

PHA Plans

Streamlined 5-Year/Annual Version

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

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

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

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Streamlined 5-Year Plan for Fiscal Years 2005 - 2009

Streamlined Annual Plan for Fiscal Year 2005

HOUSING AUTHORITY OF THE CITY OF LINCOLN, NEBRASKA

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

Streamlined Five-Year PHA Plan Agency Identification

PHA Name: Housing Authority of the City of Lincoln, Nebraska **PHA Number:** NE002

PHA Fiscal Year Beginning: 04/2005

PHA Programs Administered:

- Public Housing and Section 8**
 Section 8 Only
 Public Housing Only
 Number of public housing units:
 Number of S8 units:
 Number of public housing units:
 Number of S8 units:

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

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

Public Access to Information

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

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

Display Locations For PHA Plans and Supporting Documents

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

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

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

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

Streamlined Five-Year PHA Plan PHA FISCAL YEARS 2005 - 2009 [24 CFR Part 903.12]

A. Mission

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

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

It is the mission of the Lincoln Housing Authority to provide safe, sanitary and decent housing to qualifying families currently undergoing financial stress in a manner which affords applicants and tenants dignity and minimal intrusion, within the limits of prudent fiscal management.

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 1: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - Acquire or build units or developments
 - Other (list below)
 - ✓ *Maximize existing federal dollars to assist the maximum number of Section 8 households as allowed by allocated federal funds.*
 - ✓ *Maximize use of existing Low Rent Public Housing units by maintaining a 98% lease-up rate.*
 - ✓ *Through the use of the Lincoln Housing Authority's non-profit affiliates, leverage private and public funds to create additional quality housing opportunities.*
 - ✓ *Provide additional housing opportunities for disabled families/individuals through the creation of a Section 8 project-based voucher RFP and program.*

PHA Goal 2: Improve the quality of assisted housing

Objectives:

- Improve public housing management: (PHAS score)
- Improve voucher management: (SEMAP score)
- Increase customer satisfaction:
- Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)
- Renovate or modernize public housing units:
- Demolish or dispose of obsolete public housing:
- Provide replacement public housing:
- Provide replacement vouchers:
- Other: (list below)
 - ✓ *Maintain Public Housing high performer status.*
 - ✓ *Achieve SEMAP score that ensures designation as high performer Section 8 program operation.*
 - ✓ *Maintain high quality of Section 8 units through enforcement of HUD Housing Quality Standards.*
 - ✓ *Update and implement annual and five-year public housing capital improvement programs for improvements to units.*
 - ✓ *Encourage mix of incomes in new low income tax credit developments.*

PHA Goal 3: Increase assisted housing choices

Objectives:

- Provide voucher mobility counseling:
- Conduct outreach efforts to potential voucher landlords
- Increase voucher payment standards
- Implement voucher homeownership program:
- Implement public housing or other homeownership programs:
- Implement public housing site-based waiting lists:
- Convert public housing to vouchers:
- Other: (list below)
 - ✓ *Conduct outreach efforts to encourage potential participation by landlords in the Section 8 Voucher program.*
 - ✓ *Monitor current effectiveness of voucher payment standards and adjust as needed.*

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

PHA Goal 4: Provide an improved living environment

Objectives:

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

- Other: (list below)
 - ✓ *Keep units drug free.*
 - ✓ *Encourage developers/landlords to provide for mixed income housing developments.*
 - ✓ *Ensure public housing units are maintained to high community standards and expectations.*
 - ✓ *Provide opportunities for LHA residents to participate in public/private programs offered by the Carol M. Yoakum Family Resource Center and other Lincoln Housing Authority facilities.*

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

- PHA Goal 5: Promote self-sufficiency and asset development of assisted households
Objectives:
 - Increase the number and percentage of employed persons in assisted families:
 - Provide or attract supportive services to improve assistance recipients' employability:
 - Provide or attract supportive services to increase independence for the elderly or families with disabilities.
 - Other: (list below)
 - ✓ *Seek to eliminate each family's barriers to seeking employment and educational betterment.*
 - ✓ *Collaborate with other social service agencies to ensure access to needed social/employment services to enrich recipients' opportunity for meaningful employment.*

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

- PHA Goal 6: Ensure equal opportunity and affirmatively further fair housing
Objectives:
 - Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
 - Other: (list below)

Other PHA Goals and Objectives: (list below)

Streamlined Annual PHA Plan PHA Fiscal Year 2005 [24 CFR Part 903.12(b)]

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

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

Executive Summary (optional)

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

The Fiscal Year 2005 Annual Plan is being prepared during a time of uncertainty for continued participation in the HUD Demonstration Moving To Work program. The Plan will be prepared as if the Lincoln Housing Authority will discontinue its participation in Lincoln's highly successful Moving To Work program. Should HUD allow a continuation of the program, we may need to revise the Plan.

An important issue, that does not show up in the Plan, is under-funding by HUD for the Section 8 Voucher program. Although Lincoln is authorized for 2,864 Section 8 Vouchers, HUD has only provided sufficient funds to allow LHA to lease 2,500 Vouchers at a payment standard which is 90% of the HUD-published Fair Market Rents. This will severely curtail the housing choices of Lincoln's lower-income voucher participants. Should rents rise during Fiscal Year 2005, participants may be unable to find units making the unusable vouchers worthless. Should the Lincoln Housing Authority have to raise voucher payment standards, the number of vouchers assisted will continue to drop, lengthening the waiting list.

It should be noted that Lincoln's population continues to experience steady growth. With population growth, the growth of lower-income households needing housing assistance will also continue to grow at a time when federal housing assistance to Lincoln is declining. The Lincoln Housing Authority, therefore, believes that more families within Lincoln will be or will become homeless putting a severe strain on local shelters and service providers.

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

A. Overall Needs Assessment

**Lincoln Needs Assessment
2005 Agency Plan**

Population Demographic Trends

In 2000, the city of Lincoln consisted of 225,442 persons. This reflects a 17% increase (or 33,470 persons) since 1990. Migration and a fairly aggressive annexation policy impacted this growth. Annexation resulted in a slight increase in the relative size of Lincoln of the County population.

TABLE 1: LINCOLN CITY AND LANCASTER COUNTY (1990-2000)

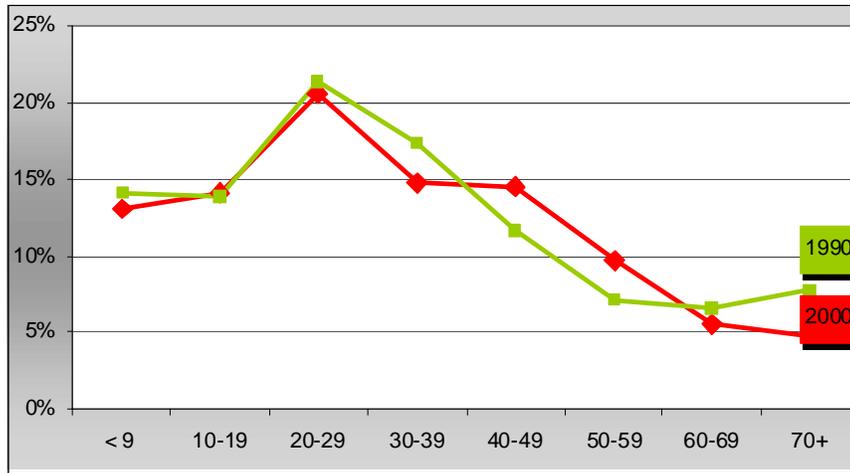
	<u>1990</u>	<u>2000</u>	<u>Change</u>	
Lincoln City	191,972	225,442	33,470	17.4%
Lancaster County	213,641	250,291	36,650	17.2%
City of County	89.9%	90.1%	91.3%	
Source: 1990, 2000 Census				GP&R, Inc.

Population Age Structure

The 2000 Lincoln population consists of a majority (71%) of persons in their working age (16 to 64 years old). The young and the old populations (under 16 years and over 64 years old) consist of 19% and 10%, respectively, of the population. The population growth during the past ten years was mostly a result of migration. It contributed to growth in the number of persons in two age groups: 5 to 24 years and 35-44 years old. Changes in fertility patterns among migrants resulted in growth among the young population under 5 years old (growth was in absolute numbers, but not in relative terms).

Changes in the age structure during the past ten years reflect aging of the ‘baby boomers’ (who were 36-54 years old in 2000), and a slight decrease (by 1%) in the relative size of the population under 5 years old and over 65 years old. However, the age structure that exhibits the relative size of age groups should not be misleading – both of the latter age groups experienced growth in absolute numbers (by 10% and 19%, respectively).

Lincoln City Age Structure (1990-2000)



Population Ethnic Composition

Lincoln’s population is predominantly White Caucasian (not Hispanic or Latino origin). This group consists of 197,951 persons (87.8% of the population). The rest of the population consists of 6,876 persons of African-American origin (3.1%), 6,866 persons of Asian origin (3.0%), and others. Diversification of the ethnic composition is probably among the most significant demographic changes that took place during the past decade. As specified in the table below, the growth rate among minority groups ranged from 55% (African-American) to 122% among ‘other’ category, which mostly refers to persons of Hispanic or Latino origin. The table presents a comparison between 1990 and 2000 ethnic composition. In reviewing the data, one should note that persons of Hispanic/Latino origin are included in two major ethnic groups: ‘Other’ (consists of 47% of Hispanic/Latino population) and White (38% of Hispanic). All other persons of Hispanic/Latino origin are distributed among other ethnic groups.

	1990	2000	1990-2000 Change		2000 Percent Hispanic
White	179,302	201,150	21,848	12.2%	1.6%
African American	4,439	6,876	2,437	24.9%	2.1%
American Indian	1,033	1,824	791	76.6%	8.6%
Asian/Hawaiian	3,261	6,866	3,605	110.5%	2.8%
Other Race	3,937	8,726	4,789	121.6%	93.5%
Total	191,972	225,442	33,470	17.4%	

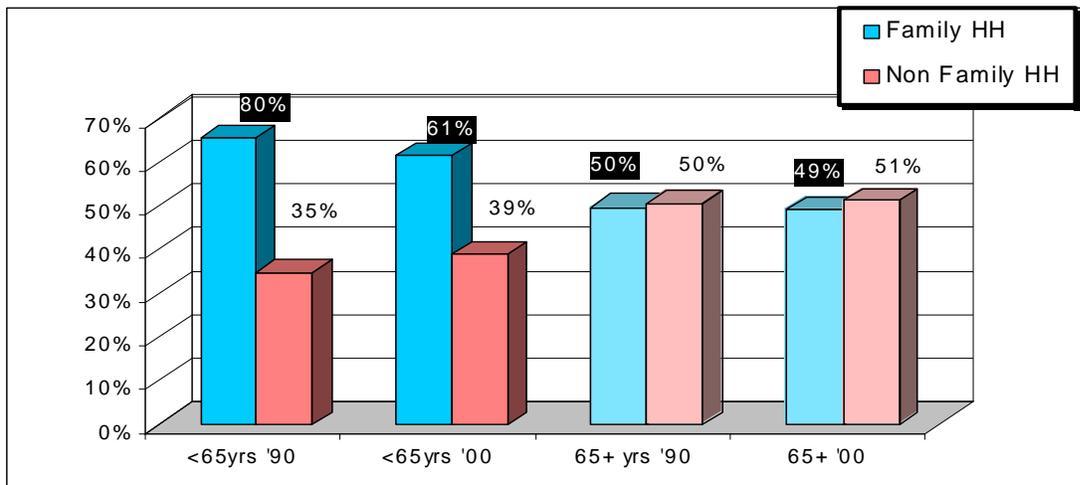
GP&R, Inc.

Households and Household Population

From 1990 to 2000, Lincoln gained 32,797 households (a 20% increase), reaching a total of 90,485 households. The number of persons living in households also increased, but at a slightly lower rate (18% growth rate). Consequently, the average household size decreased from 2.4 persons in 1990 to 2.36 persons in 2000.

Beyond this growth, the city experienced a significant change in the proportions between family and non-family households. The number of family households (59% of households) has gone up, but at a lower rate compared with non-family households. The result was an increase in the relative size of non-family households, especially among the non-elderly population. Indeed, the non-family households aged 0-64 years old gained 10,751 persons (a 36% increase), compared with a gain of 909 non-family elderly households (13% growth). The chart below illustrates the proportional sizes of family and non-family households among elderly and non-elderly households.

Household Composition By Age and Family Type (1990 & 2000)



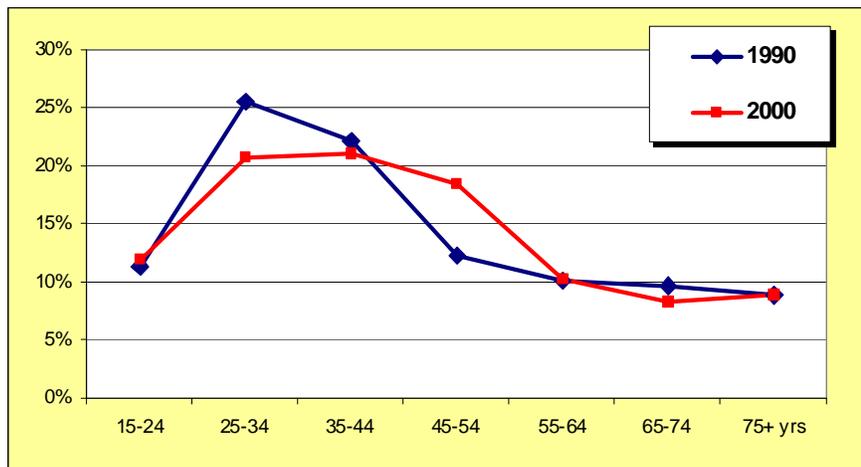
Typically in Nebraska, increase in non-family households resulted in a decrease in the overall average household size and an increase in the average size of the non-family households. In many communities, a decrease in fertility rate further resulted in a declining size of the average family size. Lincoln, however, deviates from this rule. Because a large number of minority households are families with a relatively high fertility rate, the average family (non-elderly) household in Lincoln has gone up during the past ten years. Additional characteristics that appear to be associated with minority households include an increase in the traditional (married) household type and in households consisting on relatives. The table on the following page summarizes the data relevant to households.

Lincoln Households (1990 & 2000)

	<u>1990</u>	<u>2000</u>	<u>Change</u>	
<u>Households Total</u>	75,230	90,485	15,255	20%
Family	46,963	53,580	6,617	14%
Non-Family	28,267	36,905	8,638	31%
<u>Population In Household</u>	181,141	213,938	32,797	18%
In Family Household	144,467	165,411	20,944	14%
In Non-family Households	36,674	48,421	11,747	32%
		40.8%		
<u>Household Size</u>	2.40	2.36	(0)	-1%
Family	3.08	3.09	0	0%
Non-Family	1.30	1.31	0	1%

The ten-year trend among households' age structure is consistent with the population age structure previously presented.

Household Age Structure (1990 & 2000)



Household Ethnic Structure

The vast majority of households (92.5%) are of White ethnic origin. Minorities (a total of 7.5%) consist of Black, Asian, and other mixed races, including households of Hispanic/Latino origin. This represents a change from 1990, when White Caucasian households consisted of 95.4% and minority households consisted of 4.6%. All ethnic groups experienced growth during the past ten years. Growth was especially felt among households of Asian origin (105.3% growth) and of Hispanic/Latino origin (320% growth).

Households by Ethnic Origin (2000)

	<u>Households</u>	<u>Percent</u>
White Alone	83,719	92.5%
Black/African American	2,181	2.4%
American Indian	495	0.5%
Asian Pacific, Hawaiian	1,971	2.2%
Other Race	2,119	2.3%
Total	90,485	100.0%
Source: 2000 Census (SF1 & SF3)		GP&R, Inc.

The 2000 household structure varies somewhat between ethnic groups. Generally, the most prevalent type of household is ‘family household – married couples’ category. This household type, however, is more prevalent among the White population. Non-family households living alone are also more prevalent among the White. However, minority populations have a high proportion (compared with White) of single-parent family households and non-family households that do not live alone. Analysis of different ethnic groups and census tracts shows that Hispanic origin and geographic location are major factors that distinguish between household structure of different ethnic groups.

Household Type (White vs. Minorities), (2000)

	<u>White</u>	<u>Minorities</u>
Married-couple family	47.6%	43.1%
Male householder, no wife present	3.1%	5.1%
Female householder, no husband present	8.7%	17.1%
Non-Family Householder living alone	30.9%	23.6%
Non-Family Householder not living alone	9.7%	11.0%
Total	100.0%	100.0%
Source: 2000 Census (SF1 & SF3)		GP&R, Inc.

Group Quarters

Excluded for the household population are about 11,504 persons living in group quarters. About 85% of persons in group quarters are of White Caucasian ethnic origin. Persons in group quarters fall into two major categories: students living in dormitories (61% of group quarters) and persons in correctional institutions (23%). The rest are in nursing homes (8.2%) and other non-institutions (including homeless).

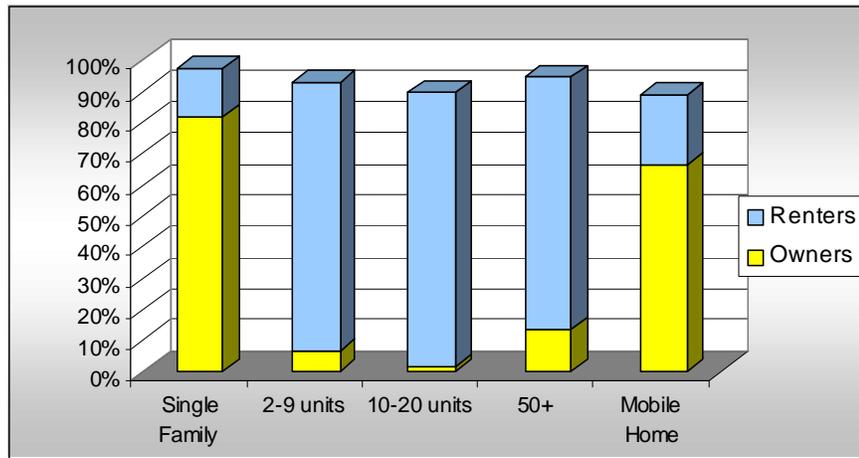
Housing Market and Tenure

In 2000, the housing stock consisted of 95,188 units. This represents a 20% increase (16,144 units) from 1990, which is slightly higher than the increase in households. Accordingly, the vacancy rate increased from 4.6% of the housing stock in 1990 to 5.0% in 2000.

About twenty percent of the housing stock was built in the past ten years. A similar spurt in construction (19% of the housing stock) took place in the 1970s, while construction in the 1980s, 1960s, and 1950s contribute about 11% (for each decade) of the housing stock. As expected, the construction during the 1940 was limited.

The housing stock consists of primarily single-family detached homes (63% of the housing stock). These homes (including mobile homes) are mostly occupied by their owners, as illustrated in the figure below and specified in the table following the figure.

Building Size and Tenure (2000)



Building Size and Tenure (2000)

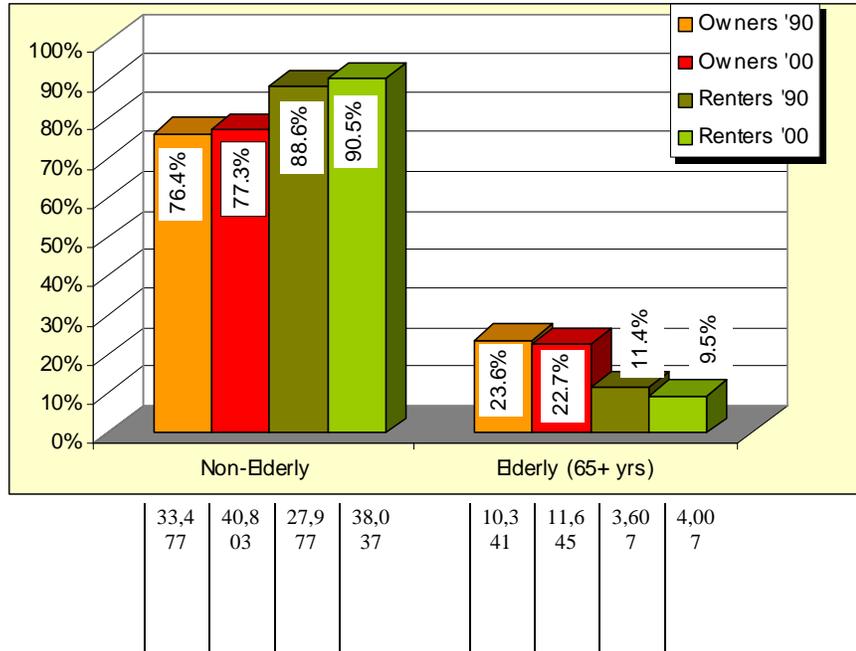
	Total Units		Occupied			Total
	Total	%	Total	Owners	Renters	
Single Family	60,082	63.1%	58,416	84%	16%	100%
2-9 Units	13,888	14.6%	12,916	7%	93%	100%
10-49 Units	14,788	15.5%	13,202	2%	98%	100%
50+ Units	4,094	4.3%	3,868	14%	86%	100%
Mobile Home	2,329	2.4%	2,076	75%	25%	100%
Boat, van, etc.	7	0.01%	7	100%	0%	100%
Total Units	95,188	100%	90,485			

Source: Census 2000 (SF3) GP&R, Inc.

Over half (57.9%) of the occupied units are owner occupied. In 2000, they consisted of 52,448 households. Renter households (42.1%) consisted of 38,037 households. Available information concerning building permits issued since the 2000 Census suggests that the 2000 owner/renter ratio has not changed. From 1990 to 2000, the number of both owner and renter occupied units increased by about 20%. The market gained 8,630 homeowners (19.7% growth rate) and 6,453 renters (20.4% growth rate).

Analysis of tenure structure among different age groups shows that renters are more likely to be under 65 years old (non-elderly) and elderly (65 years and older) are more likely to be homeowners. During the past decade, the proportion of non-elderly homeowners and renters increased compared with elderly homeowners and renters, as illustrated below. Further, Married-couples are more likely to be homeowners, although the number of homeowners who are single-parents or single-person household increased significantly since 1990 (especially among the non-elderly population).

Tenure Structure by Age (1990 & 2000)



33,4	40,8	27,9	38,0	10,3	11,6	3,60	4,00
77	03	77	37	41	45	7	7

Source: Census 1990 & 2000 (SF3)

Tenure and Ethnicity

Households of White ethnic origin (83,719 households) consist of the majority of homeowners and renters, although in 2000, their rate of renter households was low compared with homeowners (87.5% of renters vs. 95.8% of homeowners). Further, households of White ethnic origin tend to be homeowners (60% homeownership rate). Contrary to this ethnic group, all minority households have a significantly higher percentage of renter households. Households of Asian origin have the highest ownership among minority populations (about 40%, compared with 30% and less among all other minority ethnic groups).

Tenure Status by Ethnic Origin (2000)

			<u>Owners</u>	<u>Renters</u>	<u>Total</u>
White Alone	83,719	92.5%	60.2%	39.8%	100%
Black/African American	2,181	2.4%	23.3%	76.6%	100%
American Indian	495	0.5%	34.3%	65.7%	100%
Asian Pacific, Hawaiian	1,971	2.2%	40.1%	59.9%	100%
Other Race	2,119	2.3%	28.4%	71.6%	100%
Total	90,485	100.0%	<u>58.0%</u>	<u>42.0%</u>	<u>100%</u>

Source: 2000 Census (SF1 & SF2) GP&R, Inc.

Vacancies

The overall housing vacancy rate was at 5% (4,714 units) in year 2000. This represents an increase from 1990, when the vacancy rate was 4.6% (and 3,653 units). The majority of vacant units (57%) were available for rent, about 18% were for sale, and about 14% area available for occasional use. 10% of the units were vacant but are, to a certain extent, off the active market.

Vacancies (2000)

<u>Total:</u>	<u>Units</u>	<u>Percent</u>
For rent	2,706	57.4%
For sale only	857	18.2%
Rented or sold, not occupied	470	10.0%
For seasonal, recreational, or occasional use	283	6.0%
Other vacant	398	8.4%
For migrant workers	0	0.0%
Total	4,714	100.0%

Source: Census 2000 (SF3) GP&R, Inc.

Analysis of the 2000 vacancy pattern by unit type shows that vacancy rate is the lowest among the single-family units and is the highest among building with 10 to 50 units. A brief analysis of vacancies by census tract suggests that there is a positive correlation between vacancy rate, location, and building finance type. However, a more thorough analysis is required in order to establish this correlation.

Vacancies by Building Size (2000)

<u>Building Size</u>	<u>Units</u>	<u>Vacant Units</u>	
1, detached	54,483	1,433	2.6%
1, attached	5,599	230	4.1%
2	4,658	355	7.6%
3 or 4	3,564	272	7.6%
5 to 9	5,666	345	6.1%
10 to 19	7,822	889	11.4%
20 to 49	6,966	711	10.2%
50+	4,094	226	5.5%
Mobile Home	2,329	253	10.9%
Boat, RV, van, etc.	7	0	
<u>Total units</u>	<u>95,188</u>	<u>4,728</u>	<u>5.0%</u>

Source: Census 2000 (SF3) GP&R, Inc.

Affordable Housing Inventory

Based on an extensive count of 2000 rent-assisted housing units, the City's pool of affordable housing consists of 6,141 housing units. There are additional 300 units for persons with disabilities and about 2,200 elderly and disabled households that enjoy Homestead exemption.

Analysis of the rents indicate that about 2,150 units are available to household with income up to 30% of the Area Median Income (AMI), 2,970 units for household with income of 30%-50% of the AMI, and 1,021 units for households with income at 51%-80 of AMI.

Household Income

According to the Census, the Median Household Income (MHI) for 2000 was \$40,605 for the City as a whole. The MHI varies with age of householder. Households with a householder that is below 25 years old had a MHI of \$21,293. MHI increased with age, reaching a peak of \$57,749 at age 45-54 years, and decreased to \$27,422 for households with householders 75 years and older.

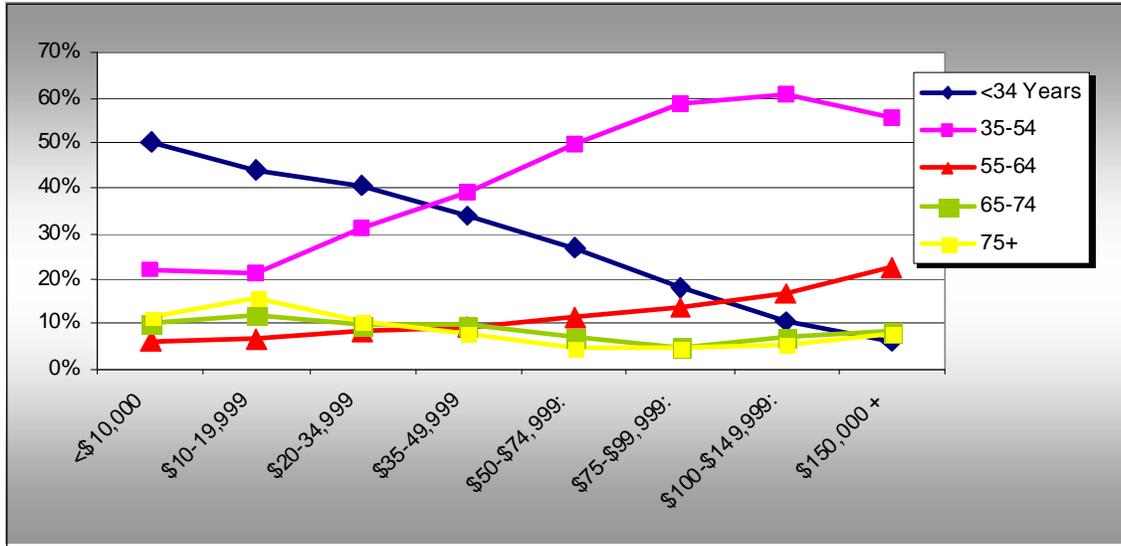
Median Household Income by Age (2000)

Total	\$ 40,605
Householder under 25 years	\$ 21,293
Householder 25 to 34 years	\$ 38,999
Householder 35 to 44 years	\$ 48,337
Householder 45 to 54 years	\$ 57,749
Householder 55 to 64 years	\$ 51,750
Householder 65 to 74 years	\$ 34,387
Householder 75 years and over	\$ 27,422

Source: Census 2000 (SF3) GP&R, Inc.

The chart below illustrates the income distribution among households of different age groups.

Income Distribution Among Households By Age (2000)



Source: 2000 Census (SF3)

Based on the MHI for the population as a whole, the Census data shows that, in 2000, a total of 32,474 households had income at 80% and below the Median Household Income. These households consist of 35.9% of the households. More specific analysis shows that the rate of elderly households of low to moderate incomes (also referred to as LMI) was high compared with non-elderly households (49% elderly vs. 33% non-elderly).

About twenty percent (or 19,103 households) of the total LMI households had income at or below \$20,303, which is about 50% of the Median Household Income. These households consisted of 14,232 non-elderly and 4,871 elderly households.

Household Income Distribution by Age (2000)

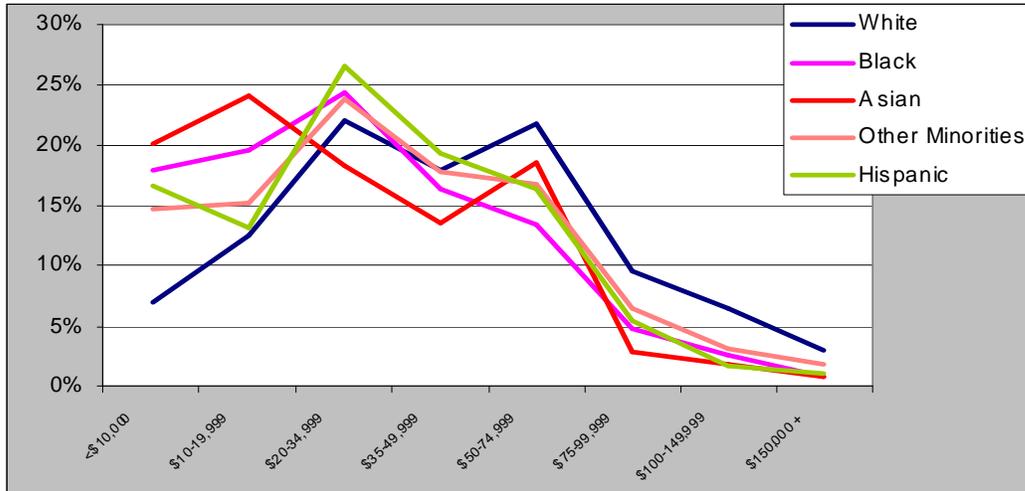
Income	TOTAL	NE<65	65+
<30% of HMI	9,467	7,225	2,242
30-50% of HMI	9,636	7,007	2,629
50-80% of HMI	13,371	10,580	2,791
Total Low/Moderate Income	32,474	24,812	7,662
Income \$100,000 and above	8,020	6,946	1,074
Percent of total Households	8.9%	9.3%	6.8%

Source: 2000 Census (SF3) GP&R, Inc.

Income Distribution and Ethnic Composition

Income is unevenly distributed among ethnic groups. The median income for households of White Caucasian only origin is in the range of \$40,000 to \$45,000. This median income is high by \$10,000 to \$25,000 compared with other ethnic groups. Specifically, the median income for groups of African American and Asian origin is \$20,000 to \$25,000, and the median income for groups of Hispanic/Latino origin and other ethnic groups is \$25,000 to \$30,000.

Income Distribution Among Households By Ethnic Origin (2000)



The uneven income distribution is manifested in the proportion of households with low and moderate incomes among the different ethnic groups. As presented below, nearly half of the minority households have low and moderate incomes, compared with about 35% among the White Caucasian households. Further, while minority households consist of 9% of the total population, minority households with low and moderate incomes consist of over 12% of the households with these incomes.

Household Income Distribution by Ethnic Origin (2000)

Income	Total	White Alone	Minorities	Hispanic	Black	Asian
<30% of Median	9,467	7,856	1,611	464	496	283
30-50% of Median	9,636	8,536	1,100	260	384	202
50-80% of Median	13,371	12,062	1,309	435	358	255
Total LMI households	32,474	28,453	4,020	1,159	1,238	740
% LMI of Total Households	35.9%	34.5%	49.4%	48.4%	53.8%	56.5%
% LMI of Total LMI	100%	87.6%	12.4%	3.6%	3.8%	2.3%
% Race of Total Households	100%	91.0%	9.0%	2.6%	2.5%	2.1%

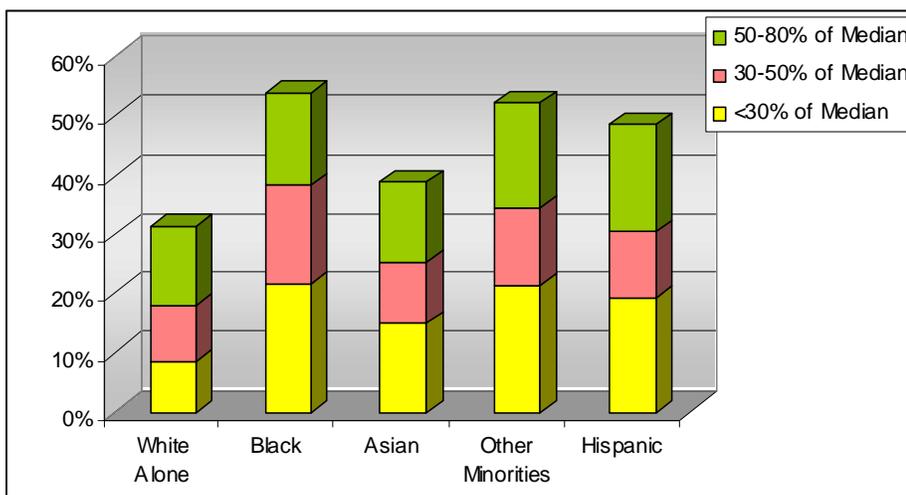
GP&R, Inc.

Source: 2000 Census (SF3)

Analysis of the differences between ethnic groups shows that the largest ethnic groups among the households with low and moderate incomes are of African America, Asian, and Hispanic/Latino origins.

The figure below illustrates the proportion of households with low and moderate incomes of the total household in each ethnic group. Note that only the latter three groups are specified. All other groups are included in the category 'other group'. As shown, there is a significant difference between the White Caucasian households and all minority households. The differences are apparent in the total number of households with low and moderate income as well as in the proportion of households with very low income (below 30% of the Area Median Income). Minority groups have a high proportion of households with very low income compared with the White Caucasian population. Although not shown here, the Census data suggests that ethnic groups also differ in the age of households with low and moderate incomes. On an average, minority households with low and moderate incomes tend to be about seven years younger than White Caucasian households with low and moderate incomes.

Households by Major Ethnic Origin and Income (2000)



Income Distribution and Tenure

Renter households are more likely to have households with low and moderate incomes, and these LMI households are more likely to experience housing cost overburden. The data presented below shows that about 22% (11,637 households) of homeowner households have low and moderate incomes. Of these households, 48.3% (or 4,928 households) experience housing cost overburden (their housing related expenses are above 30% of their income). Renter households consist of about 64% households with low and moderate incomes (22,276 households). Of these households, nearly 60% (13,129 households) experience cost overburden.

Household Tenure by Income and Cost Burden (2000)

Income Category	Owners		Renters		% Cost Burden of LMI	
	Total	Cost Burden	Total	Cost Burden	Owners	Renters
<30% of HMI	1,547	910	7,920	6,152	18.5%	46.9%
30-50% of HMI	2,807	1,343	6,829	4,722	27.3%	36.0%
50-80% of HMI	5,844	2,675	7,527	2,255	54.3%	17.2%
Total LMI	10,198	4,928	22,276	13,129	100%	100%
Total Households	52,448		38,037			

GP&R, Inc.

Source: 2000 Census (SF3)

Further analysis shows that the proportion of minority households of low and moderate incomes that experience cost overburden is higher than their proportion of the total population. The total of minority households who experience cost overburden (4,202 households) consists of 23.3% of all such households. This is significantly higher than the proportion of all minority households of the total population (7.5%).

