u>Payment Ranges</u>	
\$ 1.00 - \$ 20.00	All		
21.00 - 50.00	1/3 of chg/mo.	Min. \$11.00	\$11 - \$20
51.00 - 100.00	1/5 of chg/mo.	Min. \$11.00	\$11 - \$20
101.00 - 150.00	1/8 of chg/mo.	Min. \$13.00	\$13 - \$19
151.00 - 200.00	1/10 of chg/mo.	Min. \$15.00	\$15 - \$20
201.00 – Up	1/12 of chg/mo.	Min. \$17.00	\$17 - ???

Note: HACC allows for repayment agreements for those residents whose rental amount is the minimum rent and who have had their rent abated for a temporary period.

20.0 TERMINATION

20.1 TERMINATION BY TENANT

The tenant may terminate the lease at any time upon submitting a 30-day written notice. If the tenant vacates prior to the end of the thirty (30) days, they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.

20.2 TERMINATION BY THE HOUSING AUTHORITY

No resident's lease shall be terminated except in compliance with HUD regulations and the lease terms. The Housing Authority will not renew the lease of any family that is not in compliance with the Community Service Requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.

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

- A. Nonpayment of rent or unpaid balances or other charges;
- B. A history of repeated late rental payments, which shall be defined as failure to pay the amount of rent or other charges due by the 7th of the month. Four such late payments within a 12-month period shall constitute a repeated late payment.
- C. To pay promptly any utility bills for utilities supplied to Resident by a direct connection to the utility company, and to avoid disconnection of utility service for such utilities.
- D. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information needed to process annual re-examinations or interim re-determinations;
- E. Failure to sign release of information forms, leases, HUD forms and other required documents for continued occupancy;
- F. Failure to allow inspection of the unit;
- G. Failure to allow extermination procedure;
- H. Failure to maintain the unit in a decent, safe and sanitary manner;
- I. Assignment or subletting of the premises;

- J. Use of the premises for purposes other than as a dwelling unit (other than for Housing Authority approved resident businesses);
- K. Destruction of property;
- L. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- M. Any criminal activity on the property or drug-related criminal activity on or off the premises. This includes but is not limited to the manufacture of metamphetamine on the premises of the Housing Authority;
- N. Weapons or illegal drugs seized in a HACC unit by a law enforcement officer
- O. Any fire on HACC premises caused by the resident, occupants, guests, resident's "family members" and any other persons "related to" or "affiliated with" the resident actions or neglect.
- P. Non-compliance with Non-Citizen Rule requirements;
- Q. Permitting unauthorized persons not on the lease to reside in the unit;
- R. Discovery after admission of facts that made the resident ineligible;
- S. Discovery of material false statements of fraud by the resident with connection with an application for assistance or with reexamination of income;
- T. Failure to accept the Housing Authority's offer of a lease revision to an existing lease; and
- U. Failure to comply with the Community Service Requirement
- V. Other good cause.

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

HACC shall give written notice of the proposed termination of the Lease of:

- 4. 14 days in the case of failure to pay rent;

5. A reasonable time, but not to exceed 30 days, considering the seriousness of the situation when the health or safety of other residents or HACC staff is threatened
6. 30 days in any other case;

20.3 NOTICE REQUIREMENTS

- 20.3.1 No resident shall be given a Notice of Lease Termination without being told by the Housing Authority in writing the reason for the termination.
- 20.3.2 The resident must also be informed of his/her right to request a hearing in accordance with the Grievance Procedure, and be given the opportunity to make such a reply as he/she may wish.
- 20.3.3 Lease terminations for certain actions are not eligible for the Grievance Procedure, specifically: any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or Housing Authority employees; and any drug-related criminal activity.
- 20.3.4 Notices of lease termination may be served personally, posted on the apartment door or sent by first class mail or certified mail.
- 20.3.5 Notice shall include a statement describing right of any resident with a disability to meet with the Housing Authority and determine whether a reasonable accommodation could eliminate the need for the lease termination.

20.4 RECORDKEEPING REQUIREMENTS

A written record of every termination and/or eviction shall be maintained by the Housing Authority, and shall contain the following information:

- A. Name of resident, race and ethnicity, number and identification of unit occupied;
- B. Date of the Notice of Lease Termination and any other state or local notices required, which may be on the same form and run concurrently;
- C. Specific reason(s) for the Notice(s), with section of the lease violated, and other facts pertinent to the issuing of the Notice(s) described in detail;
- D. Date and method of notifying resident; and
- E. Summaries of any conferences held with resident including dates, names of conference participants and conclusions.

20.5 ABANDONMENT

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

When the Housing Authority has reason to believe that the unit has been abandoned, two notices will be posted upon the unit in conspicuous locations stating that the Housing Authority intends to regain possession of the unit after a 30 day period from the date of the posting. In order to protect the Housing Authority property and surrounding structures, the locks to the abandoned unit will be changed and the property secured as needed at the time of posting.

At the time of posting, a letter will be mailed to the last known address provided by the resident stating that the unit has been declared abandoned and the resident is to contact the Housing Authority in order to reenter the unit and to retrieve any remaining property. The letter will contain information as to how the resident can retrieve the property and the deadline by which to do so.

When the thirty (30) days has expired a Housing Authority representative may enter the unit and remove, dispose and sell any abandoned property.

Any money raised by the sale of the property goes to cover money owed by the family to the Housing Authority such as back rent and the cost of storing and selling the goods. If there is any money left over and the family's forwarding address is known, the Housing Authority will mail it to the family. If the family's address is not known, the Housing Authority will keep it for the resident for one year. If it is not claimed within that time, it belongs to the Housing Authority.

20.6 RETURN OF SECURITY DEPOSIT

After a family moves out, the Housing Authority will return the security deposit within forty-five (45) days in accordance with State law or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

In accordance with Maryland State law, the Housing Authority will pay interest on security deposits at a rate of 4% annually.

The Housing Authority will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within forty-five (45) days.

21.0 GRIEVANCE PROCEDURE

21.1 DEFINITIONS APPLICABLE TO THE GRIEVANCE PROCEDURE (§966.53)

- 21.1.1 Grievance: Any dispute a Resident may have with respect to Housing Authority action or failure to act in accordance with the individual Resident's lease or Housing Authority regulations that adversely affects the individual Resident's rights, duties, welfare or status.
- 21.1.2 Complainant: Any Resident (as defined below) whose grievance is presented to the Housing Authority (at the central office or the development office) in accordance with the requirements presented in this procedure.
- 21.1.3 Elements of due process: An eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required:
- A. Adequate notice to the Resident of the grounds for terminating the tenancy and for eviction;
 - B. Right of the Resident to be represented by counsel;
 - C. Opportunity for the Resident to refute the evidence presented by the Housing Authority, including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the Resident may have; and
 - D. A decision on the merits of the case.
- 21.1.4 Hearing Officer: A person selected in accordance with **24 CFR § 966.550** and this procedure to hear grievances and render a decision with respect thereto.
- 21.1.5 Hearing Panel: A three member panel selected in accordance with **24 CFR § 966.55** and this procedure to hear grievances and render a decision with respect thereto.
- 21.1.6 Resident: The adult person (or persons other than a Live-in aide):
- A. Who resides in the unit, and who executed the lease with the

Housing Authority as lessee of the dwelling unit, or, if no such person now resides in the unit,

- B. Who resides in the unit, and who is the remaining head of the household of the Resident family residing in the dwelling unit.

21.1.7 Resident Organization: An organization of residents, which also may include a resident management corporation.

21.1.8 Guests: A person in the leased unit with the consent of a household member.

21.2 APPLICABILITY OF THIS GRIEVANCE PROCEDURE (966.51)

21.2.1 In accordance with the applicable Federal regulations (**24 CFR § 966.50**) this grievance procedure shall be applicable to all individual grievances (as defined in Section I above) between Resident and the Housing Authority with the following two exceptions:

- A. Because HUD has issued a due process determination that the law of the State that requires that a Resident be given the opportunity for a hearing in court which provides the basic elements of due process (as defined above) before eviction from the dwelling unit, the grievance procedure shall not be applicable to any termination of tenancy or eviction that involves:

- (1) Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of the Housing Authority;
- (2) Any violent or drug-related criminal activity on or off such premises;
- (3) Any criminal activity that resulted in felony conviction of a household member [**966.51 (2)(i) (A) (B) and C**]; or
- (4) Disputes between residents not involving the HAAC or to class grievances.