Income Category	LMI Households	Total Minorities Households	Total Cost Overburden Households	Cost Overburden Minorities		
				Total	Homeowners	Renters
<30% of Median	9,467	1,611	7,062	1,154	149	1,005
30-50% of Median	9,636	1,100	6,065	1,052	107	944
50-80% of Median	13,371	1,309	4,930	944	268	677
	32,474	4,020	18,057	3,150	524	2,626

Source: Census 2000 (SF3) GP&R, Inc.

Housing Needs

Housing needs estimates are based on the cost overburden. Cost overburden information is based on Census 2000 (SF3). The assessment assumes that households enjoying homestead exemptions did not surface in the Census count as experiencing cost overburden. The assessment further assumes that all rent-assisted units are occupied by households with low to moderate incomes. Therefore, these households are not counted by the Census as experiencing cost overburden. Finally, since the Census data applies to year 2000, additional affordable units that were developed since April of 1999 were not counted for the needs assessment. This approach is consistent with the discussion thus far, which is based on 2000 Census.

As presented on the following page, Lincoln has a large number of households that experience housing cost overburden. These households consist of nearly 20% of the total population and over half (55.6%) of the populations with low and moderate incomes. Cost overburden is negatively correlated with income – the lower the household income the higher the number of households experiencing cost overburden. Cost overburden is further related to tenure status. As a rule, renter households are more likely to experience housing cost overburden. Nearly two thirds (78%) of renter households with incomes up to 30% of the Area Median Income (AMI) experience cost overburden. The proportion of cost overburden households decreases with income (69% of renter households with incomes at 30%-50% of the AMI and 30% of households with incomes at 51%-80% of the AMI). Cost overburden among homeowners is slightly lower than among renters. Households experiencing cost overburden consist of 59%, 48% and 46% of homeowners with incomes up to 30%, 30%-50%, and 51%-80% of the AMI (respectively). The differences between renters and homeowners are related to age and ethnic origin of households. The elderly, who are more likely to be homeowners and among the LMI homeowners in particular, tend to experience low cost overburden (e.g., mortgage is paid off and Homestead Exemption result in low cost overburden for Census purposes).¹ Minority households with a high proportion of households with low and moderate incomes and renters tend to impact the rental market. Also, cost overburden figures in the rental market are affected by the affordable housing supply, which tends to target households at 60% and higher of the AMI.

¹ Note that non-housing related expenses that burden the elderly income (e.g., medical bills) are not reflected in the housing cost overburden figures.

Housing Needs Assessment (2000)

	Total	Renters	Owners						
Total Households	90,485	38,037	52,448						
<30%	9,467	7,920	1,547						
31-50%	9,636	6,829	2,807						
51-80%	13,371	7,527	5,844						
Total LMI	32,474	22,276	10,198						
				Affordability	Supply	Quality	Access	Size	Location
	Households	Needs							
<30%	9,467	7,062		5	5	3	NA	3	1
31-50%	9,636	6,065		4	4	3	NA	2	1
51-80%	13,371	4,930		4	3	3	NA	1	1
Total LMI	32,474	18,057							
<u>Elderly</u>									
<30%	2,242	1,020		5	4	4	NA	3	1
31-50%	2,629	1,197		4	4	4	NA	3	1
51-80%	2,791	1,270		4	4	4	NA	3	1
Total LMI	7,662	3,487							
Total HH	15,770	-							
<u>Minorities</u>									
<30%	1,611	1,154		5	5	3	NA	4	1
31-50%	1,100	1,052		5	4	3	NA	4	1
51-80%	1,309	944		5	3	3	NA	4	1
Total LMI	4,020	3,150							
Total HH	6,767								

The waiting lists of the Lincoln Housing Authority confirm the above discussion.

A(1). 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.

COMMENTS TO WAITING LIST TABLES

- a. Data concerning waiting lists is valid to: 09-30-2004. Data changes daily.
- b. In an effort to minimize duplications and present an accurate picture of the characteristics of families and persons on the waiting lists, we have chosen to present two separate tables:

Table 1 – Section 8 waiting list

Table 2 – Waiting list of all public housing units.

Housing Needs of Families on the Section 8			
WAITING LIST			
TABLE 1			
Waiting list type: (select one)			
X Section 8 Tenant-Based Assistance			
<u>Public Housing and additional income restricted units</u>			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development / sub-jurisdiction: _____			
	# of families	% of total families	Annual Turnover
Waiting list total	2246		
Extremely low income < 30%AMI	1770	78.81%	
Very low income > 30% to 50% AMI	476	21.19%	
Low income > 50% to 80% AMI	0	0.00%	
Families	1715	76.36%	
Elderly families	190	8.46%	
Families with Disabilities	341	15.18%	
Race			
White	1753	78.05%	
African American	357	15.89%	
Native American	72	3.21%	
Asian	9	0.40%	
Pacific Islander	55	2.45%	
Total	2246	100.00%	
Ethnicity			
Hispanic	130	5.79%	
Non-Hispanic	2116	94.21%	
Total	2246	100.00%	

Characteristics by Bedroom Size		# of Families	Extremely Low Income	Very Low Income	Low Income
0BR	37%	826	664	162	0
1BR	18%	407	343	64	0
2BR	28%	629	472	157	0
3BR	13%	301	227	74	0
4BR	3%	69	52	17	0
5BR	1%	12	10	2	0
5+BR	0%	2	2	0	0
TOTAL	100%	2246	1770	476	0

Characteristics by Bedroom Size		# of Families	Race White	Black	Indian/ Alaskan	Asian/	Pacific Island	Hispanic
0BR	37%	826	75%	18%	4%	0%	2%	5%
1BR	18%	407	86%	9%	2%	0%	2%	4%
2BR	28%	629	84%	12%	2%	1%	2%	8%
3BR	13%	301	69%	23%	4%	1%	3%	6%
4BR	3%	69	57%	33%	1%	1%	7%	4%
5BR	1%	12	58%	42%	0%	0%	0%	0%
5+BR	0%	2	50%	50%	0%	0%	0%	0%
TOTAL	100%	2246	78%	16%	3%	0%	2%	6%

**HOUSED TENANTS-Section 8
(Completed 9/29/04)**

Characteristics by Bedroom Size		# of Families	Race White	Black	Indian/ Alaska	Asian/	Pacific Islander	Multi Racial	Hispanic
0BR	1%	26	88.46%	7.69%	3.85%	0.00%	0.00%	0.00%	0%
1BR	28%	776	87.34%	7.22%	1.55%	4.77%	0.13%	0.13%	2%
2BR	37%	1033	79.28%	12.68%	3.48%	3.87%	0.48%	0.19%	4%
3BR	25%	703	69.42%	19.91%	3.41%	6.83%	0.28%	0.14%	7%
4BR	7%	206	50.49%	30.10%	4.85%	14.08%	0.00%	0.49%	5%
5BR	1%	30	43.33%	36.67%	3.33%	16.67%	0.00%	0.00%	3%
5+BR	0%	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0%
TOTAL	100%	2774	2116	402	84	159	8	5	121

Housing Needs of Families on the PUBLIC HOUSING			
WAITING LIST			
TABLE 2			
Waiting list type: (select one) <input type="checkbox"/> Section 8 tenant-based assistance <input checked="" type="checkbox"/> Public Housing and additional income restricted units <input type="checkbox"/> Combined Section 8 and Public Housing <input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional) If used, identify which development / sub-jurisdiction: _____			
	# of families	% of total families	Annual Turnover
Waiting list total	354	100%	
Extremely low income < 30%AMI	254	71.75%	
Very low income > 30% to 50% AMI	80	22.60%	
Low income > 50% to 80% AMI	20	5.65%	
Families	339	96%	
Elderly families	4	1%	
Families with Disabilities	11	3%	
Race			
White	269	76%	
African American	69	19%	
Native American	9	3%	
Asian	7	2%	
Total	354	100%	
Ethnicity			
Hispanic	24	7%	
Non-Hispanic	330	93%	
Total	354	100%	

Characteristics by Bedroom Size		# of Families	Extremely Low Income	Very Low Income	Low Income
0BR	0%	0	0	0	0
1BR	0%	0	0	0	0
2BR	58%	207	156	38	13
3BR	28%	99	67	28	4
4BR	10%	36	23	10	3
5BR	3%	12	8	4	0
5+BR	0%	0	0	0	0
TOTAL	100%	354	254	80	20

Characteristics by Bedroom Size		# of Families	Race White	Black	Indian/ Alaskan	Asian/ Pacific Island	Hispanic
0BR	0%	0	0%	0%	0%	0%	0%
1BR	0%	0	0%	0%	0%	0%	0%
2BR	58%	207	82%	14%	2%	1%	0%
3BR	28%	99	77%	21%	1%	1%	0%
4BR	10%	36	58%	31%	6%	6%	0%
5BR	3%	12	25%	58%	8%	8%	0%
5+BR	0%	0	0%	0%	0%	0%	0%
TOTAL	100%	354	76%	19%	3%	2%	0%

**HOUSED TENANTS-PUBLIC HOUSING
(Completed 9/29/04)**

Characteristics by Bedroom Size		# of Families	Race White	Black	Indian/ Alaska	Asian/ Pacific Island	Hispanic
0BR	20%	64	97%	2%	2%	0%	3%
1BR	16%	51	100%	0%	0%	0%	4%
2BR	16%	51	80%	18%	2%	0%	2%
3BR	38%	122	70%	26%	2%	2%	2%
4BR	9%	28	50%	50%	0%	0%	0%
5BR	1%	4	25%	25%	0%	50%	0%
5+BR	0%	0	0%	0%	0%	0%	0%
TOTAL	100%	320	80%	18%	1%	1%	3%

WAITING LISTS ANALYSIS

As presented, the waiting lists reflect the conditions at the date in which they were recorded. Market conditions can create substantial fluctuations in the waiting lists due to volume of applicants. The tables provided by the agency plan do not address issues such as number of repetitive applications after refusal to accept a certain unit, and alternative housing solutions while being on the waiting list.

Generally, the waiting lists reflect needs for housing assistance that are consistent with the previous analysis. The major differences between the Public Housing and Section 8 waiting lists probably reflect differences in program eligibility criteria and property characteristics. Below are highlights of the data analysis:

- a. About 78 percent of the Section 8 waiting list applicants have incomes below 30 percent of the area-wide median income, while 71 percent of the Public Housing waiting list applicants have incomes below 30 percent of the area-wide median income. The difference in the percentage of very low income households between the Voucher and Public Housing programs may be the result in the difference in income eligibility criteria between the Public Housing program and the Section 8 Voucher program. Under the Moving To Work program, working families are given a preference for Public Housing units. Additionally, the Public Housing waiting list has 5.6 percent of the applicants with incomes between 50 to 80 percent of median income.
- b. For Public Housing, the greatest overall demand is for two-bedroom units. Over 58 percent of the Public Housing waiting list applicants (207 families) are seeking two-bedroom units. The number of two-bedroom Public Housing inventory consists of 50 total units or 16 percent of all Public Housing units
- c. For Section 8, the greatest overall demand is for efficiency units. Over 36 percent of the Section 8 waiting list is seeking efficiency units. It is important to note that under the Moving To Work program, single non-working, non-elderly or non-disabled families only qualify for the "0" bedroom waiting list.
- d. The demand for two-bedroom units is the second largest group of units sought by Section 8 applicants. Twenty-eight percent (28%) of the Section 8 waiting list (629 applicants) are seeking 2-bedroom units. This appears to be a reflection of need for small, single-parent families.
- e. For Public Housing, the second largest group of applicants is seeking 3-bedroom units. The third largest group of Public Housing applicants is seeking 4-bedroom units which would reflect our large family need.

In both waiting lists, the number of applicants has increased over last year's total which reflects a general downturn in the local economy, and the inability to sustain "over-leasing" in the Section 8 program. Without funds, few vouchers are available for recapture and reuse.

B. Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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)
 - (a) *Participate in newly-created Nebraska Voucher program for families with severe mental illness.*
 - (b) *Provide a set aside of Section 8 vouchers for project-based housing assistance with preference for rental assistance to disabled families and individuals with assigned support services.*

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)

After a thorough examination of our existing and potential market, as well as the characteristics of our residents and the agency's track record, Lincoln Housing Authority determined that the above strategies are most appropriate for meeting our mission and goals. These strategies reflect the results of working through our long-term plan in consultation with our residents, board, community representatives, and other community players.

2. Statement of Financial Resources

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

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

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2005 grants)		
a) Public Housing Operating Fund	280,000	
b) Public Housing Capital Fund	552,720	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	12,727,500	
f) Resident Opportunity and Self-Sufficiency Grants	60,426	
g) Community Development Block Grant		
h) HOME	25,000	Security Deposit Assistance
Other Federal Grants (list below)		
HCV-FSS Coordinator	57,419	HCV FSS Coordinator
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		
	875,000	Public Housing Operations
4. Other income (list below)		
5. Non-federal sources (list below)		
Interest Income – Public Housing	7,000	Public Housing Operations
Tenants Misc. Charges – Public Housing	40,000	Public Housing Operations
Other: Washers/Dryers; Sprint Tower Contract	23,000	Public Housing Operations
Interest Income – Section 8	30,000	Section 8 Operations
Total Resources	\$14,678,065	

3. PHA Policies Governing Eligibility, Selection, and Admissions [24 CFR Part 903.12 (b), 903.7 (b)]

A. Public Housing

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

(1) Eligibility

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

- When families are within a certain number of being offered a unit: (state number)
 When families are within a certain time of being offered a unit: (state time)
 Other: (describe) *When families are offered 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) *Credit History*

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

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

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

(2) Waiting List Organization

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

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

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

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

c. Site-Based Waiting Lists-Previous Year

1. Has the PHA operated one or more site-based waiting lists in the previous year? *No*.
If yes, complete the following table; if not skip to d.

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

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

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

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

d. Site-Based Waiting Lists – Coming Year

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

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

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

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

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

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

(3) Assignment

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

- One *Fall to bottom*
- Two *Removed*
- Three or More

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

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

(4) Admissions Preferences

a. Income targeting:

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

b. Transfer policies:

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

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

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

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

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.

2 Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- 1 Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)

- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- 1 Other preference(s) (list below) *Displaced by fire, flood or storm.*

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. *Lincoln Housing Authority has been exempt from income targeting through the Moving To Work program.*

(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) *Tenant Handbooks*

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

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

(6) Deconcentration and Income Mixing

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

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

Deconcentration Policy for Covered Developments			
Development Name	Number of Units	Explanation (if any) [see step 4 at §903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at §903.2(c)(1)(v)]
A12	12	Scattered Sites	

B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B.

Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

(1) Eligibility

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

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

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

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

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

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

- Criminal or drug-related activity
 Other (describe below)

The information shared with the prospective owner is limited to: 1) the family's current address as shown in LHA records; and 2) the name and address of the landlord at the family's current and prior address if known. At the time the family indicates they want to lease a dwelling unit, LHA may offer the owner other information in LHA's possession about the family including tenancy history of family members or drug trafficking by family members.

(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:

Typically, it takes a participant a minimum of 90 days to lease-up a unit. LHA provides extensions based on the following three criteria: 1) Extenuating circumstances (family is hard-to-house); 2) Family has not refused suitable housing; and 3) The extension will result in housing the participant.

(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)
 - 1) *Enrolled in approved self-sufficiency programs such as Employment First.*
 - 2) *Military families whose voucher terminated due to being placed in active military duty.*

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.

2 Date and Time

Former Federal preferences:

- 1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 1 Victims of domestic violence
- Substandard housing
- 1 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
- 1 Other preference(s) (list below)
 - Fully enrolled in Employment First or other acceptable self-sufficiency program.*

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) *N/A*

- 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)
HUD Homeless Voucher Program

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

- Through published notices
- Other (list below)
Mailings
Social service agency meetings—committees
Internet

4. PHA Rent Determination Policies

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

A. Public Housing

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

(1) Income Based Rent Policies

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

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

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

b. Minimum Rent

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

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

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

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

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

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

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

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

- For the earned income of a previously unemployed household member
 For increases in earned income
 Fixed amount (other than general rent-setting policy)
If yes, state amount/s and circumstances below:

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

- For household heads
 For other family members
 For transportation expenses
 For the non-reimbursed medical expenses of non-disabled or non-elderly families
 Other (describe below)

Please refer to Moving To Work section of the Plan and Lincoln Housing Authority Admissions and Continued Occupancy Policy.

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)

Tenants must report all changes in family composition. Reporting income changes is not required.

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

(2) Flat Rents

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

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

Lincoln Housing Authority is exempt from flat rents through the Moving To Work program. If converted, Section 8 rent reasonableness will be used.

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)

Funding inadequate to support payment standards at Fair Market Rents.

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

- 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)
Funding.

(2) Minimum Rent

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

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

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

5. Capital Improvement Needs

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

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

A. Capital Fund Activities

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

(1) Capital Fund Program

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

See Capital Fund Tables Pages 56-65.

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

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

(1) Hope VI Revitalization

- a. Yes No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to next component; if yes, provide responses to questions on chart below for each grant, copying and completing as many times as necessary)
- b. Status of HOPE VI revitalization grant (complete one set of questions for each grant)
Development name:
Development (project) number:
Status of grant: (select the statement that best describes the current status)
 Revitalization Plan under development
 Revitalization Plan submitted, pending approval
 Revitalization Plan approved
 Activities pursuant to an approved Revitalization Plan underway
- c. Yes No: Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year? If yes, list development name/s below:
- d. Yes No: Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year? If yes, list developments or activities below:
- e. Yes No: Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement? If yes, list developments or activities below:

6. Demolition and Disposition

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

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

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

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

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

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

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

(2) Program Description

a. Size of Program

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

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

b. PHA-established eligibility criteria

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

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

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

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

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

8. Civil Rights Certifications

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

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

9. Additional Information

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

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

(Provide a statement of the PHA's progress against the goals and objectives established in the previous 5-Year Plan for the period FY 2000 - 2004.

ACCOMPLISHMENTS:

- a. During the Plan period, maintained a 98 percent lease-up rate for Public Housing units. (Goal #1)
- b. During the Plan period, used funds from the Section 8 Voucher program reserves to maintain existing number of households in using Section 8 Moving To Work vouchers. (Goal #1)
- c. During the Plan period, the Lincoln Housing Authority completed the construction of 40 three-bedroom mixed-income units developed in conjunction with an affiliated non-profit. Additionally, the Lincoln Housing Authority, using bond financing, has under construction 96 mixed-income rental units. Partial lease-up has begun on the finished units. (Goal #1)
- d. During the Plan period, the Lincoln Housing Authority maintained its status as a high performer under PHAS. (Goal #2)
- e. During the Plan period, the Lincoln Housing Authority maintained its status as a high performer under SEMAP. (Goal #2)
- f. During the Plan period, the Lincoln Housing Authority enforced HUD Housing Quality Standards to maintain the high quality of Section 8 units. (Goal #2)
- g. During the Plan period, the Lincoln Housing Authority completed projects identified in its 5-year Capital Fund program. (Goal #2)
- h. During the Plan period, the Lincoln Housing Authority monitored the voucher payment standards and reduced the payment standards to offer assistance to families. (Goal #3)
- i. During the past year, the Lincoln Housing Authority provided 16 households with down payment assistance for home purchase by LHA clients for a total of 116 households during the 5-year Plan period. (Goal #3)
- j. During the 5-year Plan period, published four newsletters for landlords to encourage their participation in the Section 8 Voucher program, and maintained the number of landlords from the previous year that were receiving HAP payments. (Goal #3)

k. During the Plan period, the Lincoln Housing Authority continued to implement the zero-tolerance drug policy. (Goal #4)

l. During the Plan period, HUD inspected, under the PHAS program, all public housing units and gave scores that allow the Lincoln Housing Authority to maintain its high performer status. (Goal #4)

m. During the Plan period, we continued to offer clients high quality programming and social services at the Carol M. Yoakum Family Resource Center. (Goal #4)

n. During the Plan period, the Lincoln Housing Authority continued its financial support for various self-sufficiency programs for LHA clients. (Goal #5)

o. During the Plan period, the Lincoln Housing Authority completed its fourth full year of successful operation under the Moving To Work Demonstration Program encouraging work or training for program participants. (Goal #6)

p. During the Plan period, the Lincoln Housing Authority continued to affirmatively further fair housing through increased choice that the Moving To Work participants have in the Section 8 Voucher program. (Goal #7)

B. Criteria for Substantial Deviations and Significant Amendments

(1) Amendment and Deviation Definitions

24 CFR Part 903.7(r)

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

a. Substantial Deviation from the 5-Year Plan

Substantial Deviation from the 5-Year Plan is defined as occurring when the PHA Board, with input from the Resident Advisory Board, deletes or adds any goals as presented in the 5-Year Plan. Changes in strategy to achieve the various outlined goals are not deemed to be a substantial deviation from the 5-Year Plan.

b. Significant Amendment or Modification to the Annual Plan

Significant amendment or modification to the Annual Plan is defined as LHA policy changes to rent or admissions policies that negatively affect the qualification to receive housing assistance or to continue housing assistance; or the LHA waiting list policy is changed or reorganized by adding local preferences, or change in date or time as to the primary management provision of the LHA waiting list; or additional projects are added but not previously identified in the Five-Year Capital Fund Action Plan; or any changes to Low Rent Public Housing unit counts due to changes with regard to public housing units identified for demolition or disposition; or the creation or deletion of a Section 8 homeownership program, or the conversion of Low Rent Public Housing units to vouchers.

C. Other Information

[24 CFR Part 903.13, 903.15]

(1) Resident Advisory Board Recommendations

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

If yes, provide the comments below:

Comments to be added for the scheduled public hearing.

Resident Advisory Board Comments

The Resident Advisory Board met on three different occasions to review the Lincoln Housing Authority Five-Year and FY 2005 Annual Plan. The Resident Advisory Board meeting dates were October 28, 2004, November 16, 2004, and December 2, 2004. The minutes of those meetings were recorded and are available for review.

During the various meetings, the Resident Advisory Board asked many questions concerning HUD's future funding of the Section 8 Voucher, Section 8 New Construction, and the Public Housing programs. Concern was expressed for HUD's lack of concern for the loss of full funding of vouchers and public housing subsidy. Discussion occurred related to occupancy standards of two persons per bedroom regardless of sex or age of the occupants. A few board members were concerned about such a change in former policy. Many on the board felt it was necessary to cut the cost per unit subsidy to ensure as many people as possible can continue assistance.

No other items rose to the level of substantive comments. At the public hearing, held December 9, 2004, a letter from the State Health and Human Services Department was submitted concerning the discontinuance of preferences for participants in self-sufficiency programs such as the State of Nebraska's Employment First program. The preference was dropped by the Lincoln Housing Authority because of the pending termination of the HUD Moving To Work Demonstration program. The Lincoln Housing Authority does not want to terminate the program, however, due to HUD's low funding of the Moving To Work program and LHA's desire to secure the maximum amount of funding to serve lower-income households, it is necessary to drop the Moving To Work program. Without the Moving To Work program, there is no advantage to the Lincoln Housing Authority to grant preferences to Employment First participants. There would be a financial advantage to drop the Moving To Work preference because Employment First clients require a higher per-unit subsidy over the elderly and disabled who have not had a preference under the LHA voucher program. Thus, it is anticipated that date and time of applications will favor the issuance of vouchers to more elderly and disabled households.

No other written comments were received.

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

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

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

Other: (list below)

(2) Resident Membership on PHA Governing Board

The governing board of each PHA is required to have at least one member who is directly assisted by the PHA, unless the PHA meets certain exemption criteria. Regulations governing the resident board member

are found at 24 CFR Part 964, Subpart E.

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

Yes No:

If yes, complete the following:

Name of Resident Member of the PHA Governing Board: *Annette Durham*

Method of Selection:

Appointment

**The term of appointment is (include the date term expires): 2004 -
07/01/2005**

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

Description of Resident Election Process

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

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

Eligible candidates: (select one)

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

Eligible voters: (select all that apply)

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

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

- The PHA is located in a State that requires the members of a governing board to be salaried and serve on a full time basis
 The PHA has less than 300 public housing units, has provided reasonable notice to the resident advisory board of the opportunity to serve on the governing board,

and has not been notified by any resident of their interest to participate in the Board.

Other (explain):

Date of next term expiration of a governing board member:

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

(3) PHA Statement of Consistency with the Consolidated Plan

[24 CFR Part 903.15]

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

Consolidated Plan jurisdiction: (Lincoln, Nebraska)

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

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

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

The City of Lincoln Consolidated Plan supports the PHA Plan with actions that provide financial assistance for housing needs and homeless programs for the city of Lincoln.

(4) (Reserved)

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

(4) (a) MOVING TO WORK DEMONSTRATION PROGRAM

The Lincoln Housing Authority was chosen in October 1997 to participate in the HUD Moving To Work Demonstration Program. The determination by HUD to extend Lincoln's Moving To Work agreement has not been made; without an extension, the program to end in May 2005. The HUD Moving To Work program allows public housing authorities to design and test ways to give incentives to families to become economically self-sufficient, reduce administrative costs, and increase housing choice for low-income families. There were 21 housing authorities in the country that were originally selected for participation in the program nationally.

For the Lincoln Housing Authority, the Moving To Work Demonstration Program included the following changes from established HUD rules and regulations:

- All Section 8 Certificates will be converted to Vouchers within a calendar year period.
- Preferences will be given to Section 8 households/applicants who are involved in Housing Authority approved self-sufficiency, education or work programs.
- Preferences will continue for all homeless households or victims of domestic violence.
- All able-bodied adults must be enrolled in a Housing Authority approved self-sufficiency program, education program, or work. Those able-bodied households choosing not to work or be part of an education or training program will be subject to an assigned minimum level of earned income for tenant rent calculation. The minimum earned income will be based on 25 hours of work at minimum wage for one adult or 40 hours of work per week at minimum wage for two adult members of a family. Elderly disabled or participants in an approved self-sufficiency program are exempt from the minimum earned income calculation.
- During the one-year period between income reviews, no changes in the tenant portion of the rent will be made for income increases.
- All utility allowances will be a set dollar amount based solely on number of bedrooms for which the family is eligible for occupy with assistance.
- Participants will be able to deduct from income, for rent calculation purposes, the amount of employee out-of-pocket payment for health and dental insurance.
- The HUD/Lincoln Housing Authority self-sufficiency program will be used to promote education opportunities as a key to self-sufficiency.
- The Lincoln Housing Authority may pool all HUD funding sources to pay for rental or public housing operational assistance as needed by circumstances of the program.
- Specific rent policies and information about income used for rent calculations can be found in the Section 8 Administrative Plan or the Occupancy and Admission Plan attached to this plan.

Lincoln Housing Authority signed the Moving To Work agreement with HUD in May of 1999 with implementation started July 1, 1999. Lincoln's participation in the demonstration program has been for a six-year period, and is scheduled to end May 2005.

4 (b) Income Analysis of Public Housing Developments September 28, 2004

LHA undertook an income analysis of seven (7) family Public Housing developments in accordance with HUD requirements. The purpose of the analysis was to determine if policy changes were necessary to promote deconcentration of poverty. Six of the developments fell within HUD's established income range. One development is above HUD's established income range. All seven developments consist of scattered-site single-family and duplex units. All are filled from the same waiting list in accordance with a One Offer policy.

The following table lists, by development, the number of occupied units, total income, average income, adjusted average income, and the percentage of the adjusted average of each development to the overall adjusted average for all developments. The bedroom size adjustment was calculated in accordance with HUD guidelines to adjust for variances among unit sizes.

<u>PROJECT</u>	<u>OCCUPIED UNITS</u>	<u>TOTAL INCOME</u>	<u>AVERAGE</u>	<u>ADJUSTED AVERAGE</u>	<u>% ADJ AVG</u>
F39	39	\$ 711,904	\$18,254	\$14,962	95.35%
HALL	22	\$ 429,881	\$19,540	\$15,632	99.62%
HANSEN	47	\$1,055,986	\$22,468	\$16,643	106.06%
LARSON	23	\$ 402,437	\$17,497	\$14,703	93.70%
PEDERSON	24	\$ 421,524	\$17,564	\$14,051	89.54%
P30	30	\$ 454,416	\$15,147	\$15,147	96.52%
A12	12	\$ 295,359	\$24,613	\$19,690	125.47%
	197	\$3,771,507			
TOTAL AVERAGE PER HOUSEHOLD		\$ 19,145			
ADJUSTED AVERAGE {1.22}		\$ 15,692			

10. Project-Based Voucher Program

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

If yes, check which circumstances apply:

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

There is a need to provide assistance for disabled families.

- c. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts):
40 units at a location to be determined.

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

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
X	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans.</i>	Standard 5 Year and Annual Plans; streamlined 5 Year Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan.	5 Year Plans
	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the method for setting public housing flat rents. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
	Schedule of flat rents offered at each public housing development. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
X	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
	Any policies governing any Section 8 special housing types <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
X	Public housing grievance procedures <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
X	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Section _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
X	Public Housing Community Service Policy/Programs <input type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
X	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
X	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Pet Policy
X	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
	Consortium agreement(s), if a consortium administers PHA programs.	Joint PHA Plan for Consortia
	Consortia Joint PHA Plans ONLY: Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection	Joint PHA Plan for Consortia
	Other supporting documents (optional). List individually.	(Specify as needed)

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

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: Housing Authority of the City of Lincoln, Nebraska		Grant Type and Number Capital Fund Program Grant No: NE26P002501-05 Replacement Housing Factor Grant No:			Federal FY of Grant: 05
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration	55,272			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	35,960			
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	449,500			
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency	11,988			
21	Amount of Annual Grant: (sum of lines 2 – 20)	552,720			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: Housing Authority of the City of Lincoln, Nebraska		Grant Type and Number Capital Fund Program Grant No: NE26P00250105 Replacement Housing Factor Grant No:			Federal FY of Grant: 05			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA/Wide	Administration	14 10		55,272				
HA/Wide	Architectural Fees	14 30		35,960				
002 MMA	Resurface Parking Lot	14 60		19,500				
003 Hall	Replace Concrete	14 60		5,000				
004 Hansen	Replace Concrete	14 60		5,000				
	Remodel Bathrooms	14 60	72	260,000				
005 Larson	Replace Concrete	14 60		5,000				
006 Pedersen	Replace Concrete	14 60		5,000				
009 P-30	Replace Concrete	14 60		5,000				
011 A-12	Replace Concrete	14 60		5,000				
	Remodel Kitchens and Baths	14 60	3	60,000				
013 F-39	Replace Concrete	14 60		5,000				
	Replace Carport Columns	14 60	468	80,000				
HA/Wide	Contingency	15 02		6,988				

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

PHA Name: Housing Authority of the City of Lincoln, NE	Grant Type and Number Capital Fund Program No: NE26P00250105 Replacement Housing Factor No:	Federal FY of Grant: 05
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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	
Administration	09/30/06			03/31/07			
Architectural Fees	09/30/06			03/31/07			
002 MMA	09/30/06			03/31/07			
003 Hall	09/30/06			03/31/07			
004 Hansen	09/30/06			03/31/07			
005 Larson	09/30/06			03/31/07			
006 Pedersen	09/30/06			03/31/07			
009 P-30	09/30/06			03/31/07			
011 A-12	09/30/06			03/31/07			
013 F-39	09/30/06			03/31/07			

Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name : Housing Authority of the City of Lincoln, Nebraska				<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: 06 PHA FY: 07	Work Statement for Year 3 FFY Grant: 07 PHA FY: 08	Work Statement for Year 4 FFY Grant: 08 PHA FY: 09	Work Statement for Year 5 FFY Grant: 09 PHA FY: 10
	Annual Statement				
PH Wide Administration		55,272	55,272	55,272	55,272
Architectural Fees		35,960	35,960	35,960	35,960
002 MMA		259,000	40,000	264,800	320,000
003 Hall		5,000	24,700	10,000	6,000
004 Hansen		5,000	118,000	63,600	6,000
005 Larson		5,000	53,000	71,000	6,000
006 Pederson		5,000	24,700	10,000	6,000
009 P-30		45,000	61,750	10,000	97,000
011 A-12		5,000	51,600	10,000	6,000
013 F-39		119,000	74,200	12,000	5,000
Contingency		13,488	13,538	10,088	9,488
CFP Funds Listed for 5-year planning					
Replacement Housing Factor Funds					

Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year :__2__ FFY Grant: 06 PHA FY: 07			Activities for Year: _3__ FFY Grant: 07 PHA FY: 08		
	Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
See	002 MMA	Replace Windows	259,000	002 MMA	Replace Carpet	40,000
Annual	003 Hall	Replace Concrete	5,000	003 Hall	Paint Foundations	7,700
Statement	004 Hansen	Replace Concrete	5,000		Replace Concrete	8,000
	005 Larson	Replace Concrete	5,000		Storm Doors	9,000
	006 Pedersen	Replace Concrete	5,000	004 Hansen	Replace Concrete	8,000
	009 P-30	Replace Concrete	5,000		Storm Doors	32,000
		Replace Furnaces	40,000		Replace Roofs	43,000
	011 A-12	Replace Concrete	5,000		Interior Doors	35,000
	013 F-39	Replace Concrete	5,000	005 Larson	Replace Concrete	8,000
		Replace Furnace/AC	114,000		Storm Doors	9,000
					Garage Roofs	36,000
				006 Pedersen	Replace Concrete	8,000
					Storm Doors	9,000
					Paint Foundations	7,700
				009 P-30	Replace Concrete	12,000
					Entry Doors	40,000
					Storm Doors	9,750
				011 A-12	Replace Concrete	15,000
					Entry Doors	15,000
					Storm Doors	3,600
					Replace A/C	18,000
	Total CFP Estimated Cost		\$448,000			\$

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary

PHA Name: Housing Authority of the City of Lincoln, Nebraska	Grant Type and Number Capital Fund Program Grant No: NE26P002501-04 Replacement Housing Factor Grant No:	Federal FY of Grant: (04)
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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

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration	47,725	55,272		
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	30,000	37,500		
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	398,000	449,500		
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency	1,534	10,448		
21	Amount of Annual Grant: (sum of lines 2 – 20)	477,259	552,720		
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	170,000	170,000		

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

PHA Name: Housing Authority of the City of Lincoln, Nebraska		Grant Type and Number Capital Fund Program Grant No: NE26P002501-04 Replacement Housing Factor Grant No:				Federal FY of Grant: 04		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA/Wide	Administration	14 10		47,725	55,272			
HA/Wide	Architectural Fees	14 10		30,000	37,500			
002 MMA	Replace concrete	14 60		3,000	8,500			
003 Hall	Replace concrete	14 60		5,000	8,000			
004 Hansen	Replace concrete	14 60		5,000	8,000			
	Replace roofs	14 60		25,000	30,000			
005 Larson	Replace concrete	14 60		5,000	8,000			
006 Pedersen	Replace concrete	14 60		5,000	8,000			
009 P-30	Replace concrete	14 60		5,000	8,000			
	Replace windows	14 60	180	170,000	170,000			
011 A-12	Replace concrete	14 60		2,000	8,000			
	Remodel kitchens and baths	14 60	6	60,000	60,000			
013 F-39	Remodel bathrooms	14 60	39	113,000	133,000			
HA/Wide	Contingency	15 02		1,534	10,448			

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

PHA Name: Housing Authority of the City of Lincoln, NE		Grant Type and Number Capital Fund Program No: NE26P002501-04 Replacement Housing Factor No:				Federal FY of Grant: 04	
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Administration	09/30/05			03/31/06			
Architectural Fee	09/30/05			03/31/06			
002 MMA	09/30/05			03/31/06			
003 Hall	09/30/05			03/31/06			
004 Hansen	09/30/05			03/31/06			
005 Larson	09/30/05			03/31/06			
006 Pedersen	09/30/05			03/31/06			
009 P-30	09/30/05			03/31/06			
011 A-12	09/30/05			03/31/06			
013 F-39	09/30/05			03/31/06			

**ADMISSIONS AND CONTINUED
OCCUPANCY POLICY**

LINCOLN HOUSING AUTHORITY

Revised January 6, 2005

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PART I INTRODUCTION

This policy applies to all units owned or managed by the Lincoln Housing Authority (LHA). LHA has designed this Admissions and Continued Occupancy Policy to take into consideration the needs of individual families for affordable housing and the needs of our mission to develop and operate a socially and financially sound affordable housing program. Our goal is to provide a decent home and a suitable living environment for our residents and to foster economic and social diversity in the resident body as a whole.