21.2.2 The Housing Authority grievance procedure shall not be applicable to disputes between Residents not involving the Housing Authority or to class grievances. The grievance procedure is not intended as a forum for initiating or negotiating policy changes between a group or groups of Residents and the Housing Authority's Board of Commissioners. [**966.51 (b)**]

21.2.3 This grievance procedure is incorporated by reference in all Resident dwelling leases and will be furnished to each Resident and all resident organizations. **[966.52 (b) and (d)]**

21.2.4 Any changes proposed in this grievance procedure must provide for at least 30 days notice to Residents and Resident Organizations, setting forth the proposed changes and providing an opportunity to present written comments. Comments submitted shall be considered by the Housing Authority before any revisions are made to the grievance procedure. **[966.52 (c)]**

21.3 INFORMAL SETTLEMENT OF A GRIEVANCE [966.54]

Any grievance must be personally presented, either orally or in writing, to the Housing Authority's central office or the management office of the development in which the complainant resides **within ten days after the grievable event.**

Grievances related to complaints about operational matters that are received by the Housing Authority's central office will be referred to the person responsible for the management of the development in which the complainant resides. Grievances involving complaints related to discrimination, harassment, or disability rights will be referred to the Civil Rights Administrator or Director of Operations.

As soon as the grievance is received, the management office will review it of the development or the Civil Rights Administrator (if applicable) to be certain that neither of the exclusions in paragraphs 21.2.1 or 21.2.2 above applies to the grievance. Should one of the exclusions apply, the complainant will be notified in writing that the matter raised is not subject to the Housing Authority's grievance procedure, with the reason therefore.

If neither of the exclusions cited above apply, the complainant will be contacted to arrange a mutually convenient time within ten working days to meet so the grievance may be discussed informally and settled without a hearing. At the informal hearing the complainant will present the grievance and the person in charge of the management office or the Civil Rights Administrator will attempt to settle the grievance to the satisfaction of both parties.

Within five working days following the informal discussion, the Housing Authority shall prepare and either hand deliver or mail to Resident a summary of the discussion that must specify the names of the participants, the dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore, and shall specify the

procedures by which a formal hearing under this procedure may be obtained if the complainant is not satisfied. A copy of this summary shall also be placed in Resident's file. A receipt signed by the complainant or a return receipt for delivery of certified mail, whether or not signed, will be sufficient proof of time of delivery for the summary of the informal discussion. **[966.55 (a)]**

21.4 FORMAL GRIEVANCE HEARING

21.4.1 If the complainant is dissatisfied with the settlement arrived at in the informal hearing, the complainant must submit a written request for a hearing to the management office of the development where Resident resides no later than five working days after the summary of the informal hearing is received.

21.4.2 The written request shall specify:

- A. The reasons for the grievance;
- B. The action of relief sought from the Housing Authority; and
- C. Several dates and times in the following ten working days when the complainant can attend a grievance hearing.

21.4.3 If the complainant requests a hearing in a timely manner, the Housing Authority shall schedule a hearing on the grievance at the earliest time possible for the complainant, HAAC and the hearing officer or hearing panel, but in no case later than ten working days after the Housing Authority received the complainant's request.

21.4.4 If the complainant fails to request a hearing within five working days after receiving the summary of the informal hearing, the Housing Authority's decision rendered at the informal hearing becomes final and the Housing Authority is not obligated to offer the complainant a formal hearing unless the complainant can show good cause why he failed to proceed in accordance with this procedure. **[966.55 (c) and (d)]**

21.4.5 Failure to request a grievance hearing does not affect the complainant's right to contest the Housing Authority decision in a court hearing. **[966-54 (c)]**