To that end, we pledge that we will treat each family or individual on his or her merits. We will not discriminate based on race, color, religion, sex, national origin, familial status, or handicap.

**PART II
ELIGIBILITY FOR ADMISSION**

A. Family.

1. Subsidized Units. All applicants for HUD subsidized units must meet the following definition of family: (a) two or more persons sharing residency whose income and resources are available to meet the family's needs and who are either related by blood, marriage, or operation of law, or have evidenced a stable family relationship (including a pregnant woman), (b) an elderly family or single person or the remaining member of a tenant family, or (c) a displaced person. Applicants for Burke Plaza must be elderly or disabled to be placed on the waiting list. Applicants for Mahoney Manor must be at least 50 years of age to be placed on the waiting list.
2. Conventional Arnold Heights. All applicants for these units must also meet the above definition of family, except that LHA will not rent these units to single persons.
3. Conventional Apartments and Tax Credit Properties. The family requirement does not apply to the units at Heritage Square, Northwood Terrace, Lynn Creek, Wood Bridge, Summer Hill, the Affordable Housing II properties, or Crossroads House Apartments. For these properties LHA will abide by the City of Lincoln Minimum Housing Codes. With the exception of applicants for accessible units, applicants for Wood Bridge Tax Credit Units must be families with minor children. In addition, all applicants for Crossroads House Apartments must be 55 years of age or older.

- B. Income Limits. HUD-Subsidized: Effective July 1, 1999, all applicants for HUD subsidized units must provide adequate evidence that the household's anticipated Annual Income for the ensuing twelve month period does not exceed the low income limits published annually by the Department of Housing and Urban Development. The low income limit is 80% of the area median income as determined by HUD. LHA will determine Annual Income in accordance with this document and appropriate HUD guidelines.

Conventional. All applicants for conventional units at Northwood Terrace, Heritage Square, Lynn Creek and Arnold Heights must provide adequate evidence that its anticipated annual income is sufficient to cover rent and utility costs.

Wood Bridge. All applicants for Wood Bridge Apartments and Town homes must provide adequate evidence that the household's anticipated annual income is sufficient to cover rent and utility costs. Applicants for Wood Bridge Tax Credit units must provide adequate evidence that the household's anticipated Annual Income for the ensuing twelve month period does not exceed 60% of the area median income as published annually by HUD.

Affordable Housing II. All applicants for Affordable Housing II properties must provide adequate evidence that the household's anticipated annual income is sufficient to cover rent

and utility costs and that the household's anticipated Annual Income for the ensuing twelve month period does not exceed 50% of the area median income as published annual by HUD.

Crossroads House. All applicants for Crossroads House Apartments must provide adequate evidence that the household's anticipated annual income is sufficient to cover rent and utility costs and that the household's anticipated Annual Income for the ensuing twelve month period does not exceed 60% of the area median income as published annually by HUD.

Summer Hill. All applicants for Summer Hill Apartments and Town homes must provide adequate evidence that the household's annual income is sufficient to cover rent and utility costs and that the household's anticipated Annual Income does not exceed 100% of the area median income as published annually by HUD. All applicants for Summer Hill Tax Credit and Reduced Rent units must provide adequate evidence that their anticipated Annual Income does not exceed 60% of the area median income as published annually by HUD.

- C. Suitability. LHA has an obligation to protect its units, its financial stability, its residents, its staff, and its community. To that end LHA will screen applicants in an effort to determine whether each applicant family could be reasonably expected (1) to abide by the terms of the dwelling lease, and (2) not to have a detrimental effect on the other tenants or on the neighborhood environment. LHA will deny admission to any applicant whose past history shows an unwillingness or inability to abide by the terms of the lease, or whose habits and practices may be expected to have a detrimental effect on the project or neighborhood environment. LHA will apply the same standards of tenant suitability in evaluating a person who wishes to join a family already in occupancy.

Although each situation is different and there are many different aspects of tenancy LHA may need to examine, there are five essential questions that LHA will try to answer about every applicant. Can LHA reasonably expect the applicant to:

1. Pay rent and other charges under the lease in a timely manner?
2. Care for the unit and the common areas, use facilities and equipment in a reasonable way, create no health or safety hazards, and report maintenance needs?
3. Avoid interfering with the rights and enjoyment of others, and avoid damaging the property of others?
4. Refrain from engaging in criminal activity that threatens the health, safety, or right to peaceful enjoyment of other residents and staff and refrain from engaging in drug-related criminal activity?
5. Comply with necessary and reasonable rules of occupancy and program requirements of LHA and HUD, and comply with health and safety codes?

LHA will make an objective, reasonable, and informed judgment based on the information available to it. LHA will seek this information by requesting information from any or all of the following sources: previous landlords, a home visit to the applicants current residence, criminal histories, credit reports, and information from any other reasonable source. Any of

the following factors may cause LHA to deny access to its waiting list and/or admission to its units:

- A record of non-payment of rightful obligations, including rent and utilities.
- A record of disturbance of neighbors.
- A record of destruction of property, or damage to previous residences.
- A record of poor living or housekeeping habits.
- A history of drug-related criminal activity. LHA will give consideration to applicants who have successfully completed a rehabilitation program approved by LHA.
- A history of any other criminal activity involving physical violence to persons or property, or that would adversely affect the health, safety, welfare, or right to peaceful enjoyment of the premises by other tenants or neighbors.
A record that establishes a reasonable causes to believe that the applicant's pattern of alcohol abuse may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents or neighbors. LHA will give consideration to applicants who have successfully completed or are participating in a supervised alcohol rehabilitation program and no longer abuse alcohol.
- A record of previous lease violations.
- A record of Section 8 program violations, money owed any public housing authority in connection with the Public Housing or other Rental Assistance programs, or committing fraudulent activity in connection with any Federal housing assistance program or any other government agency or program.
- A record of money owed to LHA. If the applicant owes money, LHA will not house until the applicant pays the amount in full or enters into a repayment agreement.

In the event of the receipt of unfavorable information with respect to an applicant, LHA will give consideration to the time, nature, and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct.

- D. Zero Tolerance. LHA will exercise zero tolerance with respect to drug-related activity, other violent criminal activity, and alcohol abuse by applicants. LHA will deem ineligible any applicant who has engaged in the illegal use of drugs or otherwise has been involved in drug-related criminal activity or other violent criminal activity within the past three years. LHA will consider possession of drug paraphernalia as sufficient evidence of illegal use of drugs. LHA will deem ineligible any applicant who has abused alcohol within the past three years in a way the may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents or neighbors. LHA will deem ineligible any applicant who has been evicted or terminated for drug-related criminal activity from Public Housing, Indian Housing, any Section 8 program, or any other assisted housing program within the past three years. LHA also will consider any record of drug-related criminal activity, violent criminal activity, or alcohol abuse that occurred more than three years ago, and will deem any applicant ineligible if there is reasonable cause to believe that the applicant's pattern of activity may interfere with health, safety, or right to peaceful enjoyment of the premises by other residents. LHA will deem ineligible permanently any applicant who has ever been convicted of drug-related

criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing. LHA will deem ineligible permanently any applicant who is subject to a lifetime registration requirement under a state sex offender registration program, or is registered in the State of Nebraska as a High Risk/Level Three sex offender.

LHA will give consideration to an applicant who demonstrates to the satisfaction of LHA that he/she has successfully completed or is participating in a supervised drug or alcohol rehabilitation program and is no longer involved in drug-related criminal activity and no longer abuses alcohol. LHA will require the applicant to submit written evidence of such participation.

- E. Citizenship. Every member of a family applying for HUD subsidized units must be either citizens of the United States or noncitizens who have eligible immigration status in accordance with federal regulations. LHA will provide prorated assistance to any eligible mixed families who request such assistance in accordance with HUD guidelines.
- F. Student Status. LHA will not rent tax credit units at Wood Bridge, Summer Hill, Affordable Housing II, or Crossroads House to full-time students, unless they meet the standard exceptions allowed for in the current IRS regulations governing the Low Income Housing Tax Credit Program. These student restrictions do not apply to the Reduced Rent Units at Summer Hill Apartments.
- G. Documentation. LHA will require all applicants to provide all information necessary to determine Annual Income, Total Tenant Payment, unit requirements, preference categories, suitability for tenancy, and citizenship/immigration status. LHA will require applicants to sign releases of information so that the information may be verified. LHA will require applicants to sign a statement certifying the information provided is correct and complete. LHA will require applicants to provide the social security numbers for all members of the household at least six years old. LHA will deny admission to any applicants, or terminate the lease of current residents, who do not provide the above information or documentation, or who provide incomplete or false information or documentation.
- H. Verification of Eligibility. LHA will verify all information regarding eligibility in accordance with the Application Procedures and Verification sections of this document.

PART III
APPLICATION PROCEDURES

- A. Written Application. LHA will require persons interested in renting units to complete and sign a written application. LHA will accept applications Monday through Friday at LHA offices at 5700 R St and its downtown satellite office. LHA will accept Arnold Heights applications by appointment at the Arnold Heights Leasing Office. LHA will accept Wood Bridge applications by appointment at the Wood Bridge Leasing Office. LHA will accept written applications in person or by mail. If LHA staff perceive a barrier (such as disability or age) preventing someone from completing the application, LHA will request permission from the applicant to contact an appropriate agency to assist the person.

- B. Prehousing Visit. LHA may conduct a Prehousing home visit with applicants to go over the information provided on the written application and to obtain additional information regarding eligibility and suitability. LHA will schedule interviews with applicants as soon as possible after receiving a written application. If possible, LHA will conduct the interview at the applicants current residence. LHA will conduct a PreHousing visit as deemed necessary by management in accordance with the written guidelines established by the Housing Manager.

- C. Eligibility. At the time of application, LHA will do preliminary eligibility screening to determine if applicants appear to meet the eligibility requirements. LHA will notify those applicants preliminarily determined to be eligible that they have been placed on the waiting list(s). The notice will make clear that LHA hasn't performed a complete screening, and that it may still find the applicant ineligible.

As applicants approach the top of the waiting list or at the time applicants are offered housing, LHA will do a complete verification of eligibility. If the family is determined eligible, LHA will execute a lease with the applicant.

- D. Ineligible Applicants. LHA may determine an applicant to be ineligible at any time, and choose not to list an applicant on the waiting list or remove an applicant from the waiting list. If LHA determines that an applicant is ineligible for housing, LHA will promptly notify the applicant in writing of this determination. LHA will maintain files of all ineligible applications for at least three years with documentation stating the reason for ineligibility.

For HUD-subsidized units, the notification will state the reasons for this determination, inform the applicant of the right to request an informal review of this decision, and inform the applicant of the actions necessary to request such a review.

- E. Preference Denial. If an applicant for HUD-subsidized units claims a selection preference and LHA determines that the applicant does not qualify for that preference, LHA will notify the applicant of this decision and inform the applicant of the opportunity to request an informal review of the decision.

- F. Informal Review. An applicant denied a preference for, or admission to, HUD-subsidized housing may request an informal review of that decision. The request must be in writing and be received by LHA within 10 days of the date of LHA's notification. The review will be convened within 10 days of the applicant's written request. The review will be conducted by the Executive Director or his/her designee, but not by persons directly involved in the decision. Within 10 days of the review, LHA will provide written notification to the applicant of the results of the review.
- G. Canceling Applications. Incomplete files will be held for 60 days until the appropriate information is supplied by the applicant. After 60 days LHA will cancel the application.

LHA will cancel applications for six months for applicants who intentionally provide false information regarding income, deductions or family composition or to qualify for a federal preference. Applicants whose applications have been canceled must reapply by completing a new application.

**PART IV
TENANT SELECTION AND ASSIGNMENT POLICIES**

- A. Waiting Lists. LHA will maintain the following waiting lists separated by bedroom size and special accessibility features:
1. Mahoney Manor.
 2. Burke Plaza.
 3. Scattered sites - Public Housing, New 32 and AFF.
 4. Conventional Arnold Heights.
 5. Conventional Apartments - Heritage Square and Northwood Terrace.
 6. Affordable Housing II.
 7. Wood Bridge - Market Rate.
 8. Wood Bridge - Tax Credit.
 9. Crossroads House Apartments.
 10. Lynn Creek.
 11. Summer Hill - Tax Credit & Reduced Rent.
 12. Summer Hill - Market Rate.

LHA will assign each eligible applicant a place on the appropriate waiting list in sequence based upon the type or size of unit needed, Preference status, and the date and time of the application. At a minimum, the waiting list will include the following information for each applicant:

1. Name, Address, & Phone Number
 2. Date and Time of Application
 3. Preference Status
 4. Elderly, Disabled, Family, or Single Person;
- B. Selection Preferences. LHA gives a higher priority for HUD-subsidized units to applicants who are currently eligible for one or more preferences. A family qualifying for one of the preferences listed below is given the same priority as a family qualifying for more than one preference. After preferences, LHA will determine priority based upon the date and time of application. The preferences are listed below. A family must provide acceptable verification that they are eligible for a preference. Acceptable verification must come from a government agency, law enforcement agency, public or private shelter, clergy, or social service agency. The verification is valid for 90 days. If the applicant is not housed within 90 days, the preference must be re-verified at the time the family is offered assistance.
1. Homeless. Applicants terminated or evicted from an LHA program or unit will not be eligible for a homeless preference. A homeless family includes:
 - a. Any person or family that lacks a fixed, regular, and adequate night-time residence; and

- b. Any person or family that has a primary night-time residence that is:
 - (1) A supervised shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters and transitional housing);
 - (2) An institution that provides a temporary residence for individuals intended to be institutionalized (does not include jails or prisons); or
 - (3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
- 2. Displaced by fire, flood or storm.
- 3. Displaced by domestic violence - actual or threatened physical violence against one or more members of the applicant family by a spouse or other member of the household. Such applicant must have been forced to move because of domestic violence or lives with a person who engages in domestic violence. Such violence must be recent or continuing. Applicants displaced by domestic violence must certify that the person who engaged in such violence will not reside with the applicant family unless LHA has given advance written approval. If the family is admitted, LHA may deny or terminate assistance to the family for breach of this certification.
- 4. Working Family. A family with at least one adult member who is currently employed and has been employed at least 25 hours per week for at least six consecutive months. A family whose head or spouse or sole member is age 62 or older or is a person with disabilities also qualifies for this preference. This preference will be effective July 1, 1999. This preference does not apply to applicants for Mahoney Manor or Burke Plaza.
- C. Priority to Elderly and Displaced. In selecting applicants for HUD-Subsidized units LHA will give preference to Elderly/Disabled Families and Displaced Persons over Single Persons.
- D. Burke Plaza Elderly Preference. LHA will offer available units at Burke Plaza first to applicants where the head, spouse or sole family member is 62 years of age or older. This preference will take priority over all other selection preferences. LHA will offer units to disabled applicants under age 62 if there are an insufficient number applicants who qualify for the elderly preference to fill vacant units.
- E. Mahoney Manor Elderly Designation and Near-Elderly Preference. In accordance with the HUD approved Designated Housing Plan, Mahoney Manor is designated as Elderly only with a Near-Elderly Preference. LHA will offer available units first to applicants where the head, spouse or sole family member is 62 years of age or older. If there insufficient elderly applicants for a particular vacant apartment, LHA will then offer the apartment to applicants

who are age 50 years and over. LHA will not offer units to persons who are below the age of 50 years.

- F. One Offer. As dwelling units become available for occupancy, the verified, eligible applicant first on the waiting list for the available size of unit shall be offered a unit in accordance with the following plan:
1. The housing authority will offer the suitable unit that has been vacant for the longest period of time. If that unit is not ready for occupancy, LHA will offer the unit that has been ready for occupancy for the longest period of time. The applicant must accept the unit offered or be moved to the last place on the waiting list and lose the benefit of any preferences for six months. After the applicant has refused two offers, LHA will cancel the application.
 2. Under certain circumstances LHA may allow the applicant to refuse a unit and remain at the top of the waiting list. If LHA is satisfied that the refusal meets the criteria below, LHA will consider the refusal of the offer to be an "allowable refusal," and will not move the applicant to the bottom of the waiting list.
 - a. The applicant is willing to accept the unit offered, but is unable to move at the time of the offer and presents clear evidence to substantiate this claim. For example, the applicant is unable to move at that time because of health reasons or because of current lease obligations. A lease requirement for a 30 day notice to vacate does not meet the criteria for an allowable refusal.
 - b. The applicant's acceptance of a given unit will result in undue hardship or handicap not related to consideration of race, color, or national origin, and the applicant presents clear evidence to substantiate this claim. For example, acceptance of the unit would cause employment to be inaccessible to the applicant.
 - c. The unit is not of the proper size and/or type, and the applicant would be able to reside there only temporarily.
 - d. The unit location would require children in the household to change schools during the school year.
- G. Income Targeting. For the New 32 and Burke Plaza Section 8 New Construction Projects LHA will comply with HUD's income targeting requirements for extremely low-income applicants. For these projects LHA will target at least 40% of new admissions during a fiscal year to applicants at or below 30% of the area median income as determined by HUD. If necessary, LHA will skip over eligible applicants at the top of the waiting list to offer units to extremely low-income applicants lower on the waiting list in order to maintain the 40% ratio. LHA will

skip applicants without regard to date of application or the selection preferences listed in Section B of this Part.

H. Transfer Policy. LHA will make reassignments or transfers to other dwelling units without regard to race, color, or national origin as follows:

1. LHA will not transfer residents of a HUD-subsidized unit to another HUD-subsidized unit of equal size either within a project or between projects, except for alleviating hardships and/or for medical reasons, as determined by LHA. LHA will consider transfers to a HUD-subsidized unit with a greater or lesser number of bedrooms in accordance with the resident-requested transfer guidelines listed in paragraph 3 below. The resident family must meet the Occupancy Standards for the size of unit requested.
2. LHA will initiate transfers to conform with occupancy standards or to provide the appropriate type of unit to a resident. Such transfers will take precedence over new admissions.
 - LHA will transfer families in over-occupied units to larger units at the first available opportunity.
 - For HUD-Subsidized units LHA will transfer families in under-occupied units to a smaller unit at the first available opportunity. LHA may waive this provision to avoid a vacancy problem, to maintain full occupancy, or to prevent a hardship to the family.
 - LHA will transfer families occupying units with special accessibility features, if those features are not required by current tenants and there is an eligible family on the waiting list who does need such features.
 - LHA provide at least a 30 day written notice. For Public Housing units the notice will inform the family of its right to a grievance hearing.
3. LHA will consider resident-requested transfers. If approved, the transfer will be placed on the appropriate waiting list as of the date of the transfer request. LHA will observe the following criteria when considering resident-requested transfers.
 - **Length of Residency**
The tenant family must have resided in the current unit for at least 1 years to be eligible for a transfer.
 - **Rent Payments History**
During the lease period, the family history of rent payment must include no record of delinquency for the past 6 months and no more than 4 letters of delinquency in

two years, and must have a favorable recommendation from the Credit and Collections Clerk.

The Credit and Collections Clerk can give approval even with letters of delinquency if the family maintained ongoing communication with the clerk of problems, and the family continued to make payments on other charges.

- **Utility Payment History**

There is no history of delinquent notices from utility companies.

- **Inspection & Maintenance History**

The history of LHA inspection reports and maintenance calls to the residence show good care and minimal damages to the unit and any charges were paid in a timely manner. If no annual inspections have been performed, LHA will make a home visit to evaluate tenant care of the unit.

- **Other Issues**

The tenant shall not have a history of drug-related criminal activity or other criminal activity involving crimes of physical violence to persons or property and other criminal acts which would adversely affect the health, safety or welfare of others.

The tenant shall have a record of good housekeeping.

The tenant shall have a record relatively free of complaints from, and serious confrontations with, neighbors, staff, or others arising primarily from the activities of the tenant.

The tenant shall have a good record of yard maintenance such as mowing and watering the grass, raking leaves, shoveling drives and walks. The tenant shall have a history of keeping the exterior areas of the property free from trash and debris, improperly parked vehicles, etc.

The tenant shall have a history of compliance with the pet policy.

The tenant shall have a history of working positively to resolve issues and concerns when brought to their attention.

4. The tenant shall have sufficient resources to pay all costs of moving including payment of a transfer charge, new deposits, and moving costs.

Conventional Transfer Charge: \$35

The tenant must pay the transfer charge in advance. There is no transfer charge for HUD-subsidized units or for transfers to conform with Occupancy Standards.

The Tenant is responsible for paying a separate damage deposit on the new unit. Any damages in the old unit not covered by deposit must be paid no later than 30 days from the expiration of the lease.

5. Exceptions. LHA can make exceptions to the above criteria. LHA will make decisions on a case by case basis and give special consideration to medical issues or other life threatening situations.
 6. LHA will offer one unit to a transferring family in accordance with its One Offer policy. If it is an LHA-initiated transfer and the tenant refuses the unit offered, LHA may terminate the tenant's current lease.
 7. For Tax Credit units at Wood Bridge, Summer Hill, Affordable Housing II, and Crossroads House a household transferring to another Tax Credit unit must meet the initial income eligibility guidelines for the project. If the household does not meet those guidelines, LHA will not transfer them to another Tax Credit unit.
- I. Holding a Unit. LHA will hold a unit for no more than 2 working days following notification to a family that a unit is available. If the family does not accept the unit within 2 working days, LHA will consider the offer refused and act in accordance with its one offer policy. LHA will consider payment of a \$50 deposit as acceptance of the unit.

**PART V
OCCUPANCY STANDARDS**

- A. Occupancy Table - HUD-Subsidized Units. In order to promote efficient and economical use of scarce public housing resources, LHA will use the following guidelines to determine the unit size required to accommodate a family of a given size:

<u>Number of Bedrooms</u>	<u>Number of Persons</u>	
	<u>Minimum</u>	<u>Maximum</u>
0	1	1
1	1	2
2	2	4
3	4	6
4	6	8
5	8	10

- B. Room Limits. LHA will assign unit sizes so as not to require use of the living room for sleeping purposes. LHA will assign unit sizes so that no more than two persons are required to sleep in any bedroom.
- C. Family Composition. LHA will consider the relationship, age, gender, health, and disability of the members of the family when determining the appropriate unit size. LHA will assign unit sizes so that children of the same sex will share a bedroom, but if there is at least five years difference in age, LHA will not require them to share a bedroom. LHA will not require persons of the opposite sex, other than spouses or other persons in a familial relationship, to share the same bedroom. Within the limitations of the Occupancy Table, LHA will provide families the opportunity to make their own assessment of whether persons of the opposite sex, persons of different generations, and unrelated adults need separate bedrooms.
- D. Determining Family Size. LHA will consider every member of a family reasonably expected to live in the unit. If a family member is pregnant, the unborn child will be considered a member of the family for the purpose of determining the appropriate unit size. If a parent does not have full custody of a child, they must have custody at least 50% of the time for LHA to consider the child as a member of the family. Students who live out of town, but return home for 3 months per year will be considered a member to the family. If a family member requires a live-in aide, LHA will provide a bedroom for that person.
- E. Waivers. LHA may waive the standards to accommodate a person's disability. LHA may also waive the standards when a vacancy problem exists by temporarily assigning a family to a larger size unit than is required. LHA will transfer such a family to the proper size unit as soon as one becomes available, or when the larger unit can be rented to a qualified family. When

considering waivers, LHA will consider the size of the unit, the size of the bedrooms, the number of bedrooms, and the number and age of the proposed occupants.

- F. Single Persons. LHA will not assign a single person living alone, who does not qualify as elderly or disabled, to a unit larger than one bedroom unless the person can present a compelling need that requires LHA to provide a larger unit.
- G. Qualifying for More than One Unit Size. In some instances a family may qualify for more than one size of unit. In such cases LHA will allow the family to choose a preferred unit size and be placed on the waiting list for that size unit.
- H. Conventional Units and Tax Credit Units. LHA will abide by the above Table to determine the maximum number of occupants for conventional units at Arnold Heights, Heritage Square, and Northwood Terrace, Lynn Creek and for units at Wood Bridge, Summer Hill, Affordable Housing II, and Crossroads House unless the city code imposes a more restrictive requirement. To Qualify applicants for 3 bedroom Tax Credit Units at Wood Bridge and Summer Hill, LHA will apply the Occupancy Guidelines in this Section. LHA will not otherwise restrict an eligible applicant's housing choice regarding the size of a conventional unit.

**PART VI
LEASING PROCEDURES**

- A. Current Lease. Prior to admission, LHA will execute a lease with all adult members of the family. LHA will not admit a family to a unit until it has executed a lease for that unit. LHA will ensure that the lease is current at all times and is compatible with LHA policies and local, state, and federal law. LHA uses the following leases for its various programs:
- Conventional - Arnold Heights, Northwood Terrace, Lynn Creek, and Heritage Square
 - Public Housing Elderly - Mahoney Manor
 - Public Housing Family - Scattered Sites
 - Section 8 New Construction - Burke Plaza and New 32
 - Affordable Scattered Sites - AFF
 - Lease - Purchase Agreement
 - Affordable Housing II
 - Wood Bridge - Tax Credit Apartments
 - Wood Bridge - Market Rate Apartments
 - Crossroads House Apartments
 - Summer Hill - Tax Credit
 - Summer Hill - Market Rate
 - Summer Hill - Reduced Rent
- B. Legal Age. LHA will execute a lease only with persons who are capable under state law of entering into a legal contract.
- C. Security Deposit. Prior to admission, LHA will require the family to pay a security deposit.
- D. Move-in Packet. LHA will provide each new tenant with a Move-in Packet. The packet will contain a copy of the Dwelling Lease, the Handbook of Information and Guidance, Grievance Procedures for Public Housing units, the schedule of standard charges for tenant damages, and other information pertinent to that unit or required under the particular program.
- E. Change in Family Composition. Any change in family composition will require an addendum to the lease. Any additional adult member of the household must be approved by LHA using the same eligibility criteria as used for new applicants. Additions of adult members of the household will require a \$35 administrative fee. LHA will waive the fee for HUD-Subsidized units.
- F. Addendum. When determined necessary by LHA, it will attach addendum to the lease of a particular family. Examples of such addendum:

- Change in Family Composition - Any change in family composition will require an addendum to the lease adding or subtracting a particular party.
- Accessible Units - If a family moves into a unit with special accessibility features and the family does not require those features, LHA will add an addendum to the lease whereby the family agrees to transfer if LHA requires the unit to house someone needing those features.
- Live-in Aides - If a tenant/applicant requires a live-in aide, LHA will require the tenant and applicant to sign an Live-in Aide request in which the aide agrees to follow LHA rules and acknowledges no right of tenancy. If approved, LHA will attach the request to the lease as an addendum.
- Repayment Agreement - If a tenant/applicant owes LHA money and LHA agrees to a repayment agreement, LHA will attach an addendum in which the tenant agrees to abide by the agreement as a condition of tenancy.

PART VII
MOVING TO WORK RENT POLICIES
PUBLIC HOUSING UNITS

Rent Schedule - Public Housing Units. LHA will calculate the amount of rent and other charges in accordance with the appropriate Federal Regulations except as detailed in this document for the Moving To Work Demonstration Program. The changes for the Moving To Work Program in this section are effective July 1, 1999 for new admissions. For families in occupancy prior to July 1, 1999 the provisions will take affect with the families next Annual Re-Examination beginning October 1, 1999. The Definitions section of this policy contains more detailed explanations of Total Tenant Payment, Annual Income, Adjusted Income, Utility Allowances, and Tenant Rent.

1. Total Tenant Payment/Gross Family Contribution. In general the Total Tenant Payment is based on Annual Income and is the higher of the following rounded to the nearest dollar:
 - a. 30 percent of monthly adjusted income (adjusted annual income divided by 12);
 - b. 10 percent of gross monthly income (annual income divided by 12); or
 - c. \$25 (The provision in Section VIII(A)(3) applies here also)
 - d. The Utility Allowance for the unit the tenant will occupy. The effect of this provision is to maintain a minimum Tenant Rent of \$0.

2. Public Housing Ceiling Rents. LHA has established Ceiling Rents for its Public Housing units. The Ceiling Rent is the maximum rent LHA will charge a family for that unit. If the amount calculated based on income is greater than the Ceiling Rent, the Total Tenant Payment will be the Ceiling Rent. A family may only receive the benefit of a Ceiling rent for three years. After three consecutive years paying ceiling rent, LHA will require the family to move from the unit. For families in occupancy and paying Ceiling Rent prior to July 1, 1999, LHA will not start counting the three years until the next Annual Re-examination for that family. The three year limitation will not apply to elderly or disabled families. See Attachment One.

3. Utilities and Tenant Rents. LHA has established utility allowances for units in which the tenant pays some utilities directly. In general, the amount of rent LHA will charge for these units will be the Total Tenant Payment minus the Utility Allowance for the unit. If the amount of the Utility Allowance exceeds the Total Tenant Payment, than the amount of rent charged will be \$0. Under no circumstances will the tenant receive a utility reimbursement. For units in which LHA pays all utilities, the rent will be the Total Tenant Payment. LHA will review utility allowances annually and adjust them when utility rates have increased or decreased by at least 10%.

4. Annual Income. LHA will calculate Annual Income in accordance with Federal Regulations except for the following:

- a. **Minimum Earned Income.** LHA will include a minimum amount of earned income when calculating Annual Income whether or not a family is working. The minimum amount of earned income for families with one eligible adult will be based on 25 hours per week of employment at minimum wage. The minimum amount of earned income for families with two or more eligible adult members will be based on 40 hours per week of employment at minimum wage. LHA will count the higher of the minimum earned income or the actual earned income for the household. The minimum earned income will be added to any unearned income the family receives. Eligible adults are persons 18 years of age or older who do not qualify for one the following exemptions. All adults in the household must be exempt in order for the household to be exempt from the minimum income requirements. LHA will exempt adults members of the family from the minimum earned income requirement if they meet the following criteria.
1. A person who has an illness or injury serious enough to temporarily prevent entry into employment or training. As an example, a broken limb would not automatically qualify an individual from this exemption. An individual under doctor's orders for restricted activities following surgery could be considered for a temporary exemption. Each exemption will be considered on an individual yet consistent basis. Exemptions for illness or injury of less than six weeks anticipated duration will not be given. The maximum duration of this exemption is one year.
 2. A person who is age 60 or older or disabled.
 3. A person who is needed in the home on a continuous basis because of the illness or incapacity of another household member and no other appropriate member of the household is available to provide the needed care. Verification from a physician or licensed or certified psychologist is required. The illness or incapacity of the household member must be evaluated periodically, depending on the diagnosis and/or prognosis for recovery. LHA will verify this at least annually.
 4. A parent or needy caretaker relative of a child under the age of 12 weeks.
 5. A pregnant woman beginning with the 3rd trimester (6th month) of pregnancy continuing through six weeks following the end of the pregnancy.
 6. An individual who is participating in AmeriCorps or Vista. This exemption will have a two year time limit from the date the person entered the AmeriCorps or Vista program.
 7. A full-time student. A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. The school must be accredited by the Nebraska Department of Education and/or other acceptable accrediting agencies.

8. A participant in an approved Self-Sufficiency Program. An approved self-sufficiency program is one that has been reviewed by LHA and whose sponsoring agency has an agreement with LHA regarding their program. Self-sufficiency programs provided by agencies will be approved on a case by case basis if they meet the following guidelines. The self-sufficiency plan must be part of an organized self-sufficiency program developed by the agency as part of the agency's ongoing efforts to support families in achieving self-sufficiency. The goal plans must be based on results of assessment and must list goals to be achieved and benchmarks and time lines; goals must be measurable and verifiable; realistic---within the control of the individual; adequate---contribute to the achievement of self-sufficiency; congruent with the individual's values; and time-limited. The self sufficiency plan must detail the responsibilities, roles, and expectations of the participant, the sponsoring agency and case manager, and other service providers. The self-sufficiency plan may be a flexible tool which allows for adjustments based on changes in external conditions or individual circumstances. There must be an established relationship the Lincoln Housing Authority and the sponsoring agencies of the self-sufficiency program to allow for the exchange of information so that Lincoln Housing Authority can monitor the progress on self-sufficiency goals and objectives.

To be eligible for an exemption from the minimum earned income requirement, the individual must be fully enrolled in the self-sufficiency program and actively participating. They cannot be enrolled but inactive and cannot be under any sanction or probation with the self-sufficiency agency.

LHA will provide a fixed three year period of time beginning when the household is initially housed or converted to MTW during which individuals will be able to qualify for the exemption from minimum earned income as a self-sufficiency participant. After that time, they will no longer be eligible for this exemption. At the sole discretion of LHA, an extension of time for self-sufficiency participation may be given. LHA may consider past achievements in the self-sufficiency program, current activity within the program and remaining goals to be accomplished, history of exemptions and temporary exemptions, or other good cause as reasons for extending the time for being exempt from the minimum earned income requirement as a self-sufficiency participant.

- b. Student Income. LHA will include all earned income in the calculation of Annual Income of full time students age 22 and older. These students will not be considered as dependents for the purpose of calculating annual and adjusted income.

5. Adjusted Income. Adjusted Income is calculated by subtracting eligible deductions from a family's Annual Income. LHA will follow HUD regulations in determining eligible deductions. In addition LHA will include the following new deduction and alter the dependent deduction.
 - a. Medical Insurance Premium Deduction. For non-elderly, non-disabled families LHA will deduct the amount of medical and dental insurance premiums paid by the family that exceeds 3% of Annual Income. LHA will calculate this in the same manner that it calculates the HUD-required deduction of medical expenses for elderly and disabled families. However, for non-elderly, non-disabled families LHA will only include the cost of insurance premiums paid by the family, and that are not reimbursed to the family. LHA will not deduct any other out of pocket medical expenses for non-elderly, non-disabled families.
 - b. Dependent Deduction. LHA will provide the same dependent deduction required by HUD regulation with one exception. LHA will not consider as dependents full-time students age 22 and over. LHA will not provide a dependent deduction for these students.

PART VIII
SCHEDULE OF RENTS AND OTHER CHARGES

- A. Rent Schedule - New 32 and Burke Plaza units. LHA will calculate the amount of rent and other charges in accordance with the appropriate Federal Regulations. The Definitions section of this policy contains more detailed explanations of Total Tenant Payment, Annual Income, Adjusted Income, Utility Allowances, and Tenant Rent.
1. Total Tenant Payment/Gross Family Contribution. In general the Total Tenant Payment is based on Annual Income and is the higher of the following rounded to the nearest dollar:
 - a. 30 percent of monthly adjusted income (adjusted annual income divided by 12);
 - b. 10 percent of gross monthly income (annual income divided by 12); or
 - c. \$25
 2. Utilities and Tenant Rents. LHA has established utility allowances for units in which the tenant pays some utilities directly. In general, the amount of rent LHA will charge for these units will be the Total Tenant Payment minus the Utility Allowance for the unit. For units in which LHA pays all utilities, the rent will be the Total Tenant Payment. LHA will review utility allowances annually and adjust them when utility rates have increased or decreased by at least 10%.
 3. Minimum Rent Hardship. In cases where the application of the \$25 minimum Total Tenant Payment (TTP) results in a Tenant Rent greater than \$0, a family may qualify for a financial hardship exemption. If a family is unable to pay this minimum rent amount, it may request a financial hardship exemption. Upon request for a hardship LHA will suspend the \$25 minimum TTP beginning the month following the request until it determines if the family qualifies for a financial hardship and whether the hardship is temporary or long term. Financial hardships include the following situations:
 - When the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Act of 1996;
 - When the family would be evicted because it is unable to pay the minimum rent;
 - When the income of the family has decreased because of changed circumstances, including loss of employment;
 - When a death has occurred in the family's household within the last six months.
- B. Rent Schedule - Conventional Arnold Heights. See Attachment Two.

- C. Rent Schedule - Conventional Apartments. Heritage Square, Northwood Terrace and Lynn Creek. See Attachment Two.
- D. Rent Schedule - AFF. LHA will calculate rents based on income in accordance with Public Housing regulations, except that it will charge a minimum rent. See Attachment Three.
- E. Rent Schedule - Affordable Housing II. See Attachment Four.
- F. Rent Schedule - Wood Bridge. LHA will have two separate rent schedules for Wood Bridge: One for Tax Credit units and one for market rate units. See Attachment Five.
- G. Rent Schedule - Summer Hill. LHA will have two separate rent schedules for Summer Hill: One for Tax Credit and Reduced Rent units and one for market rate units. See Attachment Six.
- H. Security Deposit. LHA will require each tenant to pay a security deposit in the following amounts:

Public Housing - A12	\$150
Public Housing - all other	\$150
Section 8 - BPL, N32,	\$ 50 or GFC, whichever greater
AFF	\$240
Conventional	One Month's Rent
Tax Credit/Reduced Rent Units	One Month's Rent

Following the tenant's move-out LHA may deduct certain charges from the security deposit. LHA will return the balance, if any, of the security deposit within fourteen days following a move-out inspection of the unit and receipt of a forwarding address where it can be mailed. LHA will deduct charges for the following, or otherwise in accordance with state law:

1. Any unpaid rent or other charges for which the tenant is liable.
2. Cleaning costs for the unit and appliances.
3. Damage which is not due to normal wear and tear.

- I. Pet Deposit. LHA allows pets in its Public Housing and New 32 Scattered Site units, Arnold Heights units, Mahoney Manor, Burke Plaza, and Crossroads House. LHA does not allow pets at Northwood Terrace, Heritage Square, Affordable Housing II, Wood Bridge and Summer Hill. LHA requires pet-owning tenants to pay an additional pet deposit to be used by management at the termination of tenant's lease toward reimbursement of the cost of repairing any damages to the dwelling unit caused by the pet. LHA will charge the pet deposit in accordance with its Pet Policy. LHA will not charge a deposit for an aid animal (for example, a seeing eye dog). LHA will not return the pet deposit until after the tenant has vacated the unit even if the tenant no longer keeps a pet while still in tenancy.
- J. Additional Charges. From time to time LHA may find it necessary to assess additional charges for certain services or damages for which tenants are responsible. LHA will make all new

tenants aware of these charges and provide them a copy of the standard charge sheet, LHA Form #99. As LHA updates the schedule, it will provide a 30 day notice of the new schedule of charges to all tenants.

**PART IX
RENT COLLECTION POLICY**

- A. Due Date. Rents are due and payable on or before the first day of each month.
- B. Notice of Lease Termination. After the fifth calendar day of each month LHA will send a Notice of Lease Termination to all tenants whose rents have not been paid in full. The Notice will conform with requirements of the tenant's lease and state and federal law when applicable.

The Notice will require the tenant to pay all unpaid rent within the following number of days or LHA will terminate the lease and initiate eviction procedures:

Conventional, Tax Credit & Reduced Rent units	3 days
Section 8 Burke and HSQ Set aside New 32 units	3 days 10 days
Public Housing	14 days

- C. Administrative Charges. LHA will assess the tenant a \$20 administrative charge for serving a Notice of Lease Termination for delinquent rent.
- D. Non-Sufficient Funds. LHA will consider the receipt of a Non-Sufficient Funds (NSF) check as non-payment of rent. LHA will charge \$20 for any returned checks. LHA will treat NSF checks the same as non-payment of rent. LHA will allow one NSF check before putting the tenants account on a money order only basis. On the second offense, LHA will place the account on a money order only basis for six months. On the third offense, LHA will place the account on a money order only basis for the remaining tenancy.
- E. Legal Proceedings. If LHA does not receive the rental payment within the required number of days specified in the Notice, the tenant has not vacated the premises, and the time period for a hearing - for HUD subsidized units only - has expired, LHA will initiate legal proceedings to recover possession of the dwelling unit.
- F. Waiver. LHA may waive the Lease Termination procedure in hardship cases if the tenant immediately contacts the office to explain the reasons for late payment. If this proves acceptable, LHA will execute a written repayment agreement with the tenant stipulating the payment date. However, LHA will not waive NSF check charges.

PART X
RE-EXAMINATION OF FAMILY INCOME AND COMPOSITION
HUD-SUBSIDIZED UNITS ONLY

- A. Annual Re-examinations. LHA will annually inspect the unit and re-examine each tenant family's income and composition in order to determine the appropriate Total Tenant Payment and Tenant Rent to charge for the ensuing year. LHA will also utilize the opportunity to determine if the unit size remains appropriate, to review compliance with the Community Service Requirements for Public Housing, and to review any other pertinent issues with the family.
1. Annual rent adjustments will be effective on the anniversary date of the family's lease. If the family's lease was effective on a day other than the first of the month, then the annual adjustment will be effective on the first day of the month of the anniversary date of the lease. LHA will complete the process at least 30 days prior to that date in order to give each family adequate notice of any rent change. LHA will begin the process 90 days prior to the effective date of each family's annual rent adjustment.
 2. LHA will require each household to complete and sign a Personal Declaration form and an Application for Continued Occupancy. The application will set forth all data and information necessary to enable LHA to determine the appropriate Total Tenant Payment, Tenant Rent, and unit size for the family. In addition LHA will require the appropriate family members to sign authorizations for release of information, certifications, and other requisite forms in order to verify the information and complete the process.
 3. In accordance with the above schedule, LHA will contact the family to schedule an appointment to complete the necessary paperwork and to begin the process. LHA will give the family written notice that it has 10 days to schedule an appointment. If the family does not respond, misses a scheduled appointment, or otherwise refuses to complete any part of the recertification process, LHA will give the family a second written notice that it has 5 working days to provide the information necessary. If the family still does not respond or cooperate, LHA will issue a 30 day notice to terminate the family's lease.
- B. Interim re-examinations. Under certain circumstances LHA will re-examine a family's income and/or composition between annual re-examinations. Tenants must report in writing any change in the household's income. LHA will determine whether a re-examination is necessary. LHA will perform interim re-examinations under the following circumstances:
1. There is a change in family composition. LHA must review and approve the eligibility of an additional person in the unit.

2. The tenant family requests a rent review due to a decrease in family income or a change in other circumstances that would lower the rent payment.
 3. LHA had calculated the current rental payment for a temporary time period, and planned an interim review. If a tenant is at zero income, LHA will re-examine income every 90 days.
 4. There is a change in federal regulations requiring such a review.
 5. There is an increase in the family's annual income. Tenants must report any change in the household's income. LHA will determine whether a re-examination is necessary. For Public Housing units, LHA will not perform an interim and increase rent until the next annual review for the length of the Moving to Work Demonstration program except for the following circumstances. This exception is effective July 1, 1999.
 - LHA will increase the rent and charge retroactive rent if the tenant fails to report the change in writing.
 - LHA will conduct an interim review and increase rent if the change in income is due to a change in family composition.
 - LHA will conduct an interim review if the tenant no longer qualifies for an exemption from the Minimum Earned Income for any reason other than employment (For example the tenant is terminated from a self-sufficiency program for failure to cooperate with program guidelines). If the tenant no longer qualifies for an exemption from the MEI, then LHA will conduct an interim review to include Minimum Earned Income in the calculation of Annual Income and increase the rent.
 - LHA will conduct an interim rent increase if it previously reduced the rent due to a temporary loss of income. For example if a pregnant client's rent was decreased due to a work stoppage and loss of income, LHA will increase rent up to its previous level when the client starts working again. When possible LHA will issue concurrent notices - one lowering rent and one increasing rent effective on the predicted date of the clients return to work.
 6. LHA receives information that indicates the family's income or composition is significantly different than the family last reported.
- C. Reporting Deadline. LHA requires tenants to report changes in income and family composition within 10 days of the change. Tenants must report all income changes.
- D. Interim Rent Adjustments. LHA will issue a Notice of Rent Adjustment informing the family of any change in the family's rent resulting from an interim re-examination. The rent will remain in effect until the next annual re-examination or until circumstances occur that warrant an interim rent review. LHA will give the family at least 30 days notice of any rent increase.

If the family has met the 10 day reporting deadline, LHA will make any increase effective on the first of the month after the 30 day Notice of Rent Adjustment. If the family has not met the 10 day reporting deadline, LHA will make any increase effective the first of the month following the change, and require the tenant to pay back rent.

LHA will make decreases effective the first of the month following the verified decrease. If a family member has terminated employment, LHA will make the rent decrease effective 90 days after the month the decrease was reported. LHA will not lower rent payments for reductions in TAIF payments due to sanctions, fraud or otherwise failing to cooperate with that program. LHA will not lower rent for payments due to a temporary loss of income of one month (30 days) or less duration.

- E. Incorrect Unit Size. If LHA determines that the size or composition of a family has changed and that the unit occupied by the family is no longer suitable according LHA's Occupancy Standards, LHA will transfer tenants to another dwelling unit in accordance with the Transfer Policy. If LHA does not own or operate units of the appropriate size, LHA may terminate the family's lease in accordance with the Lease Termination section of this policy or waive its occupancy standards. LHA will attempt to provide the family assistance in locating another unit, including referrals to other rental assistance programs.

- F. Misrepresentations. If LHA determines that a tenant intentionally or deliberately misrepresented or otherwise did not report income, assets, deductions, family composition, or other information upon which the rent and unit size and type are based, LHA will determine the amount of rent that should have been charged and attempt to collect the amount owed. If the family repays the amounts owed and/or moves to the appropriate size or type of unit, LHA may allow a tenant family to remain in tenancy. Otherwise LHA will terminate the tenant's lease in accordance with the Lease Terminations section of this policy. At its sole discretion LHA may allow a family to enter into a repayment agreement to pay off their debt over a specified period of time.

PART XI
ANNUAL RECERTIFICATION
TAX CREDIT & REDUCED RENT UNITS

LHA will annually re-certify the income of households occupying units subject to the requirements of the Low Income Housing Tax Credit Program. LHA will determine whether the household's income still meets the requirements of the Tax Credit program. Similarly LHA will annually re-certify the income of households occupying the Summer Hill Reduced Rent Apartments. For Tax Credit and Reduced Rent tenants who are also Section 8 tenants, LHA will utilize the annual Section 8 review to fulfill the requirements of the Tax Credit recertification. Although LHA will utilize the annual Section 8 review, LHA will not utilize or act upon changes reflected by interim Section 8 reviews. For the purpose of the Tax Credit program, LHA will require families to report only changes in household composition or student status between annual recertifications, and will act as necessary to maintain occupancy standards and compliance with the Tax Credit program.

For Tax Credit and Reduced Rent units in the Wood Bridge and Summer Hill developments, if the households income exceeds 140% of the initial qualifying income (60% of median), LHA will require the family to vacate the unit or transfer to a market rate rental unit as necessary to keep the mix of market and tax credit/Reduced Rent units at 50% each and not to adversely affect the tax credit Applicable Fraction.

PART XII
VERIFICATION OF APPLICANT'S STATEMENTS AND INCOME

A. Scope of Verification. LHA will verify all information affecting an applicant family's eligibility, selection preferences, rent calculations, and required unit size and type prior to admitting the family into its HUD-subsidized units or Tax Credit units. This may include the following:

- Age
- Assets
- Child Care expenses
- Citizenship/ Immigration Status (if born outside the US)
- Dependent Allowance
- Disability assistance expenses
- Disability status
- Familial status
- Family circumstances
- Income (inclusions and exclusions)
- Legal identity
- Medical expenses
- Preference status
- Social Security numbers
- Unit size
- Zero income status
- Full-time Student status.

These verifications will occur no more than sixty (60) days prior to the offer of a unit, and no more than 60 days prior notification of rent change at annual and interim re-examinations. Permanent verifications must only be verified once, e.g. Social Security numbers.

B. Methods of Verification: LHA will verify in accordance to the federal regulations and LHA procedures. LHA prefers to independently verify information. However, LHA recognizes this may not always be possible, thus LHA will observe the following preferred order of verification:

1. **Up front Income Verification:** As available by HUD, up front income verification through computer matching will be used to verify wages, unemployment, TANF, and Social Security Benefits.
2. **Third Party:** LHA will first attempt to obtain written third party verifications of information. LHA will require applicants to sign authorizations for the release of information to enable LHA to obtain such verifications. LHA will send verification forms directly to employers, banks, social service agencies and others in order to receive

an accurate third party verification. LHA's written inquiries will state the purpose of the inquiry and include the applicant/participant's authorization to release information. LHA will strongly encourage parties to respond in writing, but will accept oral verification from a third party source if a written response is not possible.

LHA will document all attempts to obtain written and oral third party verifications before moving to the next level of verifications.

Computer verification will serve as a third party verification where allowed by HUD and/or state or local agencies. Computer printouts are acceptable.

3. **Family Documentation:** If third party verification is not possible, LHA may accept documentation supplied by the applicant. All documents will be photocopied. If photocopying is not allowed for a particular piece of documentation, then LHA will be required to make a notation in the file regarding the document which was viewed.
4. **Family Certification:** Under limited circumstances, if the nature of the information cannot be documented or independently verified, LHA may accept a certification from the family by submitting a statement in writing. LHA will use its best judgement to determine whether the family should be able to provide documentation of certain information.
5. **Release of Information:** Families will be required to sign HUD form 9886, Authorization for Release of Information/Privacy Act Notice and other appropriate forms of verification not covered under the HUD form 9886. The signatures should be updated at each annual re-examination. Family refusal to cooperate with the required verification system will result in denial or termination.

- C. **Acceptable Forms of Verification:** The verifications are listed in the order of most to least preferable form of verification. LHA will attempt to obtain the "most" preferable form of verification.

Income and Assets:

1. **Alimony or Child Support Payments:**
 - (a) Copy of separation or settlement agreement or divorce decree stating amount and type of support and payment schedules.
 - (b) Statement of the party responsible to enforce the payments indicating a record of payment history.
 - (c) A letter from the person paying the support.
 - (d) A copy of the latest check. LHA must record the date, amount and number of the check.
 - (e) Child Support/Alimony certification statement.
 - (f) Household's signed statement.

2. **Assets Disposed:**
 - (a) Family's certification as to whether any member disposed of assets for less than fair market value during the two years preceding the effective date of the certification/re-certification.
and/or
 - (b) If the family disposed of assets for less than fair market value, a certification that shows:
 - (i) All assets disposed of for less than FMV;
 - (ii) Date assets were disposed;
 - (iii) Amount family received; and
 - (iv) The asset's market value at the time of disposition.

3. **Assets (Net Current & Non-Liquid):** Collect enough information to determine the current cash value.
 - (a) Verification forms, letters or documents from a financial institution.
 - (b) Passbooks, checking account statements, certificates of deposit, bonds or financial statements.
 - (c) Quotes from stock broker or real estate agent.
 - (d) Real estate tax statements at current market value.
 - (e) Copies of closing documents.
 - (f) Appraisals.
 - (g) Family's notarized statements.

4. **Employment:** Verification from the employer will include the pay frequency, effective date of the last pay increase, probability and effective date of any increase during the next 12 months.
 - (a) Employment verification form completed by the employer.
 - (b) Check stubs or earning statements showing the employee's gross pay per pay period or year-to-date earnings.
 - (c) W-2 forms plus tax return forms.

5. **Interest Income and Dividends:**
 - (a) Account statements, passbooks, etc., providing enough information and signed by the financial institution.
 - (b) Brokers' quarterly statements showing the value of the stocks or bonds and the earnings credited the applicant.
 - (c) An IRS form 1099.

6. **Interest from the sale of real property pursuant to purchase money mortgage, installment sales contract or similar arrangement:**
 - (a) A letter from the accountant, attorney, real estate broker, the buyer or financial institution stating the interest due for the next 12 months.
 - (b) Amortization schedule showing the interest for the 12 months following the effective date.

- (c) A copy of the check paid by the buyer to the applicant is **not** sufficient.
7. **Rental Income:**
 - (a) IRS 1040 with Schedule E.
 - (b) Copies of latest rent checks, leases or utility bills.
 - (c) Documentation of family's income and expenses in renting the property which includes expense and income receipts.
 - (d) Lessee's written statement identifying monthly payments due the family and family affidavit to net income.
 8. **Recurring Gifts:**
 - (a) Notarized statement signed by the person providing the gifts. Must give the purpose, dates and value of the gift(s).
 - (b) Family notarized statement that provides the same information indicated above.
 9. **Self-Employment (Net Income from a Business):** The following documents will reflect the prior year's income, but LHA must consult with the participant/applicant on the estimated income due for the next 12 months.
 - (a) IRS Tax Return, form 1040 and any schedules © - Small Business, E - Rental Property and F- Farm Income).
 - (b) Accountant's calculation of depreciation expense computed using straight-line depreciation rules.
 - (c) Financial statements of the business.
 - (d) Loan application listing income derived from the business during the previous 12 months.
 - (e) Applicant's accounting statements as to the net income realized from the business during the previous years.
 10. **Social Security, Pensions, Disability and Unemployment Income:**
 - (a) Computer links.
 - (b) Benefit verification form completed by the agency providing the benefits.
 - (c) Award or benefit notification letters.
 11. **Welfare:**
 - (a) Records obtained via LHA's computer link or directly from the Department of Health and Human Services.
 12. **Zero income Status:** Families reporting no income or unrealistically low income will be required to sign an affidavit of unemployment, zero income affidavit and/or "survival" statement.
- Deductions:**
13. **Age (to verify elderly & dependents):**

- (a) Birth Certificate;
- (b) Naturalization and Immigration papers;
- (c) US passport;
- (d) Hospital record of birth
- (e) Baptismal record;
- (f) Driver's license;
- (g) Government issued identification;
- (h) School records;
- (i) Health records (i.e. immunization);
- (j) Medical papers or statements;
- (k) Military service papers;
- (l) Written verification from social services agencies;
- (m) Insurance records
- (n) Newspaper records;
- (o) Family bible records;
- (p) Written family statements.

14. Child Care Expenses:

- (a) Written verification from the person who received the payments. The verification should include the Federal ID number or Social Security number, name, phone number of the child care provider, name of each child, number of hours, days of the week and the amount charged for each child.
- (b) Family certification on the payments which have been made or reimbursed by outside sources.

15. Dependent Deductions:

In addition to receiving verification of "age", LHA must provide verification of family relationship. The following verifications may be used for relationship status to the head of the household.

- (a) Birth Certificate;
- (b) Naturalization and Immigration papers;
- (c) US passport;
- (d) Hospital record of birth
- (e) Baptismal record;
- (f) Government issued Identification;
- (g) School records;
- (h) Health records (immunization records);
- (i) Medical papers or statements;
- (j) written verifications from social services agencies
- (k) Insurance records
- (l) Newspaper records;
- (m) Family bible records;

- (n) Written family statements
- (o) Signed LHA Personal Declaration or Application.

16. **Medical Expenses:**

- (a) Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, etc. The verification will include estimated medical costs to be incurred by the family and/or regular payments due on medical bills, and verification should state which of the medical expenses will be reimbursed by Insurance or another agency.
- (b) Insurance company's or employer's written verification of health Insurance premiums to be paid by the family.
- (c) Social Security Administration's written verification of Medicare premiums to be paid by the family in the next 12 months.
- (d) For Attendant Care: Doctor's certification the assistance of the attendant is medically necessary; attendant's written verification of the hours provided, the amount and frequency of payments, and the family's certification as declaring if any of the payments have been paid or will be paid by an outside source.

NOTE: *When using the verifications below, the client must complete the Medical Expense declaration form to accommodate the following verifications.*

- (e) Receipts, canceled checks or pay stubs which indicate health Insurance premiums, medical and/or Insurance expenses to be incurred over the next 12 months.
- (f) Copies of payment agreements with medical facilities or canceled checks verifying payments to be made on outstanding medical bills that will continue into the next 12 months.
- (g) Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate the future medical expenses. LHA may use this approach for general medical expenses such as non-prescription drugs and regular visits to a doctor or dentist, but not for one-time recurring expenses from the previous year. LHA may use a form letter to submit to the physician to verify any future medical need including prescribed services, prescriptions and non-prescription items.
- (h) Mileage: LHA will use mileage at the rate approved for LHA or cab receipts with to/from addresses listed for verification of the cost of transportation directly related to a medical treatment.

15. **Assistance to the Disabled:** Attendant Care, Auxiliary Apparatus, etc.

- (a) Written certification from the doctor or rehabilitation agency the disabled person requires services of an attendant, or the use of auxiliary apparatus to permit the disabled person to be employed or to function sufficiently and independently to enable another family member to be employed.
- (b) Family's written certification as to whether or not they receive reimbursement for any expenses and the amount reimbursed.
- (c) Refer to medical expenses above for verification requirements of the expenses.

Miscellaneous:

16. Citizenship or National Status:

- (a) Individuals born outside of the United States—a birth certificate or naturalization papers; and
- (b) Signed declaration of 214 status provided by the family for each household member and a copy of the Social Security card.
- (c) Non-citizens in eligible immigration status—provide USCIS card or documentation containing an alien registration number and a signed verification consent form.

17. Full Time Student Status:

- (a) Written verification from the registrars' office or appropriate school official.
- (b) School record indicating enrollment for sufficient number of credits to be considered a full-time student by the school.

18. Medical Need for Larger Unit:

- (a) A medical source must provide a written certification there is a need to provide a larger unit as a reasonable accommodation for a disability.

PART XIII
LEASE TERMINATIONS

- A. Tenant Termination. The tenant may terminate the lease by providing a written notice to LHA in the accordance with the lease agreement.
- B. LHA Termination - Conventional and Tax Credit Units. LHA will terminate or refuse to renew a tenants lease at its discretion in accordance with the lease and state law.
- C. LHA Termination - HUD Subsidized Units. LHA will terminate or refuse to renew the lease for serious or repeated violation of material items of the lease such as failure to make payments due under the lease, failure to fulfill the tenant obligations set forth in the lease, failure to comply with the Community Service Requirements, or for other good cause. Other good cause includes, but is not limited to: serious or repeated interference with the rights of other tenants or neighbors; serious or repeated damage to the leased premises; creation of physical or health hazards; failure of the tenant to use the dwelling unit as his principal place of residence; or failure to fulfill other tenant obligations set forth in the lease. If LHA terminates the lease, LHA shall provide written notice to the tenant as follows:
1. In accordance with the Rent Collection Policy in the case of failure to pay rent.
 2. A reasonable time considering the seriousness of the situation - but not to exceed 30 days - in a case where a tenant creates or maintains a threat constituting a serious and clear danger to the health or safety of other tenants or housing authority employees. A serious and clear danger shall include but not be limited to any of the following activities of the tenant or any other person on the premises with the consent of the tenant:
 - a. Physical assault or the threat of physical assault.
 - b. Illegal use of a firearm or other weapon or the threat to use an illegal firearm or other weapon.
 - c. Any "drug-related criminal activity."
 3. At least thirty (30) days prior to termination in all other cases. On a first offense, LHA will provide a 14 day period to remedy the tenant default.
 4. At least ninety (90) days when terminating the lease of a family in a Public Housing unit who has paid the Public Housing Ceiling Rent for three consecutive years.
- D. Zero Tolerance. LHA will exercise zero tolerance for drug activity, other criminal activity or alcohol abuse by any LHA tenant or guest. On a monthly basis LHA will check the police calls to all LHA owned units to monitor any potential problems. LHA will terminate the lease of any tenant, where the tenant, member of tenant's household or guest has engaged in the illegal use of drugs or otherwise has been involved in any drug-related criminal activity on or off the

premises within the past three years. LHA will terminate the lease of any tenant if LHA determines that any other person under the tenants control engages in any drug-related criminal activity on the premises. LHA will terminate the lease of any tenant if LHA determines that a tenant, guest or other person under the tenant's control engages in any criminal activity or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents or neighbors. LHA will terminate the lease of any tenant if LHA determines that any member of the household has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing. LHA will terminate the lease if a tenant is fleeing to avoid prosecution, or custody or confinement, for a crime or attempt to commit a crime that is a felony under the laws of the place from which the individual flees (or is a high misdemeanor in the state of New Jersey); or is violating a condition of probation or parole imposed under Federal or State law.

LHA will give consideration to a tenant who demonstrates to the satisfaction of LHA that he/she has successfully completed or is participating in a supervised drug or alcohol rehabilitation program and is no longer abusing alcohol, illegally using controlled substances, or otherwise involved in drug-related criminal activity. LHA will require written evidence of such participation.

- E. Judicial Proceeding. LHA will evict tenants only by initiating appropriate judicial proceedings.

- F. Public Housing Grievances. LHA will process and resolve grievances or appeals concerning the obligations of the tenant or the housing authority under the provisions of the Public Housing Lease in accordance with LHA's Public Housing Grievance Procedure that is in effect at the time such grievance or appeal arises.

PART XIV COMMUNITY SERVICE PROGRAM

A. Introduction

The Public Housing Reform Act of 1998 requires that every adult resident of public housing perform 8 hours of community service each month or participate in an economic self-sufficiency program for at least 8 hours every month or a combination of each activity for a total of 8 hours each month. Certain adults are exempt from the requirements.

B. Implementation Plan

Lincoln Housing Authority is required to implement these community service requirements beginning April 1, 2001. LHA will phase in the implementation of the community service requirements beginning with households who are initially housed or transferred beginning April 1, 2001. For all other households, i.e. those already housed on April 1, 2001, the implementation of the community service requirements will be the effective date of the next annual reviews beginning April 1, 2001. LHA will provide each family with a written description of the service requirements, the process for claiming status as an exempt person, the process for change in status, and the verification required.

C. Community Service\Economic Self-Sufficiency Requirements for Adults

Adults age 19 and above who are not exempt must perform 8 hours of community service per month or 8 hours of participation in economic self-sufficiency programs or any combination of these activities.

Community Services: The performance of voluntary work or duties that are a public benefit and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. LHA will consider community service to be a broadly defined area of service performed under the auspices of a non-profit organization, service club, government agency, school, church, or other community organization. Community service is not employment and may not include political activities. Community service can include volunteer work in schools but does not include home schooling of household members by a tenant or adult member of the family. Community service must be an activity which can be verified by a responsible and objective third party.

Economic Self-Sufficiency Program: Any program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work for such families. These programs include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, and any program necessary to ready a participant for work (including a substance abuse or mental health treatment program), or other work activities.

Economic Self-Sufficiency Programs include those which have been approved as self-sufficiency programs under LHA's Moving to Work Demonstration Project. An

economic self-sufficiency program also includes enrollment and attendance in post-secondary educational programs accredited by the Nebraska Department of Education or other acceptable accrediting agencies. Independent and internet-based study and correspondence courses are excluded.

D. Exemption from Community Service\Self-Sufficiency Requirements

The requirement to perform community service or participate in an economic self-sufficiency program applies to all *non-exempt*, adult residents in public housing.

An Exempt Individual is an adult member of the household who:

- 1) Is 62 years or older.
- 2) (i) Is a blind or disabled individual, as defined under 216(i)(1) of the Social Security Act (42 U.S.C. 416(i)(1); 1382c) and who certifies that because of this disability she or he is unable to comply with the service provisions of this subpart, or (ii) is a primary caretaker of such an individual. The disabled individual must complete a self-certification form to be exempt from Community Services. The primary caretaker must be identified by the disabled adult. In the case of a primary caretaker of a blind or disabled person under the age of 18, the caretaker must complete a self-certification. Only one adult in a household will qualify as a primary caretaker.
- 3) Is engaged in work activities which are defined in section 407(d) of the Social Security Act (42 U.S.C. 607(d) as the following:
 1. Unsubsidized employment
 2. Subsidized private-sector employment
 3. Subsidized public-sector employment
 4. Work experience if sufficient private sector employment is not available
 5. On-the-job training
 6. Job search and job-readiness assistance
 7. Community service programs
 8. Vocational educational training
 9. Job skills training directly related to employment
 10. Education directly related to employment in the case of a recipient who has not received a high school diploma or certificate of high school equivalency
 11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence

For an exemption from LHA's community service requirement, other work activities must comprise at least 8 hours of activity per month. Other requirements must be met for exemption from LHA's Minimum Earned Income requirement under the Moving to Work Program.

- 4) Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of Title IV of the Social Security Act (41 U.S.C 601 et seq.) or under any other welfare program of the State in which the PHA is

located, included a State-administered welfare-to-work program. This exemption is determined by the Nebraska Department of Health and Human Services and they provide the following exemptions:

1. A child who is age 14 or younger (including an emancipated minor).
 2. A full-time student who is age 16, 17, or 18 and regularly attending an elementary, secondary, or vocational or technical school.
 3. A person who has an illness or injury serious enough to temporarily prevent entry into employment or training.
A person who is incapacitated with a medically determinable physical or mental impairment which, by itself or in conjunction with age, prevents the individual from engaging in employment or training and which is expected to exist for a continuous period of at least three months.
 4. A person who is age 60 or older or disabled.
 5. A person who is needed in the home on a continuous basis because of the illness or incapacity of another household member and no other appropriate member of the household is available to provide the needed care. Verification from a physician or licensed or certified psychologist is required. The illness or incapacity of the household member must be evaluated periodically, depending on the diagnosis and/or prognosis for recovery.
 6. A parent or needy caretaker relative of a child under the age of 12 weeks. Only one adult in a household can qualify for this exemption.
 7. A pregnant woman beginning with the 3rd trimester (6th month) of pregnancy continuing through six weeks following the end of the pregnancy.
 8. An individual who lives in a location that is so remote from an EF program or activity that effective participation is not possible.
 9. An individual who is participating in AmeriCorps.
 10. A single custodial parent who is unable to participate because s/he cannot obtain child care for his/her child age five or younger because of distance, unavailability\unsuitability of informal child care, or unavailability of appropriate and affordable formal child care arrangements.
- 5) Is a member of a family receiving assistance, benefits or services under a state program funded under part A of Title IV of the Social Security Act (42 U.S.C. 601 et seq.) or under any other welfare program of the State in which the PHA is located, included a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in non-compliance with such program.

Adults who are members of family receiving any of the following benefits for any member of the family are exempt from community service and economic self-sufficiency requirements of this section. Verification is provided by the Nebraska Department of Health and Human Services. This does not provide an exemption from provisions of the Moving to Work Demonstration Project and specifically does not provide an exemption to the Minimum Earned Income requirement. The benefits which provide a basis for the community service exemption are:

Temporary Assistance to Needy Families (TAIF)
Child Care Block Grant

For any exemption, the Lincoln Housing Authority requires verification. In some cases, information to substantiate the exemption or actual verification information may already be on file.

E. Notification to Residents and Status Determination

Beginning February 1, 2001, LHA will provide each applicant family with notification of the community service\economic self-sufficiency requirements. By February 1, 2001, all waiting list families, excluding elderly applicants for Mahoney Manor, will receive written notification of the community service\economic self-sufficiency requirements. LHA will provide each family with a written description of the service requirements, the process for claiming status as an exempt person, the process for change in status, and the verification required.

By February 1, 2001, all currently housed residents of public housing will be given written notice of the community service\economic self-sufficiency requirements. For all public housing families, a status determination will be made at least 30 days prior to the effective date of each annual review with an effective date on or after April 1, 2001. A status determination will be done at the time a family is initially housed or transferred on or after April 1, 2001.

A status determination means that each adult member of the household will be reviewed to determine if s/he is required to participate in community service\economic self-sufficiency activity or if s/he is exempt from the requirement. The status determination is made according to what each adult's status is anticipated to be on the effective date of the annual review or move in. A housing authority initiated status determination is only done as part of the annual review. A status redetermination is not initiated by the LHA until the next annual review.

An adult member of the family can initiate a status determination to have LHA consider if the community service activity requirement can be discontinued because the member has become exempt. A status determination will be done within 30 days of a request. This status determination review may be done by phone, fax, mail, or in person, at the discretion of the Housing Specialist. Supporting documentation for any change in status is required.

F. Public Housing Lease

HUD regulations on Community Service require a 12 month lease term for public housing. For purposes of the community service program, the 12 month terms refer to the twelve month periods between initial housing and the effective dates of annual reviews thereafter. The public housing lease shall specify that failure to comply with the community service requirement is grounds for termination of the lease at the end of the twelve month lease term but not for termination of the lease during the course of the twelve month lease term.

G. Procedures for Non-Exempt Residents

For each non-exempt adult, the Housing Specialist will provide a referral form to the Community Service Liaison. The community service liaison will refer the family to a third party organization who will work directly with the family to achieve the community service requirements. As appropriate, the community service liaison can also refer tenants to programs which provide education, training, or other economic self-sufficiency programs which can fulfill the requirements. In lieu of referral to a third party organization, the LHA retains the option of working directly with a tenant family or member in fulfilling the requirements.

The family member must provide information and cooperate with the third party organization in verification of the community service activities. The family member must contribute 8 hours per month of community service or participate in an economic sufficiency program for 8 hours per month or a combination of both. The family must provide the third party organization with information verifying compliance with the service requirement including the number of hours accomplished under the activity and provide such information in a format or on a form provided by LHA.

For qualifying activities, a signed certification by the sponsor agency\organization is required.

H. Annual Review and Determination of Compliance

During the annual review process, LHA will determine if the tenant and adult family members have complied with community service\economic self-sufficiency requirements. LHA will also determine which adult members of the family qualify for an exemption for the upcoming twelve month period.

I. Notice of Non-Compliance

At the annual review, if LHA determines that there is a family member who is required to fulfill a community service\economic self-sufficiency requirement and has not done so, LHA will notify the tenant of this determination. The notice will describe the non-compliance and will state that the LHA will terminate the lease at the end of the twelve month period unless

- a) the tenant and any other non-compliant resident, enter into a written agreement with the LHA, in the manner and form described by the LHA, to cure such non-compliance and in fact cure such non-compliance according to the agreement; or

- b) the family provides written assurance satisfactory to the LHA that the tenant or other non-compliant resident no longer resides in the unit.

The notice will also state that the tenant may request a grievance hearing on the status determination and that the tenant may exercise any available judicial remedy to seek timely redress of the PHA's termination of the lease because of such determination.

J. Written Agreements to Cure Non-Compliance

If the tenant or another family member has violated the service requirement, the LHA will terminate the lease upon expiration of the twelve month period unless:

- a) the tenant and any other non-compliant resident enter into a written agreement with the LHA to cure such non-compliance by completing the additional hours of community service or economic self-sufficiency activity needed to make up the total number of hours required over the twelve-month term of the twelve month period and
- b) all other members of the family who are subject to the service requirement are currently in compliance or are no longer residing in the unit.

In entering into a written agreement to cure non-compliance, the LHA will review any mitigating circumstances for which the family can provide documentation including illness, accident, family crisis, temporary exemptions not previously reported, and community service\economic self-sufficiency activities that were not part of the plan or not previously reported. At the LHA's discretion, a waiver of the community service requirement for a given month may be given for those months for which there is documentation of mitigating circumstances. A waiver may also be given for those months in which no hours were completed if there are other months in which excess hours were completed provided the total number of hours completed equals the requirement. A waiver means that no cure for non-compliance is required for that specific month. For those hours that will be required under a written agreement at least 8 hours per month, plus the regular 8 hours, must be completed with the first month in which the agreement is effective. Hours under the written agreement are always performed before regular hours.

When a tenant or adult member is non-compliant with a previously established written agreement, the lease will be terminated at the end of the twelve month period. LHA will consider any mitigating circumstances to amend the previously established written agreement provided the written agreement and any amendments are completed by the end of the twelve month period.

If a tenant or adult member becomes blind or disabled and certifies that, because of this disability, s/he is unable to comply with the written agreement, then LHA will cancel the tenant's or adult member's obligation under the written agreement.

If a tenant or adult member becomes age 62 and is exempt from community service requirement, then LHA will cancel the obligations under the written agreement.

As an incentive to seek and maintain employment, LHA will cancel any remaining obligations of a written agreement for a tenant or adult member who has obtained at least half-time employment and has maintained the employment throughout the balance of the twelve month period.

K. Opportunities for Community Service

The LHA has the option to contract with a third party organization to develop and offer community service opportunities for residents. The organization will assist the LHA in providing information regarding rights and responsibilities of residents. The organization will review with the family members the opportunities to fulfill the community service requirements and will develop a written plan for achieving the requirements. The organization will have the capacity to understand barriers and limitations to participation and will develop solutions to facilitate participation in community services. The organization will administer and monitor the community service participation of individuals and will appropriate action to counsel the tenant and family members who are not in compliance with requirements. The organization will obtain any needed third-party verification of participation and will provide third-party certification to the LHA that family members have performed the qualifying activities. The organization will communicate with the LHA and with the tenant regarding any relevant issues for the community service program. The organization will participate in developing and monitoring any written agreement to cure noncompliance.