**21.5 SELECTING THE HEARING OFFICER OR HEARING PANEL [966.55
(b)(2)(ii)]**

- 21.5.1 A grievance hearing shall be conducted by an impartial person or persons appointed by the Housing Authority after consultation with resident organizations, as described below:
- A. The Housing Authority shall nominate a slate of impartial persons to sit as hearing officers or hearing panel members.
 - B. Such persons may include Housing Authority Board members, Housing Authority staff members, residents, professional arbitrators, or others. The initial slate of nominees should be at least nine persons.
 - C. The Housing Authority will check with each nominee to determine whether there is an interest in serving as a hearing officer or panel member, whether the nominee feels fully capable of impartiality, whether the nominee can serve without compensation, and what limitations on the nominee's time would affect such service.
 - D. Nominees will be informed that they will be expected to disqualify themselves from hearing grievances that involve personal friends, other residents of developments in which they work or reside, or grievances in which they have some personal interest. Nominees who are not interested in serving as hearing officers or whose time is too limited to make service practical will be withdrawn and other names will be substituted.
- 21.5.2 A slate of potential hearing officers or hearing panel members nominated by the Housing Authority shall be submitted to the Housing Authority's Resident Organizations. Written comments from the organizations shall be considered by the Housing Authority before the nominees are appointed as hearing officers or panel members.
- 21.5.3 When the comments from Resident Organizations have been received and considered, the nominees will be informed that they are the Housing Authority's official grievance hearing committee.

The Housing Authority will subsequently contact committee members in random order to request their participation as hearing panel members or hearing officers.

21.6 ESCROW DEPOSIT REQUIRED FOR A HEARING INVOLVING RENT [966.55 (e)]

Before a hearing is scheduled in any grievance involving the amount of rent which the Housing Authority claims is due under this lease, the complainant shall pay to the Housing Authority an amount equal to the rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The complainant shall, thereafter, deposit the same amount of the monthly rent in an escrow account monthly until the complaint is resolved by decision of the hearing officer or hearing panel.

The Housing Authority will not waive this requirement unless the complainant is paying minimum rent and the grievance is based on a request for a hardship exemption or the Resident's welfare benefits have been reduced for welfare fraud or failure to comply with economic self-sufficiency requirements. **In these cases only**, rent need not be escrowed.

21.7 SCHEDULING HEARINGS [966.55 (f)]

When a complainant submits a timely request for a grievance hearing, the Housing Authority will immediately contact all members of the hearing committee to schedule the hearing within the following ten working days on one of the dates and times indicated by the complainant. The hearing shall be scheduled on the first date that most members can attend. The complainant will be so notified.

If two of the panel members can meet on a date convenient for the complainant, the Housing Authority will approach another member of the hearing committee to find a third member to complete the panel.

If only one member of the hearing committee can meet on a date named by the complainant, that single committee member shall serve as the hearing officer. Once the hearing panel or hearing officer have agreed upon the hearing date and time, the complainant, the manager of the development in which the complainant resides, and hearing panel members or officer shall be notified in writing. Notice to the complainant shall be in writing, either personally delivered to complainant or sent by mail, return receipt requested. The written notice will specify the time, place and procedures governing the hearing.

21.8 PROCEDURES GOVERNING THE HEARING [966.56]

- 21.8.1 The hearing shall be held before a hearing panel or hearing officer as described above in Section 21.7. The complainant shall be afforded a fair hearing, which shall include:
- A. The opportunity to examine before the hearing any Housing Authority documents, including records and regulations that are directly relevant to the hearing. The Resident shall be allowed to copy any such document at the Resident's expense. If the Housing Authority does not make the document available for examination upon request by the complainant, the Housing Authority may not rely on such document at the grievance hearing.
 - B. The right to be represented by counsel or other person chosen as the Resident's representative and to have such person makes statements on the Resident's behalf.
 - C. The right to a private hearing unless the complainant requests a public hearing. The right to present evidence and arguments in support of the Resident's complaint to controvert evidence relied on by the Housing Authority or project management, and to confront and cross examine all witnesses upon whose testimony or information the Housing Authority or project management relies. It is recognized that HACC has no legal authority to subpoena witnesses and therefore the hearing panel will determine the credibility of any information supplied to HACC by witnesses that cannot or will not attend the hearing; and
 - D. A decision based solely and exclusively upon the facts presented at the hearing. **[966-56 (b)]**
- 21.8.2 The hearing panel or officer may render a decision without proceeding with the hearing if they determine that the issue has been previously decided in another proceeding. **[966-56 (c)]**
- 21.8.3 At the hearing, the complainant must first make a showing of an entitlement to the relief sought and, thereafter, the Housing Authority must sustain the burden of justifying the Housing Authority action or failure to act against which the complaint is directed. **[966.56 (e)]**
- 21.8.4 The hearing shall be conducted informally by the hearing panel or officer. Oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to

admissibility under the rules of evidence applicable to judicial proceedings. **[966.56 (f)]**