The Housing Authority also has existing relationships with other agencies who provide education and training programs. Where appropriate, the Housing Authority may refer the tenant family to a these programs for participation in economic self-sufficiency programs.

In lieu of referral to a third party organization, the LHA has the option to work directly with a tenant family in fulfilling the community service requirements.

PART XV DEFINITIONS

The following is a list of terms and definitions used by LHA in its policies and practices. To the best of LHA's knowledge these definitions were true and correct at the time this policy was adopted. However, many of the definitions are based on the requirements of federal regulations, which are subject to frequent change. In the event that some definitions in this policy conflict with applicable federal regulations, LHA will comply with the appropriate regulatory requirements.

Adjusted Income - Annual Income less certain possible deductions. Not everyone is eligible for each deduction. LHA will abide by the appropriate federal requirements to determine eligibility for deductions.

1. \$480 for each Dependent, including full-time students over 18 years old;
2. \$400 for any Elderly Family (head or spouse is over 62 or disabled);
3. Handicapped Assistance Expenses in excess of 3% of Annual Income.
4. For elderly/disabled families, Medical Expenses in excess of 3% of Annual Income.
5. Child Care Expenses necessary to enable a member of the family to work or go to school.
6. For non-elderly, non-disabled families in Public Housing units, the amount of health and dental insurance premiums paid by the family in excess of 3% of Annual Income.

Annual Income: The anticipated total income from all sources received by family members (even if a member is temporarily absent) for the 12-month period following the effective date of initial occupancy or re-examination. The following lists specifies income inclusions and exclusions.

Annual income includes, but is not limited to, the following:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services
2. The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be deducted to determine net income from a business.
3. Interest, dividends, and net income of any kind from real or personal property. Where the family has net 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 the Department of Housing and Urban Development (HUD).
4. The full amount received of periodic payments from Social Security, annuities, insurance policies, retirement income, pensions, benefits for disability or death, and

other similar types of periodic receipts. This includes a lump-sum payment for the delayed start of a periodic payment, except for SSI and Social Security.

5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay.
6. Welfare assistance payments. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the Welfare Assistance Agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
 - a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities, PLUS;
 - b. The maximum amount that the Welfare Assistance Agency could, in fact, allow the family for shelter and utilities.
7. Periodic and determinable allowances, such as alimony and child support payments, and regular contribution or gifts, including amounts received from any person not residing in the dwelling.
8. All regular pay, special pay and allowances, (such as longevity, overseas duty, rental allowances, allowances for dependents, etc.) of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family, spouse, or other person whose dependents are living in the dwelling.
9. Payments to the head of the household for support of a minor, or payments nominally to a minor for his support but controlled for his benefit by the head of the household or a resident family member other than the head who is responsible for his support.
10. For Public Housing units: Minimum Earned Income. The greater of the Minimum Earned Income or the actual earned income for a household will be included in accordance with the policy in Section VII of this document.

Annual income does not include:

1. Temporary, non-recurring, or sporadic income, including gifts.
2. Income from employment of children (including foster children) under the age of 18.
3. Payments received for the care of foster children or foster adults.
4. Lump-sum additions to family assets, such as inheritances, insurance payments, capital gains, and settlement for personal property losses. Lump-sum payments for delayed start of Social Security and SSI are also excluded.

5. Amounts received by the family, that are specifically for or in reimbursement of the cost of medical expenses for any family member.
6. Income of a Live-in Aide.
7. The full amount of student financial assistance paid directly to the student or the educational institution.
8. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
9.
 - (1) Amounts received under training programs funded by HUD;
 - (2) Amounts received by a disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self Sufficiency (PASS);
 - (3) Amounts received by a participant in other publicly assisted programs which are specifically for, or in reimbursement of, out-of-pocket expenses (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
 - (4) A Resident Service Stipend. A modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for LHA, on a part-time basis, that enhances the quality of life in public housing; or
 - (5) Compensation from State or local employment training programs and training of a family member 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 LHA.
10. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
11. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse). For Public Housing units this exclusion does not apply for students age 22 and over. All earned income is included for students 22 and over in Public Housing.
12. Adoption assistance payments in excess of \$480 per adopted child.
13. The incremental earnings and benefits to any resident resulting from the participation in a program providing employment training and supportive services in accordance with

Family Support Act of 1988, section 22 of the U.S. Housing Act of 1937 (42 U.S.C. 1437 et seq), or any comparable Federal, State, or local law. The earnings and benefits will be excluded while the resident participates in the program and for 18 months from the date the resident begins the first job acquired by the resident after completion of the program, if the job is not funded by public housing assistance under the U.S. Housing Act of 1937. A comparable Federal, State or local law means a program providing employment training and supportive services that -

- a. Is authorized by a Federal, State or local law;
 - b. Is funded by the Federal, State or local government;
 - c. Is operated or administered by a public agency; and
 - d. Has as its objective to assist participants in acquiring employment skills.
14. Deferred periodic payments of supplemental security income and social security benefits that are received in a lump sum payment.
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. The current exclusions include:
- (1) Value of allotment provided to eligible households under the Food Stamp Act of 1977.
 - (2) Payments to volunteers under the Domestic Volunteer Services Act of 1973.
 - (3) Payments received under the Alaska Native Claims Settlement Act.
 - (4) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes.
 - (5) Payments or allowances made under the Department of Health and Human Services Low-Income Home Energy Assistance Program.
 - (6) Payments received under programs funded in whole or in part under the Job Training Partnership Act (JPTA).
 - (7) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians.
 - (8) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Grant of Claims or from funds held in trust for an Indian tribe by the Secretary of the Interior.
 - (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.
 - (10) Payments received from programs funded under Title V of the Older Americans Act of 1965.
 - (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, M.D.L. No. 381. (E.D.N.Y.)

- (12) Payments received under the Maine Indian Claim 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.
- (14) Earned Income Tax Credit Refunds received on or after January 1, 1991.

Child. A member of the family, other than the family head or a spouse, who is under 18 years of age.

Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed. This is an allowable income deduction, but only where such care is necessary to enable a family member to be gainfully employed or to further his or her education, and is not reimbursed by an agency or individual outside the household. The amount deducted must reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted cannot exceed the amount of income received from such employment. If there are two incomes in the family, the child care deduction cannot exceed the lesser of the two incomes.

Citizen. A citizen or national of the United States.

Conventional Units. LHA owned units that do not receive ongoing subsidy by any other government agency. These include units at Arnold Heights, Northwood Terrace, and Heritage Square.

Dependent: A member of the family household (excluding foster children) other than the family head or spouse or live-in aide, who is under 18 years of age or is a disabled person or handicapped person, or is a full-time student. For Public Housing a full-time student must be under the age of 22 to be considered a dependent.

Disabled person: A person who is any of the following:

1. A person who has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423). Section 223 of the Social Security Act defines disability as:
 - a. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
 - b. In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in Section 416(I)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time.

2. A person who has a physical, mental, or emotional impairment that:
 - a. is expected to be of long, continued and indefinite duration;
 - b. substantially impedes his or her ability to live independently; and
 - c. is of such nature that ability to live independently could be improved by more suitable housing conditions.

3. A person who has a developmental disability as defined in Section 102(7) of the Development Disabilities Services Assistance and Bill of Rights Act (42 U.S.C. 6001(7)). Section 102(7) of that Act defines developmental disability as:

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

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

Drug-Related Criminal Activity. The illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use of a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802)).

Effective Date: The "effective date" of an examination or reexamination refers to (a) in the case of an examination for admission, the date the lease takes effect, and (b) in the case of reexamination of an existing tenant, the date of the redetermined Total Tenant Payment takes effect.

Elderly Family: A family whose head or spouse (or sole member) is an elderly, disabled, or handicapped person. It may include two or more elderly, disabled, or handicapped persons living together or one or more such persons living with a Live-in Aide.

Elderly Person: A person who is at least 62 years of age.

Evidence of Citizenship or Eligible Immigration Status. The documents which must be submitted to evidence citizenship or eligible immigration status. See current federal regulations.

Family: Family means, (a) two or more persons sharing residency whose income and resources are available to meet the family's needs and who are either related by blood, marriage, or operation of law, or have evidenced a stable family relationship (including a pregnant woman), (b) an elderly family or single person as defined in this part, (c) the remaining member of a tenant family, and (d) a displaced person. The term "family" is used interchangeably in this document with the terms tenant, resident, and applicant.

Familial Status: Familial status includes families with children under the age of 18, pregnant women, and people securing custody of children under the age of 18.

Full-time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

Guest: A person temporarily staying in the unit with the consent of a tenant or other member of the household.

Handicapped Assistance Expense: Reasonable costs, that are anticipated during the period for which Annual Income is being computed, for care attendants and auxiliary apparatus for handicapped and disabled family members which enable a family member to be employed, provided that the expenses are neither paid to a family member nor reimbursed by an outside source. The amount allowable as a deduction is the amount that exceeds 3 percent of annual income and cannot exceed the amount earned. This is an allowable deduction from Annual Income for the purpose of calculating total tenant payment.

Handicapped Person: See the definition of Disabled Person (E(2)).

Head of Household: The adult member of the family designated by the family who assumes legal and moral responsibility for the household.

HUD: The United States Department of Housing and Urban Development. This is an agency of the federal government that provides on-going funding to LHA.

HUD Subsidized Units. Units owned by LHA that receive subsidies through contracts with HUD. These include all public housing units (Turnkey, P30, F39, A12, Mahoney Manor) and all Project-based Section 8 units (Burke Plaza, N32, Heritage Square set-aside).

Income Limits. The maximum amount of income an applicant family can receive and still be eligible to be admitted to LHA's subsidized units. HUD establishes two categories of income limits: Very Low-Income (50% of median income) and Low-Income (80% of median income). The Tax Credit Program also utilizes a 60% of median income limit.

LHA. The Lincoln Housing Authority.

Live-in Aide: A person who resides with an elderly, disabled, or handicapped person or persons, and who (a) is determined by the housing authority to be essential to the care and well-being of the person(s); (b) is not obligated for support of the person(s), and © would not be living in the unit except to provide necessary supportive services.

Local Preferences: Preferences that give a higher priority on the waiting list to applicants.

Lower Income Family: A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.

Medical Expenses: Those medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by any insurance. Medical expenses are an allowable deduction only for elderly, disabled, or handicapped households. The amount allowable as a deduction is the amount above 3 percent of annual income. If LHA deducts both Medical Expenses and Handicap Assistance Expenses for a family, LHA will subtract the 3% of Annual Income only once.

Medical Insurance Premium: The cost to maintain medical and dental insurance coverage for family members. The unreimbursed amount is an allowable deduction for non-elderly, non-disabled Public Housing households. The deduction is calculated in the same manner as the deduction for Medical Expenses for elderly and disabled families. No other out of pocket medical expenses are included for non-elderly non-disabled families.

Mixed Family. A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Monthly Adjusted Income: One-twelfth of adjusted income.

Monthly Income: One-twelfth of annual income.

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.

Net Family Assets: Net cash value after deducting reasonable costs that would be incurred in disposing of equity in real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD home ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. In cases where a trust fund has been established and the trust is not revocable by, or under 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. In determining net family assets,

the housing authority shall include the value of any asset disposed of by an applicant or tenant for less than fair market value (including a disposition of 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.

Noncitizen. A person who is neither a citizen nor national of the United States.

Other Person Under the Tenant's Control: A person, although not staying as a guest, was at the time of the activity in question on the premises because of an invitation from the tenant or other member of the household.

Public Housing Agency (PHA): Any State, County, municipality, or other governmental entity or public body (or agency or instrumentality thereof) that is authorized to engage-in or assist in the development or operation of housing for lower income families.

Reduced Rent Units: Apartment units developed at the Summer Hill II development with LHA-based funding. These are treated similarly to Tax Credit units, but are not subject to the Tax Credit regulatory requirements.

Single Person: A person living alone or intending to live alone and who does not qualify as an elderly, disabled, or displaced person, or the remaining member of a tenant family.

Spouse: The husband or wife or partner of the head of the household.

Subsidized Units. Units owned by LHA that receive rental subsidies. These include HUD-subsidized units and units directly subsidized by LHA.

Tax Credit Units. Units developed under the Tax Credit Program, a federal affordable housing program administered by the Internal Revenue Service. Investors get tax benefits for providing units to persons who are below specific income limits.

Tenant Rent: The amount payable monthly by the family as rent to LHA. Where all utilities (except telephone) and other essential housing services are supplied by LHA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) are not supplied by LHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance.

Total Tenant Payment: The total monthly amount for rent and utilities that a tenant will pay. The Total Tenant Payment is calculated under Federal Regulation Section 913.107. The Total Tenant Payment does not include charges for excess utility consumption or other miscellaneous charges. For Public Housing units Total Tenant Payment is calculated as discussed in Section VII of this policy.

Utilities: Water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection, and sewage services. Utilities do not include telephone or cable television service. See Utility Allowance.

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 or approved by LHA or HUD, of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

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. For Public Housing units no Utility Reimbursement will be provided.

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

Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State, or local governments.

ATTACHMENT ONE
Public Housing Ceiling Rents
(effective April 9, 2004)

0 BR	\$337
1 BR	\$431
2 BR	\$569
3 BR	\$755
4 BR	\$882
5 BR	\$1,014

ATTACHMENT TWO
Conventional Unit Rent Schedules
Revised Effective April 9, 2004

Arnold Heights:

		Remodeled
2 BR Duplex w/o basement	\$365	\$385
2 BR Duplex with basement	\$395	\$415
3 BR Duplex w/o basement	\$455	\$475
3 BR Duplex with basement	\$485	\$505
4 BR Duplex - 2 story	\$505	\$525
4 BR Duplex - split level	\$505	\$525
3 BR Single Family w/o basement	\$495	\$510
3 BR Single Family with basement	\$560	\$580
4 BR Single Family	\$590	\$620

Northwood Terrace:

1 BR	\$325
2 BR	\$375
3 BR	\$445

Heritage Square:

0 BR	\$260
1 BR	\$325
2 BR	\$375
3 BR	\$445

Lynn Creek 2BR \$480

ATTACHMENT THREE

AFF Minimum Rent: \$240

ATTACHMENT FOUR

Affordable Housing II

Rent Schedule

effective February 1, 2004

4925 Greenwood	
#101 (2 BR)	\$390
#102 (3 BR)	\$490
#201-402 (3 BR)	\$490
429 B Street #1 (2 BR)	\$440
429 B Street #2 (2 BR)	\$400
1640 E Street #1 (2 BR)	\$430
1640 E Street #2 (2 BR)	\$440
1646 E Street #1 (2 BR)	\$440
1646 E Street #2 (3 BR)	\$527
927 S. 17 th Street (4 BR)	\$620
1109 New Hampshire (3 BR)	\$575
1104 N. 29 th Street (2 BR)	\$465

ATTACHMENT FIVE

Wood Bridge Rent Schedule

Revised Effective April 9, 2004

	Tax Credit	Market Rent
2 BR/1 BA Apartment - 1 st floor	\$440	\$560
2 BR/1 BA Apartment - 2 nd floor	\$455	\$575
2 BR/2 BA Apartment - 1 st floor	\$470	\$590
2 BR/2 BA Apartment - 2 nd floor	\$485	\$605
3 BR Town Homes	\$550	\$730

Attachment Six
Summer Hill I Rent Schedule
Revised Effective April 9, 2004

	Tax Credit	Market Rate
3 BR Townhome Type A & C	\$565	\$775
3 BR Townhome Type B	\$570	\$780

Summer Hill II Rent Schedule
Revised Effective November 13, 2003

	Reduced Rent	Market Rate
2 BR Apartment - 1 st Floor	\$515	\$635
2 BR Apartment - 2 nd Floor	\$530	\$650
3 BR Apartment	\$600	\$750

**SECTION 8
ADMINISTRATIVE
PLAN**

**APPROVED BY
LHA BOARD OF COMMISSIONERS
JANUARY 6, 2005**

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INTRODUCTION

- A. **Mission Statement:** It is the mission of the Lincoln Housing Authority to provide affordable, safe, sanitary and decent housing to qualifying families currently undergoing financial stress in a manner which affords applicants and tenants dignity and minimal intrusion, within the limits of prudent fiscal management.
- B. **Statement of Non-Discrimination:** Lincoln Housing Authority shall not discriminate against any individual on the basis of age, race, color, national origin, religion, sex, sexual orientation, familial status or handicap. We will treat each individual or family on his or her own merits.
- C. **Reasonable Accommodations:** If reasonable accommodations are requested, they will be implemented in a timely manner. Accommodations are not reasonable if they require fundamental alteration in the nature of the program or impose undue financial or administrative burden on a housing program. If requested, LHA will provide prescribed auxiliary aids that will enable persons with impaired sensory, manual or speaking skills to participate in the program.

LHA and Owner will make reasonable accommodation in rules, policies, practices, office procedures and services to allow a disabled person equal opportunity to use and enjoy a dwelling. An Owner must permit, at the expense of a disabled person, reasonable modification of an existing premises occupied or to be occupied if the modifications allow the person full enjoyment of the premises. The owner may, where it is reasonable to do so, request the renter to make an agreement to restore the interior of the premises to the condition that existed before the modification prior to allowing any modifications.

An applicant or participant may file a complaint on LHA's failure to comply with Section 504. The complaint must be in writing to LHA within 30 days of the action or inaction by LHA. LHA staff will schedule an informal hearing on the issues within thirty (30) days of receipt of a written complaint.

- D. **Section 504 Equal Access Statement:** The Administrative Plan is kept at 5700 R Street, Lincoln, Nebraska, which is an accessible facility and route. The document may be examined Monday - Friday between the hours of 8:00 am and 5:00 p.m. A person should call (402) 434-5500 or call TDD (402) 434-5501 to make arrangements to examine the document.

LHA will provide accommodations to assist a visually impaired person to review this plan, notices or other required written communications upon request. Assistance may include describing the plan or notice, reading the plan or notices, or providing an audio tape.

LHA will provide assistance to hearing impaired persons in reviewing this document. Assistance may include the provision of a signer at a time convenient for all parties.

Assistance will be provided in a confidential manner and setting. The individual(s) with handicaps is responsible for providing his/her own transportation to and from the document location.

All hearings and meetings required by the Administrative Plan will be conducted in an accessible location with appropriate assistance.

- E. Confidentiality Rights:** Applicants and participants will be informed of their rights under the Federal Privacy Act. A written authorization is required for release of information unless disclosure is authorized under State and Federal law.

LHA will not release information without the individual's signed permission to release information. LHA will release only the information in accordance with the signed authorization to release information.

LHA will release information in the following circumstances:

- Release information to HUD and the Immigrations and Naturalization Service (INS) regarding eligible immigration status for the purpose of establishing eligibility for financial assistance;
- Release information on amounts owed to LHA for claims paid and not reimbursed by the client;
- Release information on amounts owed to LHA for prior overpayment of assistance;
- Inform prospective owners LHA has not screened the family's behavior suitability for tenancy, and such screening is the owner's responsibility. LHA will give the owner: 1) the family's current address as shown in LHA records; and 2) the name and address of the landlord at the family's current and prior address if known;
- At the time the family indicates they want to lease a dwelling unit, LHA may offer the owner other information in LHA's possession about the family including tenancy history of family members or drug trafficking by family members (24 CFR 982.307 (b)(2));
- Information will be released in accordance with LHA Personnel Policy; and
- In extenuating circumstances, certain information will be released only by the authorization of the Executive Director or by court subpoena.

- F. Legal Jurisdiction:** The legal jurisdiction for the operation of the Section 8 program for the Lincoln Housing Authority is the city of Lincoln, Nebraska.

SECTION I.
APPLICATION PROCEDURES
(982.202)

- A. Written Application:** Lincoln Housing Authority (LHA) requires persons interested in applying for Section 8 voucher assistance fully complete, sign and submit a written application. Applications are available at the LHA offices and will be mailed upon request. If LHA staff perceive a barrier is preventing someone from completing the application, LHA will request permission to contact the appropriate agency or person to assist the applicant.
- B. Mail Applications:** Any fully completed applications received in the mail will be dated with the time of receipt upon delivery to the LHA office.
- C. Waiting List Placement:** Applicants are placed on a single waiting list according to the date and time regardless of the bedroom size. Applicants are selected to fill the voucher vacancies based on any preference and the date and time of the application. A single non-elderly, non-disabled family will be selected after all other eligible applicants have been selected from the waiting list.
- D. Eligibility:** At the time of application, LHA will perform preliminary eligibility screening. To determine if the applicant appears to meet eligibility requirements, pre-screening may include:
1. Applicant meets income requirements according to the Federal regulations;
 2. Criminal history check;
 3. Social Security cards;
 4. Citizenship or 214 documentation;and
 5. Compliance with LHA repayment requirements.

Birth Certificates will be requested at application but not required until admissions.

Applicants will be advised placement on the waiting list is no assurance of eligibility.

- E. Incomplete Applications:** All applications lacking the required information by the periods outlined by the LHA representative will be cancelled. Applications awaiting Social Security cards or acceptable verifications will be held sixty (60) days in a pending file. Applications requiring Section 214 (non-citizenship) documentation, criminal history checks and income information will be held ten (10) calendar days in a pending file.
- F. Notification:** LHA will notify applicants if they are eligible to be placed on the waiting list. As the applicant approaches the top of the waiting list or prior to the applicant being offered a voucher, LHA will do a "complete" verification of eligibility to the program. All ineligible applicants will be given a prompt written notice on the decision to deny admission to the program. The notice will include the reason for the decision and the right to request an informal review within seven (7) calendar days of the notification.

**SECTION II
WAITING LIST
(24 CFR Subpart E)**

A. Description:

A waiting list will be maintained for all eligible persons wishing to participate in the voucher program. Applicants will be advised of all available housing programs. An applicant can apply for Section 8 program as well as public housing, conventional and tax credit units, and remain on all lists after the applicant has received assistance or accepted a unit.

B. Waiting List Eligibility Requirements:

1. **Legal Capacity:** Applicant must have **legal capacity** to enter into a lease. Applicants must be 19 years of age, legally emancipated or married to enter into a lease. Applicants under 19 years of age will be documented. If legal capacity requirement is not met, a denial letter will be sent stating they may reapply at age 19, or when legally emancipated or married.
2. **Application:** The family must **complete an eligibility application**. Applications are available at Lincoln Housing Authority (LHA) office, can be mailed upon request or printed from the LHA website www.l-housing.com. Special arrangements to complete an application may be made with the LHA office for individuals with physical impairments or language barriers. If it is apparent during the application process that a barrier exists and an advocate or interpreter could benefit the applicant, LHA will seek appropriate services and may reschedule the interview. The delay will not affect the date and time of placement on the waiting list.
3. **Income:** Application will be reviewed to determine if they appear to meet **income** requirements of Federal regulation per 24 CFR 982.201.
4. **Citizenship:** Applicant must be a **citizen or non-citizen** who has eligible immigration status as defined in 24 CFR Part 5. Applications requiring Section 214 documentation (non-citizens) will be held ten (10) calendar days in a pending file until the appropriate information is supplied by the applicant.
5. **Social Security Number:** Applicant must provide a **Social Security card or other acceptable verification** for all household members. An application will be considered incomplete without a Social Security card or other acceptable verification. The application will be canceled if a Social Security card or acceptable verification is not provided within sixty (60) calendar days of the application date.

Other acceptable verifications include a written statement from the Social Security Administration verifying the name and Social Security number or at least one personal document identifying the name and Social Security number and an application from Social Security stating the applicant has applied for a new Social

Security card. A **certification statement** must be executed at the time of application if a household member does not have a Social Security number or card. Households are responsible to provide LHA a copy of the Social Security card within ten (10) calendar days of receipt of the new Social Security card.

6. **Preference:** LHA will determine if applicant meets **preference** criteria (described in Preference Selection, Section III . If it is determined that the family does not qualify for a preference, the family will be placed on the waiting list in a non-preference status according to the date and time of original application. The family may reapply for preference status at any time. The family is responsible to report any changes in preference status in writing. The date of application determines the preference date.
7. **Vacate Owing:** LHA will check the “**vacate owing**” lists for LHA and other PHAs if previous assistance is indicated. Applicant must be in compliance with LHA repayment agreement requirements. All other PHA and/or other HUD funded Housing Assistance Programs must have all debt repaid prior to placement on the waiting list. See Termination/Denial Section XIX C (6) “Owes”.
8. **Criminal History Checks** may be completed.

C. Waiting List Placement: Applicants are placed on a single waiting list according to the date and time regardless of the bedroom size. Applicants are selected to fill the voucher vacancies based on any preference and the date and time of the application. A single non-elderly, non-disabled family will be selected after all other eligible applicants have been selected from the waiting list.

D. Cancellations:

1. Requests to cancel an application are required in writing.
2. All applications lacking required eligibility requirements and time frames will be canceled.
3. Applicants who are contacted regarding Section 8 funding, available Mod Rehab units, and or/updates to their application or eligibility and fail to respond, will be canceled and removed from the waiting list.
 - (a) LHA does not accept responsibility for mail loss or delays.
 - (b) If the applicant did not notify LHA in writing of a change in address as required, LHA will not be responsible for the applicant’s failure to receive the request.
 - (c) LHA will include deadline dates in all letters requesting information or responses.
 - (d) If a letter is returned by the United States Postal Service with a forwarding address within Lancaster County, LHA will re-send the letter.
4. Reinstatement due to extenuating circumstances will be at the discretion of the Housing Supervisor or Manager.

D. Purging:

The waiting list will be purged approximately every six (6) months to eliminate any inactive applications and reduce unnecessary administrative burden.

E. Closing of Waiting List:

The closing of the waiting list will be announced by public notice in a newspaper. Public notice will be made when application intake is resumed in accordance with 24 CFR 982.206.

Section III.
Preferences for Selection
(982.207)

Lincoln Housing Authority gives a higher priority for Section 8 voucher selection to applicants who are currently eligible for one (1) or more preferences. A family qualifying for any one (1) preference listed below is given the same priority as a family qualifying for two (2) or more preferences.

A. Preferences are as listed:

1. **Homeless:** Applicants terminated or evicted from a LHA program or unit will not be eligible for a homeless preference [Section 91.5]. A homeless family includes:
 - (a) Any person or family that lacks a fixed, regular and adequate night-time residence; **and**
 - (b) Any person or family that has a primary night-time residence that is:
 - (i) a supervised shelter designed to provide temporary living accommodations including welfare hotels, congregate shelters and transitional housing;
 - (ii) an institution providing a temporary residence for individuals intended to be institutionalized (does not include jail);
 - (iii) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings.
2. **Disaster:** Displaced by fire, flood or storm. *Verifiable by Red Cross or other government agency.*
3. **Domestic Violence:** Displaced by domestic violence - actual or threatened physical violence against one or more members of the applicant family by a spouse or other member of the household. Such applicants must have been forced to move because of domestic violence or lives with a person who engages in domestic violence. Such violence must be recent or continuing. Applicants displaced by domestic violence must certify that the person who engaged in such violence will not reside with the applicant family unless LHA has given advance written approval. If the family is admitted, LHA may deny or terminate assistance to the family for breach of this certification. An active protection order would be an acceptable form of verification.
4. **Military:** Households who were terminated from the LHA Voucher program due to the head of household or spouse being placed in active military duty.

- B. Verifications:** The family must provide proper verification they are eligible for a preference at the time of application or any time while on the waiting list. The family must qualify for the preference at the time the family is selected from the waiting list. If, at the time the formal application is processed, it is determined the family does not qualify for a preference at the time of the waiting list selection, the family will be placed on the waiting list in a non-

preference status according to the date and time of the original application. The family may reapply for preference status at any time.

1. **Acceptable forms of verification** for all preferences are government agencies, law enforcement, public or private shelters, clergy or social service agencies.
 2. **Time frames:** The verification is valid for ninety (90) calendar days after receipt by LHA. If the applicant is not housed within ninety (90) calendar days, the preference must be re-verified at the time the family is selected from the waiting list.
- C. Changes:** Any change in family preference status must be reported by the family in writing within ten (10) calendar days of the change.

Section IV.
ELIGIBILITY FOR ADMISSION
(24 CFR Subpart E)

LHA will only admit an eligible family to the program. To be eligible, the applicant must be a “family”, income eligible, have legal capacity, be a citizen or a non-citizen who has eligible immigration status, pass criminal history checks and meets repayment and vacate owing requirements. (982.201).

A. Family Composition: A family is defined as:

1. **Two or more people** who share residency with their income and resources available to meet the family’s needs. They are either related by blood, marriage or operation of the law, or who provide evidence of a stable family relationship. Evidence may include any of the following:
 - (a) birth certificate of child(ren)
 - (b) joint tax return
 - (c) prior lease (held jointly)
 - (d) insurance policies
 - (e) prior joint credit history
 - (f) documentation as determined by LHA.
2. **Pregnant woman** with no other children. Once the pregnant woman is admitted, she will be considered the remaining family member of the tenant if the pregnancy is terminated or miscarried.
3. **Elderly person** who is sixty-two (62) years or older.
4. **Disabled person** as defined by HUD.
5. **Temporary absences**-Temporary Absences may include children in Foster Care, Spouse gone for less than six month, Student, Joint Custody and in the Military. Refer to Section VII E. “Income, Deductions and Total Tenant Payment “ and “Temporary Absence “ for specific definitions.
6. **Familial Status:** One or more individuals under the age of 19 being domiciled with a parent or another person having legal custody of an individual(s), or the designee of such parent or other person with such custody has written permission from such parent or other person.
7. **Any other single person.**

B. Legal Capacity: A person must be 19 years of age, legally emancipated in the State of Nebraska, or married.

C. Income: Annual income must not exceed income limits established by the U.S. Department of Housing and Urban Development (HUD) (50% median income by household size). If the applicant reports an income change after admission to the waiting list which may result in income ineligibility, they may be maintained on the waiting list at maximum income limit allowable (982.201(b)).

D. Citizenship: Every family member must be either a citizen of the United States or

non-citizen who has eligible immigration status in accordance to 24 CFR part 5. Assistance will be pro-rated to any eligible mixed family who requests assistance (Subpart E 5.500).

1. **Notification:** All applicants will be notified of the requirement to provide verification of their citizenship status. The notification shall be in the language understood by the applicant when feasible.
2. **Verification Requirements:** A signed declaration of Section 214 Status and/or eligible immigration status is acceptable verification unless the applicant indicates the birth place is other than the United States. If the citizenship requirement is questioned due to the birth place being outside of the United States, then one of the following verifications must be provided within ten (10) calendar days of request date:
 - (a) Birth certificate or naturalization papers;
 - (b) INS card or other INS documentation; or
 - (c) Signed verification consent form when INS requests secondary verification to be submitted.

Note: An extension for the time to provide requested verifications may be extended upon supervisory approval.

- E. Criminal History Checks:** All adult household members (18 years or older) must pass a criminal history check prior to notification of admission. See Section XIXI on Terminations/Denials.
- F. Repayment/Vacate Owing Requirements:** LHA will check the “vacate owing” lists for LHA and other PHAs. Applicant/Participant must be in compliance with LHA repayment agreement requirements. All other PHA and/or HUD funded Housing Assistance Programs must have all debt repaid prior to placement on the waiting list. See Termination/Denial Section XIX C (6) “Owes”.
- G. Verifications:** All information verifying the applicant is eligible must be provided within sixty (60) calendar days prior to LHA issuance of a voucher to the applicant.
- H. Application process:**
1. Applications will be taken on a continuous basis.
 2. Applicants will be placed on a single waiting list according to the date and time applied regardless of bedroom size.
 3. When vacancies occur in the Section 8 Voucher program, applicants will be invited off the waiting list according to preference, date and time applied.
 4. Mail-in applications will be dated with the time the application is delivered to the LHA office.
 5. Placement on the waiting list is not an assurance of eligibility.
 6. LHA cannot determine an estimated waiting period time as several factors influencing the waiting period are beyond LHA’s control (i.e. verifications, turnover, funding, etc.).
- I. Ineligible Applicant:**

1. **Notification in writing:** All applicants will be given a prompt written notice on the decision to deny admission to the program. The notice will include the reason for the decision and the right to request an informal review within seven (7) calendar days of the notification.
2. **Fraud:** Applicants providing false information to qualify for housing assistance or a federal preference will be canceled and may not access the waiting list for three (3) years.
3. **Failure to promptly report changes:** An applicant who fails to notify LHA of any change to the mailing address or to respond to correspondence within a specified time period will be removed from the waiting list by canceling the application. Once the application is canceled, the family must reapply for admission. See Section VI on Voucher Issuance for further information.
4. **Social Security Card:** A copy of a Social Security card or other acceptable verification must be provided within sixty (60) calendar days of the receipt of the application or the application will be canceled.

Other acceptable verifications include a written statement from the Social Security Administration verifying the name and Social Security number, or at least one personal document identifying the name and Social Security number and an application from Social Security stating the applicant has applied for a new Social Security card.

A **certification statement** must be executed at the time of application if a household member does not have a Social Security number or card. Households are responsible to provide LHA with a copy of the Social Security card within ten (10) calendar days of receipt of the new Social Security card.

**SECTION V.
SUBSIDY STANDARDS
(24 CFR 982.402)**

When issuing a voucher or offering a Mod Rehab unit, the following standards will be used to determine the number of bedrooms needed for families of different sizes and compositions.

- A. Voucher Size:** Families will be issued a voucher based on the smallest size appropriate to their needs with the following limitations:

Voucher Size	Minimum Persons	Maximum Persons
0 Bedroom	1	1- single non-disabled/non-elderly
1 Bedroom	1	2
2 Bedroom	2	4
3 Bedroom	3	6
4 Bedroom	6	8
5 Bedroom	8	10
6 Bedroom	10	12

These standards are developed in accordance with the Federal regulations which state there must be at least one bedroom or living/sleeping room of appropriate size for each two-person family.

- B. Bedroom:**

To qualify as a bedroom, the room must have a proper egress window, an overhead light and one (1) outlet, *or* no overhead light and two (2) outlets. This must be documented on the inspection form.

- C. Determining Family Unit:**

1. **One Bedroom per two adults or two children** regardless of age, relationship or sex. Adult is considered to be anyone 18 years or older. Child is a person under the age of 18.
2. **Foster children** will be counted as a person for occupancy.
3. **Expectant mothers** must provide pregnancy statement to qualify for a two (2) bedroom whether the family is a single person or couple.
4. **Students who live out-of-town** but return home for at least three (3) months per year will be allowed a bedroom assignment.
5. If the family has verified **51% of custody arrangements**, then they can be allowed a bedroom assignment.
6. **Remaining member** age 19 or over will retain a voucher when all other family members have been removed from the lease and do not wish to transfer the voucher. Voucher size will be redetermined. See Section VI Voucher Issuance.

- D. Exceptions from these standards may be allowed only if the unit does not offer**

alternatives for a sleeping area such as living room, dining room and etc. which can be considered a “sleeping room” . Alternative sleeping areas must be used prior to providing an exception to the subsidy standard.

1. **Medical reasons:** A family may be offered a larger voucher or Mod Rehab unit due to medical reasons. A doctor’s statement must be provided annually to verify the individuals who have a separate bedroom due to medical reasons.
2. **Live-in care giver:** If an elderly or disabled family requires a person essential to his/her care to live with the family, then the appropriate bedroom size will be allowed to include the care giver. Annually, this need must be verified by a doctor’s statement.

A live-in aide is considered “essential” if there is a medical need supported by a doctor’s statement that the person requiring the assistance would be unable to live in the home without the support of the live-in aide.

The care giver may be related by blood, marriage or operation by law. A care giver’s family may reside in the unit providing it **does not increase the subsidy** by the cost of an additional bedroom and the family is not overcrowded.

Live-in care giver (aide) will be required to sign an agreement regarding their tenant status, and sign a release to conduct a criminal history check.

The care giver cannot be considered a remaining member of the tenant family if and when a family vacates the unit.

- E. Choice in unit size:** A family may rent a smaller or larger size unit than stated on the voucher as long as the unit complies with minimum Housing Quality Standards and rent limitations of the voucher program. The unit size designated on the issued voucher must remain unchanged regardless of the actual size unit.

However, the payment standard is established by the number of bedrooms and must be the **lower** of (1) the payment standard for the family unit size; or (2) the payment standard for the size of the unit rented by the family.

- F. Change in Family Unit Size during the HAP Contract Term:** If the family unit size changes during the term of the HAP contract, the new family unit size must be used to determine the payment standard amount at the next re-exam (interim or annual) regardless of any increase or decrease in the payment standard schedule.

1. **Larger voucher:** If the participating family needs a larger voucher size in order to be in compliance with Housing Quality Standards. The family must be given the appropriate size voucher as soon as possible (at any time during the lease) to locate a larger unit. The owner must be given a 30-day notice. The HAP contract terminates at the end of the calendar month of the 30-day notice. For example: Owner is given a 30-day notice on August 15th. The HAP contract would terminate on September 30th.
2. **Family request for a new voucher:** A family continuing in the program may request a new voucher and will be issued a voucher of appropriate size at any

time during the term of the lease for the following situations:

- (a) **Smaller voucher:** Participating family needs a smaller voucher because the family has experienced a decrease in family size and the rent exceeds the fair market rent; must be issued a new voucher as soon as possible (at any time during the lease). The owner must be given a 30-day notice. The HAP contract would terminate at the end of the calendar month of the 30-day notice. Should the owner choose to lower the rent within the fair market rent level, the participant may continue to reside in the unit.
- (b) **Mod Rehab unit:** Participants in a Mod Rehab unit requesting to move will remain in their present unit until another unit becomes available in the same project. If the Mod Rehab owner contract is abated for Housing Quality Standard defects, the family will be issued the next available voucher.
- (c) **Physical or emotional abuse:** Participants who have vacated their unit due to physical or emotional abuse may retain a voucher as long as they have responsibility for minor children or are disabled. The remaining family member occupying the unit will be required to reapply for assistance as a single person. The assistance terminates at the end of the calendar month in which the owner's 30-day notice expires. Verification of abuse will be verified by a shelter, clergy or police department. If the adults split the custody of the minor children, in most cases, both will be issued a voucher.
- (d) **Under 19 years of age:** Participants not 19 years of age, married, or legally emancipated, will not be issued a voucher to transfer out of their current unit.
- (e) **Household separate with children:**
 - (i) If one of the parents moves out of the household, the voucher will be retained by the parent who stays in the unit with the children.
 - (ii) If both parents move out of the current unit, the voucher follows the parent with the children.
 - (iii) If both parents move out of the current unit and both retain children, each parent will be given a voucher.
 - (iv) In a two parent household, if the head of the household stays in the assisted unit, the voucher is retained by the head of the household. If the co-head (other parent) leaves with a child a voucher will be given to the co-head (other parent).
- (f) **Remaining household member:** If the remaining household member age 19 or over will retain a voucher when all other family members have been removed from the lease and do not wish to transfer the voucher. Voucher size will be redetermined
- (g) **Court Determination:** If a court determines the disposition of property between the members in a divorce or separation, LHA is bound by the court's determination of which family members continue to receive

assistance.

SECTION VI.
VOUCHER ISSUANCE
(24 CFR 982.302 and 982.303)

A. Issuance: Families will be issued vouchers in a non-discriminatory fashion as their name reaches the top of the waiting list. The normal rotation of the waiting list is the date and time of application after consideration of the preferences as identified in this plan. The following is the process in voucher issuance:

1. **Notification reaching top of the waiting list:** Applicants will be notified by mail when their name reaches the top of the waiting list. The applicant is given 10 working days to respond to LHA regarding their interest to participate in the program. If they wish to participate in the program, they will be required to have their family composition, income, assets and federal preference verified to determine if they meet HUD's eligibility criteria.

2. **Changes prior to voucher issuance:**

(a) **Preferences:** Applicants not eligible for the LHA preference when their name reaches the top of the waiting list will be placed on the list in a non-preference status.

(b) **Over income limits:** Applicants who exceed the income limit for eligibility will be denied admission, and their application will be canceled. The applicant can request an informal review within seven (7) calendar days.

(c) **Failure to respond:** Applicants who fail to respond to their letter and schedule an appointment within the specified date will have their name removed from the waiting list and will need to reapply.

Applicants who fail to provide necessary information to determine eligibility within ten (10) working days from their appointment or date specified by LHA will be removed from the waiting list and will need to reapply.

3. **Income eligibility:** All Section 8 new admissions will be subject to 50% median income for the Lincoln Housing Authority service delivery area. Income limits are available upon request.

4. **Briefings:** Applicants who have been determined eligible for a voucher will be notified by mail when a briefing will be conducted. The applicant must attend the briefing to participate in the program. Families will be advised that if they do not attend the scheduled briefing and/or fail to contact LHA regarding the missed appointment within 10 working days, their name will be removed from the waiting list and will need to reapply. Briefings are conducted for the purpose of acquainting the applicants with the operation of the programs in accordance with 24 CFR 982.301. The families will be given a voucher packet containing all required information and documents, including a list of available private owner units. Vouchers will be issued allowing a ninety (90) day initial search period. LHA will maintain current verifications no more than ninety (90) days prior to lease up.

5. **Lease:** Owners must use their own lease with the required HUD addendum.

6. **Security deposit:** Participants in the voucher program may be required by the landlord to pay up to one (1) months' contract rent to the landlord for damage deposit.

B. Extensions:

1. Prior to the expiration date, vouchers may be extended beyond the initial 90-day search period after completing required landlord contact sheets, and under the following circumstances:
 - (a) **Extenuating circumstances:** If the family can verify extenuating circumstances, the family is hard to house and can clearly demonstrate they have made every effort to secure a suitable unit.
 - (b) **Not refused suitable unit:** The family has not refused a suitable unit without good cause.
 - (c) **Extension results in housing the family:** There is a possibility an extension will result in an approved lease and execution of a Housing Assistance Payment Contract.
2. **Canceling Vouchers:** LHA will notify the family when their voucher has expired. If the family does not respond within (ten) 10 working days from the notification, the voucher cannot be re-instated. Vouchers can only be re-instated after a denial if (1) LHA was in error for not extending the voucher; or (2) by supervisory review. After a voucher has expired and the extension denied, the family will be required to reapply for assistance.
3. **Procedures and time frames for extensions:** All vouchers may be extended and reissued in 60-day intervals to a maximum of 180 days if the family meets the criteria stated above. Income must be re-verified at each extension or every sixty (60) days. LHA will document the family's efforts in securing housing [24 CFR 982.201(5)(e)].

C. Reissuing Vouchers:

1. **Term of vouchers:** All vouchers will be reissued at sixty (60) day intervals.
2. **Evictions:** Program participants evicted through the court system will lose their housing assistance and will not be eligible for a reissued voucher. They may reapply for assistance according to Section IX on Terminations/Denials.
3. **Failure to correct tenant defects:** Participants who fail to correct tenant defects as identified in the Housing Quality Standards section will lose their housing assistance and will not be reissued a voucher. They may reapply twelve (12) months after the date of termination.

D. Suspensions:

LHA does not provide suspension of the initial or any extended term of voucher due to length of time available for extensions (up to 180 days).

SECTION VII.
INCOME, DEDUCTIONS and TOTAL TENANT PAYMENT
(24 CFR 5.609 & 5.628)

- A. Annual Income:** All amounts, monetary or not, that go to or are on the behalf of the family head or spouse (even if temporarily absent), or to any other family member, or all amounts *anticipated* to be received from a source outside the family during the 12-month period following admission or annual re-examination effective date.
- B. Income Inclusions:** Annual income includes, but is not limited to the following:
1. **Gross Earned Income:** The full amount, before any payroll deductions of wages and salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services.
 2. **Self Employment:** The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted based on straight line depreciation as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in the income except when the withdrawal is a reimbursement of assets invested in the operation by the family.
 3. **Interest, Dividends and other net income of any kind from real or personal property:** See 24 CFR 5.609 for specifics. If the net family assets exceeds \$5, 000, the income is determined by the greater of the actual net family assets or a percentage of the value of the assets based on the current passbook savings rate as determined by HUD.
 4. **Periodic Payments:** The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pension, disability or death benefits and other similar types. Overpayments are not used in calculating income per HUD memo 8/99.
 5. **Payments in lieu of earnings:** Such as unemployment, workers compensation, disability payments and severance pay.
 6. **Periodic and determinable allowances:** Alimony, child support, Aid to Dependent Children (ADC) payments, and regular contributions or gifts from an organization or person not residing in the dwelling.
 7. **All regular pay, special pay and allowances received by the member of the Armed Forces:** The member must be one the head of the family, spouse or other person whose dependents are residing in the unit.
 8. **All earned or unearned income for adult members of the unit.**

9. **Student Income:** LHA will include all earned income in calculation of Annual Income for full-time students age 22 or older. These students will not be considered as dependents for the purpose of calculating annual and adjusted income. *Note:* All earned income for the head of the household and the spouse are counted regardless of the age and student status.
10. **Lump Sums:** Lump sum payments caused by the delays in processing periodic payments, i.e. unemployment and welfare assistance, are counted as income. This excludes Social Security and SSI.
11. **Temporarily Absent Family Members Income:** Income of a temporarily absent family member is counted. If the spouse or head of the household is temporarily absent, his/her entire income is counted whether or not he/she is on the leave. If the spouse is in the military, all military pay and allowances (except hostile fire pay) is counted as income.
12. **Minimum Earned Income (MEI):** The minimum amount of earned income for families with one eligible adult will be based on 25 hours per week of employment at minimum wage. The minimum amount of earned income from families with two or more eligible adult members will be based on 40 hours per week of employment at minimum wage.

All eligible adults (18 years or older) who are not earning wages based on a minimum of 25 hours per week at minimum wage (family with only one eligible adult), or 40 hours per week at minimum wage (families with two or more eligible adults), will be subject to MEI unless they meet one of the following exemptions:

- (a) A person who has an illness or injury serious enough to temporarily prevent entry into employment or training. As an example, a broken limb would not automatically qualify an individual from this exemption. An individual under doctor's orders for restricted activity following surgery could be considered for a temporary exemption. Each exemption will be considered on an individual, yet consistent, basis. Exemptions for illness or injury of less than six weeks anticipated duration will not be given. The maximum duration of this exemption is one year.
- (b) A person who is 60 or older.
- (c) A person who is declared disabled by medical profession.
- (d) A person who is needed in the home on a continuous basis because of illness or incapacity of another household member and no other appropriate member of the household is available to provide needed care. Verification is required from a physician or licensed or certified psychiatrist. The illness or incapacity of the household member must be evaluated periodically depending on the diagnosis and/or prognosis for recovery. LHA will verify at least annually.
- (e) A parent or needed caretaker relative of a child under the age of 12 weeks.
- (f) A pregnant woman beginning with the 3rd trimester (6 months) of pregnancy

continuing through six weeks following the end of the pregnancy.

- (g) An individual participating in AmeriCorps or Vista. This exemption will have a two-year time limit from the date the person entered the AmeriCorps or Vista program.
- (h) A full-time student. A person carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. The school must be accredited by the Nebraska Department of Education and/or other acceptable accrediting agencies.
- (i) Fully enrolled and actively participating in approved self-sufficiency program. LHA will provide a three (3) year period of time during which the household will be able to qualify for the exemption unless LHA grants an extension.

The following agencies are approved self-sufficiency programs:

- (i) Nebraska Health and Human Services - Employment First Program
- (ii) Lincoln Medical Education Foundation - Pathways to Self-Sufficiency
- (iii) Catholic Social Services - Transitional Housing Program
- (iv) City of Lincoln Urban Development Department-Job Training Division
- (v) HUD Homeless Committee-HUD Homeless program
- (vi) LHA Family Self Sufficiency Program
- (vii) Lincoln Action Program-These programs must be reviewed and approved by LHA on a case-by-case basis:
 - Head Start and Early Head Start
 - Computer Micro-Enterprise Development (CMD) Program
 - Micro-Enterprise Project
 - LAP Supportive Housing Program

Evaluating Self-Sufficiency programs: In evaluating self-sufficiency programs or individual plans, the following are considered: The plan must be a part of an organized self-sufficiency program developed by the agency as part of the agency's ongoing effort to support the family in achieving self-sufficiency. Case management support and supervision must be included in the program. The goal plans must be based on the results of an assessment and lists benchmarks and time lines to be achieved. Goals will be clear and identifiable employment goals and will, at the minimum, provide an earned income equal or greater than the MEI income requirement. Participation in education or training to prepare for employment is an acceptable interim goal.

Note: LHA will count the higher of the MEI or the actual earned income for the household. Minimum earned income will be added to any unearned income the family receives.

C. Income Exclusions:

1. **Income from employment of children under the age of 18 years old including foster children.**
2. **Foster Care Payments:** Payments received for the care of foster children or adults (individuals with disabilities, unrelated to the tenant family, who are unable to live alone).
3. **Lump Sum Payments:** Such as inheritances, insurance payments(includes lump sum health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses.
4. **Reimbursements:** Amounts received by the family that are specifically for or in the reimbursement of the cost of medical or work-related expenses.
5. **Developmentally Disabled:** Amounts paid by the state agency to a family who has a member who is developmentally disabled and is living in the home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.
6. **Income of an LHA approved live-in attendant.**
7. **Student Financial Aid, Grants or Scholarships:** The full amount of student financial assistance paid directly to the student or educational institution on behalf of the student. Educational grants and scholarships including work study are excluded.
8. **Special Armed Forces Pay:** Special pay to family members serving in the Armed Forces who is exposed to hostile fire.
9. **Gifts:** Temporary non-recurring or sporadic income (including gifts).
10. **Student Income:** Earnings in excess of \$480 for each full-time student under 22 years old (excluding head of household or spouse).
11. **Adoption Payments:** Subsidized adoption payments in excess of \$480 per adopted child.
12. **Deferred SSI or RSDI Benefits:** Deferred periodic amounts from Supplemental Security Income and Social Security Benefits which are received in a lump sum or in prospective monthly amounts (excluding regular monthly payments).
13. **State or Local Refunds on Property Taxes:** Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on a dwelling unit.
14. **Miscellaneous Training Programs:**
 - (a) Amounts received under training programs funded by HUD;
 - (b) Amounts received by a participant in other public assisted programs specifically for reimbursement of out-of-pocket expenses incurred to allow participation in a specific program (i.e. special equipment, clothing, transportation, child care, etc.).

- (c) Incremental earnings and benefits to any family member resulting from the participation in qualifying state or local employment and training programs (programs do not have to be affiliated with a local government).

15. **Exclusions by Federal Statute:** Amounts specifically excluded by any federal statute from consideration as income for the purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the 1937 Act. A notice is published in the *Federal Register* to identify these exclusions. The following benefits qualify and were published in the federal notice:

- (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017(b)).
- (b) Payments or allowances under the Department of Health and Human Services Low-Income Energy Assistance Program (42 U.S.C. 8624 (f)).
- (c) Payments received under the program funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552 (b)).
- (d) The value of any child care provided or arranged under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858(q)).
- (d) Earned Income Tax Credit (EITC) refund payments received (26 U.S.C. 32 (j)).

D. Calculations:

Annual income is used in rent calculations. All annual income should be “anticipated to be **received** from a source outside the family during the 12-month period **following** admission or annual reexamination effective date” Per 24 CFR 5.609 (2). **Exception:** Due to a Move-to Work policy, LHA will not anticipate any “projected income increases” beyond the interview date of admissions or re-exam.

Example 1: A client comes in for an appointment on June 15 and reports will be starting employment on July 1st, LHA will not calculate the anticipated new employment earnings since the employment starts after the interview. This applies to both admissions and re-exams.

Example 2: A client comes in for an appointment on June 30th and the employer states on the employment verification that the client will receive a pay increase on July 15th with the re-exam effective date being August 1, 2003. LHA will not count the pay increase for the August 1, 2003 as the pay increase occurs after the appointment. The pay increase will be effective the August 2004 re-exam or at next interim.

1. View and annualize the “current” year- to- date and the “ past” year- to- date
2. Use the higher of the “current” year- to- date **or** the “ past” year- to- date **unless**;
3. There is a discrepancy with the applicant/participant’s statement and the employer verification. Contact the employer to resolve the discrepancy. When employer resolves the discrepancy, document their statement and use the information to annualize the income. If the employer can not resolve the discrepancy, document the applicant/participant statement and verification to resolve the discrepancy. LHA may grant an exception in using the highest employer projection based on verification and documentation of special circumstances.

Note: An exception cannot be granted if the employee *chooses* to reduce scheduled hours.

For example: Employer states the applicant is scheduled to work 40 hours a week but the applicant provides a doctor statement limiting the applicant to working 20 hours a week for the next year due to a medical condition. LHA would use the 20 hours a week.

4. When the “past” year-to-date is the highest calculated annualized income, you should document and resolve the discrepancy. You may use the “past” year-to-date if it is the highest and the most reflective of the future 12 months income.
5. Annualizing income from current tax year Y-T-D.

Current Y-T-D _____

Number of weeks from Jan. 1st (Jan. 8th is always the first week)

or

Number of weeks for current tax year

If a partial week use the following table:

1 day	- .14
2 days	- .28
3 days	- .42
4 days	- .56
5 days	- .70
6 days	- .84

Note: If the number of weeks from January 1st does not appear to be reflective of current Y-T-D, then determine when the pay period began for current tax year. If pay period began in December, LHA may count the December weeks.

Bonus Calculations: If there are bonuses to be anticipated, but the employer refuses to anticipate the bonus for the current year, the bonus from last year will be used for calculations.

Temporary Employment: If a person works temporary employment on a consistent basis, the LHA will anticipate the next 12 months earnings using the past income to reflect the future income.

6. **Child Support Calculations**

- (a) count the court ordered amount; or
- (b) if the payment history indicates a pattern of payment different than the court ordered amount, anticipate the next 12 months of child support using the actual child support received by the applicant/tenant within the past 12 months; **unless**
- (c) the past 12 months is **not** the best indicator, then **less than 12 months** payment history may be used to predict the future 12 months income as long as the reason is documented in the case file. *Note: Under these circumstances, if a “reasonable” pattern has been established for the last 3*

months, the worker should consider using the past three months payment history to predict the future annualized child support.

7. Lump Sum Calculations

Treatment of accumulated periodic payments due to a dispute or processing problems will be done prospectively for families who report lump sum amounts on a timely basis. If the family fails to report the payment to LHA timely, the lump sum will be calculated retroactively.

Any portion of the lump sum that is for a period prior to the family's participation would be counted as an asset instead of income.

The Housing Choice Voucher Guidebook offers examples in calculations.

8. Retirement Fund Calculations

While an individual is employed, count only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

9. Person Permanently Confined to Nursing Home Calculations:

If a family member is permanently confined to the hospital or nursing home and there is one family member left in the household, LHA will calculate using the method that provides the tenant the most benefit:

- (a) Exclude the income of the person in the nursing home and give the tenant no medical deductions paid on behalf of the member in the nursing home, or
- (b) Include the person's income residing in the nursing home and give the tenant the medical deductions they pay on behalf of the family member in the nursing home. *Note: The bedroom size for the voucher would be based on only the remaining household members actually residing in the unit.*

10. Calculations for Assets Disposed of for less than Fair Market Value:

LHA must count assets disposed of for less than fair market value during the two years preceding examination or re-examination. LHA will count the difference between market value and actual payment received. LHA minimum threshold is \$1,000. If the total amount of assets disposed of within the one year period is less than \$1,000, then it will not be considered as an asset.

Assets disposed of as a result of divorce, separation, foreclosure or bankruptcy are not considered in assets disposed for less than fair market value.

11. Prorations of Assistance for "Mixed" Families:

A "mixed" family includes at least one U.S. citizen or eligible immigrants and any

number of ineligible members. Proration of assistance must be offered to any applicant or participant family.

Prorated assistance is calculated by determining the amount of assistance payable if all family members were eligible and multiplying by the percent of the family members who are actually eligible. TTP is the gross rent minus the prorated assistance.

E. Temporary Absence

If “a” family member (this does not mean the entire HH or family) leaves the household for more than three (3) months, the unit will not be considered their principal place of residence, and they will be terminated from the program. The bedroom size should be adjusted accordingly.

Reporting requirements: The family will need to declare in writing to LHA when a family member is temporarily absent from the household. LHA will advise the family of their options and how it affects the TTP or voucher size.

1. Examples of Temporary Absences:

- (a) **Children in Foster Care:** If the children are removed from their parent’s home due to neglect or abuse, as long as a reunification plan is in place with the local social service agency, the child(ren) will remain a member of the tenant family.
LHA will obtain verification from the local social service agency.
- (b) **Single parent leaves and another adult lives in household to care for children:** If another adult is brought into the household to take care of the children while the single parent is away, as long as the family continues to meet the definition of family and the other adult meets all other eligibility requirements, assistance will not be terminated. The single parent must not be absent from the unit more than 30 days unless it is for medical reasons. A single parent may be absent from the unit for up to 180 days for medical reasons.
- (c) **Spouse or other Household member gone for less than three (3) months:** If the spouse or other household member is gone or estimated to be gone for less than three (3) months of the re-certification period and remains on the lease, then the spouse or other household member will be considered temporarily absent unless one of the following occurs:
 - (i) Husband or wife obtains a divorce or legal separation. *If the family member with the children gives notice to LHA before vacating the unit, LHA will determine who will retain the voucher, or*
 - (ii) The spouse is incarcerated. A document from the court or prison should be obtained to determine how long they will be incarcerated.
- (d) **Student (other than spouse):** A student who attends school away from home, but lives with the family during recesses, may be considered either

temporarily absent (first \$480 of income counted, on lease, counted on voucher size), or permanently absent (income not counted, not on lease, not counted for voucher size) at the family's option.

- (e) **Joint Custody of Children:** Children who are subject to a joint custody agreement but live in the unit at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year and do not have to be consecutive. The determination of joint custody will be made based on a court order or a signed agreement by both parents.

- (f) **Exceptions for Sole member of the Household:**

If the sole member must leave the household for more than 30 days, the unit will not be considered to be their principle place of residence and they will be terminated from the program.

If the sole member must leave the household to go to the hospital or nursing home, advice must be received from a reliable medical source as to the likelihood and timing of their return. If the medical source informs LHA that they will be permanently confined to a nursing home, they will be considered permanently absent. In order to be considered temporarily confined the sole member must not be absent from the household for more than 6 months or 180 days in a calendar year.

If the sole member must be absent from the unit to attend to the needs of an ailing family member, the sole member must not be absent from their unit for more than 60 days to be considered temporarily absent.

- (g) Head of the Household may not be absent from Household for more than 30 days or they will be considered permanently absent from the household.
- (h) **Incarcerations and Vacations:** Incarcerations and vacations longer than 30 days are not considered reasonable cause for the head of the household being absent from the unit thus will be considered permanently absent from the unit after 30 days.

F. Permanent Absences

The family must report in writing to LHA to declare a family member permanently absent from the household.

1. **Spouse:** If the spouse leaves and will be gone for three (3) months or more and the family declares them permanently absent in writing with verification, they will be determined permanently absent and must be removed from the lease. Divorce or legal separation will consider the spouse permanently absent.
2. **Military (adult child):** If an adult child goes into the military and leaves the household, he/she will be determined permanently absent.
3. **Adult members other than spouse:** This applies to persons who were declared to be members of the family such as members living in a relationship as a spouse. If the family declares in writing he/she is or will be permanently absent, LHA will

consider him/her permanently absent if the person has been gone for three (3) months or more of the re-certification period.

LHA will consider the member permanently absent during the first three (3) months if one of the following verifications is provided:

- (a) Utility or telephone bills in their name at another location;
- (b) Statements from other agencies such as Health and Human Services;
- (c) Lease in their name at another location; and
- (d) At LHA discretion, a notarized statement from the family.

G. Family break-up: If a family breaks up, the following factors must be considered in determining who remains in the program (24 CFR 982.315 and refer to “Subsidy Standards” section).

1. It is in the best interest of the minor child(ren) or ill, elderly or disabled family members;
2. The family members were not forced to leave the unit due to emotional or physical abuse; and/or
3. If a court determines the disposition of property between the members in a divorce or separation, LHA is bound by the court’s determination of which family members continue to receive assistance.

H. Deductions

1. **Medical Insurance Premium Deduction:** LHA will deduct the amount of medical and dental insurance premiums paid by the family that exceeds 3% of the annual income.
2. **Dependent Deduction:** LHA will provide the same deduction as required by HUD regulations with one exception; a full-time student age 22 or over is not eligible for the dependent deduction.
3. **Child Care Expense Deduction:** Child care expenses for children under the age of 13 may be deducted from the annual income if the child care enables an adult to actively seek employment, be gainfully employed and/or to further their education. (24 CFR Section 5.603)

In the situation where a child is attending private school, only the after-hours care can be counted as child care expenses.

Child care deduction cannot be given if there is an adult household member capable of caring for the child(ren). Examples of situations where an adult member would be considered unable to care for a child include a documented child abuse situation or a medically disabled person determined by a doctor’s statement.

The reasonableness standard for child care uses the following standards:

- (a) Child care for work: The maximum child care allowed will be based on the

adult household member who earns the least amount of income from working.

- (b) Child care for school: The number of hours claimed for child care may not exceed the number of hours the family member is attending school including up to one hour of travel time to and from school.
- (c) Rate of expense: LHA will consider a rate reasonable if it is being paid by other families to the same provider and is comparable to amounts paid to other providers.
- (d) If the child care provider is not licensed, then the family must provide the provider's Social Security number and statement amount that is being charged.

- 4. Medical Expense Deduction:** If the head of household or spouse is elderly (62 or older) or disabled the all family members will be allowed the medical expense deduction. See HUD rules for allowable medical expenses in IRS Publication 502. Medical expenses may include but are not limited to medical transportation, services of health care professionals and facilities, prescription and non-prescription medicines, dental expenses, hearing aid batteries, eye glasses and monthly payments on accumulated medical bills (only the amount expected to be paid in the next 12 months). Non-prescription medicines must be doctor recommended with a specific dosage in order to be considered as a medical expense. (CFR 5.603, 5.611 and 5.403 and Housing Choice Guidebook 5-31/32)

LHA will consider veterinary bills and food for guide dogs as a medical expense.

Medical expenses must be anticipated for future months in calculating the allowable expenses.

- 5. Disability Assistance Expense:** Families may deduct reasonable anticipated expenses for attendant care and auxiliary apparatus for family members with disabilities. The expense must enable the family member to be employed and can not be an expense that is paid to a member of the family or reimbursed by an outside source. This deduction must not exceed the earned income received by the family members who are able to work. The expenses exceeding 3% of the gross annual income will be allowed. CFR 5.603 & 5.611
- 6. Elderly/Disability Allowance:** \$400 **per family** is allowed if the head of the household or spouse is a person who is at least 62 years old or a person with disabilities.

I. Utility Allowance

LHA continues to utilize one standard utility allowance per bedroom size. The standard utility allowances are calculated annually using the current average utility cost per number of bedroom(s) per unit. Effective July 1,1999, LHA discontinued issuing utility reimbursement checks.

J. Payment Standard Adjustments

The payment standard schedule will be reviewed by LHA annually and adjusted to as parallel to the Section 8 Voucher Fair Market Rent levels as funding allows.

Section VIII.
PROCEDURE FOR ADJUSTING VOUCHER PAYMENT STANDARDS

The payment standard schedule will be reviewed annually and adjusted as parallel to the Section 8 Existing Fair Market Rents levels as funding allows.

- A. Payment Standard :** Payment standards are used to calculate the Housing Assistance payment (HAP) Lincoln Housing Authority (LHA) pays to owner on behalf of the family leasing the unit. LHA has the latitude in establishing its payment standard amounts by bedroom size. The range of possible payment standard amount is based on HUD's published fair market rent (FMR) schedule for the FMR area in Lincoln Housing Authority's jurisdiction. FMRs are based on either the 40th percentile of the rents charged for standard rental housing in the FMR area. LHA may set its Payment Standard amount from 90 percent to 110 percent of the published FMR . Any payment standards above 110% or below 90% must first be approved by HUD.

The Payment Standard amount affects the amount of subsidy a family will receive and the amount of rent to be paid by the program participants. If a family leases a unit with a gross rent at or below the payment standard for the family, the family's share will be the Total Tenant Payment (TTP). If the rent for the unit is higher than the payment standard the family's share will be higher than the TTP.

Payment Standard amounts should be high enough to allow families a reasonable selection of modest, decent, safe and sanitary housing in a range of neighborhoods in the Lincoln Housing Authority jurisdictions. To meet that objective and to support families wishing to move to area of lower concentrations of economically disadvantaged households, LHA may establish higher payment standard schedules for certain areas within LHA jurisdiction so program families can rent units in more desirable areas. At times, funding may dictate the payment standard schedules.

- B. Increasing Payment Standard amounts by Board of Commissioners Resolution:** Lincoln Housing Authority may establish its payment standard amounts between 90 and 110 percent of the 40th and 50th percentile FMR. LHA will use the FMRs published. To increase payment standard amounts above 100% published FMR, LHA must obtain a board of commissioners resolution.
- C. Implementing Increased or Decreased Payment Standard Amounts:** The payment standard in place on the effective date of the Housing Assistance Payment (HAP) contract remains in place for the duration of the contract terms unless LHA increased or decrease the payment standard. If the payment standard is increased, the higher payment standard is used in calculating the HAP at the time of the participant's regular (annual) re-examination. Families requiring or requesting interim re-examinations will **not** have their HAP payments calculated using the higher payment standard until their next annual re-examination.

As fair market rents are adjusted annually, the percentage for fair market rent to payment standard may also change.

Decreases to payment standards must occur at the signing of new HAP contracts during admissions, transfers or renewal contracts. LHA will follow HUD's procedures established at 24 CFR 982.505 to reduce payment standards for those households with existing HAP

contracts at the second annual re-examination from the date of the decrease to the payment standards.

Fair Market Rents for Housing Choice Voucher Program and Moderate Rehabilitation Single Occupancy Program: Fiscal Year 2005; Published October 1, 2004

0 BR	1 BR	2 BR	3 BR	4 BR
408	460	590	828	1010

For existing HAP contracts established prior to June 1, 2004 of the Fair Market Rents for the Housing Choice Voucher Program and Moderate Rehabilitation Single Room Occupancy Program; Fiscal Year 2004; Effective October 1, 2002

0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR	Manufactured Home Space
358	460	607	806	941	1082	1223	242

90-99% of the Fair Market Rents for new participants or new contracts for existing participants to the Housing Choice Voucher Program; Fiscal Year 2005; Effective June 1, 2004

0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR	Manufactured Home Space
348	446	588	781	912	1048	1186	235

367 - Effective 10-1-04 for zero bedroom to remain within 90% of the new FMR's established for FY 2005.

**SECTION IX
VERIFICATIONS
(HUD Handbook 7420.10 Chapter 5)**

- A. General Policy:** LHA will verify all information affecting an applicant or participant's eligibility for the program including selection for preferences, rent calculations and unit size.

Items to be verified include:

1. Age
2. Assets
3. Child Care expenses
4. Citizenship (if born outside the US)
5. Dependent Allowance
6. Disability assistance expenses
7. Disability status
8. Familial/marital status
9. Family circumstances
10. Immigration status
11. Income
12. Legal identity
13. Medical expenses
14. Preference status
15. Social Security numbers
16. Unit size
17. Zero income status

These verifications will occur no later than sixty (60) days prior to the voucher issuance; no more than 60 days prior to interview for annual admissions re-exams and interims and no more than 120 days for voucher extensions. Permanent verifications must only be verified once, i.e. Social Security numbers.

- B. Methods of Verification:** LHA prefers to independently verify information. However, LHA recognizes this may not always be possible, thus LHA will observe the following preferred order of verification:

1. **Up front Income Verification:** As available by HUD, up front income verification through computer matching will be used to verify wages, unemployment, TANF, and Social Security Benefits.
2. **Third Party:** LHA will first attempt to obtain written third party verifications of information. LHA will require applicants to sign authorizations for the release of information to enable LHA to obtain such verifications. LHA will send verification forms directly to employers, banks, social service agencies and others in order to receive an accurate third party verification. LHA's written inquiries will state the purpose of the inquiry and include the applicant/participant's authorization to release information. LHA will strongly encourage parties to respond in writing, but will accept oral verification from a third party source if a written response is not possible. LHA will document all attempts to obtain written and oral third party verifications before moving to the next level of verifications.

Computer verification will serve as a third party verification where allowed by HUD and/or state or local agencies. Computer printouts are acceptable.

3. **Family Documentation:** If third party verification is not possible, LHA may accept documentation supplied by the applicant. All documents will be photocopied. If photocopying is not allowed for a particular piece of documentation, then LHA will be required to make a notation in the file regarding the document which was viewed.
4. **Family Certification:** Under limited circumstances, if the nature of the information cannot be documented or independently verified, LHA may accept a certification from the family by submitting a statement in writing. LHA will use its best judgement to determine whether the family should be able to provide documentation of certain information.
5. **Release of Information:** Families will be required to sign HUD form 9886, Authorization for Release of Information/Privacy Act Notice and other appropriate forms of verification not covered under the HUD form 9886. The signatures should be updated at each annual re-examination. Family refusal to cooperate with the required verification system will result in denial or termination.

C. Acceptable Forms of Verification: The verifications are listed in the order of most to least preferable form of verification. LHA will attempt to obtain the “most” preferable form of verification.

Income and Assets:

1. **Alimony or Child Support Payments:**
 - (a) Copy of separation or settlement agreement or divorce decree stating amount and type of support and payment schedules.
 - (b) Statement of the party responsible to enforce the payments indicating a record of payment history.
 - (c) A letter from the person paying the support.
 - (d) A copy of the latest check. LHA must record the date, amount and number of the check.
 - (e) Child Support/Alimony certification statement.
 - (f) Household’s signed statement.
2. **Assets Disposed:**
 - (a) Family’s certification as to whether any member disposed of assets for less than fair market value during the two years preceding the effective date of the certification/re-certification.

and/or
 - (b) If the family disposed of assets for less than fair market value, a certification that shows:
 - (i) All assets disposed of for less than FMV;
 - (ii) Date assets were disposed;
 - (iii) Amount family received; and
 - (iv) The asset’s market value at the time of disposition.

3. **Assets (Current & Non-Liquid):** Collect enough information to determine the current cash value.
 - (a) Verification forms, letters or documents from a financial institution.
 - (b) Passbooks, checking account statements, certificates of deposit, bonds or financial statements.
 - (c) Quotes from stock broker or real estate agent.
 - (d) Real estate tax statements at current market value.
 - (e) Copies of closing documents.
 - (f) Appraisals.
 - (g) Family's notarized statements.

4. **Employment:** Verification from the employer will include the pay frequency, effective date of the last pay increase, probability and effective date of any increase during the next 12 months.
 - (a) Employment verification form completed by the employer.
 - (b) Check stubs or earning statements showing the employee's gross pay per pay period or year-to-date earnings.
 - (c) W-2 forms plus tax return forms.

5. **Interest Income and Dividends:**
 - (a) Account statements, passbooks, etc., providing enough information and signed by the financial institution.
 - (b) Brokers' quarterly statements showing the value of the stocks or bonds and the earnings credited the applicant.
 - (c) An IRS form 1099.

6. **Interest from the sale of real property pursuant to purchase money mortgage, installment sales contract or similar arrangement:**
 - (a) A letter from the accountant, attorney, real estate broker, the buyer or financial institution stating the interest due for the next 12 months.
 - (b) Amortization schedule showing the interest for the 12 months following the effective date.
 - (c) A copy of the check paid by the buyer to the applicant is **not** sufficient.

7. **Rental Income:**
 - (a) IRS 1040 with Schedule E.
 - (b) Copies of latest rent checks, leases or utility bills.
 - (c) Documentation of family's income and expenses in renting the property which includes expense and income receipts.
 - (d) Lessee's written statement identifying monthly payments due the family and family affidavit to net income.

8. **Recurring Gifts:**
 - (a) Notarized statement signed by the person providing the gifts. Must give the purpose, dates and value of the gift(s).
 - (b) Family notarized statement that provides the same information indicated above.

9. **Self-Employment (Net Income from a Business):** The following documents will reflect the prior year's income, but LHA must consult with the participant/applicant on the estimated income due for the next 12 months.
 - (a) IRS Tax Return, form 1040 and any schedules (C - Small Business, E - Rental Property and F- Farm Income).
 - (b) Accountant's calculation of depreciation expense computed using straight-line depreciation rules.
 - (c) Financial statements of the business.
 - (d) Loan application listing income derived from the business during the previous 12 months.
 - (e) Applicant's accounting statements as to the net income realized from the business during the previous years.

10. **Social Security, Pensions, Disability and Unemployment Income:**
 - (a) Computer links.
 - (b) Benefit verification form completed by the agency providing the benefits.
 - (c) Award or benefit notification letters.

11. **Welfare:**
 - (a) Records obtained via LHA's computer link or directly from the Department of Health and Human Services.

12. **Zero income Status:** Families reporting no income or unrealistically low income will be required to sign an affidavit of unemployment, zero income affidavit and/or "survival" statement.

Deductions:

13. **Age (to verify elderly & dependents):**
 - (a) Birth Certificate;
 - (b) Naturalization and Immigration papers;
 - (c) US passport;
 - (d) Hospital record of birth
 - (e) Baptismal record;
 - (f) Driver's license;
 - (g) Government issued identification;
 - (h) School records;
 - (i) Health records (i.e. immunization);
 - (j) Medical papers or statements;
 - (k) Military service papers;
 - (l) Written verification from social services agencies;
 - (m) Insurance records
 - (n) Newspaper records;
 - (o) Family bible records;
 - (p) Written family statements.

14. **Child Care Expenses:**

- (a) Written verification from the person who received the payments. The verification should include the Federal ID number or Social Security number, name, phone number of the child care provider, the amount charged for each child (name to be included).
- (b) Family certification on the payments which have been made or reimbursed by outside sources.

15. **Dependent Deductions:**

In addition to receiving verification of "age", LHA must provide verification of family relationship. The following verifications may be used for relationship status to the head of the household.

- (a) Birth Certificate;
- (b) Naturalization and Immigration papers;
- (c) US passport;
- (d) Hospital record of birth
- (e) Baptismal record;
- (f) Government issued Identification;
- (g) School records;
- (h) Health records (immunization records);
- (i) Medical papers or statements;
- (j) written verifications from social services agencies
- (k) Insurance records
- (l) Newspaper records;
- (m) Family bible records;
- (n) Written family statements
- (o) Signed LHA Personal Declaration or Application.

16. **Medical Expenses:**

- (a) Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, etc. The verification will include estimated medical costs to be incurred by the family and/or regular payments due on medical bills, and verification should state which of the medical expenses will be reimbursed by insurance or another agency.
- (b) Insurance company's or employer's written verification of health insurance premiums to be paid by the family.
- (c) Social Security Administration's written verification of Medicare premiums to be paid by the family in the next 12 months.
- (d) For Attendant Care: Doctor's certification the assistance of the attendant is medically necessary; attendant's written verification of the hours provided, the amount and frequency of payments, and the family's certification as declaring if any of the payments have been paid or will be paid by an outside source.

NOTE: *When using the verifications below, the client must complete the Medical Expense declaration form to accommodate the following verifications.*

- (e) Receipts, canceled checks or pay stubs which indicate health insurance premiums, medical and/or insurance expenses to be incurred over the next 12 months.

- (f) Copies of payment agreements with medical facilities or canceled checks verifying payments to be made on outstanding medical bills that will continue into the next 12 months.
 - (g) Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate the future medical expenses. LHA may use this approach for general medical expenses such as non-prescription drugs and regular visits to a doctor or dentist, but not for one-time recurring expenses from the previous year. LHA may use a form letter to submit to the physician to verify any future medical need including prescribed services, prescriptions and non-prescription items.
 - (h) Mileage: LHA will use mileage at the rate approved for LHA or cab receipts with to/from addresses listed for verification of the cost of transportation directly related to a medical treatment.
15. **Assistance to the Disabled:** Attendant Care, Auxiliary Apparatus, etc.
- (a) Written certification from the doctor or rehabilitation agency the disabled person requires services of an attendant, or the use of auxiliary apparatus to permit the disabled person to be employed or to function sufficiently and independently to enable another family member to be employed.
 - (b) Family's written certification as to whether or not they receive reimbursement for any expenses and the amount reimbursed.
 - (c) Refer to medical expenses above for verification requirements of the expenses.

Miscellaneous:

16. **Citizenship or National Status:**
- (a) Individuals born outside of the United States—a birth certificate or naturalization papers; and
 - (b) Signed declaration of 214 status provided by the family for each household member and a copy of the Social Security card.
 - (c) Non-citizens in eligible immigration status—provide INS card or documentation containing an alien registration number and a signed verification consent form.
17. **Full Time Student Status:**
- (a) Written verification from the registrars' office or appropriate school official.
 - (b) School record indicating enrollment for sufficient number of credits to be considered a full-time student by the school.
18. **Medical Need for Larger Unit:**
- (a) A medical source must provide a written certification there is a medical need for a larger unit.

**SECTION X.
RE-EXAMINATIONS
24 CFR 982.516**

A. Annual Re-Examinations: LHA will conduct annual re-examinations on income and family composition in order to determine the appropriate Total Tenant Payment, Unit Size and Tenant Rent. An application form, authorization of release form, and other required forms must be completed by each participant family at each annual re-exam. The family will be provided notification ninety (90) calendar days prior to the anniversary date to allow the family adequate notice to complete the re-exam process.

1. **Family Responsibilities:** The family is responsible to cooperate with LHA to complete the annual re-exam accurately and timely. LHA will provide the family a minimum of two (2) notification letters to complete an annual re-exam and/or inspection. The first and second notification letters will allow the family to respond to LHA within ten (10) calendar days and complete the interview and eligibility process within sixty (60) calendar days from the date of the first letter. Should the family fail to complete the re-exam process within sixty (60) days of the first letter, the family will be terminated from the program.

A third letter will be sent to the family stating the termination date and right to an informal hearing. Reinstatement is not an option after the termination date, and the family must re-apply for assistance.

2. **LHA Responsibilities:** It will be LHA's responsibility to send the notification letters in accordance with the following:

1st Notification letter: LHA should send to family within 90 calendar days prior to anniversary date.

2nd Notification letter: LHA should submit to family within 5 working days of family's failure to respond to requests of 1st notification letter or the family's failure to complete the requirements of the re-exam within 10 calendar days.

3rd letter (termination): LHA should submit no later than 5 working days from the family's failure to meet the requests on the 2nd notification letter or no later than 30 calendar days prior to the anniversary date whichever is shorter.

3. **Zero Income:** Families who claim zero income must provide a written declaration as to how they are paying their bills with zero income.

B. Interim Re-Examination: LHA will complete interim re-examinations at the participant's written request and when there is a household composition change. Decreases in family income and household composition will always be re-certified during an interim re-examination. If a re-examination is completed between an annual re-examination, it is considered an interim. Changes to the tenant rent will be made effective the month after LHA receives a completed personal declaration.

1. **Family Composition Changes:** Families must report composition changes in writing within thirty (30) calendar days of the change in composition status. LHA will review all eligibility requirements of the person added or deleted from the household.
2. **Changes in Income:** If the family's income increases without a change in family composition, then LHA will wait until the annual re-examination to re-determine eligibility and any possible rent increase.

Participants are required to report any changes in income at the next annual re-exam. Should there be other required or requested interim re-examinations then all changes including income must be reported at the interim.

A decrease in income must be reported in writing for LHA to complete an interim re-examination the month following the month the decrease is verified. Participants who willfully terminate employment or cause termination of employment will be eligible for a rent decrease effective ninety (90) calendar days after the employment ceased or the month following the month the verification of terminated income is received whichever is longer.

LHA will not lower rent payments for reductions in TANF payments due to sanctions, fraud or otherwise failing to cooperate with the program. LHA will not lower rent for payments due to a temporary loss of income of one month (30 days) or less duration.

LHA will conduct an interim rent increase if it previously reduced the rent due to temporary loss of income. For example, if a pregnant client's rent was decreased due to work stoppage and loss of income, LHA will increase the rent to its previous level when the client starts working again. When possible LHA will issue concurrent notices on lowering the rent and one increasing the rent effective on predicted date the client returns to work.

3. **Failure to Report Changes Timely:** LHA will conduct an interim re-exam and charge retroactive rent if the participant fails to report changes in writing within the required time frames. Required time frames are thirty (30) calendar days to report family composition changes, next annual re-exam for increases in income and 10 days for all other known changes.
4. **Changes in MEI exemption:** If a participant no longer qualifies for the MEI exemption for any reason other than employment, an interim will be conducted, and MEI will be calculated in the annual income to determine the new rent amount.

5. **Employment First (TANF) Sanctions, Government or Agency Program Sanctions, Fraud or Failing to Cooperate with the Program:** LHA will not lower the rent payment if the participant has a decrease in income or a change in circumstances due to an Employment First (TANF) sanction, government or agency sanction, fraud, or a failure to cooperate with the program.

6. **Temporary Income Period:** LHA will complete an interim re-exam if the tenant rent payment was calculated for a temporary period of income. For Example: A household member submits a doctor statement that they will not be able to work for 2 months. An interim was completed and two months rent reflected zero income. The third month will have another interim adding the employment income back into the TTP.

Section XI.
Housing Quality Standards
(24 CFR 982.401)

LHA will follow the requirements for minimum housing quality standards as stated in 24 CFR 982.401. LHA inspectors will be trained staff members utilizing the Inspection Manual and HUD Handbook 7420.7. Inspectors will use the HUD Inspection form HUD-52580.

A. HQS Variations and Clarifications by LHA:

1. **Bathroom:** Wall mounted basins must be secured.
2. **Bedroom:** Bedroom size is at least 70 square feet for one person and 100 square feet for two people. Living room can be a sleeping room as long as it contains at least one window and two electrical outlets (a permanent overhead or wall-mounted fixture can count as one of the required outlets). Bedroom windows must be openable. Bedroom door must open, close and latch for privacy.
3. **Ceiling:** At initial/lease-up inspection, the unit shall not have any missing or broken ceiling tiles in any room.
4. **Infestation:** Free of serious and persistent vermin or rodent infestations.
5. **Garbage and Debris:** The unit shall be free from heavy accumulation of garbage and debris both inside and outside. Heavy accumulation means large piles of trash, garbage and discarded furniture and debris. This level of accumulation can not be picked up by an individual within one or two hours. Trash must be picked up on a routine basis.
6. **Screens:** At initial/lease-up inspection, LHA will follow Lincoln City Ordinance requiring screens for all windows which open.
7. **Smoke Detectors:** LHA will follow the minimum HQS requirement for smoke detectors; each unit must have at least one battery-operated or hardwired smoke detector in operating condition and on each level of the unit including basements but excluding crawl spaces and unfinished attics. All smoke detectors must be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms. If **new construction**, there must be a smoke detector *in each sleeping room*.
8. **Walls:** All interior walls must be painted.
9. **Water Heater:** Water heater discharge pipe must be 3" from the floor and the diameter must not be reduce (according to Lincoln City Ordinance).
10. **Windows:** The only window size requirements are for basement windows which must follow city code. All windows on the first floor must have locks.

- B. Initial/Lease-up Inspections:** Initial inspections will be scheduled at the participant's request as promptly as schedules permit, usually within seven (7) business days.

Units with Housing Quality Standard (HQS) defects prior to lease-up, will be temporarily denied from the program and the owner will be notified by mail of the required corrective action and expected completion date to secure approval. Applicants and participants will be encouraged to search for another unit should the repairs exceed 30 calendar days.

- C. Annual Inspections:** HQS inspections will be performed annually.

1. **Corrective Actions:** Owners will be notified of their responsibility for corrective actions and allow 30 calendar days to complete most repairs. The owner is not responsible for HQS breaches caused by the family. The owner may correct all failed items, regardless who caused the actual damage or determine which failed items were caused by the tenant and require the tenant to make the repairs.

(a) **Time frames to correct the deficiencies:** LHA will give the responsible parties a reasonable amount of time to correct the deficiencies. 24 hours will be given to correct all repairs considered life-threatening. No more than 30 calendar days will be provided to correct all other repairs. Extensions are granted by Housing Supervisor or Manager approval.

(b) **Corrections of deficiencies:** Owner/Tenant must notify LHA when the repairs have been corrected. The inspector will conduct a reinspection using the original inspection form dating and initialing the items which have been corrected. If at the time of the re-inspection, the repairs were not complete, LHA will determine who is responsible for the repairs.

(i) **Failure by owner** to correct the "owner-caused" deficiencies within the required time frame can result in abatement of the Housing Assistance Payment (HAP) until the correction and re-inspection is completed. Should abatement continue beyond 30 days, the owner will be given proper notice the HAP contract will be terminated.

(ii) **Failure by the tenant** to correct "tenant-caused" deficiencies within the established time frames can result in termination of assistance. LHA will not hold the owner responsible for a breach in HQS if it is determined to be caused by the family.

(c) **Abatement:** After completion of the annual inspection the owner and the tenant will receive written notice of the defect(s) required to be repaired within 30 days. When it has been determined a unit on the program fails to meet the Housing Quality Standards and the owner has been given opportunity to correct the problem(s) but does not do so within the time frame established by LHA (up to 30 days), the rent for the unit shall be abated.

The Supervisor will be responsible to send the owner notification of abatement. The decision to abate HAP monies to an owner for HQS

non-compliance will be final. Any abated monies will not be reimbursed to an owner except by approval of the Supervisor or Manager.

D. Scheduling Annual and Re-inspections:

Annual Inspections may be scheduled by the Inspection Clerk. LHA will conduct an annual inspection using the standards at least once every 12 months. If necessary, one re-inspection will be scheduled within 30 days.

Letters will be sent to the participant and respective owner notifying them of their scheduled annual inspection date. The letters will include the participant's obligation to cooperate with annual inspections, the benefit to the owner and participant in completing timely inspections, including timely renewal of their HAP, and the owner's responsibility to provide the tenant proper notice to inspect the unit without the tenant's presence.

LHA inspectors will enter the unit in absence of the tenant, if the owner is present or authorized person.

E. Missed Appointments:

In the event the first Annual inspection or re-inspection appointment is not completed due to the absence of the participant or their designated representative a letter to the participant will be generated. For annual inspections, another scheduled inspection date will be established by LHA, and the participant must cooperate with enabling LHA to complete the inspection on the pre-assigned date. If it is a recheck, a letter will be sent requesting the participant to contact LHA within five (5) business days.

Second Missed Appointment:

In the event a second Annual Inspection or re-inspection can not be completed due to the participant failure to cooperate with completing the inspection a termination notice will be sent with the right to an informal hearing. Good cause can be determined on the information provided by the participant and case worker along with knowledge of the participants ability to meet their obligations. If good cause exists prior to termination date, another appointment will be scheduled. The participant will be terminated by the Supervisor if the participant fails to provide "good cause" for missing a second appointment.

F. Complaint Inspections:

Complaint inspections can be made at the request of either the owner or participant. Complaint inspections are scheduled when there is an alleged HQS violation that constitutes a serious habitability impediment to the unit or the violation constitutes a serious threat to the value and integrity of the property. A complaint inspection will only be done when it is determined the person responsible for the repairs has been given reasonable opportunity by the complainant to make repairs. The tenant must submit the complaint of the defect to the owner in writing providing a copy to LHA. If the owner fails to correct the problem within a reasonable time, the tenant should contact LHA to schedule an inspection to determine if it is a HQS defect. A determination on the seriousness of the alleged HQS violation will be made by the Inspections Department.

1. **HQS Violation Cited:** If the result of a complaint inspection determines an HQS violation, the inspector will determine whether the owner or participant is responsible

to make the correction.

- (a) **Owner Corrections:** The owner will be notified in the mail of the violation and given time to make the corrections based on the type of violation as follows:
 - (i) 24 hours for no hot or cold water, no heat , no electricity or for a condition which is imminently hazardous to life.
 - (ii) 72 hours for repair of refrigerator, range or oven or a major plumbing fixture supplied by the owner.
 - (iii) 10 - 14 days for all other repairs.

Failure on the part of the owner to make corrections can result in abatement and constitute grounds for possible termination of the HAP contract by LHA. If the contract is terminated, the participant will be issued a voucher to move. It will be the responsibility of the participant to allow the owner to make required repairs in an expedited fashion so the owner can fulfill his responsibility under the HAP Contract within the requested time frame.

- (b) **Participant Corrections:** The participant will be notified in the mail of the violation and given time to make their corrections based on the type of violation as follows:
 - (i) 24 hours for no hot or cold water, no heat , no electricity or for a condition which is imminently hazardous to life.
 - (ii) 72 hours for repair of refrigerator, range or oven or a major plumbing fixture supplied by the owner.
 - (iii) 10 - 14 days for all other repairs.

Failure on the part of the participant to make the corrections could result in termination of their rental assistance and participation with the program.

G. **Denial of Owner Participation:**

LHA may deny an owner participation from the program when:

1. The owner has violated obligations under the Section 8 HAP contract;
2. as directed by HUD;
3. the owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
4. has a history or practice of non-compliance with Housing Quality Standards;
5. has a history or practice renting units that fail to meet State or local housing codes.;
6. has not paid State or local real estate taxes, fines or assessments; or
7. has engaged in drug-trafficking.

SECTION XII.
LEAD-BASED PAINT
(24 CFR Part 35 Subparts A, B, R & M)

The Lead Safe Housing Rule applies only to pre-1978 units occupied by families with a child under six (6) years old.

A. Exemptions to Lead Safe Housing Rules:

1. Residential property for which construction was completed on or after January 1, 1978;
2. A zero-bedroom dwelling including a single-room dwelling occupancy (SRO);
3. Housing for the elderly, or residential property designated exclusively for persons with disabilities, as long as no child under age six (6) is living or is expected to live in the unit; or
4. Residential property found not to have lead-based paint by a certified lead-based paint inspection, and a copy of the results of a certified test are provided to LHA. Results of additional tests by a certified lead-based paint inspector may be used to refute or confirm the prior finding.

B. Initial and Annual inspections on pre-1978 units occupied or will be occupied by families with children under six (6) years of age:

1. **Visual Assessment:** LHA-trained inspector or other designee will conduct a visual assessment for deteriorated paint surfaces on the dwelling unit and common areas. Common areas include areas where residents must gain access to the unit, areas frequented by resident child under six (6) years of age, including play areas, child care facilities, garages and fences.

Visual assessment will include looking for deteriorated paint (chipping, cracking, chalking, or paint that is damaged or separated from substrate), visible dust, paint chips or paint debris.

2. **Paint Stabilization:** If visual assessment indicates there is deteriorated paint and the De Minimis Rule does not apply, then the owner must stabilize the paint as it is an HQS violation.

Paint Stabilization:

- (a) Repair of any physical defect in substrate of painted surface or building component. Examples of defective substrate conditions include dry-rot, moisture-related defects, crumbling plaster, missing siding or other components not securely fastened;
- (b) Under safe work practices, removal of all loose paint and other loose material from the surface being treated; and
- (c) Application of new protective coat of paint to the stabilized surface.

Exception: A participant can move into the unit prior to paint stabilization and clearance when the inspection indicated a lead-based paint HQS violation on the exterior only, and LHA granted an extension due to weather to remedy the HQS violation. Due to local weather restrictions, LHA will grant exceptions on exterior violations during the months of October 1st - April 30th. Any unit granted an exterior exception from October - April must stabilize the unit and pass inspection by May 31st.

3. **Clearance:** After the owner stabilizes the paint, the owner will need to provide LHA a copy of the findings from the clearance examination and a completed and signed "Lead Paint Owners Certification" to meet HQS. The certification must be provided to LHA prior to occupancy or within thirty (30) days of notification of visual assessment, if already occupied. The HQS violation is considered closed when LHA receives an executed copy of the Lead-Based Paint Owner's Certification and a copy of the results from the clearance.

Clearance is an examination conducted to ensure the site and unit are safe for occupancy. The examination includes visual assessment and dust wipe testing. Clearance examinations must be performed by persons who have EPA or state-approved training and are licensed or certified to perform clearance examinations.

4. **Non-Cooperation:** Failure to comply with hazard activities and clearance within 30 days (or later if extension granted for exterior surfaces) of notification constitutes a violation of HQS, and appropriate actions must be taken if a program family occupies the unit. If the unit is vacant and failed the lead-based paint clearance, the unit may not be occupied by another assisted family, regardless of the ages of the children in the family, until compliance is met with the lead-based paint requirement.

C. The De Minimis Rule:

Paint stabilization and clearance is not required if disturbed painted surfaces do not exceed:

1. 20 square feet on exterior surfaces;
2. Two (2) square feet in any one interior room; or
3. 10% of the total surface of an interior or exterior-type component with a small surface area (e.g., window sills).

D. Procedures for Children under age six (6) with Environmental Intervention Blood Lead Level (EIBLL):

EIBLL is a blood level confirmed concentration of lead in the whole blood equal or greater than 20ug/dL (micrograms of lead per deciliter) for a single test or 15-19ug/dL in two tests taken at least three (3) months apart.

1. **EIBLL Reports:** LHA must verify all EIBLL reports by contacting either the public health department or medical health care providers. If the report is from a source other than the public health department, LHA must notify the public health department within five (5) working days.
2. **EIBLL Confirmation:** Once the EIBLL is confirmed in writing from the public health department or medical health care provider, LHA must have a risk assessment conducted within fifteen (15) days of receipt of the medical notification. A risk assessment is not required if the public health department has already conducted an evaluation between the date the child's blood was last sampled and the date LHA received notification on the child's condition.

3. **Risk Assessments:** The risk assessment is conducted by the public health department, or LHA must hire and pay for a certified risk assessor. Upon completion of the risk assessment, LHA will provide a report to the owner and require any lead reduction activities to be completed within thirty (30) days.

Risk Assessments are on-site investigations to determine the existence, nature, severity and location of lead-based paint hazards.

4. The owner must notify the results of the risk assessment to the building residents within 15 days of receiving the report from LHA.
5. The owner must complete reduction of the identified lead-based paint hazards as identified in the risk assessment within 30 days (*or date specified by LHA if an extension is granted for exterior surfaces due to weather*). The owner must notify the building residents within fifteen (15) days of the completion of hazard activities.
6. LHA will consider the owner has complied with the lead reduction activities as prescribed by the risk assessor when the public health department certifies the hazard reduction is completed and a copy of the clearance examination findings and a signed and completed Lead Based Paint Owner's Certification form is provided to LHA.

E. Owner Responsibilities:

1. Disclose known lead-based paint hazards to all potential residents prior to execution of a lease and attach disclosure form to the lease.
2. The owner must provide all prospective families with a copy of "Protect Your Family From Lead In Your Home" pamphlet or EPA-approved alternative.
3. Perform paint stabilization using safe work practices according to HUD guidelines.
4. Notify tenants about the conduct of lead hazard reduction activities and clearance when required.
5. Conduct lead hazard reduction activities when required by LHA.
6. Obtain clearance examination on at own expense.
7. Provide LHA a copy of the clearance examination findings and signed and completed Lead Based Paint Owner's certification.
8. Perform ongoing maintenance.

Ongoing maintenance is a visual assessment by the owner for deteriorated paint and failure of any hazard reduction measures at each tenant change and every twelve (12) months of continued occupancy. A **written notice** must be provided by the owner to each assisted family asking occupants to report deteriorated paint. The notice must include the name, address and telephone number of the person responsible for accepting the occupant's complaint.

F. LHA Responsibilities:

1. Keep a record of the disclosure in the tenant file.
2. Provide a copy of the pamphlet "Protect Your Family From Lead In Your Home" or EPA alternative at the tenant briefing.
3. With a trained inspector, conduct visual assessments at each initial and annual inspection on pre-1978 units that will be or are occupied by children under age six (6).
4. Obtain findings of clearance examination and a signed owners certification from the owners for all required paint stabilization or hazard reduction activities prior to passing HQS inspections.
5. Make notation in the "notes" section of the inspectors' rent reasonableness computer software on all units cited for lead-based paint violations requiring a clearance examination and signed Lead Based Paint Owner's Certification prior to passing HQS even if the household does not have children under age six (6).
6. Attempt to obtain names and addresses of children under age six (6) with an identified EIBLL from the public health department and match with families on the program. **If match occurs**, LHA will follow the procedure of notifying the owners and conduct a risk assessment within fifteen (15) days.
7. LHA will report at least quarterly to the public health department a list of addresses of units occupied by children under age six (6) unless the public health department indicates otherwise.
8. Maintain a tracking report for all children with EIBLL until the child reaches age six (6).
9. All records shall be kept for three (3) years.

G. Reimbursements to Owners for Initial Clearance Test:

LHA will reimburse the owner \$150 per lifetime of the owned unit to have an initial clearance test conducted after paint stabilization has been required by LHA. The reimbursement is available to the owner whether the unit passes or fails the clearance test. The owner will provide proof the clearance test was conducted by providing a receipt, statement or certificate from the clearance tester. The proof shall indicate the address of the unit tested.

H. Exterior Extensions from October 1 through April 30.

LHA will not require clearance examinations and owner certifications until May 31st for property inspected from October 1st through April 30th and cited for a HQS violation for exterior paint issues .

1. Owners will be sent notification to contact LHA by May 1st if they plan to meet the exterior paint HQS requirements.
2. Tenants will be given the option to search for an new unit on May 1st if the Owner fails to respond or indicates they do not intended to comply with the Lead Based Paint HQS requirements.

Section XIII.
Rent Reasonableness & Rent Increases
(24 CFR 582.305)

A. Rent Reasonableness: Rent Reasonableness will be determined by the Inspections Department utilizing a base rent and amenities appraisal of comparable unassisted units. The base rent plus or minus the amenities plus owner paid utilities determines the reasonable rent.

1. **Base Rent:** Base rent will be reviewed annually and is divided into the following seven (7) categories:

- (a) New, nice apartments and 60's built duplexes
- (b) Built duplexes
- (c) Nice older apartments and converted apartments
- (d) Older houses
- (e) Converted duplexes
- (f) Newer homes
- (g) Mobile homes

2. **Appraisal:** The following amenities and facilities are used to add or subtract dollar value:

- (a) Square footage
- (b) Age
- (c) Condition
- (d) Location
- (e) Dishwasher
- (f) Disposal
- (g) Microwave
- (h) Window A/C
- (i) Central air
- (j) Range
- (k) Refrigerator
- (l) Washer/Dryer hookups
- (m) Washer/Dryer
- (n) Extra bathroom (1/2, 3/4 or full)
- (o) Balcony/deck/patio
- (p) Fireplace/stove
- (q) Security building
- (r) Pool
- (s) Clubhouse
- (t) Cable TV
- (u) Basement finished/unfinished
- (v) Bedroom attic/basement
- (w) Storage closet/cage
- (x) Shed
- (y) Garage
- (z) Garden level or basement apt.

- (aa) No off street parking
- (bb) Unit not clean
- (cc) Carpet not shampooed
- (dd) Paint- not new or good

B. Rent Increases: The owner may **not** request a rent increase prior to the expiration of the first term of the lease. Rent Increases may become effective with a 60-day notice to the family and a copy to LHA. All rent increases are subject to LHA approval pursuant to rent reasonableness standards and HUD regulations.

Moderate Rehabilitation Program: LHA will process rent increases on an annual basis at the time of renewal of the contract according to HUD regulations.

C. Rent Decreases: LHA will provide the owner and participant with a 60 day notice when it is determined through a rent reasonableness appraisal that the contract rents must be reduced.

Section XIV.
PORTABILITY OF VOUCHERS
24 CFR 982.353 - 982.355

Portability Responsibilities and Requirements:

1. **Information:** Each voucher holder with an unexpired voucher will be advised of the portability option during the briefing and re-examination sessions.
2. **Residence outside LHA jurisdiction:** The participant must initially lease a unit located in LHA jurisdiction for 12 months before becoming eligible for portability if neither the head of household or spouse reside in the jurisdiction of LHA at the time the application is submitted.
3. **Port Out:** Effective July 1, 1999, Move to Work (MTW) Section 8 participants will not be allowed to Port Out unless the family applies and is granted an exception to this rule for reasonable accommodation for a disability, employment, education, domestic violence or a medical need. The need for a reasonable accommodation must be verified i.e. doctor statement, employer verification and etc.

Vouchers can be ported across state lines. When a participant is eligible to port out of LHA jurisdiction, LHA will complete Part I of the HUD form 52665 and attach copies of the participant's voucher, current form 50058 and income verifications. HUD form 52665 and the required copies will be forwarded to the receiving PHA. The receiving PHA completes the applicable portions of Part II of the HUD form 52665 and returns it to LHA (the initial PHA).

If the nearest Housing Authority (HA) does not operate a voucher program, LHA will contract with the closest Housing Authority to conduct HQS inspections and re-certifications.

4. **Port In:** LHA will operate in a cooperative and reciprocal manner with all established Housing Authorities in the portability feature. LHA will attempt to issue a voucher when a notification is received from another PHA that a voucher holder wishes to move to Lincoln, Nebraska. However, if funding is not available the issuing PHA will be notified their voucher will be used. LHA will notify initial authorities when a voucher has not been leased up prior to the expiration date of the voucher.

Port in voucher will be required to complete an application, interview and subject to verification process and criminal history checks prior to receiving their voucher.

Section XV. Transfer of Rental Assistance

Families are initially required to enter into a twelve (12) month lease with an owner. Transfers to another unit will not be approved by LHA unless the family and the owner have signed a Mutual Termination of Lease agreement to break the initial lease agreement.

Families will be allowed to transfer only once during any one-year period. Exceptions may be granted by a supervisor or manager for families who are “fleeing for their safety”, or have a serious medical condition which requires relocation. A criminal history check will be completed on all adult household members prior to the issuance of a transfer voucher.

A. Approval to move to a new unit:

A family may move to a new unit with continued tenant-based assistance if:

1. The HAP contract has been terminated for owner breach; or
2. The lease has terminated by mutual agreement.; or
3. The owner has requested and received approval of the opt-out requirement for business or economic reasons, after the first year of the initial lease.; or
4. After the first year, the tenant has given a 30 day notice of lease termination
An exception is given for the mutual termination requirement when a participant provides verification they are involved a domestic violence situation which involves serious endangerment.

B. Information provided to owners:

To assist the owners with the placement of LHA assisted tenants, LHA will respond to a potential landlord’s written request for information on past tenancy. LHA will provide the following information to owners upon request:

1. Family’s current address as shown in LHA records.
2. Name and address of current and prior landlords.
3. Factual tenant history on file.

C. Overlapping Subsidized Payments:

1. **Transfers with Section 8 vouchers:** At the receiving owner’s request, LHA will allow seven (7) days of overlapping on Section 8 voucher assistance to assist a tenant during a move. Overlapping will not be allowed if the tenant does not provide a 30 day notice to the owner unless the owner agrees to mutually terminate.
Note: If a tenant is transferring units with the same owner, overlapping will not be allowed.
2. **Canceling Section 8 vouchers to move to Public Housing:** LHA will allow seven (7) days of overlapping on Section 8 voucher assistance to assist a tenant to move into Public Housing.

Section XVI. Collections

In the interest of sound fiscal management and program integrity, LHA will make every effort to collect amounts owed to the agency as a result of unreported information or amounts paid to owners during the Section 8 certificate program on behalf of participants for unpaid rent, vacancy or damage claims. The following procedure will be followed to ensure maximum collection of applicant/participant debt.

- A. Applicant:** Applicants will not be admitted to the voucher or Mod Rehab program until all debt owed to LHA or another PHA have been paid or a repayment agreement has been signed and payments are being made as agreed.

In order to be placed on the waiting list an applicant must:

- A. Have no debt with other PHAs or other federally subsidized housing programs.
- B. If no repayment agreement was established for debts owed to LHA then a repayment agreement must be signed; and
- C. All LHA repayment agreements must be in current status.

Vouchers will not be issued until all repayments are in current status. If an applicant with a federal preference reaches the top of the waiting list before their repayment agreement becomes effective, they will be required to pay LHA at least one payment prior to receiving a voucher or mod rehab unit.

- B. Participants:** Participants in the voucher or Mod Rehab program must agree to pay back any amounts owed LHA and stay current with their payments to avoid jeopardizing their continued housing assistance. These procedures will be followed for program participants who owe money to LHA for unreported information or damages:

1. A limited payback arrangement will be negotiated, once the housing subsidy overpayment or damages has been established. A repayment agreement will be executed based upon financial circumstances of the family, whenever possible and previous repayment history. An attempt will be made to ensure the full amount of the overpayment is reimbursed to LHA within 12 months of the date the repayment agreement was negotiated. A one-time revision to a current repayment may be negotiated during the term of the repayment. Every attempt will be made to limit the minimum monthly payment to no less than \$25.00 per agreement.

If a participant fails to sign a repayment agreement and/or does not provide make the initial payment by the agreed due date then a termination letter is sent providing a 30 day notice.

2. A participant who is delinquent two payments will receive a reminder notice (#1) to pay the past due amount within seven (7) calendar days or the entire balance is due at the end of the month. A warning will be included in the notice that failure to pay may result in termination.
3. If the participant does not meet the request of the first "reminder notice":
 - (i) A second reminder notice (#2) is sent.
 - (ii) The second reminder will require the participant to pay the entire repayment balance in full or assistance will be terminated. This notice will be provided

- 30 days before the termination date and the right to an informal hearing.
 - (iii) Once the participant is terminated, reinstatement is not possible.

C. Judicial Action: LHA may pursue collection of all debt through the judicial system in order to secure judgement and enhance the potential for collection. This action will be taken on a case-by-case basis when it is deemed most prudent.

**Section XVII.
Special Purpose Housing**

Special Purpose Housing (i.e. Independent Group Residence, mobile home parks and etc) as eligible under the Section 8 program, are eligible for occupancy under this Administrative plan. However, no separate waiting list for these specialized units will be maintained. Applicants interested in these specialized living accommodations must come through the program waiting list and request to be placed in a specific unit. Process for the specialized housing will be conducted on an exception basis in accordance with applicable regulation. LHA retains the right to allow any specialized housing for participation under the program.

**Section XVIII.
Family Self-Sufficiency**

LHA operates a Family Self-Sufficiency program in accordance with HUD regulations and an LHA Public Housing and Section 8 Action Plan for Family Self-Sufficiency. This action plan has been developed and is periodically updated by the FSS Program Coordinating Committee. This action plan contains the following:

1. Family Demographics
2. Estimate of Participating Families
3. Eligible Families from other Self-Sufficiency programs
4. FSS Family Selection Procedures
5. Incentives to Encourage Participation
6. Outreach efforts
7. FSS Activities and Support Services
8. Method for Identification of Family Support Needs
9. Program Termination; Withholding of Services and Available Hearing Procedures.
10. Assurance of Non-Interference with the Rights on Non-participating Families
11. Timetable for Implementation
12. Certificate of Coordination
13. Optional Additional Information

**SECTION XIX.
TERMINATIONS/DENIALS**

A. Denial of Assistance for an Applicant: Denial of assistance for an applicant includes denying an applicant to be placed on the waiting list, denying or withdrawing a voucher, refusing to enter into a HAP contract or approve a lease, and refusing to process or provide assistance under portability procedures [982.552 (2)].

B. Termination of Assistance for a Participant: Termination of assistance for a participant includes refusing to enter into a HAP contract or approve a lease, terminating housing assistance payments under an outstanding HAP contract, denial of a new voucher and refusing to process or provide assistance under portability procedures [982.552 (3)].

C. Causes for Termination or Denial [982.551, 982.552, 982.553]

The following are reasons LHA will deny an applicant or terminate a participants' program assistance:

1. **Evictions:** An applicant or participant may not reapply for one (1) year from the date of termination from the assisted housing program.

- (a) Family is evicted from assisted housing for serious lease violations.
- (b) If any family member has been evicted from federally-assisted housing in the last five (5) years.

2. **Failure to Cooperate:** If any member of the family fails to cooperate with determining eligibility including failing to sign and submit consent forms for obtaining information. LHA will request in writing the necessary documentation or action a minimum of two (2) times before applicant is denied or participant is terminated. The applicant or participant may reapply for the program at any time as long as the family member cooperate with LHA to obtain the previous requested information.

3. **Citizenship:** If a family member fails to establish citizenship or eligible immigration status. LHA will request in writing the necessary documentation or action a minimum of two (2) times before applicant is denied or participant is terminated. The applicant or participant may reapply at anytime.

4. **Fraud:** Any family member has committed fraud, bribery or any other corrupt criminal act in connection with any Federal housing program. The applicant will be denied rental assistance for three years from the date of termination action.

The participant/applicant must cooperate with the Program Integrity program to assist with obtaining accurate information to determine program eligibility. Should the participant fail to cooperate in obtaining the requested information, the household would be terminated and could not reapply for assistance until cooperation with the Program Integrity is satisfied.

All debt incurred due to fraudulent actions with LHA must be repaid in full prior to admittance to the waiting list.

5. **Violation of family obligations:** The family must meet all family obligations as

defined by HUD in 24 CFR 982.551. The participant will be terminated from the program and may not reapply for one (1) year from the date of termination. The applicant/participant may reapply immediately after termination for those family obligation violations indicated with an asterisk (*).

Violation of any of these family obligations will cause termination:

- (a) Failure to supply the required information.(*)
- (b) HQS breached by the family. Examples include but are not limited to:
 - (i) Participant fails to pay for any **utilities** the owner is not required to pay. Participants will be given a 24 hour notice to restore utilities. They may also be issued a 48 or 72 hour notice for non-compliance with HQS at the Inspectors discretion.
 - (ii) Participants fail to maintain any **appliances** the owner is not required to provide. Participants will be given a 24 hour notice to restore appliances. They may also be issued a 48 or 72 hour notice for non-compliance with HQS at the Inspectors discretion.
 - (iii) Any household member or guest damages beyond ordinary wear and tear. Participants will be given a 30 day notice to repair defects. Extensions may be granted upon request.
- (c) Violation of lease. Family has committed any serious or repeated violations of the lease. Examples include but are not limited to:
 - (i) Participant's owner refuses to sign a mutual release from the lease.
 - (ii) Eviction established through legal process.
 - (iii) Failure to provide written notification to LHA before vacating the unit or terminating the lease.
- (d) Failure to provide LHA or owner notice of move or lease termination.
- (e) Failure to allow LHA to complete an inspection. After two notices have been sent requesting an inspection at reasonable times, the participant will be sent a final notice of termination. If the participant does not cooperate with the final notice by specified date, the participant will be terminated from the program and must reapply.(*)
- (f) Using assisted unit for more than a family residence.
- (g) The dwelling unit is not used solely for residence of the participant and authorized household members i.e. unauthorized individual(s) or "live-in's" living in the unit. LHA will request the tenant to provide documentation the alleged unauthorized person(s) is/are residing in another unit. Examples of documentation can include rent receipts, leases and rental agreements. LHA may verify all persons receiving mail at the address in question.

Live-in is defined as an individual living in the unit, other than those listed on

the lease or application. This includes any person who is not named on the lease and lives and/or stays with the participant one or more nights per week on a repetitive basis.

- (h) The unit is not the participant's principle place of residence. If LHA suspects the participant family is not using the unit as the principle residence the landlord may be requested to verify the participant is residing in the unit.
 - (i) If the sole household member is absent from the unit in excess of 30 days without prior written approval of LHA, the unit will be considered abandoned and participant without reasonable explanation is terminated from the program. With reasonable explanation such as a medical need, LHA can consider an additional 150 days. *
 - (j) If the head of household's vacation or incarceration remains longer than 30 days as it is not considered a reasonable cause for being absent from the unit. *
 - (k) Failure to notify and obtain written approval from LHA to add a person to the unit. Written notification shall be provided to LHA of the birth, adoption or court-awarded custody of a child or obtain written LHA approval to add any family member as an occupant of the unit. The landlord must also agree to add the person to the lease.
 - (l) Subleasing or subletting the assisted unit.
 - (m) Assigning or transferring the assisted unit.
 - (n) Not living in the assisted unit or providing the required documentation to resolve any discrepancies in reported absence(s) from the unit.
 - (o) A family member owns or has an interest in his/her subsidized unit other than in a manufactured home assisted under Subpart F or 24 CFR Part 882. Example: If a participant owns a trailer house on a rented lot only the lot rent is subsidized.
6. **Owes:** If the family owes rent or other amounts to any PHA in connection with Section 8 or public housing assistance under the 1937 Act the applicant/participant will be denied/terminated according to the following guidelines.
- A. **Family owes money to LHA** - The applicant/participant will be denied/terminated from the program if the applicant 1) refuses to establish a repayment agreement on money owed to LHA or 2) fails to make consecutive payments on an executed repayment agreement.
Note: Participants will be encouraged to pay amounts owed to LHA within one (1) year.

B. **Family owes money to another PHA or any other Federal housing programs-**

- (i) The **applicant** will be denied from the program until all money owed is repaid to the PHA or other Federal Housing programs.
- (ii) The **participant** will be terminated if they fail to repay the other PHA or Federal Housing program within the specified period.

Examples may include, but are not limited to the following:

- (i) if the family breaches a repayment agreement with any PHA owned.
- (ii) If the family member has not reimbursed the PHA for amounts paid to the owner under a HAP contract for rent, damages to the unit or other amounts owed by the family under the lease.

7. **Zero Tolerance:** LHA will exercise zero tolerance with respect to drug-related activity, violent criminal activity and alcohol abuse by any applicant or participant.

Criminal history checks with law enforcement agencies will be used to determine involvement in any drug, criminal or alcohol activity. Computer generated reports are received on a regular basis. These reports match the local police department and all LHA address data. Regular review and follow-up is performed.

Applicants and participants will be notified promptly with a brief written statement containing the reasons for denial and provide an opportunity to review the determination within seven (7) calendar days from the denial or termination letter.

- (a) **Denial:** LHA will prohibit admission to the program if any household member is currently engaged or has engaged in any drug-related activity, violent criminal activity and/or alcohol abuse within the past three (3) years. Activity will be defined as any activity regardless of arrest or conviction status.
 - (i) **Drug-Related Activity:** The applicant will not be admitted to the waiting list or the program for three (3) years from completion of sentence or date of disposition unless the family can demonstrate the person is no longer engaging in illegal use of a controlled substance and (1) has successfully completed a controlled substance rehabilitation program; or (2) is participating in a supervised drug rehabilitation program for a minimum of 30 days and will continue to participate until the completion of the program. Submission of written evidence regarding participation or recent successful completion of a supervised drug rehabilitation program is required.
 - (ii) **Methamphetamine:** Any household member who has been convicted for manufacture or production of methamphetamine on the premises of federally-assisted housing is subject to a lifetime prohibition from the program.

- (iii) **Alcohol Abuse:** The applicant will not be admitted to the waiting list or the program if any household member is currently engaged in, or has engaged in alcohol abuse within three (3) years from completion of sentence or date of disposition unless the family can demonstrate the person is no longer engaging in abuse of alcohol and (1) has successfully completed an alcohol rehabilitation program; or (2) is participating in a supervised alcohol rehabilitation program for a minimum of 30 days and will continue to participate until the completion of the program. Submission of written evidence regarding participation or recent successful completion of a supervised alcohol rehabilitation program is required.
- (iv) **Violent and Other Criminal Activity:** If LHA determines any household member is currently engaged or has engaged in violent criminal activity or other criminal activity which may threaten the health, safety or right to peaceful enjoyment of the premises by other residents, or persons residing in the immediate vicinity, the applicant will not be admitted to the waiting list or the program for three (3) years from completion of sentence or date of disposition.
- **Felonious Sex Offenders:** Any household members who committed a felony sex offense will be subject to a lifetime prohibition from the program.
 - **Threats Toward LHA:** Any household member who has engaged in or threatened abusive or violent behavior towards a LHA employee, contractor, subcontractor or agent will be denied access to the waiting list or program for three years from the documented incident.
- (b) **Termination:** LHA will terminate assistance for a family under the program if any household member is currently engaged or has engaged in any drug-related activity, violent criminal activity, other criminal activity or alcohol abuse regardless of arrest or conviction status. Prior convictions not identified at admission must be re-examined for compliance with Admissions Policy and may result in termination of assistance.
- (i) **Drug-Related Activity:** LHA will terminate assistance for drug-related criminal activity by any tenant, household member or guest, and any such activity engaged in on the premises by any other person under the tenant's control.
- (ii) **Methamphetamine:** LHA will immediately terminate assistance if any household member has been convicted for manufacture or production of methamphetamine on the premises of federally-assisted housing and will be subject to a lifetime prohibition from the program.
- (iii) **Alcohol Abuse:** The participant will be terminated from the program if any household member is currently engaged in, or has engaged in alcohol abuse within three (3) years from completion of sentence or date of disposition unless the family can demonstrate the person is no

longer engaging in abuse of alcohol and (1) has successfully completed an alcohol rehabilitation program; or (2) is participating in a supervised alcohol rehabilitation program. Submission of written evidence regarding participation or recent successful completion of a supervised alcohol rehabilitation program is required.

(iv) **Violent and Other Criminal Activity:** If LHA determines any household member is currently engaged or has engaged in violent criminal activity or other criminal activity which may threaten the health, safety or right to peaceful enjoyment of the premises by other residents, or persons residing in the immediate vicinity, the participant will be terminated from the program for three (3) years from completion of sentence or date of disposition.

- **Felonious Sex Offenders:** Any household members who committed a felony sex offense will be subject to a lifetime prohibition from the program.
- **Threats Toward LHA:** Any household member who has engaged in or threatened abusive or violent behavior towards a LHA employee, contractor, subcontractor or agent will be terminated from the program for three years from the documented incident.

D. Continued Eligibility: A participant's eligibility for housing assistance payments will continue until the Total Tenant Payment equals the gross rent. Termination of eligibility will not affect the participant's other rights and obligations under the lease. Housing Assistance Payments may be resumed if the gross rent becomes more than the Total Tenant Payment as a result of a change (i.e. rent , income and etc.) during the term of the contract. If six (6) months elapses without a Housing Assistance payment then the contract will be terminated.

Section XX.
Hearing Procedures
for
Applicants and Participants
(24 CFR 982.554, 982.55 and 982.158)

All Section 8 applicants have the right to request an informal review.

All Section 8 participants have the right to an informal hearing when LHA decision(s) may affect their status as a participant and the type and scope of benefits that are afforded to them under the Section 8 program. An informal hearing allows a participant an opportunity to present the participant's individual circumstances or personal hardship, which could reverse or modify LHA's initial decision.

Both informal reviews and informal hearings provide an opportunity to review LHA's initial proposed decision(s) for compliance of HUD regulations and LHA policies. The hearing officer may reverse, modify or affirm with or without conditions, LHA's initial or proposed decision as long as the hearing officer's decision is not contrary to HUD regulations or requirements or otherwise contrary to federal, state and local law.

A. Exemptions from Informal Review or Hearing Procedures:

1. Discretionary administrative determinations;
2. General policy issues or class grievances;
3. Establishing or reviewing LHA utility allowances;
4. Extending or suspending a term of a voucher;
5. Approving a unit or owner's lease;
6. HQS determination on a unit;
7. HQS occupancy violations because of family size;
8. LHA's contractual right and remedies with an owner.

B. Notification

LHA will notify an applicant or participant in writing of a decision to deny eligibility for Section 8 assistance or waiting list. The written decision will afford the applicant the right to request an informal review and the participant the right to request an informal hearing within seven (7) calendar days from the date of the LHA written decision. In case where there is an active Housing Assistance Payment contract, LHA will provide an opportunity for an Informal Hearing before the actual termination of the housing assistance payments.

In denying admission for criminal activity, LHA must provide the applicant with a copy of the criminal record before the informal review.

All requests for an informal review/hearing must be made in writing within seven (7) calendar days from the date of the written decision.

The participant/applicant must bear the burden of proof for any claim of lost or undelivered mail. LHA will maintain all copies of correspondence in the applicant/participant's file.

All reviews and hearings will be held at the LHA office located at 5700 R Street, Lincoln, Nebraska.

C. Hearing Officer

The hearing officer will be neither the person who made or approved the decision under review or a subordinate of such person. Hearing Officers may be LHA employees appointed by the Executive Director.

The Hearing Officer shall regulate the conduct of the hearing in accordance with LHA hearing procedures. The Hearing Officer shall conduct the hearing informally.

D. Informal Review Procedures:

1. An informal review will be convened within ten (10) business days from the date of the applicants written request.
2. The applicant may present oral or written arguments relative to the decision under review.
3. LHA will notify the applicant in writing of the results of the informal review within 10 business days after the informal review.
4. LHA's decision is final.

E. Informal Hearing Procedures:

1. LHA will schedule the Informal Hearing within ten (10) business days from the participant's written request. A written confirmation notice will be sent to the participant stating the date, time and location of the informal hearing. The confirmation notice will be sent to the participant's last known address.
2. The procedures for conducting the informal hearing will be mailed to the participant.
3. The voucher or Mod Rehab participant may, at the participant's own expense, be represented by a lawyer or other representative.
4. The informal hearing may be recorded or transcribed at the sole party who has arranged for the service.
5. The Hearing Officer will be responsible to conduct the hearing in accordance with the following guidelines:
 - a. LHA's representative will be given an opportunity to explain the LHA decision. LHA may present evidence and question witnesses.
 - b. The participant will have the opportunity to question any LHA witnesses.
 - c. The participant or participant's representative will have an opportunity to present his/her objections to the decision in question. Information related to only the specific LHA decision will be allowed at this hearing. The participant may present evidence or question witnesses at this time.
 - d. The participant may contact LHA before the informal hearing to examine any Housing Authority documents that are directly related to the hearing or receive more information on the basis of the violation(s). The participant may copy any such document at the participant's expense. If LHA does not make the document available for examination upon the request of the participant,

LHA may not rely on the document at the hearing.

- e. Only evidence submitted at or before the hearing will be considered by the Hearing Officer. After the hearing, the Hearing Officer will not perform any independent investigation based on statements made by the participant at the time of the hearing.
- f. Participants must provide credible verification of any statements at the time of the hearing. Verification of statements will not be considered after the hearing.
- g. All written documents submitted by the participant at the time of the hearing and were not signed by a person not in attendance at the hearing must be notarized. Contents of statements not notarized will not be considered by the Hearing Officer.
- h. LHA can help verify information before the Informal Hearing, but the request to verify information must be provided to LHA at least two (2) business days prior to the hearing. LHA is not required to call as witnesses those persons whose testimony would relate only to verification or non-verification of information provided by the participant.
- i. If unverified or uncorroborated documents, or statements, or oral testimony are presented at the informal hearing, the hearing officer will give the evidence the weight and credibility deemed appropriate.
- j. The participant may receive, upon request, at the hearing, copies of any written evidence or reports submitted by LHA to the Hearing Officer.
- k. The Hearing Officer will issue a written decision based on the original request for the informal hearing. The Hearing Officer may consider all applicable federal and state law, HUD rules and regulations and LHA rules and regulations as well as the record and evidence presented at the hearing. The Hearing Officer may reverse, modify, or affirm with or without conditions LHA's decision. The Hearing Officer will issue a written decision stating the reasons for the decision within thirty (30) calendar days of the informal hearing. A copy of the written decision shall be mailed to the participant within three (3) business days after the written and signed decision by the Hearing Officer.
- l. LHA shall not be bound by the Hearing Officer's decision when:
 - (i) LHA is not required to provide an opportunity for an informal hearing, or the matter exceeds the authority of the person conducting the hearing under these procedures.
 - (ii) The decision is contrary to HUD regulations or requirements, or otherwise contrary to federal, state or local law.
 - (iii) If LHA determines it is not bound by the hearing decision, LHA will promptly notify the participant of the determination and the reasons

for the determination.

F. Reasonable accommodations:

LHA will provide reasonable accommodation for persons with disabilities to participate in the hearing. LHA reserves the right to decide the type and scope of the accommodation. Reasonable accommodations may include qualified sign language interpreters, readers, accessible locations or attendants. The participant must notify LHA within two business days of the hearing regarding the need for a reasonable accommodation.

APPENDIX A.

GLOSSARY OF TERMS

Administrative Plan - The plan required by HUD for Public Housing and Section 8 Tenant-Based program administrators (Public Housing Agencies) that detail the administrator's policies and procedures.

Adjusted Income - Annual income, less allowable HUD deductions.

Anniversary Date -

1. When the effective date of the current lease is the first day of a month, that is also the anniversary date.
2. When the effective date of a current lease is any day other than the first day of the month, the anniversary date is the first day of the month.

Annual Gross Income - Annual gross income is the anticipated total income from sources received by the family head and spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets, for the 12 month period following the effective date of certification or review of income, exclusive of income that is temporary, nonrecurring or sporadic.

Annual Income - The anticipated total annual income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

Annual Income After Allowances - The Annual Income (described above) less the HUD-approved allowances.

Applicable Payment Standard - The payment standard that applies to a given family, based on the family size and composition.

Assets - Net Family Assets - 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 the equity in a housing cooperative unit or in a manufactured home in which the family resides. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under 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 Gross Income.) In determining Net Family Assets, LHA shall include the value of any assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received thereof. 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 market value if the applicant or tenant receives important consideration not measurable in dollar terms.

Assisted Tenant - A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistant Payments, or Section 8 assistance and all other 236 and BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

CACC Reserve Account - An account established by HUD from amounts by which the maximum payment to the HA under the Consolidated Annual Contributions Contract (CACC) during the HA fiscal year exceeds the amount actually approved and paid. This account is used as the source of additional payments for the program.

Calculated Voucher Payment - The lesser of the estimated voucher payment or the amount by which the gross rent exceeds the actual total tenant payment.

Capital Fund Program (CFP) - A grant program that replaced the Comprehensive Grant Program (CGP) and the Comprehensive Improvement Assistance Program (CIAP) in the PHRA. It is distributed by formula.

Ceiling Rent - The rent cap a family can be charged. Ceiling rent is sometimes referred to as maximum rent.

Child - A member of the family other than the family head or spouse who is under 18 years of age.

Child Care Expenses - Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period of which annual income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his or her education, and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care; and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment.

Citizen - Citizen/national of the United States.

Computer Matching Agreements - The agreements between HUD and the Internal Revenue Service (IRS) and the Social Security Administration (SSA) that allow the matching of data between each entities' databases.

Computer Matching Income Verification (CMIV) - The process that uses the matching of data between HUD, the IRS, and the SSA to identify potentially unreported tenant income.

Consolidated Annual Contribution Contract (CACC) - A written contract between HUD and a HA. Under the contract HUD agrees to provide funding for operation of the program, and the HA agrees to comply with HUD requirements.

Consolidated Plan - A 5-year and annual plan on housing and community development needs and activities that is developed by cities, counties, and States that receive Community Development block Grants (CDBG), HOME, and/or homeless grants from HUD. See regulations at 24 CFR Part 91.

Continuously Assisted - An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.

Contract Rent - The rent HUD, a public housing agency (PHA) or Contract Administrator authorizes an owner to collect for a unit (not public housing) occupied by a family receiving rental assistance. In the Section 8 Certificate Program, Contract Rent is the total rent paid to the owner, including the tenant payment and the HAP payment from the HA.

Contract Term - No definite date of termination is set forth in the contract. The contract continues until the lease terminates or for the term of the ACC, whichever occurs first.

Dependent - A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a disabled person or handicapped person, or is a full-time student.

Dilapidated Housing Unit - A housing unit is considered dilapidated if it does not provide safe and adequate shelter, and in its present condition endangers the health, safety, or well-being of a family, or it has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect or lack of repair or from serious damage to the structure.

Disabled Person - A person under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423) or in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001G).

1. Section 223 of the Social Security Act defines disability as inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
2. In the case of an individual who has attained the age of 55 and is blind the inability by reason of such blindness to engage in any substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged in with some regularity and over a substantial period of time.
3. Section 102(7) of the Developmental Disabilities Services Amendment of 1970 defines disability as one attributable to mental retardation, cerebral palsy, epilepsy, or another neurological condition of an individual found by the Secretary of HHS to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age 18, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individuals.

Discrepancy Letter - The letter that HUD sends to a tenant indicating that a potential discrepancy exists between a tenant's reported income and a tenant's income verified by federal tax data in the TASS. The letter directs the tenant to provide the letter to the tenant's PHA.

Discrepancy Notification - The notification that HUD sends to a PHA with a listing of tenants who were sent discrepancy letters. The notification directs PHA's to contact tenants and resolve the potential income discrepancies identified in the tenant letters.

Discretionary Policies - Those instances in which HUD regulations do not specify the policies or activities a PHA must adopt, leaving the PHA the freedom to make its own choices.

Displaced Person - A person misplaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recongized purasant to Federal Disaster Relief laws.

Domicile - The legal residence of the household head or spouse as determined in accordance with State and local law.

Drug-trafficking - The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance (as defined in section 102 of the Controlled Substance Act (21 U.S.C. 802)

Earned Income - Income from wages, tips, salaries, other employee compensation and any earnings from self-employment.

Effective Date - This date refers to an examination or re-examination (i) in the case of an examination for admission, the date of initial occupancy and (ii) in the case of re-examination of an existing tenant, the date the redetermined rent becomes effective.

Elderly Person or Family - A family whose head or spouse (or sole member) is a person who is an elderly, disabled or handicapped person. It may include two or more elderly, disabled or handicapped persons living together, or one or more such persons living with another person who is determined to be essential to his/her care or well-being.

Elderly Person - A person who is at least 62 years of age.

Eligible Immigration Status - An immigration status in one of the following categories:

1. A noncitizen lawfully admitted for permanent residence, as defined by Section 101(a)(20) of the Immigration and Nationality Act (INA), as an immigrant, as defined by section 101(a)(15) of the INA noncitizen admitted under section 210 or 210A of the INA (8 U.S.C. 1160 or 1161), (special agricultural worker), who has been granted lawful temporary resident status);
2. A noncitizen who entered the United States before January 1, 1972, or such later date as enacted by law, and has continuously maintained residence in the United States since then, and who is not eligible for citizenship, but who is deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under Section 249 of the INA (8 U.S.C. 1259);
3. A noncitizen who is lawfully present in the United States pursuant to an admission under section 207 of the INA (8 U.S.C. 1157)(refugee status); pursuant to the grant of asylum (which) has not been granted conditional entry under Section 203(a)(7) of the INA (8 U.S.C. 1153(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic national calamity;
4. A noncitizen who is lawfully present in the United States as a result of an exercise of discretion by Attorney General for emergent reasons or reasons deemed strictly in the public interest under section 212 (d)(5) of the INA (8 U.S.C. 1182(d)(5))(parole status);
5. A noncitizen who is lawfully present in the United States as a result of the Attorney General's withholding deportation under section 234(h) of the INA (8 U.S.C. 1253(h))(threat to life or freedom);
6. A noncitizen lawfully admitted for temporary or permanent residence under section 245A of the INA (8 U.S.C. 1255a)(amnesty granted under INA 245A).

Eligible Family - A family whom the HA has determined meets the criteria for occupying a public housing unit or receiving housing assistance. 'Family' as defined by the HA, approved by HUD, is listed elsewhere in the glossary.

Escrow Account - An interest bearing savings account established for a Family Self-Sufficiency participant. A credit of a portion of the rent increase, which is a result of earned income.

Estimated Voucher Payment - The amount by which the applicable payment standard exceeds 30% of the tenant income.

Exception Rent - In the voucher program, the HA may adopt a payment standard up to the exception rent limit approved by HUD.

Excess Medical Expenses - Any medical expenses incurred by elderly families only in excess of three percent (3%) of Annual Income which are not reimbursable from any other source.

Excess Rental Assistance - The difference between the amount of rental assistance received by a tenant based on reported income and the amount of rental assistance the tenant was entitled to receive.

Evidence of Citizenship or Eligible Immigration Status - The documents which must be submitted to establish citizenship or eligible immigration status.

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

False Positive Discrepancy - A potential income discrepancy identified from federal tax information, TASS, matching that upon PHA review and/or investigation did not result in unreported income or excess rental assistance or if the discrepancy was less than \$1,000.00.

False Tax Information - The earned and unearned income data provided to HUD by the IRS and SSA under a computer matching agreement.

Family Break Up - LHA will determine who will occupy the unit with continued housing assistance in consideration of:

- (1) court ordered rights to the premises
- (2) court ordered custody of children
- (3) mutual agreement of the parties
- (4) documented criminal acts against one of the parties
- (5) possession of the premises

Family Composition -

- (1) A "family" may be a single person or group of persons;
- (2) A "family" includes a family with a child or children;
- (3) A group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides is a family;
- (4) A single person family may be:
 - (i) an elderly person,
 - (ii) a displaced person,
 - (iii) a disabled person,
 - (iv) any other single person;
- (5) A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

Family Self-Sufficiency (FSS) - FSS is a program established by LHA to promote self-sufficiency among participants, including the provision of "supportive services" to these participants.

Foster Care Payment - Payments to eligible households by state, local, or private agencies.

Fraud - Willful and intentional deception to obtain monies and/or services which the recipient would not normally be entitled.

Full-time Student - A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

Gross Rent - The total monthly cost of housing an eligible family, which is the sum of the Contract Rent and any Utility Allowance for the assisted unit. In the case of rental of a manufactured home space only, Gross Rent also includes the Family's monthly payment to amortize the purchase price of the manufactured home.

HA - Lincoln Housing Authority

Handicapped Individual - A person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment.

Handicapped Expenses - The amount anticipated to be paid out by the family for attendant care and/or auxiliary apparatus expenses that are necessary to enable a family member (including the handicapped member) to be employed. The amount deducted shall be the lesser of the amount by which the total expenses for handicapped assistance exceeds 3% of the annual income or the employment or the employment income the adult members will earn because the assistance is available. For elderly families, the 3% of annual income is first deducted from handicapped expenses and any remainder is deducted from medical expenses. The expenses are not deducted if they are paid to a family member living in the household or if they are paid for or reimbursed by an outside source.

Head of Household - The adult family member who is legally able to enter into a lease under state or local law, and in whose name the voucher is issued, and who is considered responsible for the payment of rent and held accountable for the actions, conduct and behavior of the Family.

High Performer - A PHA that scores above 90 percent overall on PHAS.

Homeless Family - For selection preference purposes, and applicant is considered a Homeless Family if they:

1. Lack a fixed, regular and adequate nighttime residence; or
2. Have a primary nighttime residence that is:
 - a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters and transitional housing);
 - b. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - c. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

A Homeless Family does not include any individual imprisoned or otherwise detained pursuant to a Federal, State or local law.

Housing Assistance Payment (HAP) - The monthly assistance payment by the HA. The total assistance payment consists of:

1. A payment to the owner for rent to owner under the family's lease.
2. A payment to the family if the total assistance payment exceeds the rent to owner.

Housing Assistance Payment Contract (HAP Contract) - A written contract between the HA and an owner in the form prescribed by HUD, in which the HA agrees to make housing assistance payments to the owner on behalf of an eligible family.

Housing Quality Standards (HQS) - The HUD minimum quality standards for housing being assisted under the voucher programs.

Housing Choice Voucher - A document issued by a HA declaring a Family to be eligible for participation in the Housing Voucher Program and stating the terms and conditions for the Family's participation.

HUD - The U.S. Department of Housing and Urban Development.

Income - Income from all sources of each member of the household in accordance with criteria established by HUD.

Income Discrepancy - The difference between tenant income reported and verified.

Income for Eligibility - Annual income.

Income Limits - A schedule of incomes that do not exceed a percent of the median income for the area as determined by HUD with adjustments for smaller or larger Families, except that HUD may establish income limits higher or lower on the basis of its findings that such variations are necessary because of the prevailing levels of construction costs, unusually high or low incomes, or other factors.

Initial Lease Term - The initial term of the assisted lease. The initial lease term must be for at least one year.

Initial PHA - A HA administering a Section 8 increment to a Section 8 participant who desires to move or who has moved to another area.

INS - The U.S. Immigration and Naturalization Service.

Interim Recertification Policy - The policy that determines when a tenant should report income increases. The policy also identifies if a PHA recalculates rental assistance and if so, when rental assistance will be increased.

Jurisdiction - The geographic area(s) in which the HA has authority under State and local law to administer the Section 8 program.

Landlord - Either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

Lease - A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP Contract between the owner and the HA.

Lease Addendum - In the lease between the tenant and the owner, the lease language required by HUD.

LHA - Lincoln Housing Authority

Live-in Aide - A person who resides with an elderly, disabled or handicapped person or persons and who (a) is determined by LHA to be essential to the care and well-being of the person; (b) is not obligated for support of the person; and (c) would not be living in the unit except to provide necessary supportive services and is not otherwise eligible for assistance.

Local Preference - see Preference

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

Market Rent - HUD's determination of the rent, including utilities (except telephone), range and refrigerator, parking and all maintenance, management and other essential housing services, which would be required to obtain privately owned rental housing of modest design with suitable amenities in a particular market area.

Medical Expenses - Those medical expenses, including medical insurance premiums, that are anticipated to be paid by the elderly, disabled or handicapped family during the period for which annual income is computed, and that are not covered by insurance.

Member of the Armed Forces - A person in the active Military or Naval Service of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard.

Minor - A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

Mixed Family - A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Monthly Adjusted Income - One-twelfth of the annual income after allowances or adjusted income.

Monthly Income - One-twelfth of Annual Income.

Multifamily Tenant Characteristics System (MTCS) - HUD's tenant database for PIH programs.

National - A person who owes permanent allegiance to the United States.

Net Family Assets - 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 is excluded from the definition. In cases where a trust fund has been established and the trust is not revokable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered as asset so long as the fund continues to be held in trust.

Noncitizen - A person who is neither a citizen nor a national of the United States.

Overcrowded - Two or more families living together in one dwelling unit or a family living in a dwelling unit in which more than two persons must share a sleeping area as defined by HUD HQS standards.

Owner - Any person or entity having legal right to lease or sublease Decent, Safe, and Sanitary Housing.

Participant (Participant Family) - A family that has been admitted to the HA program, and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP Contract executed by the HA for the family (first day of initial lease term.)

Payment Standard - In the voucher program, an amount used by the HA to calculate the Housing assistance payment for a family. Each payment standard amount is based on the FMR. The HA adopts a payment standard for each bedroom size HA's jurisdiction. The payment standard for a family is the maximum monthly subsidy payment.

PHA - Public Housing Agency that administer's HUD's public housing and Section 8 tenant-based programs and some Section 8 project-based programs.

Portability - Renting a dwelling unit with Section 8 tenant based assistance outside the jurisdiction of the initial HA.

Preference - LHA will select families for participation in the Voucher and Mod Rehab program in accordance with the select preferences. All applicants who qualify for a preference will be offered a voucher or Mod Rehab unit before any family that does not qualify for a preference.

Premises - The building or complex in which the dwelling unit is located, including common areas and grounds.

Project Reserve - CACC reserve account.

Program Integrity - Addresses all areas dealing with fraud in public housing. Violation of rules determining eligibility can be programmatic or criminal.

Public Assistance - Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly by federal, state or local governments.

Public Housing Program - The same as Low Rent Program, which is administered by a public housing agency.

Ranking Preference - None.

Real Estate Assessment Center (REAC) - The entity established to assess HUD's housing portfolio and the entities that administer the portfolio (public housing agencies, owner and agents).

Reasonable Rent - A rent to an owner that is not more than either:

1. Rent charged for comparable units in the private unassisted market; or
2. Rent charged by the owner for a comparable assisted or unassisted unit in the same building or premises.

Receiving PHA - An HA administering a Section 8 Housing Voucher Program that accepts a Housing Voucher holder from another HA.

Recertification - Sometimes called re-examination. The process of securing documentation to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported. There are annual and interim /recertifications.

Remaining Member of Tenant Family - person left in assisted housing who may or may not qualify for assistance on own circumstances (i.e., widow age 47, not disable or handicapped).

Rent - An agreed sum paid at fixed intervals by a tenant to his landlord for use of land or its appendages.

Rent to Owner - This is called contract rent in the certificate program and rent to owner in the voucher program. It is the total amount of rent payable per month to the owner by the family and the HA for an assisted unit.

Repayment Agreement - Instrument used in the collection of monies paid to an individual or family who has indebtedness to LHA.

Security Deposit - A dollar amount (maximum set according to the regulations) which can be used for unpaid rent or damages to the owner upon termination of lease.

Section 8 Project-Based Programs - The rental assistance programs administered by either owners or agents and, in some instances, public housing agencies.

Section 8 Tenant-Based Programs - The rental assistance programs administered by public housing agencies in which tenants receive certificates or vouchers.

Service Person - A person in the active military or naval service (including the active reserve) of the United States.

Shared Housing - A housing unit occupied by two or more families consisting of common space for shared use by the occupants of the units and separate private space for each assisted family. Individual Lease Shared Housing - The type of shared housing in which the HA enters into a separate housing contract for each assisted family residing in a shared housing unit.

Single Person - A person who lives alone or intends to live alone, and who does not qualify as an elderly or displaced person, a person with disabilities, or (for continued occupancy) as the remaining member of a family.

Social Security Number (SSN) - The number assigned to a person by the Social Security Administration of the Department of Health and Human Services which identifies the record of the person's earnings that are reported to the Administration.

Special Admission - Admission of an applicant that is not on the HA waiting list, or without considering the applicant's waiting list position.

Spouse - Husband or wife of the Head of Household.

Subsidy Standards - Standards established by the HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sites and compositions.

Suspension - Stopping the clock on the term of a family's voucher, for such period as determined appropriate by the HA. For example, when a participant has filed a discrimination claim against a landlord under the protected class ordinance or when the HA is unable to inspect an available unit prior to the expiration of a voucher.

Targeted Housing Voucher - Circumstances in which HUD provides Voucher funding specifically for applicant families living in certain types of projects.

Tenant - The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.

Tenant Identifiers - The tenant's name, social security number and date of birth.

Tenant Rent - The amount payable monthly by the Family as rent to the owner. Where all utilities (except telephone) and other essential housing services are supplied by the owner, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the owner and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance. (Does not apply to the Section 8 Voucher program.)

Tenant Rental Assistance Certification System (TRACS) - A suite of database systems for programs under the Office of Housing. TRACS Tenants is the database which processes tenant certifications, stores complete data and is the location from which Housing households are drawn for the Computer Matching Income Verification process.

Tenant Repayment Agreement - The agreement signed between LHA and a tenant in which the tenant agrees to repay excess rental assistance based on the terms specified in the agreement.

Tenant History - LHA will provide by telephone upon request of a prospective landlord, the names, addresses, and phone numbers of a maximum of three previous landlords in the most recent three year period.

Terminally Ill - A person is considered terminally ill if the individual has a medical prognosis of life expectancy of 3 years or less.

TIV - Tenant income verification.

Total Tenant Payment (TTP) - Tenant Rent, plus the HA's estimate of the cost to the tenant of reasonable quantities of utilities, determined in accordance with the HA's schedule of allowances for such utilities, where such utilities are purchased by the tenant and not included in the Tenant Rent. Total Tenant

Payment does not include charges for excess utility consumption and other miscellaneous charges. The Total Tenant Payment shall be calculated at the percentage allowed by federal law. (Does not apply to the Section 8 Voucher program.)

Transitional Housing - A special program designed to issue vouchers to homeless families residing in Lancaster County shelters.

Unauthorized Guest - A visitor of a participant family who stays overnight more than 14 days in the lease year. Unauthorized guests constitute lease and program violations subject to termination of family participation in Section 8 Voucher rental assistance.

Unit Absence - The participant family is to notify LHA and the Landlord in writing before any absence from the unit which is to exceed seven days. Written permission from the LHA and the Landlord must be obtained prior to absence in excess of thirty days.

Unreported Income - The difference between the amount of income a tenant reports and the amount of income a tenant is required to report (minus some exclusions).

Utility Allowance - An amount determined by the LHA as an allowance for the cost of utilities. Utilities include water, electricity, gas, other heating, refrigeration and cooking fuels, trash collection and sewer services. Telephone and TV cable are not included as a utility. This allowance is used when a family is responsible for the cost of some or all of the utilities. Included also is an amount for range and refrigerator if these must be provided by the tenant.

Valid Discrepancy - The situation in which a tenant's rental assistance is decreased based on federal tax information provided in HUD's discrepancy letter to a tenant.

Verification - The confirmation of information with employers or financial institutions disclosed to LHA

Very Low-Income Family - A lower income family whose annual gross income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

Violent Criminal Activity - Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

Voucher - see Housing Choice Voucher.