21.8.5 The hearing panel or officer shall require the Housing Authority, the complainant, counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the hearing panel or officer to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate. **[966.56 (f)]**

21.8.6 The complainant or the Housing Authority may arrange in advance, at expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript. **[966.56 (g)]**

21.8.7 The Housing Authority must provide reasonable accommodations for persons with disabilities to participate in the hearing. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants. If the resident is visually impaired, any notice to the resident is required to be in an accessible format. **[966.56 (h)]**

21.8.8 If a hearing panel member or officer fails to disqualify himself/herself as required in Section 21.5.1 D, the Housing Authority will remove the panel member or officer from the hearing committee, invalidate the results of the hearing and schedule a new hearing with a new hearing panel or officer.

21.9 FAILURE TO APPEAR AT THE HEARING

If the complainant or the Housing Authority fails to appear at the scheduled hearing, the hearing panel or officer may make a determination to postpone the hearing for not to exceed five business days, or may make a determination that the party has waived their right to a hearing. **[966.56 (d)]**

Both the complainant and the Housing Authority shall be notified of the determination by the hearing panel or officer; provided, that a determination that the complainant has waived his right to a hearing shall not constitute a waiver of any right the complainant may have to contest the Housing Authority's disposition of the grievance in court. **[966.56 (d)]**

21.10 DECISION OF THE HEARING PANEL OR OFFICER [966.57]

- 21.10.1 The hearing panel or officer shall prepare a written decision, together with the reasons for the decision within ten working days after the hearing. A copy of the decision shall be sent to the complainant and the Housing Authority.
- 21.10.2 The Housing Authority shall retain a copy of the decision in the Resident's folder. A copy of the decision with all names and identifying references deleted, shall also be maintained on file by the Housing Authority and made available for inspection by a prospective complainant, his representative, or the hearing panel or officer.
- 21.10.3 The decision of the hearing panel or officer shall be binding on the Housing Authority, which shall take all actions, or refrain from any actions, necessary to carry out the decision unless the Housing Authority's Board of Commissioners determines within ten working days, and promptly notifies the complainant of its determination that:
- A. The grievance does not concern Housing Authority action or failure to act in accordance with or involving the complainant's lease or Housing Authority regulations, which adversely affect the complainant's rights, duties, welfare or status.
 - B. The decision of the hearing panel or officer is contrary to applicable Federal, State or local law, HUD regulations, or requirements of the annual contributions contract between HUD and the Housing Authority of Allegany County.
 - C. A decision by the hearing panel or officer or Board of Commissioners in favor of the Housing Authority or which denies the relief requested by the complainant in whole or in part shall not constitute a waiver of, nor affect in any way, the rights of the complainant to a trial or judicial review in any court proceedings which may be brought in the matter later. **[966.57]**

GLOSSARY

50058 Form: The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the Housing Authority, for interim reexaminations.

1937 Housing Act: The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.611)

Adult: A household member who is 18 years or older or who is the head of the household, or spouse, or co-head.

Allowances: Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, and medical expenses for elderly families, disability expenses, and childcare expenses for children under 13 years of age. Other allowance can be given at the discretion of the Housing Authority.

Annual Contributions Contract (ACC): The written contract between HUD and a Housing Authority under which HUD agrees to provide funding for a program under the 1937 Act, and the HOUSING AUTHORITY OF ALLEGANY COUNTY agrees to comply with HUD requirements for the program. (24 CFR 5.403)

Applicant (applicant family): A person or family that has applied for admission to a program but is not yet a participant in the program. (24 CFR 5.403)

As-Paid States: States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs. Currently, the four as-paid States are New Hampshire, New York, Oregon, and Vermont.

Assets: The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

Asset Income: Income received from assets held by family members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

Certification: The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

Child: For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

Citizen: A citizen or national of the United States. (24 CFR 5.504(b))

Consent Form: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

Decent, Safe, and Sanitary: Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

Department: The Department of Housing and Urban Development. (24 CFR 5.100)

Dependent: A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student. (24 CFR 5.603(d))

Disability Assistance Expenses: Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source. (24 CFR 5.603(d))

Disability Assistance Expense Allowance: In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

Disabled Family: A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities.")

Disabled Person: See "person with disabilities."

Displaced Family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

Displaced Person: A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. *[1937 Act]*

Drug-Related Criminal Activity: Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

Elderly Family: A family whose head, spouse, or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides. (24 CFR 5.403)

Elderly Person: A person who is at least 62 years of age. (1937 Housing Act)

Extremely low-income families: Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Fair Housing Act: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24 CFR 5.100)

Family includes but is not limited to:

- A. A family with or without children;
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a tenant family; and
- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24 CFR 5.403)

Family Members: All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

Family Self-Sufficiency Program (FSS Program): The program established by a Housing Authority to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.103(b))

Flat Rent: A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The flat rent is established by the Housing Authority set at the lesser of the market value for the unit or the cost to operate the unit. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

Formula Method: A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the formula method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

Head of Household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

Household Members: All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

Housing Assistance Plan: A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

Imputed Income: For households with net family assets of more than \$5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

In-Kind Payments: Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g., groceries provided on a weekly basis, baby sitting provided on a regular basis).

Interim (examination): A reexamination of a family income, expenses, and household composition conducted between the regular annual re-certifications when a change in a household's circumstances warrants such a reexamination.

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

- A. Is determined to be essential to the care and well-being of the persons;
- B. Is not obligated for the support of the persons; and

- C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))

Low-Income Families: Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937Act)

Mixed Family: A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status. (24 CFR 5.504(b))

Monthly Adjusted Income: One twelfth of adjusted income. (24 CFR 5.603(d))

Monthly Income: One twelfth of annual income. (24 CFR 5.603(d))

National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession. (24 CFR 5.504(b))

Near-Elderly Family: A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides. (24 CFR 5.403(b))

Net Family Assets:

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or 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 tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

Non-Citizen: A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b))

Occupancy Standards: The standards that a Housing Authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

Person with Disabilities: A person who:

- A. Has a disability as defined in Section 223 of the Social Security Act, which states:

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months, or

In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."

- B. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:

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

- C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

1. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;
4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (e) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and
5. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

Pro-ration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR5.520)

Public Housing Agency (HOUSING AUTHORITY OF The City of Cumberland, Maryland): Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

Re-certification: The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

Self-Declaration: A type of verification statement by the tenant as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

Shelter Allowance: That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

Single Person: Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a tenant family. (Public Housing: Handbook 7465.1 REV-2, 3-5)

State Wage Information Collection Agency (SWICA): The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

Temporary Assistance to Needy Families (TANF): The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

Tenant: The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b))

Tenant Rent: The amount payable monthly by the family as rent to the Housing Authority. Where all utilities (except telephone) and other essential housing services are supplied by the Housing Authority or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the Housing Authority and the cost thereof is not included in the amount paid as rent, tenant rent equals total tenant payment less the utility allowance. (24 CFR 5.603(d))

Third Party (verification): Written or oral confirmation of a family's income, expenses, or household composition provided by a source outside the household.

Total Tenant Payment (TTP):

- A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:
 - 1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act, which is the higher of :
 - a. 30% of the family's monthly adjusted income;
 - b. 10% of the family's monthly income; or
 - c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a)(1) shall be the amount resulting from one application of the percentage.

2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.
- B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total tenant payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

Utility Allowance: If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a Housing Authority of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. (24 CFR 5.603)

Utility Reimbursement: 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. (24 CFR 5.603)

Very Low-Income Families: Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State or local governments. (24 CFR 5.603(d))

Welfare Rent: In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

ACRONYMS

ACC	Annual Contributions Contract
CFR	Code of Federal Regulations
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
HAAC	Housing Authority of the City of Cumberland (Public Housing Agency)
QHWR	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment