

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

PHA Plans

Annual Plan for Fiscal Year 2007

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

PHA Plan Agency Identification

PHA Name: Housing Authority of the County of Sacramento

PHA Number: CA007

PHA Fiscal Year Beginning: 01/2007

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 (Dos Rios, New Helvetia, River Oaks, The Housing Choice Voucher Office).

Display Locations For PHA Plans and Supporting Documents

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

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices (Dos Rios, New Helvetia, River Oaks, Housing Choice Voucher Office)
- 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)
- Dos Rios, New Helvetia, River Oaks, The Housing Choice Voucher office

Annual PHA Plan
PHA Fiscal Year 2007

[24 CFR Part 903.7]

i. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

Standard Plan

Streamlined Plan:

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

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

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

N/A (Optional Requirement)

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

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

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Attachments

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

Required Attachments:

- A. Admissions Policy for Deconcentration 44
- B. FY 2005 Capital Fund Program Annual Statement & 5 Year Action Plan (ca007a01)
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)
- C. Brief Statement of Progress in Meeting 5 Year Plan Missions & Goals 44
- D. Description of PHA's Pet Policy 44
- E. Resident Advisory Board Members 45
- F. Resident Advisory Board Recommendations 45
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Optional Attachments:

- H. PHA Management Organizational Chart (ca007b01)
- FY 2000 Capital Fund Program 5 Year Action Plan N/A
- Public Housing Drug Elimination Program (PHDEP) Plan
- Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
- Other (List below, providing each attachment name)
- I. Assessment of Demographic Changes with Site-based waiting lists 48
- J. Section 8 PHA Project-Based Vouchers 48
- K. Section 8 Homeownership Program Capacity Statement 49
- L. Housing Choice Voucher Administrative Plan (ca007c01)
- M. Community Service and Self-Sufficiency Requirement 52

Supporting Documents Available for Review

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
x	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
x	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
x	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in	5 Year and Annual Plans

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	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.	
x	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
x	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
x	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
x	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
x	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
x	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
x	Schedule of flat rents offered at each public housing development <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
x	Section 8 rent determination (payment standard) policies <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
x	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
x	Public housing grievance procedures <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
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 HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
x	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
x	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
x	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
x	Policies governing any Section 8 Homeownership program <input checked="" type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
x	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
x	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
x	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)
x	Pet Policy	Annual Plan / ACOP

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction (County of Sacramento) by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Non-Elderly Income <= 30% of AMI	34,635	5	N/A	4	3	4	5
Non-Elderly Income >30% but <=50% of AMI	27,485	5	N/A	4	3	4	5
Non-Elderly Income >50% but <80% of AMI	38,254	4	N/A	3	2	3	4
Non-Elderly Subtotal	100,374						
Elderly Income <= 30% of AMI	7,342	5	N/A	3	5	1	5
Elderly Income >30% but <=50% of AMI	5,495	5	N/A	3	5	1	5
Elderly Income >50% but <80% of AMI	4,494	5	N/A	3	4	1	4
Elderly Subtotal	17,331						
Total Non-Elderly and Elderly Income <= 30% of AMI	41,977	5	N/A	4	4	45	5
Total Non-Elderly and Elderly Income >30% but <=50% of AMI	32,980	5	N/A	4	4	4	5
Total Non-Elderly and Elderly Income >50% but <80% of AMI	42,748	4	N/A	3	3	3	4
Grand Total	117,705						

Housing Needs of Families in the Jurisdiction (County of Sacramento)							
by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Individuals with Disabilities	115,695 persons	5	N/A	5	5	n/a	4
Black Non-Hispanic Households	17,705	5	N/A	5	4	5	5
Hispanic Households	18,590	5	N/A	5	4	5	5
White Non-Hispanic Households	63,070	4	N/A	3	3	4	4
Other households (total households minus white, black and Hispanic households)	18,340	N/A	N/A	N/A	N/A	N/A	N/A

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

- Consolidated Plan of the Jurisdiction/s
Indicate year: **2004-2007**
- U.S. Census data: the Comprehensive Housing Affordability Strategy CHAS 2000 Datasets
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information)

Analysis of Impediment to Fair Housing Choice (November 2004)
Section Three City of Sacramento Housing Element of the General Plan (2002-2007)

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

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

Housing Needs of Families on the Waiting List			
As of 9/1/06			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input checked="" type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	13,415		
Extremely low income <=30% AMI	11,543	86%	
Very low income (>30% but <=50% AMI)	1,595	11.9%	
Low income (>50% but <80% AMI)	229	1.7%	
Families with children	8,609	64.2%	
Elderly families (Head of Household age 62 and older)	3,075	22.9%	
Families with Disabilities (Includes all families where one or more members are disabled.)	1,899	14.2%	
Race / American Indian or Alaska Native	947	7.1%	
Race/Asian	1,237	9.2%	
Race/Black or African American	5,147	38.4%	
Pacific Islander	16	.1%	
Race/Native Hawaiian /other	0	0%	
Race / White	5,979	44.6%	
Race / Unknown / no response	89	.6%	

Housing Needs of Families on the Waiting List			
As of 9/1/06			
Ethnicity / Hispanic	2,218	16.5%	
Ethnicity / Non-Hispanic	11,197	83.5%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	5,436	40.5%	
2 BR	5,357	39.9%	
3 BR	2,030	15.1%	
4 BR	385	2.9%	
5 BR	199	1.5%	
5+ BR	8	0.1%	
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? 14 months			
Does the PHA expect to reopen the list in the PHA Plan year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			

Housing Needs of Families on the Waiting List			
As of 9/1/06			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	8030		
Extremely low income <=30% AMI	5910	73.6%	
Very low income (>30% but <=50% AMI)	1802	22.4%	
Low income (>50% but <80% AMI)	303	3.8%	

Housing Needs of Families on the Waiting List As of 9/1/06			
Families with children	7735	96.3%	
Elderly families	1227	15.3%	
Families with Disabilities	897	11.2%	
Race / American Indian or Alaska Native	219	2.7%	
Race/Asian	839	10.4%	
Race/Black or African American	3350	41.7%	
Race/Pacific Islander	65	.8%	
Race/Native Hawaiian /other	0	0	
Race/ White	3557	44.3%	
Race / Unknown / no response	0	0	
Ethnicity / Hispanic	1234	15.4%	
Ethnicity / Non-Hispanic	6796	84.6%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	3705	46.1%	
2 BR	2044	25.5%	
3 BR	1743	21.7%	
4 BR	417	5.2%	
5 BR	95	1.1%	
5+ BR	34	0.4%	

Housing Needs of Families on the Waiting List
As of 9/1/06

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

If yes:

How long has it been closed (# of months)? 42 months

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

Does the PHA permit specific categories of families onto the waiting list, even if generally closed? No Yes

(1) Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

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

Select all that apply

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

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

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

Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available
- Other: (list below)
 - Work with DHS by participation in the Assisted Living Waiver Pilot Project.

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

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

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

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

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

(2) Reasons for Selecting Strategies

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

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

2. Statement of Financial Resources – Housing Authority of the County of Sacramento

[24 CFR Part 903.7 9 (b)]

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

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2005 grants)		
a) Public Housing Operating Fund	2,921,759	
b) Public Housing Capital Fund	2,489,548	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	95,911,390	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	N/A	
g) Resident Opportunity and Self-Sufficiency Grants	350,000 350,000	RSDM- Family RSDM -- Elderly
h) Community Development Block Grant	N/A	
i) HOME	N/A	
Other Federal Grants (list below)	63,000 90,000	HCV Homeownership Coordinator FSS Coordinator
New Development	N/A	
2. Prior Year Federal Grants (unobligated funds only) (list below)		
2002 County Capital Fund	0	Public Housing
2003 County Capital Fund		Public Housing
2003 County Capital Fund (additional)	0	Public Housing
2004 County Capital Fund	0	Public Housing
3. Public Housing Dwelling Rental Income	2,511,138	Public Housing Maintenance Operation
4. Other income (list below)		
4. Non-federal sources (list below)		
Contributions from other funds	492,675	Public Housing Maintenance Operation
Miscellaneous Income	26,000	Public Housing Maintenance Operation

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
Miscellaneous charges to tenants	0	Public Housing Maintenance Operation
Other charges to tenants	0	Public Housing Maintenance Operation
Total resources	\$108,682,555	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

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

(1) Eligibility

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

- When families are within a certain number of being offered a unit: (state number)
- When families are within a certain time of being offered a unit: (state time)
Within 60 days of being offered a unit
- Other: (describe)

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)

- Overall suitability
- Bad debt owed to PHA
- 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)

- Public Housing Intake and Eligibility Office (701 12th Street)
- Over the telephone as a reasonable accommodation
- By mail as a reasonable accommodation

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

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

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

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

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

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

(3) Assignment

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

- One
- Two
- Three or More

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

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

(4) Admissions Preferences

a. Income targeting:

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

b. Transfer policies:

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

- Emergencies
 Overhoused
 Underhoused
 Medical justification (reasonable accommodations)
 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)

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)
Victims of domestic violence
Substandard housing
Homelessness
High rent burden

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

(5) Occupancy

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

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

PHA website

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

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

(6) Deconcentration and Income Mixing

- a. Yes No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?
- b. Yes No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?
- c. If the answer to b was yes, what changes were adopted? (select all that apply)
- Adoption of site based waiting lists
If selected, list targeted developments below:
 - Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:
 - Employing new admission preferences at targeted developments
If selected, list targeted developments below:
 - Other (list policies and developments targeted below)
- d. Yes No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?
- e. If the answer to d was yes, how would you describe these changes? (select all that apply)
- Additional affirmative marketing
 - Actions to improve the marketability of certain developments
 - Adoption or adjustment of ceiling rents for certain developments
 - Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
 - Other (list below)

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

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

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

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

B. Section 8

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

(1) Eligibility

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

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

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)
- Family's current address, if known
 - Name and address, if known of family's current and prior landlord

(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)
 - By mail to the PO Box designated in the pre-application
 - By electronic submission (internet)

(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:

- When requested for the purpose of making the program accessible to families with members with disabilities.

(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)

- Permanently disabled for families who have a member with a permanent disability.

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

Date and Time

Former Federal preferences

Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)

Victims of domestic violence

Substandard housing

Homelessness

3 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
- 1** 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

2 Other preference(s) (list below)

- Permanently disabled for families who have a member with a permanent disability

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

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

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

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

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

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

(5) Special Purpose Section 8 Assistance Programs

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

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

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

- Through published notices
 Other (list below)

- Housing Advocates
- Social Services
- TV and radio
- Newspapers

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

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

(1) Income Based Rent Policies

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

a. Use of discretionary policies: (select one)

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

---or---

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

b. Minimum Rent

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

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

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

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

- If the HA determines that the hardship is temporary, a minimum rent will be imposed.
- If the family experiencing a hardship elected to pay the PHA's flat rent, and the amount of the flat rent exceeds the amount of income-based rent, the PHA shall immediately provide for the family to pay rent in the amount determined under income-based rent.

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

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

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

- A family may choose to pay the flat rent, which is based on market comparables.

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

For the earned income of a previously unemployed household member

For increases in earned income

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

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

For household heads

For other family members

For transportation expenses

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

e. Ceiling rents

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

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

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

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

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

- Market comparability study
- Fair market rents (FMR)
- 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)
 - Whenever there is a change in household composition

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

(2) Flat Rents

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

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

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

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

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

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

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

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

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

- Annually
 Other (list below)

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

- Success rates of assisted families
 Rent burdens of assisted families
 Other (list below)

(2) Minimum Rent

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

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

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

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

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

A. PHA Management Structure

Describe the PHA’s management structure and organization.

(select one)

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

B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	1088	216
Section 8 Vouchers	11,201	821
Section 8 Certificates	N/A	
Section 8 Mod Rehab	71	4
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		

Other Federal Programs(list individually)		
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C. Management and Maintenance Policies

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

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

- Schedule of Fees and Charges
- Maintenance Procedures Manual
- Management Procedures Manual
- Admissions and Continued Occupancy Policy

(2) Section 8 Management: (list below)

- Housing Choice Voucher Administrative Plan
- Schedule of Fees and Charges

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing

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

If yes, list additions to federal requirements below:

- The PHA has an informal (in-house) and formal (third party) hearing process for grievance procedures. In the case of serious crime issues, the PHA defers to the court's due process.

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

PHA main administrative office

PHA development management offices

Other (list below)

Public Housing Intake and Eligibility Office / 701 12th Street, Sacramento

B. Section 8 Tenant-Based Assistance

1. Yes No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing

procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

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

PHA main administrative office

Other (list below)

Applications and Intake Office 701 12th Street, Sacramento 95814

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (**ca007a01**)

-or-

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

(2) Optional 5-Year Action Plan

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

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

b. If yes to question a, select one:

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

-or-

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

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

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

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

1. Development name:

2. Development (project) number:

3. Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
- Revitalization Plan submitted, pending approval
- Revitalization Plan approved
- Activities pursuant to an approved Revitalization Plan underway

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

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

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

8. Demolition and Disposition

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

1. Yes No: : Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

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

Demolition/Disposition Activity Description
1a. Development name: WALNUT GROVE 1b. Development (project) number: 7036
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or planned for submission: 1/1/2007
5. Number of units affected: 8 6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:

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

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

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

or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

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

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

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

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

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

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

eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

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

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

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

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

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

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

2. Activity Description

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

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name: SCATT 50 – DOS RIOS	
1b. Development (project) number: CA007002	
2. Federal Program authority:	
<input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input checked="" type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)	
3. Application status: (select one)	
<input checked="" type="checkbox"/> Approved; included in the PHA’s Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application	
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (05/15/2006)	
5. Number of units affected: 11	
6. Coverage of action: (select one)	
<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development	

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name:	FAMILY SCATT SITES
1b. Development (project) number:	CA007004
2. Federal Program authority:	<input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input checked="" type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one)	<input checked="" type="checkbox"/> Approved; included in the PHA's Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission:	<u>(05/15/2006)</u>
6. Number of units affected:	37
6. Coverage of action: (select one)	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name:	SACRAMENTO COUNTY
1b. Development (project) number:	CA007018
2. Federal Program authority:	<input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input checked="" type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one)	<input checked="" type="checkbox"/> Approved; included in the PHA's Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission:	<u>(05/15/2006)</u>
5. Number of units affected:	17
6. Coverage of action: (select one)	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development

B. Section 8 Tenant Based Assistance

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

2. Program Description:

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

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

If yes, list criteria below:

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (1)]

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

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

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

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

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

- Client referrals
 Information sharing regarding mutual clients (for rent determinations and otherwise)

- Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
- Jointly administer programs
- Partner to administer a HUD Welfare-to-Work voucher program
- Joint administration of other demonstration program
- Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

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

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

b. Economic and Social self-sufficiency programs

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

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)
Janitorial/Custodial Training Program	8	<i>Interview</i>	<i>Resident must provide transportation</i>	<i>Public Housing</i>
Painter Training Program	8	Interview	<i>Resident must provide transportation</i>	<i>Public Housing</i>
Clerical Training Program	8	<i>Interview</i>	<i>Resident must provide</i>	<i>both</i>

			<i>transportation</i>	
Landscaping Training Program	8	<i>Interview</i>	<i>Resident must provide transportation</i>	<i>Public Housing</i>

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2007 Estimate)	Actual Number of Participants (As of: 7/01/06)
Public Housing	0	6
Section 8	95	97

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

C. Welfare Benefit Reductions

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

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

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

See attachment L of this document. The full community service policy is contained in the ACOP.

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

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

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

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

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

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

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

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

- Young Street
- Main Street
- Northcrest Circle

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

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

- Contracting with outside and/or resident organizations for the provision of crime-and/or drug-prevention activities
- Crime Prevention Through Environmental Design
- Activities targeted to at-risk youth, adults, or seniors

- Volunteer Resident Patrol/Block Watchers Program
- Other (describe below) Decentralization of certain management offices.
 - Installation of security cameras
 - Campus card access installation
 - Criminal background checks will be performed on existing residents on a random basis or a targeted area with reported problems.

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

- Young Street
- Main Street
- Northcrest Circle

C. Coordination between PHA and the police

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

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

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

- Young Street
- Main Street
- Northcrest Circle

D. Additional information as required by PHDEP/PHDEP Plan

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

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

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

See attachment D in this document. The pet policy is part of the ACOP

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

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

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

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

17. PHA Asset Management

[24 CFR Part 903.7 9 (q)]

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

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

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

1. Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?
- No RAB written comments have been received as of 7/12/05. See account of RAB outreach in Attachment F of this document.
 - All RAB and public comments received from the start of the public comment period (7/15/05) through the public hearing (9/21/05) will be included in attachment F of this document.
2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
- Attached at:
- Provided below:
3. In what manner did the PHA address those comments? (select all that apply)
- All RAB and public comments received in writing will be included in Attachment F. All comments will be considered and responded to in Attachment F.
- The PHA changed portions of the PHA Plan in response to comments
List changes below:
- Other: (list below)
3. In what manner did the PHA address those comments? (select all that apply)
- Considered comments, but determined that no changes to the PHA Plan were necessary.
- The PHA changed portions of the PHA Plan in response to comments
List changes below:
- Other: (list below)

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

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

3. Description of Resident Election Process

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

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

c. Eligible voters: (select all that apply)

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

C. Statement of Consistency with the Consolidated Plan

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

1. Consolidated Plan jurisdiction: **County of Sacramento**

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

- The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
 - Project-based Assistance: Designates up to 20% of the vouchers to be used where there is a 10-year contract with the PHA to accept voucher-eligible tenants.
 - The PHA meets quarterly with the Resident Advisory Board to exchange information and discuss issue or concerns. More frequent meetings are scheduled during the PHA Plan process.
 - PHA staff provide referral service to residents, directly and via the quarterly newsletter.
 - The PHA funds, or collaborates with other agencies to provide various activities designed to support self-sufficiency and independence, such as: painter, landscaping, and clerical training programs, a bus driver hired to provide transportation to grocery shopping, and Senior Nutrition Services.
 - The PHA has formed a task force of housing and community development staff that meet regularly to collaborate and coordinate to ensure that the PHA activities and initiative are consistent with the Consolidate Plan.

Other: (list below)

3. The Consolidate Plan of the jurisdiction supports the PHA Plan with the following actions and commitments (See #2 above)

D. Other Information Required by HUD

Definition of a Significant Amendment:

The Housing Authority hereby defines substantial deviation and significant amendment or modification as any change in policy which significantly and substantially alters the Authority's stated mission and the persons the Authority serves. This would include admissions preferences, demolition or disposition activities and conversion programs. Discretionary or administrative amendments consistent with the Authority's stated overall mission and basic objectives will not be considered substantial deviations or significant modifications.

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

Attachments

A. Admissions Policy for Deconcentration (integrated into text of the Annual Plan)

The Sacramento County Housing Authority completed the analysis of its family developments to determine concentrations of poverty and determined that the family complexes that were not within the Established Income Range (EIR) are small complexes or are scattered sites that lend themselves to deconcentration.

B. Fiscal year 2005 Capital Fund Program Annual Statement and 5-Year (see separate attachment ca007a01).

C. Brief Statement of Progress in Meeting 5 Year Plan Mission and Goals

The Sacramento County Housing Authority is in the second year of the 5-Year portion of the PHA Plan, submitted last year, that includes fiscal years 2005-2009.

The focus for Public Housing has been and will continue to be the improvement of PHAS scores with particular emphasis on the physical indicator and unit turn-around time. The Housing Authority showed strong improvement in our PHAS score for the County moving from a score of 78 to 84. Our vacancy turn-over time has continued to improve as well.

One of the continuing strategic goals has been and will be to improve our residents' quality of life by focusing on increased public housing security and safety. We have made security gate improvements and have begun the process of installing new card key systems and security cameras in many on many of our properties.

Another Housing Authority strategic goal has been and will continue to be promoting self-sufficiency among our assisted residents. Our resident training program involves training in painting, janitorial and clerical disciplines. Many of the graduates of these programs have gone on to acquire full time employment in these fields.

The Sacramento County Housing Authority completed the 5 Year portion of the PHA Plan that includes fiscal years 2005-2009. The focus for Public Housing will be to improve PHAS scores with particular emphasis on the physical indicator and unit turn-around time.

The focus for the Housing Choice Voucher Program will be to continue to provide safe, decent and affordable housing in the most efficient way possible.

D. Description of the PHA's Pet Policy

The PHA adopted a pet policy which allows residents to have pets, provided that they request permission to keep a pet in advance, sign a Pet Policy/Agreement and agree to

paying a pet deposit. The pet policy covers common household pets such as dogs, cats, fish, birds, rabbits, and rodents.

Residents may have up to two pets, but only one dog. Dogs are limited to a maximum adult weight of 25 pounds and must be housebroken. Dogs and cats must be spayed or neutered and must have a health certificate prepared by a veterinarian.

For accommodation purposes parts of the pet policy (including pet deposit) do not apply to animals that are needed as a reasonable accommodation for persons with disabilities.

The Pet Policy is included with the Admissions and Continued Occupancy Policy.

E. Resident Advisory Board Members

Name	Position Held
Arnold Mohr	President
Carol Moss	1 st Vice President
Lea Floyd	2 nd Vice President
Gale Morgan	Treasurer
Rebecca Hipolito	Secretary

F. RESIDENT ADVISORY BOARD RECOMMENDATIONS

ANNUAL PLAN OUTREACH

The following Annual Plan meeting dates were publicized using the following methods:

- The PHA Plan, ACOP and Administration Plan drafts are available on the SHRA Website: www.shra.org
- The Resident Advisory Board outreach meeting dates were published in the resident newsletter.
- The meetings were announced at the RAB meeting.
- The notice of public hearing is posted to the SHRA Website and the Sacramento Bee

The outreach meetings with residents and the Resident Advisory Boards (RAB) were held at geographically diverse sites and at various times to accommodate working resident's schedules.

PHA staff highlighted significant policy changes. This provided residents and the RAB an overview of the general direction the PHA will take for the upcoming year, but also gave enough detail to make residents and RAB members aware of areas that they may want to research in further detail.

No outside organizations were notified or invited to these working meetings to develop the draft plan, but the entire community was invited to comment and inspect the Annual Plan document at several housing sites and the main Public Library.

Staff, residents, and RAB members attended the outreach meetings listed below. Attendance lists are available upon request.

2007 PHA Annual Plan

MEETING DATES

October 18, 2006 at the Commission Room, 600 I Street at 6 PM.

Resident & RAB Involvement in the 2006 PHA Plan Process

During the development of the PHA Plan, several outreach meetings(see schedule above) were held with residents and Resident Advisory Board (RAB) members to discuss the significant proposed changes to the PHA Plan, the Admissions and Continued Occupancy Policy (ACOP) and the Housing Choice Voucher Administrative Plan. To facilitate productive meetings, the PHA staff prepared initial recommendations for changes and then presented these proposed changes at these meetings.

Summary of Significant proposed changes to the PHA Plan for Housing Choice Voucher:

1. Remaining Member of Tenant Family

To be considered the remaining member of the tenant family, the member must have been part of the household at the time that the family began program participation unless,

- The remaining member is a minor, co-head (upon approval) or an elderly participant previously authorized by the PHA; or
- Approved for add-on to the family household due to marriage; or
- Minor of nuclear family who had been living elsewhere; or
- A biological immediate family member; or
- Birth, adoption or court awarded custody

2. Childcare Expense Verifications

Acceptable forms of childcare expense verifications include a childcare provider verification form in addition to one of more of the following:

- Cancelled checks
- Money Order receipts
- Receipts from a state licensed care provider or center

3. Voucher Over issuance

Vouchers that are over issued may be honored as funding allows

4. Additions to the Household Composition

A participant may request to add a family member to the voucher. Additions are limited to one or more of the following:

- Mother, Father, Brother, Sister, Son, Daughter
- Grandparent to the Head of Household/spouse or partner
- Birth
- Marriage or marital type relationship
- Adoption or court awarded custody

Summary of Significant proposed changes to the PHA Plan for Public Housing Program:

1. Improving Safety and Security

- Installation of electronic card control campus access systems
- Security cameras at sites
- Improved screening of guests and caregivers prior to granting access to developments

2. Enhanced applicant screening

- Denial of for current parolees admission and probationers
- Admission of applicants with any criminal charges will be delayed pending final court decision
- Criminal activity that occurs while an applicant is on the waiting list, will result in denial of housing

3. Expedited grievance process

- For evictions involving the most serious infractions such as drugs or violent criminal actions
- PHA hearings are eliminated in this process and eviction cases go directly to court if need be

4. New timeframes for unit-to-unit transfers

Residents with approved transfers will be allowed two calendar days to complete their transfer. Exceeding this time frame may result in resident sanctions.

5. New Policy on Interim Reexaminations for increases in income

Though all residents' income increases must be reported, the PHA will only recalculate rent increases at annual recertifications. Prior to this, increases of income greater than \$200 were enacted on an interim basis.

6. Simplification of admission preferences

The preference for admission will be date and time of application and displacement by government action or natural disaster.

Public Comments

Public comments and PHA responses will be added after public comment period and public hearing

RAB recommendations that are incorporated into the PHA Plan will be noted in this section after the close of public comment period.

G. Resident Membership of the PHA Governing Board

The Sacramento Housing and Redevelopment Commission acts as the governing body for the Sacramento City and County Housing Authorities. Members of the Housing and Redevelopment Commission are appointed to serve four-year terms. Because the Sacramento Housing and Redevelopment Agency is a joint powers authority, six Commission members are appointed by the Sacramento County Board of Supervisors and five members are appointed by the Sacramento City Council. Commissioner, Jim Hoag, represents the public housing population in the City of Sacramento and Julius Piatkowski represents public housing residents in Sacramento County.

H. Management Organizational Chart (see separate attachment (ca005b01))

I. Assessment of Demographic changes with Site-based Waiting Lists

The Sacramento County Housing Authority does not currently have any site-based waiting lists. Plans to implement some site-based waiting lists in 2005 will include the appropriate monitoring to ensure that any changes in racial, ethnic or disability related resident composition at each PHA site is analyzed and appropriately addressed. The PHA will also use independent tester (every three years) to assure that the site-based waiting list is not being implemented in a discriminatory manner, and that no patterns or practices of discrimination exist.

J. Section 8 PHA Project-Based Vouchers

The Housing Authority of the County of Sacramento intends to implement project-based vouchers to the fullest extent permitted under the regulations. An equal distribution of existing housing and new construction is anticipated. Project-basing will proceed as long as unused vouchers are available and will cease at such as full lease up is achieved. However, a minimal number of turnover vouchers may be used to help stimulate new construction that serves the affordable housing market. Project-basing will take place County-wide, but targeted in areas where the poverty level is less than 20%, or, with appropriate HUD waivers, in established redevelopment areas where project basing of vouchers helps to leverage additional re-investment in a particular neighborhood. A full spectrum of housing types will be sought, including SRO's and housing suitable for hard-to-house (large and disabled) families.

Project-basing is consistent with the goals stated in the PHA and Consolidated Plan , in that increased voucher utilization and supply of affordable housing will result. Project-basing of voucher is seen as a critical element of an aggressive lease up strategy that will help to make a wider variety of housing choice available to qualified low income households.

Project-based vouchers are seen as viable alternatives to tenant-based assistance. The apparent saturation of the local market is evidenced by the sub-50% success rate among newly issued voucher holders. It is necessary to expand the supply of affordable housing, and project-based vouchers provide an appropriate means to make more housing available to low income families. Project-basing helps to ensure that these units will be available for up to ten years. SHRA believes the strategy of project-basing assistance will increase lease-up rates, housing choice, and the availability of affordable housing

K. Section 8 Homeownership Program Capacity Statement

The Housing Authority of the County of Sacramento, California has demonstrated its capacity to administer a Section 8 Homeownership program by:

- Partnering with home counseling centers to provide home counseling to Section 8 Homeownership Program participants.
- Executing partnership agreements with three lending institutions to provide first mortgages to program participants and requiring that the financing for purchase of a home be insured or guaranteed by the state or Federal government; comply with the secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
- Being awarded IDA, IDEA and WISH program grants from the Federal Home Loan Bank of San Francisco to provide down payment assistance to program participants.
- Work with the Sacramento Housing and Redevelopment Loan Processing Department to provide additional financing to program participants.
- Requiring that 1% of the down payment come from the program participant's own resources.

As of May 1, 2005, the Housing Authority of the County of Sacramento, California has provided initial informational briefings regarding Section 8 Homeownership program to 581 Housing Choice Voucher program participants and 58 families have purchased homes using the Section 8 Homeownership voucher. The Housing Authority of the County of Sacramento expects an additional 20 Housing Choice Voucher program participants will become homeowners using the Section 8 Homeownership Program in 2006

L. Housing Choice Voucher Administrative Plan (See attachment ca007c01)

M. Community Service and Self-Sufficiency Requirements

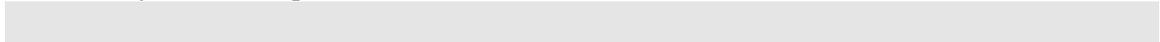
At the time the family prepares to move in to a public housing unit, the lease requirement to perform community service will be explained. All adult family members who are not exempt from this requirement will be given a “Community Service and Self-Sufficiency Resource Form” listing the phone numbers of the local Volunteer Bureau and sites where they can receive job training. Family members will be encouraged to contact these agencies if they need assistance finding places where they can fulfill this requirement. No exempt adult residents will be given the appropriate form so that a representative from the organization can sign, verifying that the resident family member completed their service hours.

Families will be reminded that they need to provide this form at the time of their annual recertification. They must show that all family members contributed eight (8) hours of community service or participated in an economic self-sufficiency program for at least a minimum of thirty (30) hours a week.

If all family members are not compliant with this requirement at the annual recertification, the non-compliant family member and head of household will be asked to sign an agreement committing to make up these hours, plus any additional hours they incur, and to provide documentation of such. If the non-compliant family member and head of household refuse to sign this agreement, the family will be given notice that they are not complying with the terms of their lease and they may lose their housing assistance.

The community service requirement will be waived for a family member when he/she becomes employed at least 30 hours per week.

The ACOP includes a full chapter (#15) to further explain the PHA policy on the community service requirement.



ESTIMATED ANNUAL FUNDING ALLOCATION = CITY HA

ANNUAL BUDGET	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
Projected Budgets	\$3,924,855															
1406 - OPERATIONS																
Annual Operations	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485	\$392,485
1408 - MANAGEMENT IMPROVEMENTS																
Resident Training/Programs	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820	\$530,820
Resident Programs	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
Computers/Software/Vehicle Replacement	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
1410 - ADMINISTRATION																
Program Administration	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Procurement/Wage	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242	\$73,242
Sundry	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Travel	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000
1430 - FEES & COSTS - 8%																
Permits/Fees/Sundry-Blueprinting Costs	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000
Architects/Engineers	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723	\$181,723
Labs/Testing/Other Costs	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387	\$57,387
HA-Wide LBP Inspections	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
Determination/Section3 & MBE/WBE	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000
1495 - RELOCATION COSTS																
Relocation Team/Materials	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
BUDGETED AMOUNT																
	\$1,667,657															
AMOUNT AVAILABLE																
	\$2,257,198															
CONSTRUCTION FUNDS																
	\$2,257,198	\$700,000														
TOTAL AVAILABLE																
	\$0	\$1,557,198														
CAPITAL FUND YEAR																
	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
CA 5-1 New Helvetia - I																
Structural Repairs/Apron/Stairs (\$120,000 per Phase or \$240,000)																
HVAC Install																
(3)A Metal Door Replace (spread over 3 years)			\$58,125	\$58,125	\$58,125											
(6) Window Replacement																
(4) D Kitchen Cabinet Remodel																
(8) Bathroom Upgrade																
(4) A Locate & replace Shut-Off Valves									\$130,000	\$130,000						
Tree Trimming/Replacement	\$6,094	\$11,094	\$6,621													
(2) Upgrade Venting System to Prevent Mold		\$74,250	\$74,250													
(4) D Replace Water Mains Throughout Complex																
(2) Playground Repair		\$60,000														
(3)A Replace Roof /Gutter (spread over 5 years)			\$300,000	\$300,000	\$300,000	\$300,000	\$300,000									
Preventative Maintenance																

CAPITAL FUND YEAR	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
CA 5-2 River Oaks																
(7) Modernization of Approx.140 Units Exterior Envelope																
Tree Trimming/Replacement	\$4,230	\$8,440	\$5,880													
(4)D Replace Complex Water Mains																
(4)A 3685 5th Ave. Paint Complex			\$10,000													
(4) A Re-Roofing 62 Buildings (over 5 years)					\$155,000	\$155,000	\$155,000	\$155,000	\$155,000							
(2) Upgrade Playground		\$40,000														
(3)A 4231 & 4237 23rd		\$200,000														
(3)B R.O.Parking Area Asphalt						\$250,000										
Preventative Maintenance																
CA 5-3 New Helvetia - II																
(4)B Exterior Painting																
(5) Additional Back Porch Lighting \$7,000			\$70,000													
(6) Upgrade windows													\$7,000			
Preventative Maintenance													\$175,000	\$175,000		
CA 5-5 Sutterview Apts.- L																
(8) Major Mod.																
(4)C Parking Lot Resurface					\$5,000											
(1) Concrete - Patio	\$50,000															
(3)A Water Heater Replace		\$7,000														
(1) Roof & Anchors	\$200,000															
(1) Door Access System	\$50,000															
Preventative Maintenance																
CA 5-6 Sierra Vista- 1107 23rd																
(8) Major Modernization																
(3) B Replace Roof & Anchors		\$70,000														
(3) B Replace Booster Pumps		\$25,000														
(3) B R&RWater Heaters		\$15,000														
(4)A Relocate Trash Enclosure			\$10,000													
(3)B Balancing Valves		\$8,000														
(1) Plumbing - Waste Line	\$50,000															
(1) Door Access System	\$75,000															
Preventive Maintenance																
CA 5-7 Capitol Terrace																
(3)A R&R Balcony Enclosures		\$84,000														
(7) Repaint Building													\$80,000			
(8) {3} Major Modernization																
(3) A Replace Roof & Anchors		\$200,000														
(3) B Booster Pumps/Pressure Reducing Valves			\$10,000													
(1) Door Access System	\$75,000															
Preventative Maintenance																

CAPITAL FUND YEAR	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
CA 5-8 Comstock - K St.																
(8) Major Modernization																
(3)A Replace Roof Anchors		\$200,000														
(1) Door Access System	\$75,000															
(4) C Asphalt					\$9,073											
Preventative Maintenance																
CA 5-9 Washington Plaza - E St.																
(4) A Replace Water Heaters/Valves			\$15,000													
(4)D R&R cold water galv. pipes												\$250,000				
(6) Replace Windows																
(4)D Replace common area floors												\$150,000				
(3) A Roof & Anchors		\$300,000														
(8) {2}Major Modernization																
Preventative Maintenance																
CA 5-10 Big Trees - H St.																
(8) Major Modernization																
(1) Door Access System	\$25,000															
Preventative Maintenance																
CA 5-11 Sherman Oaks																
(8) Exterior Paint																
(8) Parking Lot Asphalt & Stripe																
Preventative Maintenance																
CA 5-12 Lincoln Manor																
(1) Roof Access Ladder	\$5,000															
(3)B Parking Asphalt			\$15,000													
Preventative Maintenance																
CA 5-13 William Land Villa																
(3)A Exterior Paint		\$30,000														
(8) MOD - Exterior Envelope																
(5) Additional Security Lighting																
(4)D {5}HVAC Replacement Install											\$142,802					
(1) Door Access System	\$50,000															
Preventative Maintenance																
CA 5-14 Clauss Court																
(4)D Major Landscape /Drainage												\$250,000				
(4)C Parking Lot Repairs										\$90,000						
(5) Additional Security Lighting																
Preventative Maintenance																
CA 5-15 Gibson Oaks - Redwood																
(8) MOD - Exterior Envelope																
Re-Roofing			\$150,000													
Preventative Maintenance																
(1) Door Access System	\$75,000															

CAPITAL FUND YEAR	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
CA 5-16 Riverview Apartments																
(4)A {1}Major Mod													\$1,295,198	\$1,382,198	\$1,557,198	
Preventive Maintenance																
(1) Replace Roof & Anchors	\$389,000															
(1) Concrete	\$50,000															
(1) Door Access System	\$75,000															
CA 5-17 Pine Knoll - 917 38th St.																
(4) {1}HVAC			\$105,000													
(4) C Asphalt					\$15,000											
Preventative Maintenance																
CA 5-18 Grand Casa Linda - Cypress																
(4) C Asphalt					\$15,000			\$15,000								
(1) Door Access Systems	\$75,000															
Preventative Maintenance																
CA 5-19 City Scattered Sites																
(4)A 4114 3rd Ave.		\$58,125														
C 6142 Belleau Wood Lane									\$105,000							
C 1713 Niehart Ave																
B 637 Grand Ave					\$100,000	\$50,000										
A 3605 22nd Ave			\$100,000													
B 146 Danville					\$100,000											
B 3933 Branch						\$100,000										
B 3934 Branch						\$100,000										
B 3840 Clay					\$100,000											
B 3836 Haywood St.						\$100,000										
C 2148 Florin Rd									\$100,000							
C 71 Redondo Ave									\$100,000							
C 734 Rio Tiorro Ave									\$100,000							
C 237 Haggin Ave									\$100,000							
C 74 Arcade									\$100,000							
C 1731 Bowling Green Dr									\$100,000							
C 2131 62nd Ave										\$100,000						
C 7885 Ann Arbor Wy										\$100,000						
C 4100 47th St.										\$100,000						
B 100 Fairbanks						\$100,000										
B 48 Ford Rd						\$100,000										
C 1780 & 1786 71st Ave.									\$200,000							
C 1781 & 1785 71st Ave.									\$200,000							
C 1801 & 1803 71st Ave.										\$200,000						
C 1600 & 1608 Janrick Ave.										\$200,000						
C 2855 & 2865 Provo Wy										\$200,000						
C 2854 & 2864 Provo Wy										\$200,000						
C 2151 & 2851 Utah Ave										\$200,000						
C 2850 & 2860 Utah Ave											\$200,000					
Preventative Maintenance																

CAPITAL FUND YEAR	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
CA 5-20 River Oaks Scat Sites																
(4) C Mod - 7743 Reenel			\$100,000													
C 6129 Hermosa			\$50,000								\$100,000					
B 3937 Belden St						\$100,000										
B 44 Ford Rd.							\$100,000									
C 7786 Detroit Blvd.								\$100,000								
C 2327 John Still Dr.											\$100,000					
B 3628 Clay St							\$100,000									
C 7045 & 7047 24th St.			\$65,000													
C 2221/2223 16th Ave											\$200,000					
A 3740 & 3744 9th Ave.			\$200,000													
C 1500 & 1522 Armington Ave.											\$200,000					
C 1501 & 1505 Anoka Ave.											\$200,000					
C 7221 Fruitridge/5550 Emerson											\$214,396					
A 3509-15 36th St.-Mod				\$350,000												
Preventative Maintenance																
CA 5-21 Substantial Rehab NH																
(4)A 4556-68 10th Ave - Full MOD				\$400,000												
(3)A 3250 W Street - Full MOD 9 (CD funds?)																
(4)B 309 & 311 Graves Ave							\$200,000									
(4)B 1142 & 1144 Grand Ave							\$200,000									
Preventative Maintenance																
CA 5-22 Alkali Flat																
Preventative Maintenance																
CA 5-23 Oak Park Single Family																
(4)A 3254 Santa Cruz Wy			\$98,611													
Preventative Maintenance																
CA 5-24 Oak Park Town																
(4) A Asphalt				\$30,000												
(7) Painting										\$37,198						
(5) Gate Replacemet w/Roll Gate						\$52,198										
(1) 2920 35th St.- Door Access	\$75,000															
(4) {3}HVAC Replacement				\$90,000												
Preventative Maintenance																
CA 5-25 Substantial Rehab -																
(4)C 3672 Reel Circle											\$100,000					
(4)C 200 Redondo Ave											\$100,000					
C 7557 18th St.							\$100,000									
B 4137 Rio Linda Blvd.			\$100,000													
C 375 Lindley Dr		\$100,000														
A 3421 & 3423 19th Av					\$200,000											
A 4058/4060 Sumac Av																
Preventative Maintenance																

CAPITAL FUND YEAR	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
CA 5-27 Connie/Fairgrounds																
(2) Fairgrounds-Repair Playground		\$30,000														
(4) C Silvereagle- Asphalt, Slurry/Stripe								\$15,000								
(3) B Connie - Roof		\$36,289	\$13,711													
(4)C Connie - Parking Lot									\$30,000							
(4)C Fairgrounds - Asphalt Repairs/Stripping/Slurry				\$29,073												
Preventative Maintenance																
CA 5-35 City Minor Rehab - Various Scat Sites																
(4) 24th St. - Parking Lot Repair												\$60,000				
(4)A 7844 Shrader Circle	\$152,874															
A 7466, 7434, 7462, & 7458 Cosgrove					\$400,000											
(4) A 7826 Shrader Cr.				\$100,000												
A 7838 Shrader Cr.				\$100,000												
A 7832 Shrader Cr.				\$100,000												
C 7441 19th St												\$100,000				
C 1920 Quincy Ave												\$100,000				
B 3319 Western Ave					\$100,000											
B 3325 Western Ave							\$100,000									
B 3293 Western Ave							\$100,000									
B 3255 Western Ave							\$100,000									
B 65 Olmstead Dr.							\$102,198									
B 1021 South								\$100,000								
C 530 Lampasas Ave A/B												\$200,000				
(4)D 6552-66 24th Street -Envelope												\$400,000				
(4)A 6552-66 24th Street - Paint/Siding						\$150,000										
(4) B {2} 24th St. - HVAC								\$25,000								
(4)D 24th St. -Tree Repairs												\$25,000				
CA 5-38 Folsom/Rio Lane																
(4)C Rio - Asphalt Repair								\$10,000								
(4) C Tree Work									\$10,000							
(4) C Folsom - Asphalt								\$7,198								
Preventative Maintenance																
CA 5-39 Vista Arms/2nd St/3rd Ave/4th Ave																
(4)C Vista Arms - Tree Work									\$10,000							
(4)C Parking Lot Repair									\$25,000							
(8) Paint Building																
Preventative Maintenance																
CA 5-40 Corral Gables, Glenn Haven, Western, Weymouth																
(5) Glenn Haven - Security Gates									\$52,198							
Glenn Haven - Wrought Iron								\$20,000								

CAPITAL FUND YEAR	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
(4)D Coral Gables-Asphalt												\$22,198				
(4)B 3349 Western Ave.								\$100,000								
B 3183 Western Ave								\$100,000								
B 3199 Western Ave								\$100,000								
B 3203 Western Ave								\$100,000								
B 3287 Western Ave								\$100,000								
B 3293 Western Ave								\$100,000								
B 3301 Western Ave								\$100,000								
B 3349 Western Ave								\$100,000								
Preventative Maintenance																
CA 5-41 19th St./Amherst/Arbor Crest/Bluegate/Kelton/Maryland/Sta ndrich																
Preventative Maintenance																
CA 5-42 Mandy/Meadowgate																
(4)C Asphalt Stripping/Slurry									\$40,000							
(4)B MOD - Envelope (Siding)								\$250,000								
Roofs								\$60,000								
Preventative Maintenance																
HA-Wide Preventive Maintenance																
	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000

ESTIMATED ANNUAL FUNDING ALLOCATION = COUNTY HA

SUMMARY																
ANNUAL BUDGET	YEAR 2005	YEAR 2006	YEAR 2007	YEAR 2008	YEAR 2009	YEAR 2010	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015	YEAR 2016	YEAR 2017	YEAR 2018	YEAR 2019	YEAR 2020
Projected Budgets for 2005 - 2020	\$2,073,051															
1406 - OPERATIONS																
Annual Operations	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754	\$248,754
1408 - MANAGEMENT IMPROVEMENTS																
Resident Training/Programs	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088	\$332,088
Security Initiatives																
Computers/Software/Vehicle Replacement	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313	\$37,313
1410 - ADMINISTRATION																
Program Administration	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
Procurement/Wage Determination/Section3/MBE/WBE	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652	\$32,652
Sundry	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000
Travel	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
1430 - FEES & COSTS																
Permits/Fees/Sundry-Blueprinting Costs	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875	\$24,875
Architects/Engineers	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883	\$85,883
Agency Architect/Drafting	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771	\$45,771
Construction Technicians	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751	\$49,751
Lead Inspections/Monitoring	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191	\$15,191
Labs/Testing/Other Costs	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851	\$29,851
1495 - RELOCATION COST																
Relocation Team/Materials	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
BUDGETED AMOUNT	\$988,129															
AMOUNT AVAILABLE	\$1,084,922															
CONSTRUCTION FUNDS	\$1,084,922															
TOTAL AVAILABLE	\$0															
CAPITAL FUND YEAR	YEAR 2005	YEAR 2006	YEAR 2007	YEAR 2008	YEAR 2009	YEAR 2010	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015	YEAR 2016	YEAR 2017	YEAR 2018	YEAR 2019	YEAR 2020
CA 7-1 Dos Rios																
(3) Modernization- Phase 12			\$390,000	\$415,442	\$390,000											
(3) Modernization- Phase 13						\$383,500	\$383,500	\$383,500								
(3) Tree Study - Arborist			\$10,000	\$10,000	\$10,000	\$10,000	\$10,000									
(5) Additional Street Lighting																
(4) Replace Water Mains- Complex																
(1) Playground 2 Repairs		\$60,000														
Preventative Maintenance																
CA 7-2 Dos Rios Scat Sites																
(4) B 3820, 3832 Alder					\$24,558	\$175,942										
B 3913 Alder, 3812 Alder		\$39,442	\$94,442													
B 3925 & 3917 Dry Creek Rd							\$124,058	\$75,942								
B 3640 Belden Rd							\$100,000									
B 3618 & 3640 Branch						\$200,000										

CAPITAL FUND YEAR	YEAR 2005	YEAR 2006	YEAR 2007	YEAR 2008	YEAR 2009	YEAR 2010	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015	YEAR 2016	YEAR 2017	YEAR 2018	YEAR 2019	YEAR 2020
B 3718 Cypress							\$90,000									
B 3945 Palmetto								\$26,884								
B 3934 Rose					\$100,000											
(8) Dry Creek - Reconfigure Gate																
Preventative Maintenance																
CA 7-3 Dos Rios																
Preventative Maintenance																
CA 7-4 County Scat Sites																
(4) C 3641 Centinelli										\$100,000						
C 4116 Dexter Circle								\$26,884	\$73,116							
C 4020 Cornelia Way									\$26,884							
C 6589 Melrose Dr.									\$100,000							
C 6529 Juneau Way								\$73,116								
C 5721 San Marcos									\$100,000							
B 3833 Centinnela Dr.				\$100,000												
C 6444 La Cienega Dr.											\$100,000					
C 6445 Larchmont Dr.											\$100,000					
C 6653 Melrose Dr.											\$100,000					
(4) C Terrell-Roof									\$18,000							
(4) C Terrell - HVAC									\$15,000							
(4) C Terrell-Asphalt/Slurry/Stripe									\$20,000							
(4) C El Parque - HVAC Replace										\$202,500						
Preventative Maintenance																
CA 7-5 Alta Arden/Dry Creek/Fair Oaks/El Pariaso																
(4) B Alta Arden - Asphalt					\$50,000											
(4) B {1} Alta Arden - HVAC Replace								\$280,000								
(4) C {2} Fair Oaks - HVAC										\$80,000						
(4) C Fair Oaks - Asphalt											\$30,000					
(4) B {1} 6045 Dry Creek - HVAC										\$72,000						
(4) C Dry Creek - Asphalt											\$30,000					
(4) D Alta Arden - Tree Repairs												\$25,000				
(8) Dry Creek - Trim/Facia Dry Rot																
(4) B {1} El Paraiso - HVAC											\$170,000					
(4) C El Pariaso - Asphalt											\$80,000					
(1) Alta Arden - Door Access System	\$35,000															
(1) El Paraiso - Door Access System	\$75,000															
(1) 6045 Dry Creek - Door Access	\$69,000															
Preventative Maintenance																
CA 7-7 Mariposa/Shupe/Tiara/Bell																
(4) C Bell - Asphalt											\$125,000					
(4) B {1} Bell - HVAC				\$100,000												
(4) A MOD - Mariposa												\$744,442	\$55,558			
(4) A MOD - Tiarra																\$769,442

CAPITAL FUND YEAR	YEAR 2005	YEAR 2006	YEAR 2007	YEAR 2008	YEAR 2009	YEAR 2010	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015	YEAR 2016	YEAR 2017	YEAR 2018	YEAR 2019	YEAR 2020
CA 7-8 Beech/Engle/Dewey/S.W./1517 Bell/Manzanita																
(4) C Beech-Asphalt											\$34,442					
(4) D Beech-Decks														\$60,000		
(4) B {1} Bell - HVAC									\$45,000							
(4) B {1} Beech - HVAC																
(8) MOD - Engle																
(1) Southwest/Dewey - Roofing	\$96,000															
(2) 5731 Dewey & 5101 Southwest Preventative Maintenance		\$410,000														
CA 7-9 Substantial Rehab																
(4) D Nina - Retro-fit Windows																\$75,000
(3) 325 Elkhorn Decks			\$125,000													
(8) 325 Elkhorn Preventative Maintenance																
CA 7-11 6029 Dry Creek Rd.																
(1) 6029 Dry Creek Rd. - Door Access Preventative Maintenance	\$75,000															
CA 7-12 Date Avenue																
(4) C Asphalt													\$30,000			
(4) C {2} HVAC Preventative Maintenance													\$90,000			
CA 7-13 Evelyn Lane																
(8) MOD - Evelyn Lane																
(3) Evelyn Lane- Dryrot/ Trees/ Asphalt Preventative Maintenance			\$150,000													
CA 7-14 Elk Grove Road																
(3) Elk Grove - Decks,Siding					\$194,884											
(4) C Asphalt Preventative Maintenance							\$11,884	\$3,116					\$15,000			
CA 7-15 Pomegranate																
(4) B {1} HVAC									\$110,000							
(4) D Asphalt Repairs														\$20,000		
(4) A Roofing Preventative Maintenance							\$50,000		\$50,000							
CA 7-16 Sunset Ave																
(4) D Sunset-Roof														\$45,000		
(4) C {2} Sunset - HVAC													\$100,000			
(4) C Sunset-Envelope													\$478,884			
(4) D Drainage Erosion Preventative Maintenance																\$150,000
CA 7-17 Cassandra Way																
(4) B {1}HVAC Replacement										\$100,000						

(4) B	Roof Replacement									\$200,000							
CAPITAL FUND YEAR		YEAR 2005	YEAR 2006	YEAR 2007	YEAR 2008	YEAR 2009	YEAR 2010	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015	YEAR 2016	YEAR 2017	YEAR 2018	YEAR 2019	YEAR 2020
(1)	Tree Removal / Asphalt Repair		\$30,000														
(8)	Modernization																
	Preventative Maintenance																
CA 7-18 County Minor Rehab																	
(4) C	3648 Centinella														\$100,000		
C	5001 33rd Ave														\$100,000		
C	3840 Milton Way														\$100,000		
C	6426 Larchmont Dr														\$100,000		
C	5248 & 5250 Southwest														\$200,000		
	Preventative Maintenance																
CA 7-19 Laguna Creek #1/Bruceville Rd																	
(4) D	Asphalt - Parking Lot																\$8,000
	Preventative Maintenance																
CA 7-20 Laguna Creek/Bruceville Rd																	
(4) D	Asphalt - Parking Lot																\$8,000
	Preventative Maintenance																
CA 7-21 Cook Ave.																	
(4) C	Asphalt - Parking Lot										\$14,942						
	Preventative Maintenance																
CA 7-22 Whitney Ave.																	
(4) C	Asphalt									\$13,442							
	Preventative Maintenance																
CA 7-23 Elk Grove/Florin																	
(4) C	Asphalt-Slurry-Stripe														\$44,442		
	Preventative Maintenance																
CA 7-24 Sunrise/Roseville Rd/48th Ave																	
(4) C	48th - Ext Painting																\$84,000
(4) C	48th/Sunrise/Asphalt Repairs/Slurry/Stripe																\$15,000
(2)	3929 48th - Playground Repair		\$60,000														
(8)	{8} Sunrise Roof																
(4) C	Roseville - Asphalt																\$10,000
(4)	Roseville - Fencing																\$30,000
(4)	Roseville -Erosion/ Landscaping																\$25,000
	Preventative Maintenance																
CA 7-33 Perry/2608-10 El Parque /Lang /Portsmouth / Renick/Dain.South Whiterock/ Young St.																	
(4) D	Dain - Upgrade Electrical Panels																\$10,000
(4) C	2608 & 2610 El Parque Cir.																\$200,000
(4) C	Dain Roofing																\$50,000
(2)	Perry Roof		\$90,000														

(4)	C	Portsmouth-Roofing																
(4)	B	{1} Perry - HVAC								\$50,000								
CAPITAL FUND YEAR			YEAR 2005	YEAR 2006	YEAR 2007	YEAR 2008	YEAR 2009	YEAR 2010	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015	YEAR 2016	YEAR 2017	YEAR 2018	YEAR 2019	YEAR 2020
(8)		Perry - Envelope																
(4)	D	Perry Siding																
(4)	C	Dain - Asphalt/Striping																\$25,000
(4)	C	S. Whiterock - Asphalt																\$25,000
(4)	C	Perry - Asphalt																\$25,000
(4)	C	Portsmouth-Asphalt																\$29,442
(4)	C	Perry - Landscaping/Drainage																
(4)	D	S. Whiterock -Drainage																
(4)	D	Lang - Siding																
(8)		Lang - Envelope																
(4)	D	(8) Lang - HVAC																
Preventative Maintenance																		
CA 7-36 Gunn/Grove/Coloma/Main Ave./Whitney/Walegra																		
(4)	A	Grove- Exterior Painting									\$28,000							
(4)	C	Main - Asphalt-Stripe																
(4)	C	Coloma - Asphalt-Stripe																
(4)	C	Gunn - Asphalt-Stripe																
(4)	A	Coloma - Irrigation-Replanting									\$20,000							
(3)		Envelope - 8233 Walegra	\$419,442															
(2)		Playground		\$50,000														
Preventative Maintenance																		
CA 7-37 Young Street																		
(4)	C	Asphalt-Slurry-Stripe																
Preventative Maintenance																		
CA 7-38 41st/42nd/North Crest																		
(3)		North Crest - Envelope & Water Penetration																
(4)	D	(4) North Crest - HVAC																
(3)		41st & 42nd Flooring Replacment				\$84,000												
(3)		North Crest - Erosion				\$60,000												
(4)	C	North Crest - Asphalt																
(2)		Playground Repair - Northcrest		\$30,000														
Preventative Maintenance																		
HA- Wide Preventive Maintenance																		
			\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480	\$315,480

CAPITAL FUND PRIORITY LIST - CITY

Complex	Level 1		Level 2		Level 3		Level 4	
CA 5-1 New Helvetia - I			(2) Upgrade Venting System to Prevent Mold	\$148,500.00	(3)A Metal Door Replace (spread over 3 years)	\$174,375.00	(4) D Kitchen Cabinet Remodel	\$2,325,000.00
			(2) Playground Repair	\$60,000.00	(3)A Replace Roof /Gutter (spread over 5 years)	\$1,500,000.00	(4) A Locate & replace Shut-Off Valves	\$260,000.00
							(4) D Replace Water Mains Throughout Complex (\$1.5 mil)	\$1,500,000.00
CA 5-2 River Oaks							(4)D Replace Complex Water Mains	\$2,000,000.00
							(4)A 3685 5th Ave. Paint Complex	\$10,000.00
							(4) A Re-Roofing 62 Buildings \$12,500 per building)(over 5 years)	\$775,000.00
			(2) Upgrade Playground	\$40,000.00				
					(3)A 4231 & 4237 23rd	\$200,000.00		
					(3)B R.O.Parking Area Asphalt	\$250,000.00		
CA 5-3 New Helvetia - II							(4)B Exterior Painting	\$75,000.00
CA 5-5 Sutterview Apts.- L							(4)C Parking Lot Resurface	\$5,000.00
	(1) Concrete - Patio	\$50,000.00			(3)A Water Heater Replace	\$7,000.00		
	(1) Roof & Anchors	\$200,000.00						
CA 5-6 Sierra Vista- 1107 23rd	(1)Plumbing - Waste Line	\$50,000.00			(3) B Replace Roof & Anchors	\$70,000.00		
					(3) B Replace Booster Pumps	\$25,000.00		
					(3) B R&R Water Heaters	\$15,000.00		
					(3)B Balancing Valves	\$8,000.00	(4)A Relocate Trash Enclosure	\$10,000.00
CA 5-7 Capitol Terrace					(3)A R&R Balcony Enclosures	\$84,000.00		
					(3) A Replace Roof & Anchors	\$200,000.00		

CAPITAL FUND PRIORITY LIST - CITY

Complex	Level 1		Level 2		Level 3		Level 4	
					(3) B Booster Pumps/Pressure Reducing Valves	\$10,000.00		
CA 5-8 Comstock - K St.								
					(3)A Replace Roof Anchors	\$200,000.00	(4) C Asphalt	\$5,000.00
CA 5-9 Washington Plaza - E St.								
					(3) A Roof & Anchors	\$300,000.00	(4)A Replace Water Heaters/Valves	\$15,000.00
							(4)D R&R cold water galv. pipes	\$250,000.00
							(4)D Replace common area floors	
CA 5-12 Lincoln Manor								
					(3)B Parking Asphalt	\$15,000.00		
CA 5-13 William Land Villa								
					(3)A Exterior Paint	\$30,000.00	(4)D {5}HVAC Replacement Install	\$140,000.00
CA 5-14 Clauss Court								
							(4)D Major Landscape /Drainage	\$250,000.00
							(4)C Parking Lot Repairs	\$90,000.00
CA 5-16 Riverview Apartments								
	(1) Replace Roof & Anchors	\$150,000.00					(4)A {1}Major Mod	\$4,000,000.00
	(1) Concrete	\$50,000.00						
CA 5-17 Pine Knoll - 917 38th St.								
							(4) A {1}HVAC	\$105,000.00
CA 5-18 Grand Casa Linda - Cypress							(4) C Asphalt	\$15,000.00
							(4) C Asphalt	\$15,000.00
CA 5-19 City Scattered Sites								
							(4)A 4114 3rd Ave.	\$100,000.00
							C 6142 Belleau Wood Lane	\$100,000.00
							C 1713 Niehart Ave	\$100,000.00

CAPITAL FUND PRIORITY LIST - CITY

Complex	Level 1	Level 2	Level 3	Level 4
				B 637 Grand Ave \$100,000.00
				A 3605 22nd Ave \$100,000.00
				B 146 Danville \$100,000.00
				B 3933 Branch \$100,000.00
				B 3934 Branch \$100,000.00
				B 3840 Clay \$100,000.00
				B 3836 Haywood St. \$100,000.00
				C 2148 Florin Rd \$100,000.00
				C 71 Redondo Ave \$100,000.00
				C 734 Rio Tierro Ave \$100,000.00
				C 237 Haggin Ave \$100,000.00
				C 74 Arcade \$100,000.00
				C 1731 Bowling Green Dr \$100,000.00
				C 2131 62nd Ave \$100,000.00
				C 7885 Ann Arbor Wy \$100,000.00
				C 4100 47th St. \$100,000.00
				B 100 Fairbanks \$100,000.00
				B 48 Ford Rd \$100,000.00
				C 1780 & 1786 71st Ave. \$200,000.00
				C 1781 & 1785 71st Ave. \$200,000.00
				C 1801 & 1803 71st Ave. \$200,000.00
				C 1600 & 1608 Janrick Ave. \$200,000.00
				C 2855 & 2865 Provo Wy \$200,000.00
				C 2854 & 2864 Provo Wy \$200,000.00
				C 2151 & 2851 Utah Ave \$200,000.00
				C 2850 & 2860 Utah Ave \$200,000.00
CA 5-20 River Oaks Scat Sites				
				(4) C Mod - 7743 Reenel \$100,000.00
				C 6129 Hermosa \$100,000.00
				B 3937 Belden St \$100,000.00
				B 44 Ford Rd. \$100,000.00
				C 7786 Detroit Blvd. \$100,000.00
				C 2327 John Still Dr. \$100,000.00
				B 3628 Clay St \$100,000.00
				C 7045 & 7047 24th St. \$200,000.00
				C 2221/2223 16th Ave \$200,000.00
				A 3740 & 3744 9th Ave. \$200,000.00
				C 1500 & 1522 Armington Ave. \$200,000.00

CAPITAL FUND PRIORITY LIST - CITY

Complex	Level 1		Level 2		Level 3		Level 4	
							C 1501 & 1505 Anoka Ave.	\$200,000.00
							C 7221 Fruitridge/5550 Emerson	\$200,000.00
							A 3509-15 36th St.-Mod	\$350,000.00
CA 5-21 Substantial Rehab NH								
					(3)A 3250 W Street - Full MOD 9 (CD funds?)	\$750,000.00	(4)A 4556-68 10th Ave - Full MOD	\$400,000.00
							(4)B 309 & 311 Graves Ave	\$200,000.00
							(4)B 1142 & 1144 Grand Ave	\$200,000.00
CA 5-23 Oak Park Single Family								
							(4)A 3254 Santa Cruz Wy	\$100,000.00
CA 5-24 Oak Park Town								
							(4) A Asphalt	\$30,000.00
							(4)C {3}HVAC Replace	\$90,000.00
CA 5-25 Substantial Rehab -								
							(4)C 3672 Reel Circle	\$100,000.00
							(4)C 200 Redondo Ave	\$100,000.00
							C 7557 18th St.	\$100,000.00
							B 4137 Rio Linda Blvd.	\$100,000.00
							C 375 Lindley Dr	\$100,000.00
							A 3421 & 3423 19th Av	\$200,000.00
							A 4058/4060 Sumac Av	\$200,000.00
CA 5-27 Connie/Fairgrounds								
			(2)Fairgrounds-Repair Playground	\$30,000.00	(3) B Connie - Roof	\$50,000.00	(4)C Connie - Parking Lot	\$30,000.00
							(4) C Silvereagle- Asphalt / Slurry/Stripe	\$15,000.00
							(4)C Fairgrounds - Asphalt Repairs/Stripping/Slurry	\$30,000.00
CA 5-35 City Minor Rehab - Various Scat Sites								
							(4)A 7844 Shrader Circle	\$100,000.00
							A 7466, 7434, 7462, & 7458 Cosgrove	\$400,000.00

CAPITAL FUND PRIORITY LIST - CITY

Complex	Level 1		Level 2		Level 3		Level 4	
							(4) A 7826 Shrader Cr.	\$100,000.00
							A 7838 Shrader Cr.	\$100,000.00
							A 7832 Shrader Cr.	\$100,000.00
							C 7441 19th St	\$100,000.00
							C 1920 Quincy Ave	\$100,000.00
							B 3319 Western Ave	\$100,000.00
							B 3325 Western Ave	\$100,000.00
							B 3293 Western Ave	\$100,000.00
							B 3255 Western Ave	\$100,000.00
							B 65 Olmstead Dr.	\$100,000.00
							B 1021 South	\$100,000.00
							C 530 Lampasas Ave A/B	\$200,000.00
							(4)D 6552-66 24th Street - Envelope	\$400,000.00
							(4)A 6552-66 24th Street - Paint/Siding	\$150,000.00
							(4) B {2} 24th St. - HVAC	\$60,000.00
							(4)D 24th St. -Tree Repairs	\$25,000.00
CA 5-38 Folsom/Rio Lane							(4)C Rio - Asphalt Repair	\$10,000.00
							(4) C Tree Work	\$10,000.00
							(4) C Folsom - Asphalt	\$5,000.00
CA 5-39 Vista Arms/2nd St/3rd Ave/4th Ave							(4)C Vista Arms - Tree Work	\$10,000.00
							(4)C Parking Lot Repair	\$25,000.00
CA 5-40 Corral Gables, Glenn Haven, Western, Weymouth							(4)D Coral Gables-Asphalt	\$25,000.00
							(4)B 3349 Western Ave.	\$100,000.00
							B 3183 Western Ave	\$100,000.00
							B 3183 Western Ave	\$100,000.00
							B 3183 Western Ave	\$100,000.00
							B 3183 Western Ave	\$100,000.00
							B 3183 Western Ave	\$100,000.00
							B 3183 Western Ave	\$100,000.00
CA 5-42 Mandy/Meadowgate								

CAPITAL FUND PRIORITY LIST - CITY

Complex	Level 1		Level 2		Level 3		Level 4	
							(4)C Asphalt Stripping/Slurry	\$40,000.00
							(4)B MOD - Envelope (Siding)	\$250,000.00
TOTALS		\$500,000.00		\$278,500.00		\$3,888,375.00		\$23,300,000.00
PB8 REMODEL COSTS								\$8,520,000.00

CAPITAL FUND PRIORITY LIST - COUNTY

COMPLEX	LEVEL 4	
CA 7-1 Dos Rios	(4) D Replace Water Mains-Complex	\$1,500,000
CA 7-2 Dos Rios Scat Sites		
	(4) B 3820, 3832 Alder	\$200,000
	B 3812 & 3913 Alder	\$200,000
	B 3925 & 3917 Dry Creek	\$200,000
	B 3640 Belden Rd	\$100,000
	B 3618 & 3640 Branch	\$200,000
	B 3718 Cypress	\$50,000
	B 3945 Palmetto	\$100,000
	B 3934 Rose	\$100,000
CA 7-4 County Scat Sites		
	(4) C 3641 Centinella	\$100,000
	C 4116 Dexter Circle	\$100,000
	C 4020 Cornelia Way	\$100,000
	C 6589 Melrose Dr.	\$100,000
	C 6529 Juneau Way	\$100,000
	C 5721 San Marcos	\$100,000
	B 3833 Centinnela Dr.	\$100,000
	C 6444 La Cienega Dr.	\$100,000
	C 6445 Larchmont Dr.	\$100,000
	C 6653 Melrose Dr.	\$100,000
	(4) C Terrell-Roof	\$18,000
	(4) C Terrell - HVAC	\$15,000
	(4) C Terrell-Asphalt	\$20,000
	(4) D {4} El Parque - HVAC	\$202,500
CA 7-5 Alta Arden/Dry Creek/Fair Oaks/El Pariaso		
	(4) B Alta Arden Asphalt	\$50,000
	(4) B {1} Alta Arden - HVAC	\$280,000
	(4) C {2} Fair Oaks - HVAC	\$80,000
	(4) C Fair Oaks - Asphalt	\$30,000
	(4) B {1} 6045 Dry CrkHVAC	\$72,000
	(4) C Dry Creek - Asphalt	\$30,000
	(4) D Alta Arden - Tree	\$25,000
	(4) B {1} El Paraiso - HVAC	\$170,000
	(4) C El Pariaso - Asphalt	\$80,000
CA 7-7 Mariposa/Shupe/Tiara/Bell		
	(4) C Bell - Asphalt	\$25,000

CAPITAL FUND PRIORITY LIST - COUNTY

	(4) B {1} Bell - HVAC	\$100,000
	(4) A MOD - Mariposa	\$800,000
	(4) A MOD - Tiarra	\$800,000
CA 7-8 Beech/Engle/Dewey/S.W	./1517 Bell/Manzanita	
	(4) C Beech-Asphalt	\$30,000
	(4) D Beech-Decks	\$60,000
	(4) B {1} Bell - HVAC	\$45,000
	(4) B {1} Beech - HVAC	\$100,000
CA 7-9 Substantial Rehab		
	(4) D Nina - Install Retro-fit Wind	\$75,000
CA 7-11 6029 Dry Creek Rd.		
	(4) C Asphalt	\$15,000
	(4) C {2} HVAC	\$90,000
CA 7-12 Date Avenue		
	(4) C Asphalt	\$15,000
	(4) C {2} HVAC	\$90,000
CA 7-13 Evelyn Lane		
CA 7-14 Elk Grove Road		
	(4) C Asphalt	\$15,000.00
CA 7-15 Pomegranate		
	(4) B {1} HVAC	\$110,000.00
	(4) D Asphalt	\$20,000.00
	(4) A Roofing	\$50,000.00
CA 7-16 Sunset Ave		
	(4) D Sunset-Roof	\$45,000
	(4) C {2} Sunset - HVAC	\$100,000
	(4) D Sunset-Envelope	\$475,000
CA 7-17 Cassandra Way		
	(4) B {1}HVAC Replace	\$100,000.00
	(4) B Roof Replacement	200,000.00
CA 7-18 County Minor Rehab		
	(4) C 3648 Centinella	\$100,000
	C 5001 33rd Ave	\$100,000
	C 3840 Milton Way	\$100,000
	C 6426 Larchmont Dr	\$100,000
	C 5248 & 5250 Southwest	\$200,000
CA 7-19 Laguna Creek #1/Bruceville Rd		
	(4) D Asphalt -Park Lot	\$8,000.00

CAPITAL FUND PRIORITY LIST - COUNTY

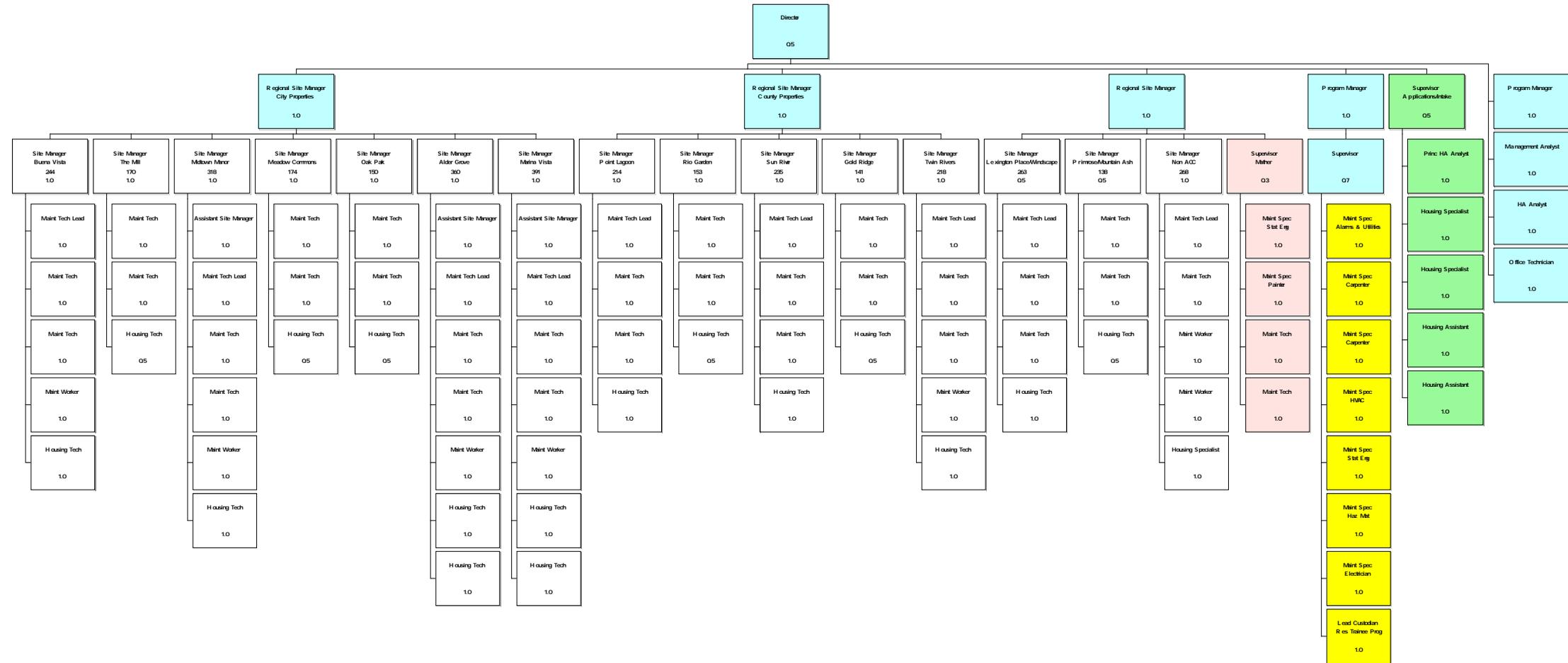
CA 7-20 Laguna Creek/Bruceville Rd		
	(4) D Asphalt - Park Lot	\$8,000.00
CA 7-21 Cook Ave.		
	(4) C Asphalt - Park Lot	\$20,000
CA 7-22 Whitney Ave.		
	(4) C Asphalt	\$10,000
CA 7-23 Elk Grove/Florin		
	(4) C Asphalt	\$30,000
CA 7-24 Sunrise/Roseville Rd/48th Ave		
	(4) C 48th - Ext Painting	\$84,000
	(4) C 48th/Sunrise /Asphalt Repair Slurry/Stripe	\$15,000
	(4) C Roseville - Asphalt	\$10,000
	(4) Roseville -Fencing	\$30,000
	(4) Roseville -Erosion/ Landscaping	\$25,000
CA 7-33 Perry/2608-10 El Parque /Lang /Portsmouth / Renick/Dain.South Whiterock/ Young St.		
	(4) D Dain - Upgrade Electrical Panels	\$10,000
	(4) C 2608 & 2610 El Parque Cir.	\$200,000.00
	(4) C Dain Roofing	\$50,000.00
	(4) C Portsmouth-Roofing	\$60,000.00
	(4) B {1} Perry - HVAC	\$50,000.00
	(4) D Perry Siding	\$120,000.00
	(4) C Dain - Asphalt	\$25,000.00
	(4) C S. Whiterock - Asphalt	\$25,000.00
	(4) C Perry - Asphalt	\$25,000.00
	(4) C Portsmouth-Asphalt	\$25,000.00
	(4) C Perry - Landscaping/Drainage	\$25,000.00
	(4) D S/Whiterock Drain.	\$25,000.00
	(4) D Lang - Siding	\$130,000.00
	(4) D (8) Lang - HVAC	\$40,000.00
CA 7-36 Gunn/Grove/Coloma/Main Ave./Whitney/Walegra		
	(4) A Grove- Exterior Painting	\$28,000
	(4) C Main - Asphalt	\$20,000
	(4) C Coloma - Asphalt	\$20,000

CAPITAL FUND PRIORITY LIST - COUNTY

	(4) C Gunn - Asphalt	\$20,000
	(4) A Coloma - Irrigation- Replanting	\$20,000
CA 7-37 Young Street		
	(4) C Asphalt	\$15,000
CA 7-38 41st/42nd/North Crest		
	(4) D {4} North Crest - HVAC	\$140,000
	(4) C North Crest - Asphalt	\$30,000
TOTALS		\$10,025,500.00

SHRA Public Housing Organization Chart

Last Modified
10/26/2006



**HOUSING AUTHORITY
OF THE COUNTY OF
SACRAMENTO
CALIFORNIA**

HOUSING CHOICE VOUCHER PROGRAM
ADMINISTRATIVE PLAN
2007

DRAFT FOR PUBLIC COMMENT

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Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The U.S. Housing Act of 1937 authorized local Public Housing Agencies (or Public Housing Authorities/PHAs) to be established by individual states. The Sacramento city and County PHA's are programs administered by the Sacramento Housing and Redevelopment Agency (SHRA). The current Housing Choice Voucher program evolved from various acts, amendments and rules. The most recent changes are the Quality Housing and Work Responsibility Act of 1998 (QHWRA) and the 1999 Housing and Urban Development (HUD) rule that provided for the merger of the certificate and voucher programs into one housing choice voucher program. This administrative plan clarifies PHA policies to facilitate the implementation of the Housing Choice Voucher Program.

Administration of the Housing Choice Voucher program and the functions and responsibilities of the PHA staff shall be in compliance with the PHA's Personnel Policy, HUD regulations, and all federal, state and local Fair Housing laws and regulations.

A. PUBLIC HOUSING AUTHORITY MISSION STATEMENT

The mission of the PHA is to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

We will perform our mission with:

- Dignity - allowing each applicant and participant a sense of esteem;
- Fairness - remaining objective at all times, remembering that there are two sides to every story;
- Respect - treating others as we would like to be treated, in a non-judgmental manner;
- Sensitivity - demonstrating empathy by ensuring that program information provided is complete and accurate.

B. LOCAL OBJECTIVES

The Housing Choice Voucher program is designed to achieve these major objectives:

- To provide access to decent, safe, and sanitary housing for very low-income families while maintaining their rent payments at a fair and affordable level.

- To promote fair housing and the opportunity for very low-income families of all ethnic backgrounds to have access to the widest possible choice of housing to meet their housing needs;
- To encourage self-sufficiency of participant families and assist in the identification of opportunities which address educational and socio-economic needs;
- To ensure that all units meet Housing Quality Standards;
- To administer an efficient, high-performing authority through continuous improvement of the PHA's support systems and commitment to our employees, their development, and the maintenance of high standards and professionalism;
- To administer a housing program which provides an incentive to private property owners rent to very low-income families;
- To expand affordable housing opportunities in areas outside of high concentration of poverty;
- To create positive public awareness and expand the level of family, owner, and community support in accomplishing the PHA's mission;
- To ensure compliance with Title VI of the Civil Rights Act of 1964 and all other applicable Federal laws and regulations so that the admissions and continued occupancy are conducted without regard to race, color, religion, creed, sex, national origin, handicap or familial status;
- To promote a safe environment by denying initial or continued assistance to applicants who have demonstrated a history of violent criminal or drug related activity.

C. PURPOSE OF THE PLAN

The purpose of this Administrative Plan is to establish guidelines for Public Housing Authority staff to follow in determining eligibility for admission and continued occupancy. These policies are governed by the requirements of the Department of Housing and Urban Development with latitude for local policies and procedures. These policies and procedures for admissions and continued occupancy are binding upon applicants, participants, and the PHA.

The PHA is responsible for complying with all changes in HUD regulations pertaining to these programs. If any changes conflict with this Plan, HUD regulations will have precedence.

This Administrative Plan is set forth to define the PHA's local policies for operation of the housing programs in the context of federal laws and regulations. All issues related to the Housing

Choice Voucher program which are not addressed in this document are governed by such federal regulations, HUD memos, notices and policies, or other applicable law.

The PHA Board of Commissioners will approve any significant amendment to this Administrative Plan.

Significant Amendment to the Administrative Plan is defined in the 2005 PHA Annual Plan

D. FAIR HOUSING POLICY

It is the policy of the Public Housing Authority to comply fully with all federal, state, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The PHA shall not deny any family or individual the opportunity to apply for or receive assistance under the Housing Choice Voucher programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, disability or sexual orientation.

To further its commitment to full compliance with applicable civil rights laws, the PHA will provide federal/state/local information to voucher holders regarding "discrimination" and any recourse available to them should they be victims of discrimination. Such information will be made available during the family briefing session and placed in their briefing packet.

Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the PHA's facilities are inaccessible to or unusable by persons with disabilities.

Posters and housing information are displayed in locations throughout the PHA's offices in such a manner as to be easily readable from a wheelchair.

The office of the Housing Choice Voucher & Application Division is accessible to persons with disabilities. Accessibility for the hearing impaired is provided by a TTD/TDY telephone service provider.

The Public Housing Authority will provide and review information regarding Fair Housing rights and responsibilities during family briefing sessions.

E. REASONABLE ACCOMMODATIONS POLICY

This policy is applicable to all situations described in this Administrative Plan when a family initiates contact with the PHA, when the PHA initiates contact with a family including when a family applies, and when the PHA schedules or reschedules appointments of any kind.

An applicant or a participant with a disability must first request a specific accommodation of their disability before the PHA will deviate from standard practice. Most requests will be reviewed by a reasonable accommodation committee.

The PHA's policies and practices are intended to afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, as those who do not have disabilities and is applicable to all situations described in this Administrative Plan. To request a reasonable accommodation due to a disability, an applicant or participant must qualify under the following Americans with Disabilities Act (ADA) definition of disability. The PHA will fully comply with the obligations found in HUD Notice PIH 2006-13 (HA) [Accessibility Notice: Section 504 of the Rehabilitation Act of 1973; the American with Disabilities Act of 1990; the Architectural Barriers Act of 1968 and the Fair Housing Act of 1988].

To qualify for a reasonable accommodation a family or applicant must:

- Have a physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- Have a record of such impairment; or,
- Be regarded as having such an impairment.

Rehabilitated former drug users and alcoholics are covered under the Americans with Disabilities Act. However, a current drug user is not eligible. Individuals are not considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence. Individuals whose drug or alcohol addiction is a material factor to their disability are excluded from the definition. Individuals are considered disabled if disabling mental and physical limitations would persist if drug or alcohol abuse were discontinued.

Methods Used to Certify a Person with a Disability

To verify that an applicant is a person with a disability, PHA staff will first check to see whether the applicant is under the age 62 and receives either Social Security or SSI disability income.

Some applicants or tenants may be persons with disabilities even though they do not have such income. In these cases, a verification form will be sent to a qualified professional having knowledge of the person's disability who can verify the person's status.

The PHA staff will work with the individual client to determine the least intrusive or restrictive means for certifying a disability.

Methods Used to Certify the Need for a Reasonable Accommodation

Once the individual's disabled status is established, a professional third-party, competent to make an assessment (as referenced in Chapter 7 of this Administrative Plan), must provide

written verification that the specific accommodation is due to the disability and the specific change is required for equal access to the housing program.

In order to appropriately review some requests a home visit may be conducted by the PHA. The PHA will provide a written decision to the person requesting the accommodation within a reasonable time. If a person is denied the accommodation or feels that the alternative suggestions are inadequate, they may request an informal hearing to review the PHA's decision.

Reasonable accommodation will be made for persons with a disability that requires an advocate or accessible offices. A designee will be allowed to provide information with the permission of the person with the disability.

All PHA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Undue Hardship

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability, and they do not create an undue financial and administrative burden. The PHA may deny the request and/or present an alternate accommodation that will still meet the need of the person.

An undue administrative burden is one that requires a fundamental alteration of the essential functions of the PHA (i.e., waiving a family obligation) or one that when considering the available resources of the Agency as a whole, the requested accommodation would pose a severe financial hardship on the PHA.

In determining whether accommodation would create an undue hardship, the following guidelines will apply:

- The nature and cost of the accommodation needed;
- The overall current financial resources of the facility, or facilities, involved in the provision of the reasonable accommodation; and
- The number of persons currently employed at such facility;
- The number of families likely to currently need such accommodation;
- The effect on expenses and resources, or
- The likely impact on the operation of the facility as a result of the proposed accommodation.

F. FAMILY OUTREACH

The PHA will publicize and disseminate information to make known the availability of housing assistance and related services for low-income families on a regular basis when appropriate. When the PHA's waiting list is opened, the PHA will publicize the availability and nature of

housing assistance for low-income families in newspapers of general circulation, minority media, and by other suitable means.

To reach persons, who cannot read the newspapers, the PHA will distribute fact sheets to the broadcasting media, and initiate personal contacts with members of the news media and community service personnel. The PHA may also utilize public service announcements.

The PHA will communicate the status of housing availability to other service providers in the community and advise them of housing eligibility factors/guidelines in order that they can make proper referrals for housing assistance.

G. PRIVACY RIGHTS

Applicants and participants, including all adults in their households, are required to sign the HUD 9886 Authorization for Release of Information. This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD/PHA will release family information.

The PHA's policy regarding release of information is in accordance with state and local laws that may restrict the release of family information.

The PHA will maintain all accommodation records in a confidential manner.

Under federal privacy laws, a PHA is required to keep confidential any personal information about an applicant or tenant, obtained in a confidential manner or from a confidential source.

The PHA's adheres to the following practices and procedures that are designed to safeguard the privacy of applicants and program participants:

- All applicant and participant files will be stored in a secure location, which is only accessible by authorized staff.
- Files will never be left unattended or placed in common areas.
- PHA staff will not discuss family information contained in files unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action;

- Staff persons will be required to disclose whether they have relatives living in PHA housing or receiving assistance from PHA housing programs.

H. OWNER OUTREACH

The PHA encourages owners of decent, safe and sanitary housing units to lease to housing choice voucher families. The PHA maintains lists of units available, by bedroom size, and updates the lists at least every two weeks. New listings received from owners will be compiled according to bedroom size.

The Public Housing Authority will maintain lists of available housing submitted by owners in all neighborhoods within the PHA's jurisdiction to ensure greater mobility and housing choice to very low-income households. The lists of units will be provided at the front desk or mailed on request and provided at briefings this information may also be available on the Agency website.

The staff of the PHA responds to and initiates personal contact with private property owners and managers by conducting formal and informal discussions and meetings.

Printed material is offered to acquaint owners and managers with the opportunities available under the program.

The PHA may actively participate in a community-based organization(s) comprised of owners and managers of single family and multi-family rental units.

The PHA encourages program participation by owners of units located outside areas of poverty or minority concentration. The PHA may periodically evaluate the demographic distribution of assisted families to identify these areas. The purpose of these activities is to provide more choice and better housing opportunities to families. Voucher holders are informed of the full range of areas where they may lease units inside the PHA's jurisdiction and given a list of landlords or other parties who are willing to lease units or help families who desire to live outside areas of poverty or minority concentration.

The PHA will periodically request the HUD Field Office to furnish a list of HUD-held, tax credits and HOME properties available for rent.

I. MANAGEMENT ASSESSMENT OBJECTIVES

The PHA operates its housing assistance programs with efficiency and can demonstrate to HUD auditors that the PHA is using its resources in a manner that reflects its commitment to quality and service. The PHA policies and practices are consistent with the goals and objectives of the following HUD SEMAP indicators:

1. Selection from the Waiting List
2. Reasonable Rent
3. Determination of Adjusted Income
4. Utility Allowance Schedule
5. HQS Quality Control Inspections
6. HQS Enforcement
7. Expanding Housing Opportunities
8. FMR/exception rent & Payment Standards
9. Annual Re-examinations
10. Correct Tenant Rent Calculations
11. Pre-Contract HQS Inspections
12. Annual HQS Inspections
13. Lease-up
14. Family Self-Sufficiency Enrollment
 - 14a. Percent of FSS Participants with Escrow Account Balances
15. Bonus Indicator (Deconcentration)

Supervisory quality control reviews will be performed by a PHA Supervisor or other qualified person (other than the person who performed the work), as required by HUD, on the following SEMAP factors:

- Selection from the waiting list
- Rent reasonableness
- Determination of adjusted income
- HQSenforcement
- HQSq uality control

Samples of files and records will be drawn in an unbiased manner, leaving a clear audit trail.

The minimum sample size to be reviewed will relate directly to each factor.

J. RECORDS FOR MONITORING PHA PERFORMANCE

In order to demonstrate compliance with HUD and other pertinent regulations, the PHA will maintain records, reports and other documentation for a time that is in accordance with HUD requirements and in a manner that will allow an auditor, housing professional or other interested

party to follow, monitor and or assess the PHA’s operational procedures objectively and with accuracy.

The PHA acknowledges that its performance ratings are important to sustaining its capacity to maintain flexibility and authority. The PHA intends to diligently manage its current program operations and continuously make efforts to be in full compliance with Housing Choice Voucher/Section Eight Management Assessment Program (SEMAP). The policies and procedures of this program are established so that the standards set forth by SEMAP are demonstrated and can be objectively reviewed by an auditor whose purpose is to evaluate performance.

K. LANGUAGE ASSISTANCE FOR LIMITED ENGLISH PROFICIENCY (LEP) PERSONS

It is the goal of the Housing Authority to be accessible to all residents of it’s jurisdiction, regardless of race, color, or national origin. Therefore, we will endeavor to provide all families the same high quality customer service no matter what language they speak. In order to serve limited English proficiency (LEP) families, the Housing Authority is implementing the following activities:

- 1) When the adult members of the family are LEP, staff will show them the *Language Identification Flashcard*, created by the Census Bureau, so that the family can identify what language they speak. The Housing Authority has identified staff who speaks American Sign Language, Chinese and Spanish to assist with these languages. For other languages, an interpreter will be called to assist the staff person in serving the family.
- 2) All LEP families will be identified on the computer, and in their file, as to their primary language so that appropriate resources can be identified in advance of the family’s needing assistance with an appointment.
- 3) When the number of families speaking one non-English language exceeds 5% of the number of program participants, the Housing Authority will translate “important” documents into this language. “Important” is defined as those documents addressing safety, participant rights, participant obligations, or communication regarding the loss of housing (i.e., eviction or termination of the voucher).
- 4) When the number of families speaking one non-English language exceeds 5% of the number of program participants, the Housing Authority will actively recruit staff who speak, read and write this language.
- 5) The Housing Authority will post signs in public spaces, in languages known to be spoken by LEP families involved with the Agency, telling them that help is available in the language they know.
- 6) The Housing Authority will provide training to current and new staff, on an annual basis, about the resources available for LEP families and how to utilize these resources for participating families.

Translation of Documents

In determining whether or not, it is reasonable to translate documents into other languages, the PHA will consider the following factors:

- Number of families in Sacramento County who do not speak English, and speak the other language.
- Evaluation of the need for translation by the bi-lingual staff, and by agencies that work with the non-English speaking participants.
- The availability of local organizations to provide translation services to non-English speaking families.

Chapter 2

ELIGIBILITY FOR ADMISSION

[24 CFR Part 5, Subparts B, D & E; Part 982, Subpart E]

INTRODUCTION

This chapter defines both HUD and the PHA's criteria for admission and/or denial of admission to the program. The policy of this PHA is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The PHA staff will review all information provided by the family carefully and without regard to factors other than those referenced in this chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the PHA pertaining to their eligibility.

A. FACTORS AFFECTING ADMISSION [982.201(b)]

The PHA accepts applications only from families whose head or spouse is at least eighteen years of age or an emancipated minor under state law.

To be eligible for participation, an applicant must meet HUD's criteria, as well as any permissible additional criteria established by the PHA. Eligibility factors will be verified before the family is issued a voucher.

HUD Factors:

The HUD eligibility criteria are:

- An applicant must be a "family" at admission, as defined in Section B, "Definition of Family".
- An applicant family must be within the appropriate income limits
- An applicant family must furnish Social Security numbers for all family members age one and older or provide appropriate certification.
- An applicant family must furnish declaration of citizenship or eligible immigrant status and verification where required.
- The PHA will permanently deny admission to public housing persons convicted of manufacturing or producing methamphetamine on the premises of the assisted housing project in violation of any federal or state law.

- The PHA will permanently deny admission to sex offenders who are subject to a lifetime registration requirement under a state sex offender registration program.
- An applicant family will not be admitted to the program if any member of the family has been evicted from federally assisted housing for serious violation of the lease within the past five years. (Except as referenced in chapter 15 of this Administrative Plan)
- At least one member of the applicant family must be either an U.S. citizen or have eligible immigration status before the PHA may provide any financial assistance.
- The applicant family must not be in debt to any federally assisted housing program. The PHA may allow for the family to participant in the Housing Choice Voucher Program if they are in good standing regarding any current payment agreement made with another PHA for a debt incurred.

PHA Factors:

The PHA will apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program:

- The applicant family must not have violated any family obligation during a previous participation in a federally assisted housing program for three years prior to final eligibility determination. The PHA may make an exception, if the family member who violated the family obligation is not a current member of the household. The PHA may request the family to provide verifiable documentation.
- Reasons for denial of admission are addressed in the "Denial or Termination of Assistance" (chapter 15 of this Administrative Plan). These reasons for denial constitute additional admission criteria.
- The PHA will deny participation in the program to applicants where the PHA determines there is reasonable cause to believe that any family member is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that any family member abuses alcohol in a way that may interfere with the health safety or peaceful enjoyment of the premises by other residents. This includes cases where the PHA determines that there is a pattern of illegal use of controlled substances or a pattern of alcohol abuse.
- An applicant family will be denied admission to the program if any member of the family fails to sign and submit consent forms for obtaining information required by the PHA, including Form HUD-9886.

- If any applicant family deliberately misrepresents the information on which eligibility or tenant rent is established, the PHA may deny assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum).
- Applicants may be required to meet additional criteria for admissions.
- The applicant family must not be in debt to any PHA. The PHA may allow for the family to participate in the HCV Program if they are in good standing regarding any current payment agreement made with the Sacramento Housing and Redevelopment Agency for a previous debt incurred,

Reasons for denial of admission are addressed in the "Denial or Termination of Assistance", Chapter 15 of this Administrative Plan. These reasons for denial constitute additional admission criteria.

Eligibility factors will be verified before the family is admitted to the program.

B. FAMILY COMPOSITION [24 CFR 982.201(d)]

Definition of Family (at application)

All applicants must qualify as a family. A family may be a single person or a group of persons. Discrimination on the basis of familial status is prohibited, and a group of persons may not be denied solely on the basis that blood, marriage or operation of law does not relate them. For occupancy standards purposes, the applicant may claim a spousal relationship. See "Subsidy Standards", Chapter 5 of this Administrative Plan.

The PHA defines a family of persons as two or more persons who intend to share residency, whose income and resources are available to meet the family's needs, and who will live together in PHA housing. Elderly, disabled, and displaced families are defined by HUD in CFR 5.403.

The term "family" also includes, but is not limited to:

- A family with or without children;
- An elderly family;
- A disabled family;
- A displaced family;
- The remaining member of a participant family;
- A single person who is not elderly, displaced, or a person with disabilities, or the remaining member of a participant family;
- Two or more elderly or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides are a family;
- Two or more near-elderly persons living together, or one or more near-elderly person, living with one or more live-in aide.

The temporary absence of a child from the home due to placement in foster care shall be considered in determining the family composition and family size.

Head of Household

The head of household is the adult member of the household who is designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under state/local law. Emancipated minors who qualify under state law will be recognized as head of household.

Spouse of Head

Spouse means the husband or wife of the head.

For proper application of the non-citizens rule, the definition of “spouse” is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, partner/significant others, or co-heads.

Co-Head

Is defined as, an individual in the household who is equally responsible for the lease with the head of household. A head of household may have a spouse or co-head, but not both. A co-head never qualifies as a dependent.

Student Eligibility

Any Student enrolled either full-time or part-time in an institution of higher education which is defined as accredited colleges and universities or that operate on a for-profit basis and postsecondary vocational schedule.

No assistance shall be provided to any individual who is enrolled as a student at an institution of higher education who is:

- Under 24 years of age, and
- Not a U.S. Veteran, and
- Unmarried, and
- Does not have a dependent child

UNLESS

- The student is eligible and the student’s parents (individually or jointly) are income eligible for the program .

Live-in Aide

A household may include a live-in aide, provided that such live-in aide:

- Is determined by the PHA to be essential to the care and well-being of an elderly person, a near-elderly person, or a person with disabilities,
- Is not obligated for the support of the person(s), and
- Would not be living in the unit except to provide care for the person(s).

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements in the live-in aide as stated above.

A live-in aide is not considered to be an assisted family member and has no rights or benefits under the program:

- Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.
- Live-in aides are not subject to Non-Citizen Rule requirements.
- Live-in aides may not be considered as a remaining member of the tenant family.

A live-in aide may only reside in the unit with the approval of the PHA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker. The verification provider must certify that a live-in aide is needed for the care of the family member who is elderly, near-elderly (50-61 years of age) or disabled. A specific live-in aide may only reside in the unit with the approval of the PHA. The PHA shall make the live-in aide subject to the Agency's normal screening criteria.

If the live-in aide or their family members participate in drug-related or criminal activity, the PHA will rescind the aide's right to occupy the unit. When the Agency takes such action against the live-in aide, the aide is not entitled to the grievance hearing process of the PHA.

Split Households Prior to Voucher Issuance

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation and both families claim the same placement on the waiting list, if there is no court determination, the PHA will make the decision taking into consideration the following factors:

- Which family member applied as head of household.
- Which family unit retains the children or any disabled or elderly members.

- Recommendations from social service agencies or qualified professionals, such as Children's Protective Services.

Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide the documentation, they may be denied placement on the waiting list for failure to supply information requested by the PHA.

Multiple Families in the Same Household

When families consisting of two families living together, (such as a mother and father, and a daughter with her own husband or children) apply as a family unit, then they will be treated as a family unit.

Joint Custody of Children

Children who are subject to a joint custody agreement, but live with one parent at least 51% of the time will be considered members of that household. "51% of the time" is defined as 183 days of the year and do not have to run consecutively.

The PHA will require a self-certification of families who claim joint custody or temporary guardianship of children.

When both parents are on the waiting list and both share equal custody of the child /children, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent.

C. INCOME LIMITATIONS [24 CFR 982.201(b), 982.353]

To be eligible for assistance, an applicant must:

- Have an annual income at the time of admission that does not exceed the low-income limits for occupancy established by HUD.

To be income eligible, the applicant must be a family in any of the following categories:

- A very low-income family.
- A low-income family that is continuously assisted under the 1937 Housing Act. An applicant is continuously assisted if the family has received assistance under any 1937 Housing Act program within 120 days of voucher issuance. Programs include any housing federally assisted under the 1937 Housing Act.
- A low-income family physically displaced by rental rehabilitation activity under 24 CFR part 511, or a low-income family displaced by any government activity.
- A low-income non-purchasing family residing in a HOPE 1 or HOPE 2 project.

- A low-income non-purchasing family residing in a project, subject to a home-ownership program, under 24 CFR 248.173.
- A low-income family or moderate-income family that is displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.
- A low-income family that qualifies for Housing Choice Voucher assistance as a non-purchasing family residing in a project that is subject to a resident homeownership program.
- A low-income family part of an inter-program transfer from low-income public housing to the Housing Choice Voucher program for the purpose of participating in the Section 8 Homeownership program.

Families whose Annual Income exceeds the applicable income limit will be denied admission.

Portability:

For initial lease-up at admission, families who exercise portability must be within the applicable income limit for the jurisdiction of the receiving PHA in which they want to live.

D. MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 5.216, 5.218]

Applicants are required to provide verification of Social Security numbers for all family members age one and older prior to admission, if they have been issued a number by the Social Security Administration. This requirement also applies to persons joining the family after admission to the program.

Applicants who have not been issued a Social Security number must sign a certification that they have never been issued a Social Security number.

Applicants who disclose their Social Security number but cannot provide verification must sign a certification and provide verification within sixty days. Elderly persons must provide verification within 120 days.

Failure to furnish verification of social security numbers or sign appropriate certification is grounds for denial or termination of assistance.

Participants must disclose their Social Security number if they obtain one at a later date.

E. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS [24 CFR Part 5, Subpart E]

In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals, who are neither, may elect not to contend their status. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD.

Citizenship/Eligible Immigration Requirement:

The citizenship or immigration status of each member of the family is considered individually before the family's status is defined.

Mixed Families

A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed". Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination.

No Eligible Members

Applicant families that include no family members who are citizens or eligible immigrant members are ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-Citizen Students

As defined by HUD's Non-Citizen regulations, non-citizen students are not eligible for assistance. Appeals regarding disputes of citizenship/eligible immigration status are the only type for which the applicant is entitled to a hearing exactly like those provided for participants.

Verification of Status Before Admission

The PHA will not provide assistance to families prior to the verification of eligibility for the individual or at least one member of the family pursuant to this section.

F. TENANT SCREENING [24 CFR 982.307]

The PHA will not screen family behavior or suitability for tenancy. The PHA will not be liable or responsible to the owner or other persons for the family's behavior or the family's conduct in tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. At or before PHA approval of the tenancy, the PHA will inform the owner that screening and selection for tenancy is the responsibility of the owner.

The owner is responsible for screening families based on their tenancy histories, including such factors as:[24 CFR 982]

- Payment of rent and utility bills

- Caring for a unit and premises
- Respecting the rights of other residents to the peaceful enjoyment of their housing
- Drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others; and
- Compliance with other essential conditions of tenancy.

The PHA must give the owner the following information:

- The family's current and prior address as shown in the PHA's records; and
- The name and address (if known by the PHA) of the landlord at the family's current and prior address.

The PHA may offer the owner other information in the PHA's possession concerning the family, including:

- Tenant History
- Damage Claims
- History of Evictions
- Credit History
- Monies owed to a PHA

The same types of information will be supplied to all owners.

The PHA will advise families how to file a complaint if they have been discriminated against by an owner. The PHA will advise the family to make a Fair Housing complaint. The PHA may also report the owner to HUD (Fair Housing/Equal Opportunity) or the local Fair Housing Organization.

Transitions Between Subsidized Housing Programs

At the family's first eligibility appointment, when it is determined that the applicant is participating in another subsidized housing program, staff will advise the family that they will terminate the process if:

- The family is under eviction, or
- The family has an outstanding debt owed to any PHA or SHRA

Staff will continue to communicate with conventional housing staff as the family proceeds through the process so that only families in good standing are allowed to move into the HCV program. The move will be coordinated between the staff of both programs so that the family is not a participant of both programs at the same time.

The HCV contract will not begin until the conventional housing lease has been terminated and/or confirmed.

G. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT

Changes that occur during the period between issuance of a voucher and lease-up, may affect the family's eligibility or share of the rental payment.

H. INELIGIBLE FAMILIES

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to noncitizen status. See "Complaints and Appeals", Chapter 19 for additional information about reviews and hearings.

Chapter 3

APPLYING FOR ADMISSION

[24 CFR 982.204]

INTRODUCTION

The policy of the PHA is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the PHA will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Plan.

A. OPENING/CLOSING OF THE WAITING LIST [24 CFR 982.206, 982.54(d)(1)]

When the waiting list is open any family asking to be placed on the waiting list for Section 8 rental assistance will be given the opportunity to complete a pre-application.

When the PHA opens the waiting list, the PHA will advertise through public notice in the following newspapers, minority publications and media entities. (The PHA may announce the opening and closing dates of the waitlist.)

- Local and minority newspapers (such as the Sacramento Bee, the Sacramento Observer, El Hispano, Nichi Bei Times, and Sacramento Spectrum.)
- The PHA will distribute fact sheets to broadcast media and may utilize public service announcements,
- City and County offices, and
- Local community service providers

The notice will contain:

- The dates, times, and the locations where families may obtain an application
- The programs for which applications will be taken
- A brief description of the program

- Limitations, if any, on whom may apply

The notices will be made in an accessible format, if requested. They will provide potential applicants with information that includes the PHA address and telephone number, how to submit an application, information on eligibility requirements, and the availability of local preferences.

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

Closing the Waiting List

The PHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part. The PHA may open or close the list by local preference category. The PHA may stop applications if there are enough applicants to fill anticipated openings for the next twenty-four months. The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

The PHA will announce the closing of the waiting list by public notice.

When the period for accepting applications is over, the PHA will not accept additional pre-applications, nor maintain a list of those who wish to be notified when the waiting list is open.

B. OVERVIEW OF THE APPLICATION PROCESS [24 CFR 982.204(b)]

Notification of Preliminary Status

After a review of the pre-application a written notification of preliminary eligibility will be mailed to the applicant by first class mail.

If the family is determined to be eligible, they will be placed on the waiting list, based on lottery and any claimed preferences.

If the family is determined to be ineligible based on the information provided in the pre-application, the PHA will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal review. Persons with disabilities may request to have an advocate attend the informal hearing as an accommodation. (See “Complaints and Appeals”, Chapter 19 of this Administrative Plan)

Families who wish to apply for the Housing Choice Voucher program must complete a written pre-application form when the waiting list is open.

The application process will involve two phases:

- The first is the "initial" application for admission (referred to as a pre-application). This first phase is to determine the placement on, the waiting list. Duplicate pre-applications will not be accepted.
- The second phase is the "final determination of eligibility for admission" (referred as the full application). The full application takes place when the family reaches the top of the waiting list. At this time the PHA ensures that verification of all HUD and PHA eligibility factors is current in order to determine the family's eligibility for an offer of a voucher.

Pre-applications will not require an interview. The information on the application will not be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified

C. APPLICANT STATUS WHILE ON WAITING LIST [CFR 982.204]

Applicants are required to inform the PHA of changes in family composition, income, and address, or preference status in writing (the PHA may accept changes by telephone) within 30 days. Applicants are also required to respond to requests from the PHA to update information on their application, or to determine their interest in assistance. A confirmation of receipt of pre-application is sent to applicant by first class mail.

D. COMPLETION OF A FULL APPLICATION

Duplicate applications will not be accepted.

All preferences claimed on the pre-application or while the family is on the waiting list will be verified after the family is selected from the waiting list and attends an interview, but prior to determining final eligibility.

The qualification for preference must exist at the time the preference is verified, regardless of the length of time an applicant has been on the waiting list because the claim of a preference is based on current status.

Applicants will be required to:

- Complete a full application (including a *Personal Declaration Form*) in their own handwriting, unless assistance is needed, or a request for accommodation is made by a disabled person. Applicants will then be interviewed by PHA staff to review the information on the full application form. The applicant will sign and certify that all information is complete and accurate.

The full application will be mailed to the applicant in advance.

Requirement to Attend Interview

The PHA utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify information that has been provided by the family, and to ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other PHA services or programs which may be available.

All adult family members are required to attend the interview, and are required to sign the housing application and authorization forms. Exceptions may be made on a case by case basis; accommodations may be made upon request.

If an applicant does not respond to the initial letter or fails to appear for a pre-scheduled appointment, the PHA will withdraw the applicant from the waitlist, unless the applicant has requested to be rescheduled prior to the scheduled appointment time. Otherwise, the applicant is sent a formal notice of withdrawal from the HCV waitlist.

Reasonable accommodation will be made for persons with a disability that requires an advocate or accessible offices. A designee will be allowed to participate in the interview process, but only with permission of the person with a disability.

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal review. (See "Complaints and Appeals", Chapter 19 of this Administrative Plan.)

All adult members must sign the HUD Form 9886, Release of Information, the application form and all supplemental forms required by the PHA, the declarations and consents related to citizenship/immigration status and any other documents required by the PHA. Applicants will be required to sign specific verification forms for information, which is not covered, by the HUD form 9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and release as required by the PHA.

Every adult household member must sign a consent form to release criminal conviction records and to allow PHAs to receive records and use them in accordance with HUD regulations.

If the PHA determines at or after the interview that additional information or document(s) are needed, the PHA will request the document(s) or information in writing. The family will be given ten days to supply the information.

If the information is not supplied in this time period, the PHA will provide the family a notification of denial for assistance. (See "Complaints and Appeals", Chapter 19 of this Administrative Plan)

E. VERIFICATION [24 CFR 982.201(e)]

Information provided by the applicant will be verified, using the verification procedures described in "Verification" of this Administrative Plan. Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. Verifications may not be more than sixty days old at the time of issuance of the voucher.

F. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY [24 CFR 982.201]

After the verification process is completed, the PHA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the PHA, and the current eligibility criteria in effect. If the family is determined to be eligible, the PHA will mail a notification of eligibility. A briefing will be scheduled for the issuance of a voucher and the family's orientation to the housing program.

G. TIME OF SELECTION

When funding is available, families will be selected from the waiting list in their determined sequence, regardless of family size, subject to income targeting requirements.

When there is insufficient funding available for the family at the top of the list, the PHA will not admit any other applicant until funding is available for the first applicant.

Chapter 4

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]

INTRODUCTION

It is the PHA's objective to ensure that families are placed on the waiting list in the proper order and selected from the waiting list for admissions in accordance with the policies in this Administrative Plan.

This chapter explains the local preferences the PHA has adopted to meet local housing needs, defines the eligibility criteria for the preferences, and explains the PHA's system of applying them.

By maintaining an accurate waiting list, the PHA will be able to perform the activities which ensure an adequate pool of qualified applicants will be available so program funds are used in a timely manner.

A. WAITING LIST MANAGEMENT [24 CFR 982.204]

Cross-Listing of Different Housing Programs and Housing Choice Voucher

If an applicant family is placed on a waiting list, they shall be given the option to apply for all other Housing Authority-administered housing programs that also have an open waiting list.

Other Housing Assistance

The PHA may not take any of the following actions because an applicant has applied for, received, or refused other housing assistance:

- Refuse to list the applicant on the PHA waiting list for tenant-based assistance;
- Deny any admission preference for which the applicant is currently qualified;

Other housing assistance means a federal, state or local housing subsidy, as determined by HUD, including public housing.

When the PHA issues an applicant a Housing Choice Voucher, the applicant's name will be removed from all tenant-based voucher waitlists, but will remain on all other waitlists unless the family makes a written request to withdraw from a particular waitlist.

B. WAITING LIST PREFERENCES [24 CFR 982.207]

The PHA uses a single waiting list for admission to its Housing Choice Voucher program. Site-based list(s) for project-based assistance may be administratively established in accordance with HUD notices and other requirements.

Except for special admissions, applicants will be selected from the PHA waiting list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan.

The waiting list contains the following information for each applicant listed:

- Applicant name
- Social Security Number
- Date of Birth
- Family unit size (number of bedrooms family qualifies for under PHA subsidy standards)
- Racial or ethnic designation of the head of household
- Annual (gross) family income
- Targeted program qualifications
- Qualification for any local preference

A preference does not guarantee admission to the program. Preferences are used to establish the order of placement on the waiting list. Every applicant must meet the PHA's selection criteria as defined in this Plan. An applicant's certification that they qualify for a preference will be accepted without verification during their pre-application period. When the family is selected from the waiting list for the determination of eligibility, the preference will be verified at the full application.

Local Preferences

Local preferences will be used to select families from the waiting list. Each preference will receive an allocation of points so that the computer software can put an order to the families on the waiting list. The applicant's cumulative points will determine the preference status and position on the wait list.

- (4 points) Residency preference for families who live, work, or have been hired to work in Sacramento County, or any political subdivision thereof.
- (2 points) Permanently disabled preference for families who have a member with a permanent disability.

- (1 point) Rent burden preference for participants whose rent burden (documented rent and utilities according to applicable or prorated utility allowance schedule) exceeds 50% of gross income.

The PHA's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the Administrative Plan.

C. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION

[24 CFR 982.207]

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the local preference, and will be notified in writing of the determination.

If the PHA denies a preference, the PHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal review (for more information on Complaints and Appeals see Chapter 19 of this Administrative Plan). If the preference denial is upheld, as a result of the review, or the applicant does not request a meeting, the applicant will be placed on the waiting list without the benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or knowingly makes false statements in order to qualify for any preference, they will be removed from the waiting list. The PHA will notify the applicant in writing of the reasons why they were removed from the waiting list and offer the applicant an opportunity for a meeting with designated staff through the informal review process.

Changes in an applicant's circumstances while on the waiting list may affect the family's eligibility for a preference. Applicants are required to notify the PHA, in writing, of relevant changes in their circumstances within 30 days of the change. When an applicant claims an additional preference, the applicant will be placed on the waiting list in the proper order of their newly claimed preference.

D. REMOVAL FROM WAITING LIST AND PURGING [24 CFR 982.204(c)]

The waiting list will be purged periodically by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within fifteen days of the date of the purge letter, the applicant will be removed from the waiting list. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. If an applicant is removed from the waiting list for failure to

respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period.

Applicants are notified with confirmation of the PHA's receipt of their pre-application that the applicant is responsible for notifying the PHA within thirty days of any address change.

E. INCOME TARGETING

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the PHA will reserve seventy-five percent of its Housing Choice Voucher Program new admissions for families whose income does not exceed 30 percent of the area median income (AMI). HUD refers to these families as "extremely low income families." The PHA will admit families who are extremely low income to meet the income-targeting requirement.

The PHA's income targeting requirement does not apply to low-income families continuously assisted as provided for under the 1937 Housing Act.

The PHA is also exempted from this requirement where the PHA is providing assistance to low-income or moderate-income families entitled to preservation assistance under the tenant-based program as a result of a mortgage prepayment or opt-out.

To the extent that the PHA's admission of extremely low income families in the tenant-based assistance program exceeds seventy-five percent of all admissions during the fiscal year, the PHA may choose to admit less than the minimum forty percent of its extremely low-income families in a fiscal year to its public housing program under QHWRA "fungibility provisions."

F. TARGETED FUNDING [24 CFR 982.203]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family by rank meeting the targeted funding criteria.

Applicants who are admitted under targeted funding which are not identified as a special admission are identified by codes in the automated system. Below are examples of "Targeted" Programs:

- Shelter Plus Care
- Family Unification Program

- Welfare to Work

G. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]

If HUD awards a PHA program funding that is targeted for families living in specific units, the PHA will admit these families under a special admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The PHA maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

- A family displaced because of demolition or disposition of a public or Indian housing project;
- A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
- For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;
- A family residing in a project covered by a project based Section 8 HAP contract at or near the end of the HAP contract term; and
- A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

Applicants, who are admitted under special admissions, rather than from the waiting list, are identified by codes in the automated system.

Chapter 5

SUBSIDY STANDARDS

[24 CFR 982.54(d)(9)]

INTRODUCTION

HUD guidelines require that PHA's establish subsidy standards for the determination of family unit size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the unit size selected by the family must be within the minimum unit size requirements of HUD's Housing Quality Standards. This chapter explains the subsidy standards used to determine the voucher size (*family unit size*) for families of different sizes and compositions. This chapter also establishes the guidelines to be applied when a family's size or composition changes or a family selects a unit size that is different from the voucher size.

A. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]

The PHA does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom on the Voucher. The PHA's subsidy standards for determining voucher size shall be applied in a manner consistent with Fair Housing guidelines.

All standards in this section relate to the number of bedrooms on the voucher, not the family's actual living arrangements.

The unit size on the voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

One bedroom will be assigned to the head of household and spouse or partner, and one bedroom will be assigned for each additional two persons. An unborn child (with verification of pregnancy) will be counted as a family member in determining bedroom size.

The subsidy standard will not be increased for additions to the family unless the addition is due to birth, adoption or court-awarded custody. If the household size increases due to the addition of a spouse or partner, the subsidy standard will be increased to accommodate the spouse/partner and the children for whom he/she has legal custody. Adding additional members to the household will not be approved if it causes the family to be underhoused.

The family unit size for any family consisting of a single person must be either a zero or a one-bedroom unit.

Any foster children or foster adults who are in the home at the time of initial voucher issuance, and who are determined to be in a long-term placement, will be considered as family members in the determination of subsidy size. For the purpose of determining subsidy size, long-term placement is defined as 12 or more months.

Child Protective Services

The Agency will work cooperatively with Child Protective Services (CPS) in promoting family reunification. If CPS provides written documentation that the child/children will be reunited with their parents and a reunification plan is established, the Agency will increase the bedroom size in accordance with the Agency’s subsidy standard policy. The reunification plan must specify the anticipated date when the children will be reunited. The family must be advised to report any changes in family composition and income immediately.

GUIDELINES FOR DETERMINING VOUCHER SIZE

Voucher Size	Persons in Household	
	Minimum Number	Maximum Number
0 Bedroom	1	1
1 Bedroom	1	2
2 Bedrooms	2	6
3 Bedrooms	3	8
4 Bedrooms	4	10
5 Bedrooms	6	12
6 Bedrooms	8	

B. EXCEPTIONS TO SUBSIDY STANDARDS [24 CFR 982.403(a) & (b)]

The PHA may grant an exception upon request as an accommodation for persons with disabilities. If an exception to the subsidy standards is needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability, the family may complete a “Request for Reasonable Accommodation” form and submit it to PHA staff or speak with their Housing Specialist. The PHA may approve this request, if necessary, after the need is verified by a medical professional.

Exceptions will be made to allow a live-in aide. Live in attendants will be provided a separate bedroom. No additional bedrooms are provided for the attendant’s family.

Underhoused

If a unit does not meet HQS space standards due to an increase in family size, (unit too small), the PHA will terminate the current contract and issue a new voucher of the appropriate size. The PHA will assist the family in locating a suitable unit.

Overhoused

If a participant has a decrease in the family size, the family has the option to be issued a new voucher or remain in the unit they are currently renting. If the family chooses to remain in the unit, the subsidy standard will be lowered at the next annual re-examination. If the family chooses to move, the voucher issued will be for the correct subsidy standard. The amount the family pays for rent should be affordable and the tenant portion of rent and the current utility allowance cannot exceed 40% of their adjusted income at the time of lease-up. The PHA rent will be based on the payment standard for the number of bedrooms the family is eligible for or the actual number of bedrooms in the unit, whichever is less. In cases where the gross rent is less than the payment standard, it will be used as the payment standard.

C. UNIT SIZE SELECTED [24 CFR 982.402(c)]

The family may select a different size dwelling unit than that listed on the Voucher. The amount of assistance is based on the authorized or actual bedroom size, whichever is less. The utility allowance is based on the size of unit actually selected.

***HQS GUIDELINES FOR UNIT SIZE SELECTED**

Unit Size	Maximum Number in Household
0 Bedroom	1
1 Bedroom	4
2 Bedrooms	6
3 Bedrooms	8
4 Bedrooms	10
5 Bedrooms	12
6 Bedrooms	14

Chapter 6

FACTORS RELATED TO TOTAL TENANT PAYMENT AND FAMILY SHARE DETERMINATION [24 CFR Part 5, Subparts E and F; 24 CFR 982]

INTRODUCTION

The accurate calculation of annual income and adjusted income will ensure that families are not paying more or less money for rent than their obligation under federal regulations.

This chapter defines the allowable expenses and deductions to be subtracted from annual income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subparts E and F, and further instructions set forth in HUD Notices and Memoranda. The formula for the calculation of TTP is specific and not subject to interpretation. The PHA's policies in this chapter address those areas, which allow the PHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

A. MINIMUM RENT

"Minimum rent" is \$50. Minimum rent is a minimum Total Tenant Payment. A family whose TTP has been set at the minimum rent may receive a utility reimbursement. Families may request an exception to this policy for hardship when the appropriate form is completed.

Hardship Exemption

When a family requests a financial hardship exemption, the PHA must suspend the minimum rent requirement beginning the first of the month following the family's request.

The PHA then determines whether the financial hardship exists and whether the hardship is temporary (expected to last ninety days or less) or long-term.

To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing. The request must explain the nature of the hardship and how the hardship has affected the family's ability to pay the minimum rent.

Temporary Hardship

If the PHA determines that a qualifying financial hardship is temporary, the PHA must suspend the minimum rent for the 90-day period beginning the first of the month following the date of the family's request for a hardship exemption.

At the end of the 90-day suspension period, the family must resume payment of the minimum rent and must repay the PHA the amounts suspended. HUD requires the PHA to offer a

reasonable repayment agreement, on terms and conditions established by the PHA. The PHA also may determine that circumstances have changed and the hardship is now a long-term hardship.

Long-Term Hardship

If the PHA determines that the financial hardship is long-term, the PHA must exempt the family from the minimum rent requirement for so long as the hardship continues. The exemption will apply from the first of the month following the family's request until the end of the qualifying hardship. When the financial hardship has been determined to be long-term, the family is not required to repay the minimum rent.

B. INCOME AND ALLOWANCES

Income includes all monetary amounts, which are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the Federal Regulations. In accordance with this definition, all income that is not specifically excluded in the Regulations is counted.

Annual income is defined as, "The gross amount of income anticipated to be received by the family during the twelve months after certification or recertification". Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income that has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits.

Adjusted income is defined as the annual income minus any HUD allowable expenses and deductions.

HUD has five allowable deductions from annual income:

- **Dependent Allowance:** \$480 each for family members (other than the head or spouse) who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
- **Elderly/Disabled Allowance:** \$400 per family for families whose head or spouse is 62 or over or disabled.
- **Allowable Medical Expenses:** Deducted for all family members of an eligible elderly/disabled family.
- **Child Care Expenses:** Deducted for the care of children under thirteen years of age when child care is necessary to allow an adult member to work, attend school, or actively seek employment.

- Allowable Disability Assistance Expenses: Deducted for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work.

C. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS
MANDATORY EARNED INCOME DISALLOWANCE (MEID) [24 CFR 5.617]

Initial Twelve-Month Exclusion

The annual income for a qualified disabled families may not be increased as a result of increases in earned income of a family member who is a person with disabilities, beginning on the date on which the increase occurred and continuing for a cumulative 12-month period.

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

No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.

Second Twelve-Month Exclusion and Phase-in

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

Maximum Four-Year Disallowance

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

To qualify for the earned income exclusion a disabled family must be receiving tenant-based rental assistance under the Housing Choice Voucher Program and must meet one or more of the following conditions:

- whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed (see definition in the glossary) for one or more years prior to employment; or

- whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or
- whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500.

The definitions of "Previously Unemployed" and "Economic Self-Sufficiency Program" are available in the glossary of this Administrative Plan.

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

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

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

Applicability to Child Care and Disability Assistance Expense Deductions

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

Tracking the Earned Income Exclusion

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family's file to show the reason for the reduced increase in rent.

Such documentation may include:

- Date the increase in earned income was reported by the family
- Name of the family member whose earned income increased
- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income

- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date(s) earned income ended and resumed during the initial cumulative twelve month period of exclusion (if any)
- Date the family member has received a total of 12 months of the initial exclusion
- Date the twelve-month phase-in period began
- Date(s) earned income ended and resumed during the second cumulative twelve month period (phase-in) of exclusion (if any)
- Ending date of the maximum forty eight month (four year) disallowance period (forty eight months from the date of the initial earned income disallowance)
- Date the family member has received a total of 12 months of the phase-in exclusion

The PHA will maintain a tracking system to ensure correct application of the earned income disallowance.

Interim reexaminations will not be done for income increases. The initial Twelve-Month Exclusion will still begin on the date on which the increase in earned income begins.

Inapplicability to Admission

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

D. OCCUPANCY REQUIREMENTS

The PHA must compute all applicable income of every family member, including those who are temporarily absent (see “Temporary Absence of Family Members” below). It is the responsibility of the head of household to report changes in family composition.

Temporary Absence of Family Members

Any member of the household who is away from the unit for less than thirty days will be considered temporarily absent.

Permanent Absence of Family Members

Any member of the household, except minors and full-time students, will be considered permanently absent if s/he is away from the unit for more than thirty consecutive days in a twelve-month period, except as otherwise provided in this chapter.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

Reporting Absences to the PHA

Reporting changes in household composition is both a HUD and a PHA requirement.

If a family member leaves the household, the family must report this change to the PHA, in writing, within 30 days of the change and certify as to whether the member is temporarily absent or permanently absent.

The PHA may conduct an interim evaluation for changes, which affect the Total Tenant Payment in accordance with the interim policy.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit (For information on move out notification, please see Chapter 14 of this Administrative Plan). In cases where the family has moved out of the unit, the PHA may terminate assistance in accordance with appropriate termination procedures contained in this Plan.

Families must notify the PHA within seven days after leaving the unit, if they are going to be absent from the unit for more than thirty consecutive days.

If the entire family is absent from the assisted unit for more than sixty consecutive days, the unit will be considered to be vacated and the assistance will be terminated. If it is determined that the unit is considered to be vacated, the PHA will terminate the HAP contract, terminate the family's assistance and immediately stop any future payments.

In order to determine if the family is absent from the unit, the PHA may:

- Conduct a home visit
- Write letters to the family at the unit
- Telephone the family at the unit
- Interview neighbors
- Contact emergency contacts

- Verify if utilities are in service
- Check with the post office
- Obtain written or verbal verification from the Owner

A person with a disability may request an extension of time as an accommodation, provided that the extension does not go beyond the HUD-allowed 180 consecutive days limit.

If the absence which resulted in termination of assistance was due to a person's disability, and the PHA can verify that the person was unable to notify the PHA in accordance with the family's responsibilities, and if funding is available, the PHA may reinstate the family as an accommodation, if requested by the family.

Absence due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the PHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 120 days consecutive days, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the PHA's "Absence of Entire Family" policy.

Absence Due to Full-time Student Status

Full time students under twenty-four years of age, who attend school away from the home, will be considered as part of the household (for calculating subsidy standards) if they live with the family for more than 183 days in a year.

Absence due to Incarceration

If the sole member is incarcerated for more than thirty consecutive days, s/he will be considered permanently absent and the PHA will stop providing assistance payments. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for thirty consecutive days in accordance with the "Permanent Absence of Family Members" section above.

The PHA will determine if the reason for incarceration is for drug-related or violent criminal activity and take appropriate action (see "Denial or Termination of Assistance", Chapter 15 of this Administrative Plan.).

Absence due to Military Service

Absence of the Head of Household or the spouse or partner, due to military service, will be considered a temporary absence.

Absence of Children due to Placement in Foster Care

If the family includes a child or children temporarily absent from the home due to placement in foster care, the PHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than six consecutive months from the date of removal of the children, the Voucher size will be reduced. If all children are removed from the home permanently, the voucher size will be reduced in accordance with the PHA's subsidy standards.

Caretaker for Children

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the PHA will treat that adult as a visitor for the first ninety days. Any children will then be considered the remaining members of the participant family. If the court has not awarded custody or legal guardianship, but the action is in process, the PHA will secure verification from social services staff or the attorney as to the status.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the PHA will review the status at thirty-day intervals.

If court-awarded custody or legal guardianship has been awarded to the caretaker, and the caretaker qualifies under all program criteria, the lease may be transferred to the caretaker, who becomes the head of household subject to all program rules .

The PHA will work with the appropriate service agencies to provide a smooth transition in these cases.

Visitors

Any adult not included on the HUD 50058 who has been in the unit more than thirty consecutive days without PHA approval, or a total of thirty days in a twelve month period, will be considered to be living in the unit as an unauthorized household member. The following items may be considered in demonstration of residence in the assisted household:

- Absence of evidence of any other address will be considered verification that the visitor is a member of the household.
- Statements from neighbors and/or the landlord.

- Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the household and the PHA will terminate assistance since prior approval was not requested for the addition.

Examples of acceptable methods of proof that the visitor is not a resident are (three are required):

- mail
- address of record given to any federal, state, or public entity
- lease for current residence
- utility bills
- address of record from employer
- credit report history

In a joint custody arrangement, if the minor is in the household less than one hundred eighty three (183) days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents are participating in the HCV program, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

Reporting Changes to Owner and PHA

Reporting changes in household composition to the PHA is both a HUD and a PHA requirement.

The family obligations require the family to request PHA approval to add any other family member as an occupant of the unit and to inform the PHA of the birth, adoption or court-awarded custody of a child. The family must request prior approval of additional household members in writing. If any new family member is added, the income of the additional member will be included in the family income as applicable under HUD regulations.

If the family does not obtain prior written approval from the PHA, any person the family has permitted to move in will be considered an unauthorized household member.

An interim reexamination will be conducted for any additions to the household.

In addition, the lease may require the family to obtain prior written approval from the owner when there are changes in family composition other than birth, adoption or court awarded custody.

E. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF VOUCHER

Only a current remaining family member may retain the voucher in the event the head of household ceases to be in the home. To be considered the remaining member of the tenant family, the member must have been a part of the household at the time the family began program participation unless, the remaining member is a minor, co-head (upon approval), or an elderly participant previously authorized by the PHA, or has been approved for add-on to the family household due to one of the following reasons:

- Marriage or marital-type relation
- Minor of the immediate family who had been living elsewhere

Notice: A person entering the household who has been assigned through the courts or City, County or State Social Service agency to act as the legal guardian to the remaining minor children household members is not eligible to retain the voucher, except for the period they are assigned to act as the legal guardian. When the person ceases to act as the legal guardian or the children move from the home, the legal guardian has no right to retain the voucher.

F. WAGES FROM EMPLOYMENT WITH THE PHA OR RESIDENT ORGANIZATION

Upon employment with the PHA or officially recognized Resident Organization, the full amount of employment income received by the person is counted. There is no exclusion of income for wages funded under the 1937 Housing Act Programs, which includes Public Housing and the Housing Choice Voucher program.

G. AVERAGING INCOME

When annual income cannot be anticipated for a full twelve months, the PHA will average known sources of income that vary to compute an annual income.

If there are bonuses or overtime, which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used. (If not used in the prior year.) Income from the previous year may be analyzed to determine the amount to anticipate when third party or check-stub verification is not available.

If by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so that the tenant rent will not change from month to month. The method used depends on the regularity, source and type of income.

H. MINIMUM INCOME

There is no minimum income requirement.

Families that report zero income will be required to complete an interim recertification every 90 days. They must provide a written statement regarding their means of basic subsistence, such as food, utilities, transportation, etc.

If the family's expenses exceed their known income, the PHA will make inquiry of the head of household as to the nature of the family's accessible resources.

The PHA will request credit checks for all adult members of families that report zero income.

Where credit reports show credit accounts open and payments current, the PHA will take action to investigate the possibility of fraud or program abuse.

I. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the PHA will exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member.

J. REGULAR CONTRIBUTIONS AND GIFTS [24 CFR 5.609(b)(7)]

Regular contributions and gifts are counted as income for calculation of the Total Tenant Payment. After 6 months regular loans will be considered income.

Any contribution or gift received every three months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$400 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See "Verification", for further definition.)

If the family's expenses exceed its known income, the PHA will inquire of the family regarding contributions and gifts.

K. ALIMONY AND CHILD SUPPORT [24 CFR 5.609(b)(7)]

Regular alimony and child support payments are counted as income for calculation of Total Tenant Payment.

If the amount of child support or alimony received is less than the amount awarded by the court, the PHA will use the amount awarded by the court unless the family can verify that they are not receiving the full amount and verification of item(s) below are provided.

The PHA will accept verification that the family is receiving an amount less than the award if:

The PHA receives verification from the agency responsible for enforcement or collection.

or

The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

It is the family's responsibility to supply a certified copy of the divorce decree.

L. LUMP-SUM RECEIPTS [24 CFR 5.609(b)(3) and 24 CFR 5.603(b)]

Lump-sum additions to family assets, inheritances, deferred employment income, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses, are not included in income but may be included in assets.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt the PHA uses a calculation method which calculates retroactively.

Retroactive Calculation Methodology

The PHA will go back to the date the lump-sum payment was received, or to the date of admission, whichever is closer.

The PHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the PHA.

The amount owed "retroactive" is due and payable to the PHA. At the PHA's option, the PHA may enter into a repayment agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

Attorney Fees

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

M. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS [24 CFR 5.609(b)(3) and 24 CFR 5.603(b)]

Contributions to company retirement/pension funds are handled as follows:

- While an individual is employed, count as assets 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.

N. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE [24 CFR 5.603(b)]

The PHA must count assets disposed of for less than fair market value during the two years preceding initial certification or reexamination. The PHA will count the difference between the market value and the actual payment received in calculating total assets.

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

The PHA's minimum threshold for counting assets disposed of for less than fair market value is \$5000. If the total value of assets disposed of within a one-year period is less than \$5000, they will not be considered an asset.

O. Student Income [Final Rule 5036-F-01]

The student must meet all program eligibility and screening criteria.

In addition, any financial assistance that the student receives in excess of tuition must be included as income when determining initial and continued eligibility of the student, unless the student is 24 years of age or older with dependent children or the student is within the family with their parents who are applying or are current participants.

The following types of financial assistance that must be considered as income are the Pell Grant, The Federal Supplemental Educational Opportunity Grant (FSEOG), Academic Achievement Incentive Scholarship, State assistance under the Leveraging Educational Assistance Partnership

Program, the Robert C. Byrd Honors Scholarship Program, and Work Study (FWS) programs. Loans are not considered income for purposes of determining student eligibility for the Housing Choice Voucher Program.

Non-tuition financial aid provided for education is counted unless the student is 24 years of age or older with a dependent child.

In cases where the student is not considered an "independent student," both the student's and parents' income are considered for eligibility purposes.

Independent status must be verified by:

- Obtaining address information sufficient to determine that the student has maintained a separate household for at least one year, OR the student must (a) be an orphan or ward of the court through the age of 18, (b) have a dependent parent, or (c) be a graduate or professional student.
- Parents' income tax returns for the past year to determine whether a parent or guardian has claimed the student as a dependent, and
- Written confirmation of the level of support provided by the parents to the student, including no financial assistance. The financial support is considered in determining the income eligibility of the student household. .

P. CHILD CARE EXPENSES [24 CFR 5.611, 24 CFR 5.609(c)]

Non-reimbursable childcare expenses for children under thirteen years of age shall be deducted from annual income if they enable a family member to actively seek employment, to be employed, or to further his or her education to comply with Federal Law.

For disabled family members who are children thirteen years of age and older, childcare expenses, which enable a family member to actively seek employment, to be employed, or to further his or her education shall be considered deductible disability expenses.

In the case of a child attending private school, only before or after-hours care can be counted as childcare expenses.

Childcare expenses must be reasonable. Reasonable is determined by what the average allowance expense rates are in the PHA's jurisdiction.

Allowing deductions for childcare expenses is based on the following guidelines:

- Childcare to work: The maximum childcare expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

- Childcare for school: The number of hours claimed for childcare may not exceed the number of hours the family member is attending school (including one hour travel time to and from school).
- Amount of Expense: The PHA will survey the local care providers in the community and other various surveys to determine what is reasonable. The PHA will use the collected data as a guideline. If the hourly rate materially exceeds the guideline, the PHA may calculate the allowance using the guideline.

Acceptable Forms of childcare expense verification, include a Childcare Provider Verification form in addition to one or more of the following:

1. Cancelled Checks
2. Money Order Receipts
3. Receipts from a state licensed childcare provider or center

When the person who is enabled to work is a person with disabilities who receives the earned income disallowance (EID) or a full-time student whose earned income above \$480 is excluded, child care costs related to enabling a family member to work may not exceed the portion of the person's earned income that actually is included in annual income. For example, if a family member who qualifies for the EID makes \$15,000 but because of the EID only \$5,000 is included in annual income, child care expenses are limited to \$5,000.

Q. MEDICAL EXPENSES [24 CFR 5.611(a)(3)(i)]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Nonprescription medicines must be doctor-recommended in order to be considered a medical expense.

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

R. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.520]

Applicability: Proration of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

"Mixed" families that were participants on June 19, 1995, and that do not qualify for continued assistance must be offered prorated assistance. (See "Recertifications", Chapter 12.) Applicant mixed families are entitled to prorated assistance. Families that become mixed after June 19, 1995, by addition of an ineligible member are entitled to prorated assistance.

Prorated Assistance Calculation

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 actually are eligible. Calculations for each housing program are performed on the HUD 50058 form.

S. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

See "Recertifications, Chapter 12 of this Administrative Plan.

T. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS [24 CFR 982.517]

The same utility allowance schedule is used for all tenant-based programs.

The utility allowance is intended to cover the cost of utilities not included in the rent. The allowance is based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. Allowances are not based on an individual family's actual energy consumption.

The PHA's utility allowance schedule, and the utility allowance for an individual family, must include the utilities and services that are necessary in the locality to provide housing that complies with the housing quality standards.

The PHA may not provide any allowance for non-essential utility costs, such as costs of cable or satellite television.

The PHA must classify utilities in the utility allowance schedule according to the following general categories: space heating, cooking, water heating, water, sewer, trash collection; refrigerator (for tenant supplied refrigerator), range (cost of tenant-supplied range); and other specified services.

An allowance for tenant-paid air conditioning will be provided in those cases where the majority of housing units in the market have central air conditioning or are wired for tenant installed air conditioners.

The PHA will review the utility allowance schedule annually. If the review finds a utility rate has changed by 10 percent or more since the last revision of the utility allowance schedule, the

schedule will be revised to reflect the new rate. Revised utility allowances will be applied in a participant family's rent calculation at their next reexamination.

The approved utility allowance schedule is given to families along with their voucher. The utility allowance is based on the actual unit size selected.

Where families provide their own range and refrigerator, the PHA will establish an allowance adequate for the family to purchase or rent a range or refrigerator, even if the family already owns either appliance.

Where the calculation on the HUD 50058 results in a utility reimbursement payment due the family, the PHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant.

Chapter 7

VERIFICATION

[24 CFR Parts 5, 903, 906 982.516, 982.551 and Notice PIH 2004-18]

INTRODUCTION

HUD regulations require that the factors of eligibility and Total Tenant Payment and Family Share be verified by the PHA. PHA staff will obtain written verification from independent sources whenever possible and will document tenant files whenever third party verifications are not possible as to why third party verification was impossible to obtain.

Applicants and program participants must provide true and complete information to the PHA whenever information is requested. The PHA's verification requirements are designed to maintain program integrity. This chapter explains the PHA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and changes in family composition. The PHA will obtain proper authorization from the family before requesting information from independent sources.

A. METHODS OF VERIFICATION AND TIME ALLOWED

The PHA will verify information through the four methods of verification acceptable to HUD in the following order:

- Up Front Verification (when available)
- Third-Party Written
- Oral
- Review of Documents
- Certification

The PHA will allow ten days for return of third-party verifications and allow ten days to obtain other types of verifications before going to the next method. The PHA will document the file as to the reason third-party written or oral verification was not used. For applicants, verifications may not be more than sixty days old at the time of initial voucher issuance. Documents must not be more than thirty calendar days old at time of receipt.

The PHA will not delay the processing of an application or recertification beyond a reasonable and appropriate time period, because a third party information provider does not return the verification in a timely manner.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third-party written verification forms will be sent and returned via first class mail, e-mail or fax. The family will be required to sign an authorization for the information source to release the specified information.

Verifications received electronically directly from the source are considered third party written verifications.

The PHA will accept verifications delivered by the family as third-party (if they can be verified by other means) from agencies, including but not limited to:

- Social Security Administration
- Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Pharmacy (in regard to prescription drugs)
- A Local, State or Federal Court
- The Work Number
- State Wage/ Income Collection Agency
- TANF

Third-Party Oral Verification

When third-party oral verification is used, staff will be required to complete a Certification of Document Viewed or Person Contacted form, noting with whom they spoke, the date of the conversation, and the facts provided. If provided by telephone, the PHA must originate the call.

Review of Documents

In the event that third-party written or oral verification is unavailable, or the information has not been verified by the third party within the timeline, the PHA will utilize documents provided by the family as the primary source if the documents provide complete information.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed or Person Contacted form or document.

In absence of third-party written or oral verification, the PHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Other documents noted in this chapter as acceptable verification

The PHA may accept faxed documents and photocopies

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the PHA will utilize the third party verification.

Self-Certification

When verification cannot be made by third-party verification or review of documents, families will be required to submit a self-certification.

Self-certification means a statement signed under penalty of perjury which must be witnessed by a staff person.

B. RELEASE OF INFORMATION [24 CFR 982.516 AND 982.551, 24 CFR 5.230]

All adult family members will be required to sign the HUD 9886 Release of Information/Privacy Act form.

In addition, adult family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice.

Each member requested to consent to the release of specific information will be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance, it is a family obligation to supply any information and to sign consent forms requested by the PHA or HUD.

C. COMPUTER MATCHING

The PHA may employ computer matching.

D. ITEMS TO BE VERIFIED

- All income.
- Full-time student status of all students who are eighteen year of age or older.
- Current assets including assets disposed of for less than fair market value in the preceding two years.
- Child care expense where it allows an adult family member to be employed or actively seeking employment to further his/her education.
- Total medical expenses of all family members in households whose head or spouse is elderly or disabled.
- Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family, which allow an *adult* family member to be employed.
- Disability for determination of preferences, allowances or deductions.
- U.S. citizenship/eligible immigrant status
- Social security numbers for all family members over one year of age or older.
- "Preference" status.
- Familial or Marital status.
- Verification of Reduction in Benefits for Noncompliance:
 - The PHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.
- Legal Identity
- Family Composition

E. VERIFICATION OF INCOME

This section defines the methods the PHA will use to verify various types of income.

Employment Income

PHA verification forms request the employer to specify the following:

- Dates of employment
- Amount and frequency of pay
- Date of the last pay increase
- Likelihood of change of employment status and effective date of any known salary increase during the next 12 months
- Year to date earnings
- Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification include, in this order:

- Employment verification form completed by the employer.
- Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.
- W-2 forms and income tax return forms.
- Income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.
- Credit Checks

Applicants and program participants may be required to sign an authorization for release of information from the Internal Revenue Service for further verification of income.

In cases where there are questions about the validity of information provided by the family, the PHA will require the most recent federal income tax statements.

Where doubt regarding income exists, a referral to IRS for confirmation will be made.

Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

Acceptable methods of verification include, in this order:

- Benefit verification form completed by agency providing the benefits.

- Award or benefit notification letters prepared and signed by the providing agency.
- Computer report electronically obtained or in hard copy.
- Bank statements for direct deposit

Unemployment Compensation

Acceptable methods of verification include, in this order:

- PHA verification form completed by the unemployment compensation agency.
- Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
- Payment stubs.

Welfare Payments or General Assistance

Acceptable methods of verification include, in this order:

- PHA verification form completed by payment provider.
- Written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next twelve months.
- Computer generated *Notice of Action*.
- Computer generated list of recipients from Welfare Department.

Alimony or Child Support Payments

Acceptable methods of verification include, in this order:

- PHA verification form completed by payment provider.
- Copy of latest check and/or payment stubs from Court Trustee. PHA must record the date, amount, and number of the check.
- Oral verification from the District Attorney Child Support Hotline.
- Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.

- Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

- PHA verification form completed by parent provider.
- A welfare notice of action showing amounts received by the welfare agency for child support.
- A written statement from an attorney certifying that a collection or enforcement action has been filed.

Net Income from a Business

In order to verify the net income from a business, the PHA will view IRS and financial documents from prior years and use this information to anticipate the income for the next twelve months.

Acceptable methods of verification include IRS Form 1040, including:

- Schedule C (Small Business)
- Schedule E (Rental Property Income)
- Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

- Audited or unaudited financial statements of the business.
- Credit report or loan application.
- Documents such as manifests, appointment books, cashbooks, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next twelve months. The family will be advised to maintain these documents in the future if they are not available.
- Family's self-certification as to net income realized from the business during previous years.

Child Care Business

If an applicant/participant is operating a licensed day care business, income will be verified as with any other business.

If the applicant/participant is operating a "cash and carry" operation (which may or may not be licensed), the PHA will require that the applicant/participant complete a form for each customer which indicates: name of person(s) whose child (children) is/are being cared for, phone number, number of hours child is being cared for, method of payment (check/cash), amount paid, and signature of person providing care.

If the family has filed a tax return, the family will be required to provide it.

If childcare services were terminated, a third-party verification may be sent to the parent whose child was cared for.

Recurring Gifts

- The family must furnish a self-certification, which contains the following information:
- The person who provides the gifts
- The value of the gifts
- The regularity (dates) of the gifts
- The purpose of the gifts

Zero Income Status

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household. Recertifications will be done every 90 days.

The PHA will run a credit report if information is received that indicates the family has an unreported income source.

Full-time Student Status

Only the first \$480 of the earned income of full-time students, eighteen years of age or older, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by full-time students are not counted towards family income.

Verification of full-time student status includes written verification from the registrar's office or other school official, indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

F. INCOME FROM ASSETS

Acceptable methods of verification include, in this order:

1. Savings Account Interest Income and Dividends
 - PHA verification form to be completed by relevant financial institution.
 - Account statements, passbooks, and/or certificates of deposit.
 - Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or broker's oral verification.
 - IRS Form 1099 from the financial institution provided that the PHA must adjust the information to project earnings expected for the next twelve months.
2. Interest Income from Mortgages or Similar Arrangements
 - Amortization schedule showing interest for the twelve months following the effective date of the certification or recertification.
 - A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next twelve months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)
 - If the family has filed a tax return they will be required to provide it.
3. Net Rental Income from Property Owned by Family
 - IRS Form 1040 with Schedule E (Rental Income).
 - Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.
 - Copies of latest rent receipts, leases, or other documentation of rent amounts.

G. VERIFICATION OF ASSETS

Family Assets

The PHA will require the information necessary to determine the current cash value of the family's assets, (the net amount the family would receive if the asset were converted to cash).

Acceptable verification may include any of the following:

- Verification forms, letters, or documents from a financial institution or broker.
- Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.
- Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.
- Real estate taxes statements if the approximate current market value can be deduced from assessment.
- Financial statements for business assets.
- Copies of closing documents showing the selling price and the distribution of the sales proceeds.
- Appraisals of personal property held as an investment.
- Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

Assets Disposed of for Less than Fair Market Value (FMV) During Two Years Preceding Effective Date of Certification or Recertification

For all certifications and recertifications, the PHA will obtain the family's certification as to whether any member has disposed of assets for less than fair market value within the past two years of the effective date of the certification or recertification.

If the family certifies that they have disposed of assets for less than fair market value, verification self-certification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

Child Care Expenses

Families must provide certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

Written verification from the person who receives the payments is required. If the child care provider is an individual, s/he must provide a statement of the amount they are charging the family for their services.

Verifications must specify the child care provider's name, address, telephone number, social security number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Medical Expenses

Families, whose head or co-head is elderly or disabled are eligible to claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. One or more of the methods listed below will verify all expense claims:

- Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of: (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.
- Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.
- Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next twelve months. A computer printout will be accepted.
- For attendant care, a knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes. The PHA may request the attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.
- Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next twelve months.
- Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next twelve months.
- Receipts or other record of medical expenses incurred during the past twelve months that can be used to anticipate future medical expenses. PHA may use this approach for "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one time, nonrecurring expenses from the previous year.
- The PHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

Assistance to Persons with Disabilities

In All Cases:

- Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.
- Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

Attendant Care:

- Certification of family and attendant and/or copies of canceled checks family used to make payments.
- Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided.

Auxiliary Apparatus:

- Receipts for purchases or proof of monthly payments and maintenance expenses of or auxiliary apparatus.
- In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

I. VERIFYING NON-FINANCIAL FACTORS

Verification of Legal Identity

In order to prevent program abuse, the PHA will require applicants to furnish verification of legal identity for all family members.

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

- Current Driver's license or State Identification Card
- Certificate of Birth, naturalization papers
- Church issued baptismal certificate

- U.S. military discharge (DD 214),
- U.S. Passport
- Department of Human Assistance Identification Card
- Company/Agency Identification Card

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

- Certificate of Birth or Naturalization
- Adoption papers
- Custody agreement
- Department of Human Assistance ID
- School ID cards
- Passport
- Current State Identification Card or Drivers License

Familial Relationships

Self-certification will normally be considered sufficient verification of family relationships. In cases where reasonable doubt exists, the family may be asked to provide verification.

The following verifications will be accepted:

1. Verification of relationship:
 - Birth Certificates
 - Baptismal certificates
2. Verification of guardianship:
 - Court-ordered assignment
 - Affidavit of parent
 - Verification from social services agency

- School records
3. Verification of Marital Status
- Certificate of Marriage
 - Divorce Decree
 - Court Records

Verification of Permanent Absence of Family Member

If an adult member who was formerly a member of the household is reported permanently absent by the family, the PHA will consider any of the following as verification:

- Husband or wife institutes divorce action, and proof of another home address.
- Husband or wife institutes legal separation, and proof of another home address.
- Order of protection/restraining order obtained by one family member against another.
- Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement.
- Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.
- If the adult family member is incarcerated, a document from the Court or correctional facility should be obtained stating how long they will be incarcerated.
- If no other proof can be provided, the PHA will accept a self-certification from the head of household or the spouse or co-head, if the head is the absent member.

Verification of Change in Family Composition

The PHA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, IRS tax returns and other sources.

Verification of Disability

Verification of disability may be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehabilitation specialist, or licensed social worker, using the HUD language as the verification format.

Verification of Citizenship/Eligible Immigrant Status

Ineligible family members have either been determined ineligible or elect not to contest their status. To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare his or her status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the PHA hearing is pending.

The PHA will not require citizens to provide documentation of citizenship.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The PHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the PHA must request within ten days that the INS conduct a manual search.

Ineligible family members who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.

Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

Failure to Provide

If an applicant or participant family member fails to sign required declarations and consent forms or provide documents, as required they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

Time of Verification

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility at the time of initial application.

For family members added after other members have been verified, the verification occurs before the new family member may move in.

Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial PHA does not supply the documents, the PHA must conduct the determination.

Extensions of Time to Provide Documents

The PHA will grant an extension of thirty days for families to submit evidence of eligible immigrant status.

Acceptable Documents of Eligible Immigration

The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)
- Receipt issued by the Bureau of Citizenship and Immigration Service, (formerly INS) for issuance of replacement of any of the above documents that shows individual's eligibility has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

Verification of Social Security Numbers [24 CFR 5.216]

Social security numbers must be provided as a condition of eligibility for all family members age six and over if they have been issued a number. Verification of social security numbers will be done through a social security card issued by the Social Security Administration. If a family member cannot produce a social security card, only the documents listed below showing his or her social security number may be used for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the social security card information provided is/are complete and accurate:

- A driver's license
- Identification card issued by a Federal, State or local agency
- Identification card issued by Medicare and Medicaid

- Benefit award letters from government agencies
- Verification of benefits or social security number from Social Security Administration

New family members aged one year and older will be required to have a social security card or the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to the PHA.

If an applicant or participant is able to disclose the social security number but cannot meet the documentation requirements, the applicant or participant must sign a certification to that effect provided by the PHA. The applicant/participant or family member will have an additional sixty days to provide proof of the social security number. If they fail to provide this documentation, the individual's assistance will be terminated.

In the case of an individual at least sixty-two years of age, the PHA may grant extensions in 60-day increments for a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the individual's assistance will be terminated and the family subsidy will be pro-rated.

Chapter 8

VOUCHER ISSUANCE AND BRIEFINGS

[24 CFR 982.301, 982.302]

INTRODUCTION

The PHA's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an appropriate housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, the PHA will conduct a mandatory briefing to ensure that families are provided clear information on how the program works. The briefing will provide a broad description of owner and family responsibilities, PHA procedures, and how to lease a unit. The family will also receive a briefing packet that provides more detailed information about the program including the benefits of moving outside areas of poverty and minority concentration. This chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

A. FUNDING AVAILABILITY

When funding is available, the PHA will issue vouchers to applicants whose eligibility has been determined. The number of vouchers issued must ensure that the PHA stays as close as possible to 100 percent lease-up. The PHA performs a monthly calculation to determine whether applications can be processed, the number of vouchers that can be issued, and to what extent the PHA can over-issue (issue more vouchers than the budget allows to achieve lease-up).

The PHA may over-issue vouchers only to the extent necessary to meet leasing goals. All vouchers that are over-issued may be honored. If the PHA finds it is over-leased, it must adjust future issuance of vouchers in order not to exceed the ACC budget limitations over the fiscal year.

B. BRIEFING TYPES AND REQUIRED ATTENDANCE [24 CFR 982.301]

Initial Applicant Briefing

A full HUD-required briefing will be conducted for applicant families who are determined to be eligible for assistance. The briefings will be conducted in groups. Families who attend group briefings and still have the need for individual assistance will be referred to designated staff.

Briefings will be conducted in English.

The purpose of the briefing is to explain how the program works and to explain the documents in the voucher holder's packet to families so that they are fully informed about the program. This will enable families to utilize the program to their advantage, and it will prepare them to discuss the benefits of the program with potential owners and property managers.

The PHA will not issue a voucher to a family unless the head of household has attended a briefing and signed the voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend two scheduled briefings, without prior notification and approval of the PHA, may be denied admission based on failure to supply information needed for certification. The PHA will conduct individual briefings for families with disabilities at their home, upon request by the family, if required for reasonable accommodation.

Briefing Packet [24 CFR 982.301(b)]

The documents and information provided in the briefing packet for the voucher program will comply with all HUD requirements. The family is provided with the following information and materials:

- The term of the voucher, and the PHA policy for requesting extensions or suspensions of the voucher (referred to as tolling).
- A description of the method used to calculate the housing assistance payment for a family, including how the PHA determines the payment standard for a family; how the PHA determines total tenant payment for a family and information on the payment standard and utility allowance schedule. How the PHA determines the maximum allowable rent for an assisted unit. Where the family may lease a unit. For family that qualifies to lease a unit outside the PHA jurisdiction under portability procedures, the information must include an explanation of how portability works.
- The HUD required tenancy addendum, which must be included in the lease.
- The form the family must use to Request For Tenancy Approval (RFTA), and a description of the procedure for requesting approval for a tenancy.
- A statement of the PHA policy on providing information about families to prospective owners.
- The PHA Subsidy Standards including when and how exceptions are made and how the voucher size relates to the unit size selected.
- The HUD brochure on how to select a unit and the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS.
- The HUD pamphlet on lead-based paint entitled *Protect Your Family From Lead in Your Home*. Information on Federal, State and local equal opportunity laws and a copy of the housing discrimination complaint form. The PHA will also include the

pamphlet "Fair Housing: It's Your Right" and other information about fair housing laws and guidelines and the phone numbers of the local fair housing agency and the HUD enforcement office.

- A list of landlords or other parties willing to lease to assisted families or help in the search of known units available for the voucher issued. The list includes landlords or other parties who are willing to lease units or help families find units outside areas of poverty or minority concentration.
- If the family includes a person with disabilities, notice that the PHA will provide a list of available accessible units known to the PHA.
- The family obligations under the program.
- The grounds on which the PHA may terminate assistance for a participant family because of family action or failure to act.
- PHA informal hearing procedures including when the PHA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.
- Information packet including an explanation of how portability works, including a list of neighboring housing agencies with the name, address and telephone number of a portability contact person at each for use by families who move under portability. (required for PHAs in MSAs)
- A map showing areas representing various income levels of the jurisdiction and surrounding areas for the purpose of expanding housing opportunities for families. (required for PHAs in MSAs)
- Information regarding the PHA's outreach program that assists families who are interested in, or experiencing difficulty in obtaining available housing units in areas outside of minority concentrated locations.
- A list of properties or property management organizations that own or operate housing units outside areas of poverty or minority concentration (required for PHAs in MSAs).
- The family's rights as a tenant, and a program participant.
- Requirements for reporting changes between annual recertifications.

If the family includes a person with disabilities, the PHA will ensure compliance with CFR 8.6 to ensure effective communication.

Move Briefing

A move briefing may be held for participants who will be reissued a voucher to move (and who have been recertified within the last 120 days). This briefing includes incoming and outgoing portable participants. The PHA may require a recertification within 120 days of a move.

Owner Briefing

Briefings are held for owners monthly. The purpose of the briefing is to assure successful owner participation in the program. The briefing covers the responsibilities and roles of the three parties (the owner, the family, and the PHA).

C. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW- INCOME OR MINORITY CONCENTRATION

At the briefing, families are encouraged to search for housing in non-impacted areas and the PHA will provide assistance to families who wish to do so.

The PHA has areas of poverty and minority concentration clearly delineated in order to provide families with information and encouragement in seeking housing opportunities outside highly concentrated areas.

The PHA has maps that showing areas outside of poverty and minority concentration and has assembled information regarding the characteristics of these areas (such as job opportunities, schools, transportation, and other services) to use in briefings to inform voucher holders of the full range of areas to search for housing.

The PHA will analyze when voucher holders are experiencing difficulties locating or obtaining housing units outside areas of concentration.

The assistance provided to such families includes:

- Providing families with a search record form to gather and record information;
- Direct contact with landlords;
- Providing information about services in various non-impacted areas;
- Formal or informal discussions with landlord groups;
- Formal or informal discussions with social service agencies;
- Meeting with rental referral companies or agencies;
- Meeting with fair housing groups or agencies.

D. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION

The PHA will give participants a copy of HUD Form 903 to file a complaint.

E. SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]

The owner is not required to, but may collect a security deposit from the tenant.

Security deposits charged by owners may not exceed the maximum prescribed by state or local law.

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance.

Revolving Loan

When funding is available the PHA may offer a zero (0) interest security deposit loan.

The loan may be repaid over the initial term of the lease, and is limited to the lesser of \$1500 or 80% of the security deposit, and is paid directly to the owner/agent.

The loan is available for those applicants that have been determined eligible for initial assistance, and have attended the Housing Search Assistance Class.

The PHA may conduct voluntary Housing Search Assistance Classes for those applicants who have been determined eligible for initial assistance. These special classes will provide applicants with information on how to improve their chances of finding a place to live.

F. VOUCHER ISSUANCE [24 CFR 982.204(d), 982.54(d)(2)]

During the briefing session, each household will be issued a voucher that authorizes the family to search for a suitable unit. The voucher is evidence that the PHA has determined the family eligible for the program and plans to subsidize the family if the family selects a unit that can be approved under program requirements. The voucher specifies the unit size for which the family is qualified for and briefly describes how the program works and explains the family obligations under the program. Admission to the program occurs when the lease and contract become effective.

Term of Voucher [24 CFR 982.303, 982.54(d)(11)]

Vouchers will be issued for a term of 60 days. The family must submit a Request for Tenancy Approval and Lease Approval within this period.

Extensions for Reasonable Accommodations

The PHA will approve extensions to the search term, in 60-day increments, if the family needs and requests an extension of the initial voucher term as a reasonable accommodation to make the program accessible to a family member who is a person with disabilities. The PHA may request a copy of the family search record. The PHA will extend the voucher term up to the term reasonably required for the purpose of making the program accessible to a family member who is a person with disabilities.

Tolling / Suspension of Search Time

The voucher term will be suspended (the clock on the family's voucher is stopped) from the date a Request for Tenancy Approval is received until the PHA approves or denies the request.

Assistance to Voucher Holders

Families who require additional assistance during their search may call the PHA Office to request assistance. Voucher holders will be notified at their briefing session that the PHA periodically updates the listing of available units and how the updated list may be obtained.

The PHA will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

G. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS [24 CFR 982.315]

In those instances when a family assisted under the Section 8 program or an applicant becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance; lacking a determination by a court, the supervisor shall consider the following factors to determine which of the families will continue to be assisted:

- Which of the two new family units has custody of dependent children.
- Which family member was the head of household when the voucher was initially issued (listed on the initial application).
- The composition of the new family units, and which unit contains elderly or disabled members.
- Whether domestic violence was involved in the breakup.
- Which family members remain in the unit.
- Recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the PHA will terminate assistance on the basis of failure to provide information necessary for a recertification.

Chapter 9

REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION

[24 CFR 982.302]

INTRODUCTION

The PHA's program operations are designed to utilize available resources in a manner that is efficient and provides eligible families with timely assistance based on the number of units that have been budgeted. The PHA's objectives include maximizing HUD funds by providing assistance to as many eligible families and for as many eligible units as the budget will allow.

After families are issued a voucher, they may search for a unit anywhere within the jurisdiction of the PHA, or outside of the PHA's jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with the PHA. This chapter defines the types of eligible housing, the PHA's policies that pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests For Approval of Tenancy (RFTA).

A. REQUEST FOR TENANCY APPROVAL [24 CFR 982.302, 982.305(b)]

The Request for Tenancy Approval (RFTA) and a copy of the proposed lease, including the HUD prescribed tenancy addendum, must be submitted by the family during the term of the voucher. The family must submit the RFTA in the form and manner required by the PHA.

The RFTA must be signed by both the owner and voucher holder.

The PHA will not permit the family to submit more than one RFTA at a time.

The PHA will review the proposed lease and the Request for Tenancy Approval documents to determine whether or not they are approvable. The request will be approved if:

- The unit is an eligible type of housing
- The rent is reasonable
- The security deposit is approvable in accordance with any limitations in this plan.
- The proposed lease complies with HUD and PHA requirements (See "Lease Review" section of this Chapter).
- The owner is approved, and there are no conflicts of interest (See "Owner Disapproval", Chapter 16 of this Administrative Plan).

In addition to the above, at the time a family initially receives assistance in a unit (new admissions and moves), if the gross rent for the unit exceeds the applicable payment standard for the family, the family share (defined in glossary) may not exceed forty percent (40%) of the family monthly adjusted income (See "Owner Rents, Rent Reasonableness and Payment Standards", Chapter 11 of this Administrative Plan).

Disapproval of RFTA

If the PHA determines that the request cannot be approved for any reason, the landlord and the family will be notified in writing. When, for any reason, a RFTA is not approved, the PHA will furnish another RFTA form to the family along with the notice of disapproval so that the family can continue to search for eligible housing. During this process the tenant's voucher may accrue tolling time.

B. ELIGIBLE TYPES OF HOUSING [24 CFR 982.353]

The PHA will approve any of the following types of housing:

- All structure types can be utilized.
- Manufactured homes where the tenant leases the mobile home and the pad.
- Manufactured homes where the tenant owns the mobile home and leases the pad.
- Group homes
- Congregate facilities (only the shelter rent is assisted)
- Single room occupancy
- Units owned (but not subsidized) by the PHA (following HUD-prescribed requirements).

A family can own a rental unit but cannot reside in it while being assisted, except in the case when the tenant owns the mobile home and leases the pad. A family may lease in and have an interest in a cooperative housing development.

The PHA may not permit a voucher holder to lease a unit, which is receiving HUD project-based Housing Choice Voucher assistance or any duplicative rental subsidies.

C. LEASE REVIEW [24 CFR 982.308]

The PHA will review the lease, particularly noting the approvability of optional charges and compliance with regulations and state and local law. The tenant also must have legal capacity to

enter a lease under state and local law. Responsibility for utilities, appliances and optional services must correspond to those provided on the Request for Tenancy Approval.

If the owner uses a standard lease form for the rental unassisted tenants in the County of Sacramento, the same lease must be used for HCV program units (with the addition of the HUD Tenancy addendum).

If the owner does not use a standard lease form for rental to unassisted tenants, the owner may use another form of lease, such as a PHA model lease.

The lease must specify:

- The names of the owner and tenant family members;
- The address of the unit rented (including apartment number, if any);
- The term of the lease.
- The amount of the monthly rent to owner;
- The utilities and appliances to be supplied by the owner;
- The utilities and appliances to be supplied by the family.

The HUD prescribed tenancy addendum must be included in the lease word-for-word before the lease is executed.

Effective September 15, 2000, the owner's lease must include the Lead Warning Statement and disclosure information required by 24 CFR 35.92(b).

Actions Before Lease Term

The following must always be completed prior to the beginning the initial term of the lease for a unit:

- The PHA must inspect the unit and have determined that the unit satisfies HQS;
- The PHA must have determined that the rent charged by the owner is reasonable;
- The landlord and the tenant must have executed the lease, including the HUD-prescribed tenancy addendum;
- The PHA must have approved leasing of the unit in accordance with program requirements;
- When the gross rent exceeds the applicable payment standard for the family, the PHA must determine that the family share (total family contribution) will not be more than forty percent of the family's monthly adjusted income.

D. SEPARATE AGREEMENTS

Separate agreements are not necessarily illegal side agreements. Families and owners will be advised of the prohibition of illegal side payments for additional rent, or for items normally included in the rent of unassisted families, or for items not shown on the approved lease.

The family is not liable under the lease for unpaid charges for items covered by separate agreements and nonpayment of these agreements cannot be cause for eviction.

Owners and families may execute separate agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease if the agreement is in writing and approved by the PHA.

Any appliances, services or other items, which are routinely provided to unassisted families as part of the lease (such as air conditioning, dishwasher or garage) or are permanently installed in the unit, cannot be put under separate agreement and must be included in the lease. For there to be a separate agreement, the family must have the option of not utilizing the service, appliance or other item.

If the family and owner have come to a written agreement on the amount of allowable charges for a specific item, so long as those charges are reasonable and not a substitute for higher rent, they will be allowed.

All agreements for special items or services must be attached to the lease approved by the PHA. If agreements are entered into at a later date, they must be approved by the PHA and attached to the lease.

E. RENT LIMITATIONS [24 CFR 982.507]

The PHA will make a determination as to the reasonableness of the proposed rent in relation to comparable units available for lease on the private unassisted market, and the rent charged by the owner for a comparable unassisted unit in the building or premises.

By accepting each monthly housing assistance payment from the PHA, the owner certifies that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises. The owner is required to provide the PHA with information requested on rents charged by the owner on the premises or elsewhere.

At all times during the tenancy, the rent to owner may not be more than the most current reasonable rent as determined and approved by the PHA.

F. DISAPPROVAL OF PROPOSED RENT [24 CFR 982.502]

In any of the programs, if the proposed gross rent is not reasonable, at the family's request; the PHA will negotiate with the owner to reduce the rent to a reasonable rent. If, in the voucher program, the rent is not affordable because the family share would be more than forty percent of the family's monthly adjusted income, the PHA may negotiate with the owner to reduce the rent to an affordable rent for the family.

If the rent can be approved after negotiations with the owner, the PHA will continue processing for tenancy approval and lease.

If the owner does not agree on the rent to owner, the PHA will inform the family and owner that the RFTA is disapproved.

G. INFORMATION TO OWNERS [24 CFR 982.307(b), 982.54(d)(7)]

In accordance with HUD requirements and upon written request, the PHA will furnish prospective owners with the family's current address as shown in the PHA's records and, if known to the PHA, the name and address of the landlord at the family's current and prior address.

The PHA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

The PHA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, payment of utility bills, eviction history, respecting the rights of other residents, damage to units, drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

A statement of the PHA's policy on release of information to prospective landlords will be included in the briefing packet, which is provided to the family.

Only the designated staff may provide this information. The PHA's policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

H. CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE

When the family reports changes in factors that will affect the total family share prior to the effective date of the HAP contract at admission, the information will be verified and the total family share will be recalculated. If the family does not report any change, the PHA need not

obtain new verifications before signing the HAP contract, even if verifications are more than sixty days old.

I. CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]

The PHA makes every effort to execute the HAP contract before the commencement of the lease term. The HAP contract may not be executed more than 60 days after commencement of the lease term and no payments will be made until the contract is executed.

The following PHA representative(s) is/are authorized to execute a contract on behalf of the PHA: Director or delegate.

Each owner must provide the current address of their residence (not a Post Office box). If a family leases property owned by relations, the owner's current address will be compared to the subsidized unit's address.

Each owner must provide an employer identification number or social security number.

Each owner must also submit proof of ownership of the property, such as a grant deed or tax bill, and a copy of the management agreement if an agent manages the property.

The owner must provide a home telephone number and business number if applicable.

Unless the lease was effective prior to June 17, 1998, a family may not lease property owned by a parent, child, grandparent, grandchild, sister or brother of any family member. The PHA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

Chapter 10

HOUSING QUALITY STANDARDS AND INSPECTIONS

[24 CFR 982.401]

INTRODUCTION

Housing Quality Standards (HQS) are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and during the term of the lease. HQS standards apply to the building and premises, as well as the unit. Newly leased units must pass the HQS inspection before the beginning date of the assisted lease and HAP contract.

The PHA will inspect each unit under contract at least annually. The PHA will also perform quality control inspections on the number of units required for file sampling by SEMAP annually to maintain the PHA's required standards and to assure consistency in the PHA's program. This chapter describes the PHA's procedures for performing HQS and other types of inspections, and PHA standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of non-compliance with HQS requirements for both families and owners. The use of the term "HQS" in this Administrative Plan refers to the combination of both HUD and PHA requirements. (See additions to HQS).

A. GUIDELINES/TYPES OF INSPECTIONS [24 CFR 982.401(a), 982.405]

Effort will be made at all times to encourage owners to provide housing above HQS minimum standards. The PHA will not promote any additional acceptability criteria which are likely to adversely affect the health or safety of participant families, or severely restrict housing choice.

All utilities must be in service prior to the inspection. If the utilities are not in service at the time of inspection, the inspector will notify the tenant or owner (whomever is responsible for the utilities according to the RFTA) to have the utilities turned on.

If the tenant is responsible for supplying the stove and/or the refrigerator, the PHA will allow the stove and refrigerator to be placed in the unit after the unit has passed all other HQS. The family must then certify after move-in that the appliances are in the unit and working. The PHA will not conduct a re-inspection.

There are four basic types of inspections:

1. Initial/Move-in: Conducted upon receipt of Request for Tenancy Approval.
2. Annual: Will be conducted within twelve months of the last annual inspection.

3. Special/Complaint: Will be performed as needed to determine if the unit meets HQS.
4. Quality Control.

B. INITIAL HQS INSPECTION [24 CFR 982.401(a), 982.305(b)(2)]

Timely Initial HQS Inspection

To the extent practicable, the PHA will inspect the unit, determine whether the unit satisfies the HQS and notify the family and owner of the determination within fifteen days after the family and owner submit a request for tenancy approval. If a Supervisor determines that the inspection is unable to be performed within the stated timeframe, the file will be appropriately documented.

The PHA will include “date unit available for inspection” on the RFTA form. The fifteen-day clock is suspended during any period when the unit is not available for inspection.

The PHA will make every reasonable effort to conduct initial HQS inspections for the family and owner in a manner that is time-efficient and indicative of good customer service. The PHA will review the average time required for a family and owner to have a unit inspected from the time the RFTA is submitted by the family and owner to the PHA.

The Initial Inspection will be conducted to:

- Determine if the unit and property meet the HQS defined in this Plan.
- Document the information to be used for determination of rent-reasonableness.

If the unit fails the initial Housing Quality Standards inspection, the owner will be advised to notify the PHA once repairs are completed.

On an initial inspection, the owner will be given no more than thirty days to correct the items noted as “fail” at the inspector's discretion, depending on the amount and complexity of work to be done.

The owner will be allowed one re-inspection for repair work to be completed. A second re-inspection may be authorized only with supervisor approval.

If the time period given by the inspector to correct the repairs has lapsed, or the maximum number of failed re-inspections has occurred, the RFTA will be voided and the family must submit a new RFTA before their voucher expiration date.

C. ANNUAL HQS INSPECTIONS [24 CFR 982.405(a)]

The PHA conducts an inspection in accordance with Housing Quality Standards at least fifteen days before the last annual inspection, so that the inspections are conducted at least annually, as required by SEMAP.

Special inspections may be scheduled between anniversary dates. The PHA will notify the family and the owner of the special inspection **date and time** in writing or by phone.

“Reasonable Hours to Conduct an Inspection” are defined as the hours between 8:30 a.m. and 4:30 p.m.

Inspections will be conducted only on business days unless authorized by the Director.

Inspection: The family and owner are notified of the **date and time** of the inspection appointment by mail or phone. If the family is unable to be present, they must reschedule the appointment so that the inspection is completed within seven days of the date originally scheduled for the inspection.

If the family does not contact the PHA to reschedule the inspection, or if the family misses two inspection appointments, the PHA will consider the family to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in the Plan.

The family must allow the PHA to inspect the unit at reasonable times with reasonable notice. [24 CFR 982.551(d)]

The landlord must correct HQS deficiencies that cause a unit to fail, unless the tenant is responsible for the fail.

Re-inspection:

The family and owner are provided a notice of the inspection appointment by phone or mail. If the family is not at home for the re-inspection appointment, a notice will be left at the unit and another appointment is automatically scheduled. The appointment letter contains a warning of abatement (in the case of owner responsibility), and a notice of the owner's responsibility to notify the family in case of owner-caused abatement. Program Eligibility may also be jeopardized for missed inspections which the tenant is responsible for.

The family is also notified that it is a Family Obligation to allow the PHA to inspect the unit. If the family was responsible for a breach of HQS they will be advised of their responsibility to correct any failed items that are family-caused.

Time Standards for Repairs

Emergency items must be corrected within twenty-four hours of notification.

Repairs for non-emergency items must be made within thirty days of the inspection fail date. An extension beyond the thirty-day period may be approved by a Supervisor upon written request from the owner, with verifiable documentation.

Rent Increases

Increases in the rent to owners may not be approved if the unit is in a failed condition.

D. MOVE OUT/VACATE

A move out inspection will be performed for Moderate Rehabilitation units only, at the landlord's request.

E. SPECIAL/COMPLAINT INSPECTIONS [24 CFR 982.405(c)]

If, at any time the family or owner notifies the PHA that the unit does not meet Housing Quality Standards, the PHA will conduct an inspection.

The PHA may also conduct a special inspection based on information from third parties such as neighbors or public officials.

The PHA will inspect only the items which were reported, but if the inspector notices additional deficiencies that would cause the unit to fail HQS, the responsible party will be required to make the necessary repairs.

If the annual inspection date is within ninety days of a special inspection, and as long as all items are inspected that are included in an annual inspection, the special inspection will be categorized as annual and all annual procedures will be followed.

F. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b)]

Quality control inspections will be performed by the supervisor and designated staff on the number of files required by SEMAP. The purpose of quality control inspections is to ascertain that each inspector is conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in application of the HQS.

The sampling of files will include recently completed inspections (within the prior 3 months), a cross-section of neighborhoods, and a cross-section of inspectors.

G. EMERGENCY REPAIR ITEMS [24 CFR 982.404(a)]

The following items are considered of an emergency nature and must be corrected by the owner or tenant (whoever is responsible) within twenty-four hours of notice by the inspector:

- Lack of security for the unit
- Waterlogged ceiling in imminent danger of falling
- Major plumbing leaks (i.e. those causing flooding or significant hazards)
- Natural gas leak or fumes
- Electrical problem which could result in shock or fire (i.e. exposed stripped wires)
- No heat when outside temperature is below fifty degrees Fahrenheit and temperature inside unit is below sixty degrees Fahrenheit.
- No running water
- Shattered glass where someone could be injured
- Obstacle which prevents tenant's entrance or exit
- Lack of a functioning toilet in the unit
- Lack of one working smoke detector per floor
- Utility meter has been removed

In those cases where there is leaking gas or potential of fire or other threat to public safety, and the responsible party cannot be notified or it is impossible to make the repair, proper authorities will be notified by the PHA.

If the emergency repair item(s) are not corrected in the time period required by the PHA, and the owner is responsible, the housing assistance payment will be abated and the HAP contract will be terminated.

If the emergency repair item(s) are not corrected in the time period required by the PHA, and it is an HQS breach that is a family obligation, the PHA will terminate the assistance to the family.

Smoke Detectors

Inoperable smoke detectors are a serious health threat and will be treated by the PHA as an emergency (24-hour) fail item.

If the smoke detector is not operating properly the PHA will contact the owner by phone and request the owner to repair the smoke detector within twenty-four hours. The PHA will re-inspect the unit the following business day.

If the PHA determines that the family has purposely disconnected the smoke detector (by removing batteries or other means), the family will be required to repair the smoke detector within twenty-four hours and the PHA will re-inspect the unit the following business day.

The PHA will issue a written warning to any family determined to have purposely disconnected the unit's smoke detector. Warning will state that deliberate disconnection of the unit's smoke detector is a health and fire hazard and is considered a violation of the HQS.

H. CONSEQUENCES IF OWNER IS RESPONSIBLE (NON-EMERGENCY ITEMS) [24 CFR 982.404, 982.453]

When it has been determined that a unit on the program fails to meet Housing Quality Standards, the owner is responsible for completing the necessary repair(s) in the time period specified by the PHA. The PHA must take prompt action to enforce owner obligations. PHA remedies for such breach of the Housing Quality Standards may include abatement of the HAP or termination of the HAP contract.

Abatement

Should circumstances arise which warrant abatement, a notice of abatement of the housing assistance payment will be sent to the owner, and the abatement will be effective the first of the month following the specified correction period. The housing assistance payment will be abated for no more than a period of thirty (30) days at which time the contract will be terminated if the required repairs are not made and cleared by an inspection.

The PHA will inspect abated units within five calendar days of the owner's notification that the work has been completed.

If the owner makes repairs during the abatement period, payment will resume on the day the unit passes inspection.

The owner and family will be notified of the re-inspection date. No retroactive payments will be made to the owner for the period of time the rent was abated and the unit did not comply with HQS. The notice of abatement states that the tenant is not responsible for the PHA's portion of rent that is abated.

Extensions on Abatements

A PHA supervisor may grant an extension in lieu of abatement in the following cases:

- There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services.
- The repairs must be delayed due to climate conditions.

The extension will be made for a period of time not to exceed thirty days. At the end of that time, if the work is not completed, the PHA will begin the abatement.

Termination of Contract

If the owner is responsible for repairs, and fails to correct all the deficiencies cited prior to the end of the abatement period, the owner will be sent a HAP Contract Termination Notice. The abatement will remain in effect until the HAP contract/lease terminates

If repairs are completed before the effective termination date, the termination will be rescinded by the PHA if the tenant chooses to remain in the unit.

I. DETERMINATION OF RESPONSIBILITY [24 CFR 982.404, 982.54(d)(14)]

Certain HQS deficiencies are considered the responsibility of the family:

- Tenant-paid utilities not in service
- Failure to provide or maintain tenant-supplied appliances
- Damage to the unit or premises caused by a household member or guest beyond normal wear and tear ("Normal wear and tear" is defined as items which could not be charged against the tenant's security deposit under state law or court practice).

The owner is responsible for all other HQS violations.

The owner is responsible for vermin infestation, even if caused by the family's living habits, owners may seek restitution from families. If such infestation is serious and repeated, it may be considered a lease violation and the owner may evict for serious or repeated violation of the lease. The PHA may terminate the family's assistance on that basis.

The inspector will make a determination of owner or family responsibility during the inspection.

If the family is responsible, but the owner carries out the repairs, the owner may bill the family for the cost of the repairs and the family's file will be noted.

J. CONSEQUENCES IF FAMILY IS RESPONSIBLE [24 CFR 982.404(b)]

If non-emergency violations of HQS are determined to be the responsibility of the family, the PHA will require the family make any repair(s) or corrections within thirty days. The family will be required to make repairs or corrections to tenant-responsible emergency violations within 24 hours. If the repair(s) or correction(s) are not made in this time period, the PHA will terminate assistance to the family, after providing an opportunity for an informal hearing. The owner's rent will not be abated for items, which are the family's responsibility.

If the tenant is responsible and corrections are not made, the HAP contract will terminate when assistance is terminated.

Chapter 11

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS [24 CFR 982.502, 982.503, 982.504, 982.505, 982.507]

INTRODUCTION

The policies in this chapter reflect the amendments to the HUD regulations, which were implemented by the Quality Housing and Work Responsibility Act of 1998 for the Housing Choice Voucher Program Tenant-Based Assistance Program. These amendments became effective on October 1, 1999, which is referred to as the "merger date." These amendments complete the merging of the Housing Choice Voucher Program Certificate and Voucher Programs into one program, called the Housing Choice Voucher Program.

All Housing Choice Voucher Program participant families have been transitioned to the Housing Choice Voucher Program on or before October 1, 2001. Rent calculation methods for the Housing Choice Voucher Program are described at 24 CFR 982.505. The rent calculation formula is specific and is not subject to interpretation.

However, all new leases, moves and new admissions taking effect on or after October 1, 1999 will be subject to the regulations of the new Housing Choice Voucher Program.

The PHA will determine rent reasonableness in accordance with 24 CFR 982.507(a). It is the PHA's responsibility to ensure that the rents charged by owners are reasonable based upon unassisted comparables in the rental market, using the criteria specified in 24 CFR 982.507(b).

This chapter explains the PHA's procedures for determination of rent-reasonableness, payments to owners, adjustments to the payment standards, and rent adjustments.

A. RENT TO OWNER IN THE HOUSING CHOICE VOUCHER PROGRAM [(24 CFR 982.508)]

All HAP contracts will begin the later of: the date the unit passes inspection, the date the family moves in, or the date the voucher is issued. Exceptions may be granted by Program Manager approval. The tenant will be responsible for any rent prior to start date, the owner will be responsible for collecting any rent owed prior to that start date. The rent to owner is limited only by rent reasonableness. The PHA must demonstrate that the rent to owner is reasonable in comparison to rent for other comparable unassisted units.

The only other limitation on rent to owner is the maximum rent standard at initial occupancy (24 CFR 982.508). At the time a family initially receives tenant-based assistance for occupancy of a

dwelling unit, whether it is a new admission or a move to a different unit, if the gross rent for the unit exceeds the applicable payment standard for the family, the family share may not exceed 40 percent of the family's monthly adjusted income.

During the initial term of the lease, the owner may not raise the rent to the participant family (contract rent).

B. MAKING PAYMENTS TO OWNERS [24 CFR 982.451]

Once the HAP contract is executed, the PHA begins processing payments to the landlord. A HAP Register will be used as a basis for monitoring the accuracy and timeliness of payments. Changes are made to the HAP Register for the following month. Checks are disbursed by the Finance Division to the owner each month. Checks may not be picked up by owner at the PHA. Exceptions may be made with the approval of a Supervisor in cases of hardship.

Checks that are not received will not be replaced until a request has been received from the payee and a stop payment has been put on the check. A request for stop payment will be processed ten days after the check issuance date.

Excess Payments

The total of rent paid by the tenant plus the PHA housing assistance payment to the owner may not be more than the contract rent. The owner must immediately return any excess payment to the PHA.

Owners who do not return excess payments will be subject to penalties as outlined in the "Owner or Family Debts to the PHA", Chapter 18 of this Administrative Plan.

Late Payments to Owners

It is a local business practice in Sacramento for property managers and owners to charge tenants a reasonable late fee for rents not received by the owner or property manager by the due date. Therefore, in keeping with generally accepted practices in the local housing market, the PHA must make housing assistance payments to the owner promptly and in accordance with the HAP contract.

The PHA will pay a \$35.00 late fee to the owner for housing assistance payments that are not mailed to the owner by the fifth day of the month, if requested by the owner, excluding the first two calendar months of the HAP contract term.

Proof of "Mailed to" date will be the date of the check on the HAP register.

Proof of "Date Deposited to Bank Account" for checks mailed directly to the bank.

To assist the PHA in its outreach efforts to owners, and to provide better customer service, the PHA may offer to make automatic monthly HAP deposits into the bank account of the owner. If the owner agrees to such an arrangement with the PHA, the date the bank shows as the deposit date, will be the official date of record and will be the determining factor in cases involving late payment penalties.

The PHA will not be obligated to pay any late payment penalty if HUD determines that late payment is due to factors beyond the PHA's control, such as a delay in the receipt of program funds from HUD. The PHA will not use any program funds for the payment of late fee penalties to the owner.

C. RENT REASONABLENESS DETERMINATIONS [24 CFR 982.507]

The PHA will determine and document on a case-by-case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. This applies to all programs.

The PHA will not approve a lease until the PHA determines that the initial rent to owner is a reasonable rent. The PHA must reassess rent reasonability before any increase in the rent to owner. The PHA must also reassess rent reasonability if there is a five percent decrease in the published FMR in effect sixty days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary.

The PHA must reassess rent reasonableness if directed by HUD and based on a need identified by the PHA's auditing system. The PHA may elect to reassess rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or reassessed by the PHA

The owner will be advised that by accepting each monthly housing assistance payment s/he will be certifying that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.

If requested, the owner must give the PHA information on rents charged by the owner for other units in the premises or elsewhere. The PHA will only request information on the owner's units elsewhere if the PHA has cause to demonstrate that the owner has a tendency to charge higher rents to program participants or if needed for rent reasonableness comparable units.

The data for other unassisted units will be gathered from newspapers, realtors, professional associations, inquiries of owners, market surveys, and other available sources.

The market areas for rent reasonableness are zip codes/subdivisions/census tracts/neighborhoods within the PHA's jurisdiction.

The following items may be used for rent reasonableness documentation:

- Size (number of Bedrooms/square footage)
- Location
- Quality
- Amenities (bathrooms, dishwasher, air conditioning, etc.)
- Housing Services
- Age of unit
- Unit Type
- Maintenance
- Utilities

Rent Reasonableness Methodology

The PHA uses an "appraisal" method and tests the subject unit against selected units with similar characteristics. Adjustments are made for favorable and unfavorable differences between the subject unit and comparable units on the market.

The PHA maintains an automated database, which includes data on unassisted units for use by staff in making rent reasonableness determinations. The data is updated on an ongoing basis and purged when it is more than eighteen (18) months old.

D. PAYMENT STANDARDS FOR THE VOUCHER PROGRAM [24 CFR 982.503]

The Payment Standard is used to calculate the housing assistance payment for a family. In accordance with HUD regulation, and at the PHA's discretion, the Voucher Payment Standard amount is set by the PHA between ninety percent and 110 percent of the HUD published FMR. This is considered the basic range. The PHA reviews the appropriateness of the Payment Standard annually when the FMR is published. In determining whether a change is needed, the PHA will ensure that the Payment Standard is always within the range of ninety percent to 110 percent of the new FMR, unless an exception payment standard has been approved by HUD.

The PHA will establish a single voucher payment standard amount for each FMR area in the PHA jurisdiction. For each FMR area, the PHA will establish payment standard amounts for each "unit size". The PHA may have a higher payment standard within the PHA's jurisdiction if needed to expand housing opportunities outside areas of minority or poverty concentration, as long as the payment standard is within the 90-110% of FMR range.

The PHA may approve a higher payment standard within the basic range, if required as a reasonable accommodation for a family that includes a person with disabilities. However, the payment standard cannot be approved over 110% of the Fair Market Rent.

E. ADJUSTMENTS TO PAYMENT STANDARDS [24 CFR 982.503]

Payment Standards may be adjusted, within HUD regulatory limitations, to increase Housing Assistance Payments in order to keep families' rents affordable. The PHA will not raise Payment Standards solely to make "high end" units available to Voucher holders. The PHA may use some or all of the measures below in making its determination whether an adjustment should be made to the Payment Standards.

Assisted Families' Rent Burdens

The PHA will review its voucher payment standard amounts at least annually to determine whether more than forty percent of families in a particular unit size are paying more than thirty percent of their annual adjusted income for rent.

The PHA will establish a separate voucher payment standard, within the basic range, for designated parts of its jurisdiction, if it determines that a higher payment standard is needed in these designated areas to provide families with quality housing choices and to give families an opportunity to move outside areas of high poverty and low-income.

Quality of Units Selected

The PHA will review the quality of units selected by participant families when making the determination of the percent of income families are paying for housing, to ensure that Payment Standard increases are only made when needed to reach the mid-range of the market.

PHA Decision Point

The PHA will review the average percent of income of families on the program. If more than twenty-five percent of families are paying more than thirty percent of monthly adjusted income, the PHA will determine whether there is a difference by voucher size, whether families are renting units larger than their voucher size, and whether families are renting units which exceed HUD's HQS and any additional standards added by the PHA in the Administrative Plan.

If families are paying more than thirty percent of their income for rent due to the selection of larger bedroom size units or luxury units, the PHA may decline to increase the payment standard. If these are not the primary factors for families paying higher rents, the PHA will continue increasing the payment standard.

Time to Locate Housing

The PHA may consider the average time period for families to lease-up under the Voucher program. If more than fifty percent of Voucher holders are unable to locate suitable housing within the term of the voucher and the PHA determines that this is due to thirty percent of rents

in the jurisdiction being unaffordable for families even with the presence of a voucher the Payment Standard may be adjusted.

Lowering of the Payment Standard

Lowering of the FMR may require an adjustment of the Payment Standard. Additionally, statistical analysis may reveal that the Payment Standard should be lowered. In any case, the Payment Standard will not be set below ninety percent of the FMR without authorization from HUD.

Financial Feasibility

Before increasing the Payment Standard, the PHA may review the budget to determine the impact projected subsidy increases would have on funding available for the program and number of families served.

For this purpose, the PHA will compare the number of families who could be served under a higher Payment Standard with the number assisted under current payment standards.

File Documentation

The PHA will retain a file for at least three years to document the analysis and findings to justify whether or not the Payment Standard was changed.

F. EXCEPTION PAYMENT STANDARDS

If the dwelling unit is located in an exception area, the PHA must use the appropriate payment standard amount established by the PHA for the exception area in accordance with regulation at 24 CFR 982.503(c).

If needed to prevent financial hardship for families, and increase housing choice opportunities, the PHA should request approval from the local HUD office to establish payment standards of up to 120% of the FMR.

G. OWNER PAYMENT [(24CFR 982.308(g)]

The owner is required to notify the tenant and PHA, in writing, at least sixty days before any change in the amount of proposed contract rent. Any requested change in rent to owner will be subject to rent reasonableness requirements and available PHA funding.

Contract Rent Increases

If approved, any increase will be effective on the first of the month following the 60-day notice. Upon approval of a rental increase, the new contract rent amount will remain effective for a period of 12 months. Owners may request rent increases no more than once every 12 months.

Chapter 12

RECERTIFICATIONS

[24 CFR 982.516]

INTRODUCTION

In accordance with HUD requirements, the PHA will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Recertifications and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulations. It is a HUD requirement that families report all changes in household composition. Between regular annual recertifications, HUD requires that families report all changes in household composition, but the PHA decides what other changes must be reported and the procedures for reporting them. This chapter defines the PHA's policy for conducting annual recertifications and coordinating annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

The terms *annual recertification* and *annual reexamination* are synonymous.

A. ANNUAL RECERTIFICATION [24 CFR 982.516]

The PHA will recertify each family's continuing eligibility at least annually.

Recertification Notice to the Family

The PHA will maintain a recertification tracking system and the household will be notified by mail at least ninety days in advance of the anniversary date, however, documents may be due prior to the anniversary date. The PHA may require that a family attend a recertification appointment. If requested as an accommodation by a person with a disability, the PHA will provide the notice in an accessible format. The PHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities.

Completion of Annual Recertification

The PHA will have all recertifications for families completed within 12 months of the last annual recertification. This includes notifying the family of any changes in rent at least thirty days before the scheduled date of the change in family rent.

Failure to Respond to Notification to Recertify

The written notification must state the due date the completed recertification documents are required. The family may call to request an extended due date in case of emergency (as defined in the Glossary).

If the family does not respond by the due date, recertification documents will be sent a second time or the family may be scheduled for a second appointment. At this point the PHA may opt to complete the recertification by appointment.

If the family responds to a second notice or appointment, a formal warning will be issued.

If the family fails to respond to the second notice the PHA will mail the family a notice of proposed termination of eligibility, and an informal hearing request form.

Exceptions to these policies may be made by supervisory or designated staff if the family is able to document an emergency situation that prevented them from recertification or attending the appointment or if requested as a reasonable accommodation for a person with a disability.

Verification of Information

All information affecting the family's continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than 120 days old. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

- The continued eligibility of the participant as a *family* or as the *remaining member* of a family;
- The unit size required by the family; and
- The amount of rent the family should pay.

Tenant Rent Increases

If tenant rent increases, a notice of the change is mailed to the family at least 30 days prior to the effective date of change.

If less than thirty days are remaining before the scheduled effective date of the annual recertification, the tenant rent increase will be effective on the first of the month following at least a thirty-day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the recertification processing, there will be a retroactive increase in rent to the scheduled effective date of the annual recertification.

Tenant Rent Decreases

If tenant rent decreases, it will be effective on the anniversary date.

If the family causes a delay so that the processing of the recertification is not complete by the anniversary date, rent change will be effective on the first day of the month following completion of the recertification processing by the PHA.

If the participant experiences a decrease in income and the participant reports the change after reporting the annual reexamination but prior to the effective date of the annual recertification, the change will be treated as an early annual reexamination. The change will be effective the first of the following month that the family reported the change. The next annual reexamination date (anniversary date) will be one year from the effective date of the early annual reexamination.

B. REPORTING INTERIM CHANGES [24 CFR 982.516]

Program participants must report all changes in household composition to the PHA within thirty (30) days of the change. This includes additions due to birth, adoption and court-awarded custody. The family must obtain PHA approval prior to all other additions to the household.

If any new family member is added, family income must include any income of the new family member. The PHA will conduct a recertification to determine such additional income and will make the appropriate adjustments in the housing assistance payment and family unit size.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required prior to moving in to the unit.

Increases in Income

The PHA will conduct interim recertifications when families have an increase in income above \$200 per month.

Families must report any increase in income and assets to the PHA within thirty (30) days of the change.

Decreases in Income

Participants may report a decrease in income and other changes that would reduce the amount of tenant rent, such as an increase in allowances or deductions. The PHA must calculate the change if a decrease in income is reported.

The PHA will process the rent adjustment unless the PHA confirms that the decrease in income will last less than thirty days.

PHA Errors

If the PHA makes a calculation error, an interim recertification will be conducted, if necessary to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable, retroactive to when the decrease for the change would have been effective if calculated correctly.

C. OTHER INTERIM REPORTING ISSUES [24 CFR 5.615]

The PHA counts imputed welfare income (defined below) for families whose welfare assistance is reduced specifically because of:

- Welfare fraud; or
- Failure to participate in an economic self-sufficiency program; or
- Noncompliance with a work activities requirement.

However, the PHA will count actual welfare income if the welfare assistance reduction is a result of:

- The expiration of a lifetime time limit on receiving benefits; or
- A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:
- The family has complied with welfare program requirements, but the duration time limit; such as a cap on the length of time a family can receive benefits, and causes the family to lose their welfare benefits.

Definition of "Imputed Welfare Income"

Imputed Welfare income is the amount of annual income projected but, not actually received by a family as a result of a specified welfare benefit reduction.

The amount of imputed welfare income is determined by the PHA, based on written information supplied to the PHA by the welfare agency, including:

- The amount of the benefit reduction
- The term of the benefit reduction
- The reason for the reduction
- Subsequent changes in the term or amount of the benefit reduction

The family's annual income will include the imputed welfare income, as determined at the family's annual or interim recertification, during the term of the welfare benefits reduction (as specified by the welfare agency). The amount of imputed welfare income will be offset by the amount of additional income the family receives that commences after the sanction was imposed. When additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income will be reduced to zero.

If the family was not an assisted participant when the welfare sanction began, imputed welfare income will not be included in annual income.

If the family claims the amount of imputed welfare income has been calculated incorrectly, designated staff will review the calculation for accuracy. If the imputed welfare income amount is correct, the PHA will provide a written notice to the family that includes:

- A brief explanation of how the amount of imputed welfare income was determined;
- A statement that the family may request an informal hearing if they do not agree with the PHA determination.

Family Dispute of Amount of Imputed Welfare Income

If the family disputes the amount of imputed income and the PHA denies the family's request to modify the amount, the PHA will provide the tenant with a notice of denial, which will include:

- An explanation for the PHA's determination of the amount of imputed welfare income
- A statement that the tenant may request an informal hearing.

A statement that the grievance information received from the welfare agency cannot be disputed at the informal hearing, and the issue to be examined at the informal hearing will be the PHA's determination of the amount of imputed welfare income, not the welfare agency's determination to sanction the welfare benefits.

Verification of Welfare Before Denying a Request to Reduce Rent

The PHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced due to fraud or noncompliance with welfare agency economic self-sufficiency or work activities requirements before denying the family's request for rent reduction.

The PHA will rely on the welfare agency's written notice to the PHA regarding welfare sanctions.

Cooperation Agreements [24 CFR 5.613]

The PHA will execute a Memorandum of Understanding with the local welfare agency under which the welfare agency agrees:

- To target public assistance benefits and services to participants in the PHA's Self-Sufficiency program;
- To provide verification to the PHA concerning welfare benefits for applicant and participant families, and specified reduction in welfare benefits for a family member, listing: amount of reduction; reason for reduction; term of reduction, and subsequent redetermination.

The PHA will rely on the welfare agency's notice regarding the amount of specified benefit reduction.

The PHA has taken a proactive approach to culminating an effective working relationship between the PHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to Housing Choice Voucher Program families.

D. NOTIFICATION OF RESULTS OF RECERTIFICATION:

The HUD Form 50058 will be completed and transmitted as required by HUD.

The Notice of Rent Change is mailed to the owner and the tenant. Staff is not required to sign these notices by the PHA. If the family disagrees with the rent adjustment, they may request an informal hearing.

E. TIMELY REPORTING OF CHANGES IN FAMILY COMPOSITION

Changes in family composition require an interim recertification and may result in either an increase or decrease in tenant rent, or the voucher bedroom size.

Standard for Timely Reporting of Changes

The PHA requires that the family report in writing any change to family composition to the PHA within thirty days of when the change occurs.

If the change is not reported within the required time period, or if the family fails to provide documentation or signatures, it will be considered untimely reporting.

Procedures when the Change is Reported in a Timely Manner

The PHA will notify the family and the owner of any change in the Housing Assistance Payment to be effective according to the following guidelines:

- Increases in the Tenant Rent are effective on the first of the month following at least thirty days' notice.
- Decreases in the Tenant Rent are effective the first of the month, following the month in which the PHA is provided adequate written documentation. However, no rent reductions will be processed until all the facts have been verified, even if a retroactive adjustment results.

Procedures when the Change is Not Reported by the Family in a Timely Manner

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim recertification processing and the following guidelines will apply:

Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any overpaid housing assistance and may be required to sign a Repayment Agreement or make a lump sum payment.

Decrease in Tenant Rent will be effective on the first of the month following completion of processing by the PHA and not retroactively.

Procedures when the Change is Not Processed by the PHA in a Timely Manner

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the PHA in a timely manner.

In this case, an increase will be effective after the required thirty days' notice prior to the first of the month after completion of processing by the PHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

F. CHANGES IN VOUCHER SIZE AS A RESULT OF FAMILY COMPOSITION CHANGES

(See "Subsidy Standards", Chapter 5 of this Administrative Plan)

G. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES

Under the Non-citizens Rule, "mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

The Non-citizens Rule was implemented on or after November 29, 1996, and mixed families may receive prorated assistance only.

H. MISREPRESENTATION OF FAMILY CIRCUMSTANCES

If any participant deliberately misrepresents the information on which eligibility or tenant rent is established, the PHA may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum.)

I. REPORTING OF CHANGES IN FAMILY COMPOSITION

All changes in family composition must be reported within thirty days of the occurrence.

Increases in Household Size

A participant may request to add a family member to their voucher. Additions are limited to one or more of the following:

- Mother
- Father
- Brother
- Sister
- Son
- Daughter
- Grandparents to the head of household/spouse or partner
- Due to birth
- Marriage or marital type relationship
- Adoption or court awarded custody

Increases other than by birth, adoption or court-awarded custody must have the prior approval of the owner and the PHA.

If the addition would result in overcrowding according to HQS maximum occupancy standards, the PHA will issue a larger voucher (if needed under the Subsidy Standards) for additions to the family in the following cases:

- Addition by marriage/or marital-type relation
- Addition of a minor who is a member of the nuclear family who had been living elsewhere
- Addition of a PHA-approved live-in attendant
- Addition due to new birth, adoption or court-awarded custody

If a change due to birth, adoption, court-awarded custody, or need for a live-in attendant requires a larger size unit due to overcrowding, the change in voucher shall be made effective immediately.

Chapter 13

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

[24 CFR 982.314, 982.353, 982.355(a)]

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the PHA's jurisdiction, or to a unit outside of the PHA's jurisdiction under portability procedures. The regulations also allow the PHA the discretion to develop policies, which define any limitations or restrictions on moves. This chapter defines the procedures for moves, both within and outside of, the PHA's jurisdiction, and the policies for restriction and limitations on moves.

A. ALLOWABLE MOVES

A family may move to a new unit with continued assistance if:

- The assisted lease for the old unit has terminated because the PHA has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family with PHA approval.
- The owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the family (Unless assistance to the family will be terminated, see “Denial or Termination of Assistance”, Chapter 15 of the Administrative Plan.).
- The family has given proper notice of lease termination (if the family has a right to terminate the lease on notice to owner).

B INTERPROGRAM TRANSFERS

Public Housing participants may transfer out of Public Housing into the HCV Program, with approval from the Director, when lease-up rates in Public Housing are at 98% or greater and vouchers are available.

HCV Program participants may, with approval of the PHA's Director, be accepted into PHA owned properties if:

- Transfers meet all eligibility/suitability criteria

- Vacancies permit

C. RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552(a)]

Families will not be permitted to move within the PHA's jurisdiction during the initial term of assisted occupancy.

Families will not be permitted to move outside the PHA's jurisdiction under portability procedures during the initial term of assisted occupancy.

Families will only be permitted to move once every 12 months, except by supervisor approval.

The PHA will deny permission to move if there is insufficient funding for continued assistance.

The PHA will deny permission to move if the family owes any PHA money, or is not current with payments as specified in any PHA repayment agreement.

The supervisor may consider exceptions to these restrictions if there is an emergency reason for the move over which the participant has no control. Emergency is defined in the glossary of this Administrative Plan.

D. PROCEDURE FOR MOVES [24 CFR 982.314]

Issuance of Voucher

Subject to the restrictions on moves, the PHA will issue the authorization to move.

If the family does not locate a new unit, they may remain in the current unit so long as the owner permits.

Notice Requirements

The family must give the owner the required number of days written notice of intent to vacate specified by applicable law and must simultaneously give a copy to the PHA.

Time of Contract Change

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move except that there will be no overlapping assistance.

In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy, unless proper notice was given to end a lease midmonth. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for no more than 14 days of the month in which the family moves, with prior Director approval.

E. PORTABILITY [24 CFR 982.353]

Portability applies to families moving out of or into the PHA's jurisdiction within the United States and its territories.

F. OUTGOING PORTABILITY [24 CFR 982.353, 982.355]

Within the limitations of the regulations and this policy, a participant family has the right to receive tenant-based voucher assistance to lease a unit outside the PHA's jurisdiction. The PHA will allow the family to exercise its right to portability anywhere in the United States where there is a PHA with a tenant-based program.

When a family requests to move outside of the PHA's jurisdiction, the family's written request must specify the area to which the family wants to move. This PHA will identify the receiving PHA and approve or deny the request, submitting a written response to the family. If there is more than one PHA in the area in which the family has selected a unit, the PHA will choose the receiving PHA.

Restrictions on Portability [24 CFR 982.353]

Applicants: If neither the head nor spouse had a domicile (legal residence) in the PHA's jurisdiction at the date of their initial application for assistance, the family will not be permitted to exercise portability upon initial issuance of a voucher, unless the PHA approves such move.

For a portable family that was not already receiving assistance in the PHA's tenant-based program, the PHA must determine whether the family is eligible for admission under the receiving PHA's program.

Participants: The receiving PHA does not re-determine eligibility for a portable family that was already receiving assistance in the initial PHA Housing Choice Voucher Program.

For admission to the program a family must be income eligible in the area where the family initially leases a unit with assistance under the program.

After a participant has leased-up in the jurisdiction of the initial housing agency, they cannot exercise portability during the first term of assisted occupancy, except in the following circumstances.

- The family's move relates to an opportunity for education, job training or employment
- Other: Documented medical reason. Documented life-threatening emergencies

The PHA will not permit families to exercise portability:

- If the family is in violation of a family obligation.

G. INCOMING PORTABILITY [24 CFR 982.354, 982.355]

Absorption or Administration

The PHA will accept a family with a valid voucher from another jurisdiction and administer or absorb the voucher. If administering, the family will be issued a "portable" voucher by the PHA. The term of the voucher will not expire before the expiration date of the initial PHA voucher. The family must submit a request for approval of tenancy for an eligible unit to the receiving PHA during the term of the receiving PHA voucher. The receiving PHA may grant extensions in accordance with this Administrative Plan. However, if the family decides not to lease-up in the PHA's jurisdiction, they must contact the initial PHA to request an extension.

When the PHA does not absorb the incoming voucher, it will administer the initial PHA's voucher and the receiving PHA's policies will prevail.

The receiving PHA will determine the family unit size for the portable participant family and will issue a "portability voucher" in accordance with the subsidy standards of the receiving PHA.

Income and Total Tenant Payment of Incoming Portables [982.355(d)]

If the PHA conducts a recertification of the family it will not cause a delay in the issuance of a voucher.

Requests for Tenancy Approval

A briefing will be mandatory for all portability families.

If the family leases up successfully, the PHA will notify the initial PHA within ten days, and the billing process will commence.

If the PHA denies assistance to the family, the PHA will notify the initial PHA within ten days and the family will be offered a review or hearing.

When the family submits a Request for Tenancy Approval, it will be processed using the PHA's policies. If the family does not submit a Request for Tenancy Approval or does not execute a lease, the receiving PHA will notify the initial PHA if the family fails to submit a request for approval of tenancy for an eligible unit within the term of the voucher.

The PHA will notify the family of its responsibility to contact the initial PHA if the family wishes to move outside the PHA's jurisdiction under continued portability.

Regular Program Functions

The PHA will perform all program functions applicable the tenant-based assistance program, such as:

- Annual recertifications of family income and participant family composition;
- Annual inspection of the unit; and
- Interim recertifications when requested or deemed necessary by the PHA

Terminations

The PHA will notify the initial PHA in writing of any termination of assistance within twenty-one days of the termination or the hearing decision being rendered. If an informal hearing is required and requested by the family, the hearing will be conducted by the PHA. A copy of the hearing decision will be furnished to the initial PHA.

The initial PHA will be responsible for collecting amounts owed by the family for claims paid and for monitoring repayment. If the initial PHA notifies the PHA that the family is in arrears or the family has refused to sign a payment agreement, the PHA will terminate assistance to the family.

Required Documents

As receiving PHA, the PHA will require the documents listed on the HUD Portability Billing Form 52665 from the initial PHA.

Billing Procedures

The receiving PHA, will bill the initial PHA monthly for housing assistance payments if the family has not been absorbed. The billing cycle for other amounts, including administrative fees and special claims, will be monthly unless requested otherwise by the initial PHA.

The PHA will bill 100% of the housing assistance payment, (100% of special claims) and 80% of the administrative fee (at the initial PHA's rate) for each "portability" voucher leased as of the first day of the month.

The PHA will notify the initial PHA of changes in subsidy amounts and will expect the initial PHA to notify the PHA of changes in the administrative fee amount to be billed.

Chapter 14

CONTRACT TERMINATIONS

[24 CFR 982.311, 982.314]

INTRODUCTION

The Housing Assistance Payments (HAP) contract is the contract between the owner and the PHA that defines the responsibilities of both parties. This chapter describes the circumstances under which the contract can be terminated by the PHA and the owner, and the policies and procedures for such terminations.

A. CONTRACT TERMINATION [24 CFR 982.311]

The term of the HAP contract is the same as the term of the lease. The contract between the owner and the PHA may be terminated by the PHA, or by the owner or by the tenant terminating the lease.

No future subsidy payments on behalf of the family will be made by the PHA to the owner after the month in which the contract is terminated. The owner must reimburse the PHA for any subsidies paid by the PHA for any period after the contract termination date.

If the family continues to occupy the unit after the Housing Choice Voucher contract is terminated, the family is responsible for the total amount of rent due to the owner. The owner will have no right to claim compensation from the PHA for vacancy loss under the provisions of certificate HAP contracts effective before October 1st, 1996, with the exception of Mod Rehab and Project-Based units which may claim compensation for vacancy loss.

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease-up in another unit. The contract for the new unit may begin during the month in which the family moved from the old unit.

B. TERMINATION BY THE FAMILY [24 CFR 982.314(c)(2)]

Family termination of the lease must be in accordance with the terms of the lease. Families are required to notify the PHA before they move out of a unit and to give the PHA information about any family absence from the unit.

C. TERMINATION OF TENANCY BY THE OWNER: EVICTIONS [24 CFR 982.310, 982.455]

If the owner wishes to terminate the lease, the owner must provide proper notice as stated in the lease.

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action. The notice may be included in, or may be combined with, any owner eviction notice to the tenant. The owner eviction notice means a notice to vacate, or a complaint, or other initial pleading used under State or local law to commence an eviction action.

During the term of the lease, the owner may not terminate the tenancy except for the grounds stated in the HUD regulations and State/local law. The owner must provide the PHA with a copy of the eviction notice.

During the term of the lease the owner may evict for:

- Serious or repeated violations of the lease, including but not limited to failure to pay rent or other amounts due under the lease, or repeated violation of the terms and conditions of the lease;
- Violations of Federal, state or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises.
- Criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises.
- Any drug-related criminal activity on or near the premises.
- Tenant history of disturbance of neighbors, destruction of property, or behavior resulting in damage to the premises.
- Other good cause (when in accordance with federal, state, and local law)

The eviction notice must specify the cause for the eviction.

During the initial term of the lease, the owner may not terminate the tenancy for “other good cause” unless the owner is terminating the tenancy because of something the family did or failed to do (see 982.310). After the initial term of the lease, other good cause includes:

- Business or economic reason for regaining possession;
- Owner’s desire to repossess unit for personal use; or

- Tenant's refusal to accept offer of a new lease.

Evidence of Criminal Activity

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a family member if the owner determines they have engaged in the criminal activity:

- Regardless of arrest or conviction
- Without satisfying the standard of proof used for a criminal conviction

Exclusion of culpable household member

The owner may require a tenant to exclude a household member in order for the family to continue to reside in the assisted unit.

Consideration of Rehabilitation

When determining whether to terminate the tenancy for illegal drug use or alcohol abuse, the owner may consider whether the family member:

- Is no longer participating in the drug and or alcohol abuse;
- Has successfully completed a supervised drug or alcohol rehab program;
- Has otherwise been successfully rehabilitated.

The owner may require the tenant to submit evidence of any of the three (above).

Actions of termination by the owner must be consistent with the fair housing and equal opportunities as stated in 24 CFR 5.105.

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

The owner eviction notice means a notice to vacate, or a complaint, or other initial pleading used under State or local law to commence an eviction action.

Housing assistance payments are paid to the owner under the terms of the HAP contract. If the owner has begun eviction and the family continues to reside in the unit, the PHA must continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict the tenant, unless the family moves or other reasons for termination apply.

If the action is finalized in court, the owner must provide the PHA with the documentation, including notice of the lockout date.

If an eviction is not due to a serious or repeated violation of the lease, and if the PHA has no other grounds for termination of assistance, the PHA may issue a new voucher so that the family can move with continued assistance.

D. TERMINATION OF THE CONTRACT BY PHA [24 CFR 982.404(a), 982.453, 982.454, 982.552(a)(3)]

The term of the HAP contract terminates when the lease terminates, when the PHA terminates program assistance for the family, and/or when the owner has breached the HAP contract. (See "Owner Disapproval and Restriction", Chapter 16 of this Administrative Plan)

The PHA may also terminate the contract if:

The PHA terminates assistance to the family.

The family is required to move from a unit when the subsidy is too big for the family size (pre-merger certificate program) or the unit does not meet the HQS space standards because of an increase in family size or a change in family composition (pre-merger certificate and voucher programs).

Funding is no longer available under the ACC.

Family vacates without notice

The contract will terminate if 180 days have passed since the last housing assistance payment to the owner.

If the HAP contract terminates the lease terminates automatically.

Notice of Termination

FOR HQS SPACE STANDARDS: When the PHA terminates the HAP contract under the violation of HQS space standards, the PHA will provide the owner and family written notice of termination of the contract, and the HAP contract terminates at the end of the calendar month that follows the calendar month in which the PHA gives such notice to the owner.

The PHA will provide the owner and family with at least thirty days written notice of termination of the contract.

Chapter 15

DENIAL OR TERMINATION OF ASSISTANCE

[24 CFR 5.902, 5.902, 5.903, 5.905, 982.4, 982.54, 982.552, 982.553]

INTRODUCTION

The PHA may deny or terminate assistance for a family because of the family's action or failure to act. The PHA will provide families with a written description of the family obligations under the program, the grounds under which the PHA can deny or terminate assistance, and the PHA's informal hearing procedures. This chapter describes when the PHA is required to deny or terminate assistance, and the PHA's policies for the denial of a new commitment of assistance and the grounds for termination of assistance under an outstanding HAP contract.

A. GROUNDS FOR DENIAL/TERMINATION [24 CFR 982.54, 982.552, 982.553]

If denial or termination is based upon behavior resulting from a disability, the PHA will delay the denial or termination in order to determine if there is an accommodation that would negate the behavior resulting from the disability.

Denial of assistance for an applicant may include (but is not limited to) any or all of the following:

- Denial for placement on the PHA waiting list
- Denying or withdrawing a voucher
- Refusing to enter into a HAP contract or approve a lease
- Refusing to process or provide assistance under portability procedures

Termination of assistance for a participant may include (but is not limited to) any or all of the following:

- Refusing to or failure to enter into a HAP contract or approve a lease
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures

Mandatory Denial and Termination [24 CFR 982.54 (d), 982.552(b), 982.553(a), 982.553(b)]

The PHA must terminate assistance for participants if the family is under contract and 180 days (or 12 months, depending on the HAP contract used) have elapsed since the PHA's last housing assistance payment was made. (See "Contract Terminations" chapter 19 of this Administrative Plan.)

The PHA must permanently deny assistance to applicants, and terminate the assistance of persons convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing.

The PHA must deny admission to the program for applicants, and terminate assistance for program participants if the PHA determines that any household member is currently engaging in illegal use of a drug. See section B of this chapter for the PHA's established standards.

The PHA must deny admission to the program for applicants, and terminate assistance for program participants if the PHA determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. See Section B of this chapter for the PHA's established standards.

The PHA must deny admission to an applicant if the PHA determines that any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. See section B of this chapter for the PHA's established standards regarding criminal background investigation and determining whether a member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

The PHA must terminate program assistance for a family evicted from housing assisted under the program for serious violation of the lease.

The PHA must deny admission to the program for an applicant or terminate program assistance for a participant if any member of the family fails to sign and submit consent forms for obtaining information in accordance with CFR Part 5, subparts B and F.

The PHA must deny admission or terminate assistance when required under the regulations to establish citizenship or eligible immigration status.

Grounds for Denial or Termination of Assistance [24 CFR 982.552(c)]

The PHA may deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following reasons:

- If any family member violates any family obligation under the program as listed in 24 CFR 982.551.
- If any family member has violated the family obligation under 24 CFR 982.551 not to engage in any drug-related criminal activity.

- If any family member has violated the family obligation under 24 CFR 982.551 not to engage in any violent criminal activity.
- If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- The family pays an amount for rent to the owner not approved by the Housing Authority.
- The family breaches an agreement with SHRA or another PHA to repay amounts owed. The PHA at its discretion may offer the family the opportunity to enter into a repayment agreement. The PHA will prescribe the terms of the agreement. (See "Repayment Agreements", Chapter 18).
- The family has engaged in or threatened abusive or violent behavior toward PHA personnel. Threatening, abusive or violent behavior towards PHA personnel, contractors, customers or the premises. includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial. "Threatening" refers to oral or written threats or physical gestures that communicate the intent to abuse or commit violence.
- Physical abuse or violence will always be cause for termination.
- If any member of the family engages in, or has engaged in drug or alcohol abuse that interferes with the health, safety or peaceful enjoyment of other residents. See section B of this chapter.
- If any member of the family commits drug-related criminal activity, or violent criminal activity. (See Section B of this chapter and 982.553 of the regulations)
- If the entire family is absent from the assisted unit for more than 30 consecutive days, the unit will be considered to be vacated and the assistance will be terminated.

Refer to "Eligibility for Admission", Chapter 2 of this Administrative Plan, for further information.

Notice of Termination of Assistance

In any case where the PHA decides to terminate assistance to the family, the PHA must give the family written notice which states:

- The reason(s) for the proposed termination.
- The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.
- The date by which a request for an informal hearing must be received by the PHA.

If the PHA proposes to terminate assistance for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the tenant with a copy of the criminal record.

The PHA will provide written notice of the contract termination to the owner so that it will coincide with the Termination of Assistance. The Notice to the owner will not include any details regarding the reason for termination of assistance.

Confidentiality of Criminal Records

The PHA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

All criminal reports, while needed by staff for screening for criminal behavior, will be housed in a locked file with access restricted to individuals responsible for such screening.

Misuse of the above information by any employee will be grounds for termination of employment. Penalties for misuse are contained in Personnel Policies.

If the family is determined eligible for initial or continued assistance, the PHA's copy of the criminal report shall be shredded as soon as the information is no longer needed for eligibility or continued assistance determination.

If the family's assistance is denied or terminated, the criminal record information shall be shredded immediately upon completion of the review or hearing procedures and a final decision has been made.

The PHA will document in the family's file that the family was denied admission or the tenancy was terminated due to findings in the Criminal History Report.

B. SCREENING AND TERMINATION FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

Purpose

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of the PHA to fully endorse and implement a policy designed to:

- Help create and maintain a safe and drug-free community
- Keep our program participants free from threats to their personal and family safety

Administration

All screening and termination of assistance procedures shall be administered fairly and in such a way as not to violate rights to privacy or discriminate on the basis of race, color, nationality, religion, familial status, disability, sex, or other legally protected groups.

The privacy policy will be posted on the bulletin boards of the PHA's area management offices (including 701 12th street) and copies will be made readily available to applicants upon request. To the maximum extent possible, the PHA will encourage other community and governmental entities in the promotion and enforcement of this policy.

Screening of Applicants

Criminal Background screening will apply to any member of the household who is 18 years of age or older, or an emancipated minor.

Disclosure of Criminal Records to the Family

If the PHA takes any adverse action based on a criminal conviction record, the applicant or participant will be provided with a copy of the criminal record and an opportunity to dispute the record.

Applicants will be provided an opportunity to dispute the record at an informal review.

Standard for Violation

The PHA will deny participation in the program to applicants where the PHA determines there is reasonable cause to believe that the person is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where the PHA determines that there is a pattern of illegal use of controlled substances or a pattern of alcohol abuse.

The PHA will consider the illegal use of a controlled substance or alcohol abuse to be a pattern if there is more than one arrest or conviction, during the previous 18 months.

"Engaged in or engaging in" violent criminal activity means any act within the past 5 years by an applicant or participant or household member which involved criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage, which resulted in the arrest and/or conviction of the applicant, participant, or household member.

In evaluating evidence of negative past behavior, the PHA will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation.

Applicants will be denied assistance if they have been convicted of violent criminal activity within the last 5 years prior to the date of the certification interview.

If an applicant is denied admission to the program for the reasons detailed in this section, the applicant retains the right to appeal. (See "Complaints and Appeals", Chapter 19 of this Administrative Plan)

Denial of Assistance for Sex Offenders

The PHA will deny admission or continued assistance if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In screening applicants, the PHA will perform criminal history background checks to determine whether any household member is subject to a lifetime sex offender registration requirement.

Denial and Termination of Assistance for Drug-related Criminal Activity or Violent Criminal Activity

Denial: Persons evicted from federally assisted housing because of drug-related criminal activity are ineligible for admission to the Section 8 program for a 5 year period beginning on the date of such eviction.

However, the household may be admitted if, after considering the individual circumstances of the household, the PHA determines that:

- The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA.
- The circumstances leading to eviction no longer exist because the criminal household member has died or is imprisoned.

Termination: Under the family obligations listed at 24 CFR 982.551, the members of the household must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. HUD regulations at 24 CFR 982.553(b) requires the PHA to establish standards for termination of assistance when this family obligation is violated. The PHA has established the following standards for termination of assistance for the family when a household

member has violated the family obligation to refrain from participating in drug-related or violent criminal activity.

The PHA may waive the requirement regarding drug-related criminal activity if:

- The person demonstrates successful completion of a credible rehabilitation program approved by the PHA, or
- In appropriate cases, the PHA may permit the family to continue receiving assistance provided that family members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, the PHA may consider individual circumstances with the advice of Juvenile Court officials.

Terminating Assistance for Alcohol Abuse by Household Members Under the family obligations listed at 24 CFR 982.551, the members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. Assistance will be terminated due to violation of a family obligation if the PHA determines that a member of the household has demonstrated a pattern of alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

C. FAMILY OBLIGATIONS [24 CFR 982.551]

The family must supply any information that the PHA or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status (as provided by 24 CFR 982.551). "Information" includes any requested certification, release or other documentation. .

The family must disclose and verify Social Security Numbers (as provided by 24 CFR 5.216) and must sign and submit consent forms for obtaining information in accordance with 24 CFR 5.230.

All information supplied by the family must be true and complete.

The family is responsible for an HQS breach caused by the family as described in 982.404(b).

The family must allow the PHA to inspect the unit at reasonable times and after reasonable notice.

The family may not commit any serious or repeated violations of the lease.

The family must notify the owner and, at the same time, notify the PHA before the family moves out of the unit or terminates the lease-upon notice to the owner.

The family must promptly give the PHA a copy of any owner eviction notice.

The family must use the assisted unit for residence by the family. The unit must be the family's only residence.

The PHA must approve the composition of the assisted family residing in the unit. The family must promptly inform the PHA of the birth, adoption or court-awarded custody of a child. The family must request PHA approval to add any other family member as an occupant of the unit.

The family must promptly notify the PHA if any family member no longer resides in the unit.

If the PHA has given approval, a foster child or a live-in aide may reside in the unit. If the family does not request approval or PHA approval is denied, the family may not allow a foster child or live-in aide to reside with the assisted family.

Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit as a residence by members of the family.

The family must not sublease or let the unit.

The family must not assign the lease or transfer the unit.

The family must supply any information or certification requested by the PHA to verify that the family is living in the unit, or relating to family absence from the unit, including any PHA-requested information or certification on the purposes of family absences. The family must cooperate with the PHA for this purpose. The family must promptly notify the PHA of absence from the unit.

The family must not own or have any interest in the unit.

The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with any Federal housing program.

The household members and/or guests may not engage in drug-related criminal activity or violent criminal activity, nor may they engage in any criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. The members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. An assisted family, or members of the family, may not receive assistance through the Housing Choice Voucher Program while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance program.

Public Housing Authority Discretion [24 CFR 982.552(c)]

In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the PHA has discretion to consider all of the circumstances in each case,

including the seriousness of the case. The PHA will use its discretion in reviewing the extent of participation or culpability of individual family members and the length of time since the violation occurred. The PHA may also review the family's more recent history and record of compliance, and the effects that denial or termination of assistance may have on other family members who were not involved in the action or failure to act.

The PHA may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in, or were culpable for the action or failure to act, will not reside in the unit. The PHA may permit the other members of a family to continue in the program.

Enforcing Family Obligations

Explanations and Terms

The term "promptly" when used with the family obligations always means "within 30 days." Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

HQS Breach

The Field/Housing Specialist will determine if an HQS breach as identified in 24 CFR 982.404 (b) is the responsibility of the family. Families may be given extensions to cure HQS breaches by the Principal Analyst.

Lease Violations

The following criteria will be used to decide if a serious or repeated violation of the lease will result in termination of assistance:

- If the owner terminates tenancy for serious or repeated violations of the lease.
- If there are police reports, neighborhood complaints or other third party information, that has been verified by the PHA.
- Nonpayment of rent is considered a serious violation of the lease.

Family Member Moves Out

Families are required to notify the PHA if any family member leaves the assisted household. When the family notifies the PHA, they must furnish the following information:

- The date the family member moved out.
- The new address, if known, of the family member.
- A statement as to whether the family member is temporarily or permanently absent.

Limitation on Profit-Making Activity in Unit

If the PHA determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a program violation.

If the PHA determines the business is not legal, it will be considered a program violation.

Interest in Unit

The owner may not reside in the assisted unit regardless of whether (s)he is a member of the assisted family, unless the family owns the mobile home and rents the pad, excluding shared housing; unless the client is a participant in the Homeownership Program.

In determining fraud, the PHA will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent members.

D. PROCEDURES FOR NON-CITIZENS [24 CFR 5.514, 5.516, 5.518]

Denial or Termination due to Ineligible Immigrant Status

Applicant or participant families in which all members are neither U.S. citizens nor eligible immigrants are not eligible for assistance and must have their assistance terminated. The PHA must offer the family an opportunity for a hearing. (See "Eligibility for Admission", Chapter 3, section on Citizenship/Eligible Immigration Status.)

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

Procedure for Denial or Termination

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with the PHA either after the INS appeal or in lieu of the INS appeal.

After the PHA has made a determination of ineligibility, the family will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable).

E. ZERO (\$0) ASSISTANCE TENANCIES

HAP Contracts On or After 10/2/95 [24 CFR 982.455 (a)]

The family may remain in the unit at \$0 assistance for 180 days after the last HAP payment and then the assistance will be reviewed for continued assistance or termination. If, within the 180-day timeframe, the PHA receives notice that the family incurs a decrease in their income, which

would cause the family to be eligible for a housing assistance payment, the PHA will resume assistance payments for the family.

In order for a family to move to another unit during the 180 days of receiving zero assistance, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

F. OPTION NOT TO TERMINATE FOR MISREPRESENTATION [24 CFR 982.551, 982.552(c)]

If the family has misrepresented any facts that caused the PHA to overpay assistance, the PHA may choose not to terminate and may offer to continue assistance provided that the family executes a Repayment Agreement and makes payments in accordance with the agreement.

G. MISREPRESENTATION IN COLLUSION WITH OWNER [24 CFR 982.551, 982.552 (c)]

If the family intentionally, willingly, and knowingly commits fraud or is involved in any other illegal scheme with the owner, the PHA will deny or terminate assistance.

H. MISSED APPOINTMENTS AND DEADLINES [24 CFR 982.551, 982.552 (c)]

It is a Family Obligation to supply information, documentation, and certification as needed for the PHA to fulfill its responsibilities. The PHA schedules appointments and sets deadlines in order to obtain the required information. The Obligations also require that the family allows the PHA to inspect the unit, and appointments are made for this purpose.

An applicant or participant who fails to keep an appointment, or to supply information required by a deadline without notifying the PHA, may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow the PHA to inspect the unit.

The family will be given information about the requirement to keep appointments and the number of times appointments will be rescheduled, as specified in this Plan.

Appointments will be scheduled and time requirements will be imposed for the following events and circumstances:

- Eligibility for Admissions
- Verification Procedures
- Certificate/Voucher Issuance and Briefings

- Housing Quality Standards and Inspections
- Recertifications
- Appeals

Acceptable reasons for missing appointments or failing to provide information by deadlines are:

- Medical emergency
- Emergency, not including incarceration

Procedure when Appointments are Missed or Information Not Provided

For most purposes in this Plan, the family will be given two opportunities before being issued a notice of termination or denial for breach of a family obligation.

After issuance of the termination notice, if the family offers to correct the breach within the time allowed to request a hearing, the termination will be rescinded only after the family cures the breach.

Chapter 16

OWNER DISAPPROVAL AND RESTRICTION

[24 CFR 982.54, 982.306, 982.453]

INTRODUCTION

It is the policy of the PHA to recruit owners to participate in the Voucher program. The PHA will provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of the PHA. The regulations define when the PHA must disallow an owner participation in the program, and they provide the PHA discretion to disapprove or otherwise restrict the participation of owners in certain categories. This Chapter describes the criteria for owner disapproval and the various penalties for owner violations.

A. DISAPPROVAL OF OWNER [24 CFR 982.306, 982.54(d)(8)]

The owner does not have a right to participate in the program. For purposes of this section, “owner” includes a principal or other interested party.

The PHA will disapprove the owner for the following reasons:

- HUD or other agency directly related has informed the PHA that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.
- HUD has informed the PHA that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.
- HUD has informed the PHA that a court or administrative agency has determined that the owner has violated the Fair Housing Act or other federal equal opportunity requirements.
- Unless their lease was effective prior to the effective date of federal regulation, the owner may not be a parent, child, grandparent, grandchild, sister or brother of any family member. The PHA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.
- In cases where the owner and tenant bear the same last name, the PHA may, at its discretion, require the family and or owner to certify whether they are related to each other in any way.

- The owner has violated the terms of the housing assistance payments contract. This includes, but is not limited to, charging the tenant, or accepting from the tenant, payments in excess of the approved contract rent for rent of the contract unit (called “side payments”).
- The owner has violated any obligation under the HAP contract for the dwelling unit, including the owner’s obligations to maintain the unit to HQS, including any standards the PHA has adopted in this policy.
- The owner has committed fraud, bribery or any other corrupt act in connection with any federal housing program.
- The owner has engaged in drug trafficking.
- The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program.
- The owner has a history or practice of renting units that fail to meet State or local housing codes.
- The owner has not paid State or local real estate taxes, fines or assessments.
- The owner has failed to comply with regulations, the mortgage or note, or the regulatory agreement for projects with mortgages insured by HUD or loans made by HUD.
- The owner has engaged in or threatened abusive or violent behavior toward PHA personnel. “Abusive or violent behavior” includes verbal as well as physical epithets or other language, written or oral, that is customarily used to intimidate, may be cause for termination or denial. “Threatening” refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

Chapter 17 - Owner Or Family Debts To The PHA

Chapter 17

OWNER OR FAMILY DEBTS TO THE PHA

[24 CFR 982.552]

INTRODUCTION

This chapter describes the PHA's policies for the recovery of monies that have been overpaid for families and to owners. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the PHA's policy to meet the informational needs of owners and families, and to communicate the program rules in order to avoid owner and family debts. Before a debt is assessed against a family or owner, the file must contain documentation to support the PHA's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the owner, the family or other interested parties.

When families or owners owe money to the PHA, the PHA will make every effort to collect it. The PHA will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Civil suits
- Payment agreements
- Abatements
- Reductions in HAP to owner
- Collection agencies
- Credit bureaus
- Income tax set-off programs
- Referral to the State Attorney General of HUD
- Inspector General's Office

A. PAYMENT AGREEMENTS [24 CFR 982.552 (c)(v-vii)]

Chapter 17 - Owner Or Family Debts To The PHA

A Payment Agreement as used in this Plan is a document entered into between the PHA and a person who owes a debt to the PHA. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of payment, any special provisions of the agreement, and the remedies available to the PHA upon default of the agreement.

The PHA will prescribe the terms of the payment agreement, including determining whether to enter into a payment agreement with the owner or family based on the circumstances surrounding the debt to the PHA.

There may be some circumstances in which the PHA will not enter into a payment agreement. They are:

- If the family already has a Payment Agreement in place.
- If the PHA determines that the family committed program fraud.
- If the PHA determines that the debt, due to failure to report income, is so large that it would take more than twelve months to repay.

The maximum length of time the PHA will enter into a payment agreement is twelve months except for fraud. In the case of fraud, the family may be terminated or a payment agreement may be considered for a maximum of 60 days.

If a family wishes to relocate within Sacramento County, the tenant must have a history of keeping consistently current with their payments before they will be approved to move. Otherwise, they must pay off the remaining balance before they will be approved to move (for non-fraud issues). In the case of fraud, the tenant must have the balance paid off before moving.

If the family wishes to move outside Sacramento County, they must first pay off any debt owed to the Housing Authority.

Late Payments

A payment will be considered to be in arrears if the payment is not received by the close of the day five days after the due date.

B. DEBTS DUE TO MISREPRESENTATIONS/NON-REPORTING OF INFORMATION [24 CFR 982.163]

HUD's definition of program fraud and abuse is a single act or pattern of actions that:

Constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead, and that results in payment of Section 8 program funds in violation of Section 8 program requirements.

Chapter 17 - Owner Or Family Debts To The PHA

The Housing Authority may terminate the family for program fraud , or it may allow the family to enter into a repayment agreement.

Program Fraud

Owners or families who owe money to the PHA due to program fraud will be required to pay in accordance with the payment procedures for program fraud, below.

If an owner or family owes an amount, which equals or exceeds \$5000 as a result of program fraud, the case will be referred to the Inspector General. Where appropriate, the PHA will refer the case for criminal prosecution.

Payment Procedures for Program Fraud - Families

Families who commit program fraud or untimely reporting of increases in income may be subject to the following procedures:

- The maximum time period for a Payment Agreement will be sixty days (or 120 days if there are no allegations of fraud).
- The family be required to pre-pay ½ of the amount owed prior to or upon execution of the Payment Agreement.

Unless the PHA receives the balance of the payment agreement in full within fifteen days of the termination notice, the family's assistance will be terminated.

No move will be approved until the debt is paid in full unless the move is the result of the following causes, and the payment agreement is current:

- Family size exceeds the HQS maximum occupancy standards
- The HAP contract is terminated due to owner non-compliance or opt-out
- A natural disaster

Additional Monies Owed: If the family already has a payment agreement in place and incurs an additional debt to the PHA, the PHA will not enter into more than one payment agreement with the family.

C. PAYMENTS FOR PROGRAM FRAUD - OWNERS [24 CFR 982.453(b)]

If the PHA determines that the owner has retained housing assistance or claim payments the owner is not entitled to, the PHA may reclaim the amounts from future housing assistance or claim payments owed the owner for any units under contract.

Chapter 17 - Owner Or Family Debts To The PHA

If future housing assistance or claim payments are insufficient to reclaim the amounts owed, the PHA will:

- Require the owner to pay the amount in full within 30 days.
- Pursue collections through a collection agency.
- Restrict the owner from future participation.

D. WRITING OFF DEBTS

All debts will be referred for collection.

Debts will be written off if:

- The debtor is deceased.
- The debtor is confined to an institution indefinitely.
- The debt is less than \$100 and the debtor cannot be located.

Chapter 18

COMPLAINTS AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulation are applicable to participating families who disagree with an action, decision, or inaction of the PHA. This chapter describes the policies, procedures and standards to be used when families disagree with a PHA decision. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the PHA to ensure that all families have the benefit of all protections due to them under the law. Note HQS is defined in glossary.

A. COMPLAINTS TO THE PHA

The PHA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The PHA requires that complaints other than HQS violations be put in writing. HQS complaints may be reported by telephone.

The PHA hearing procedures will be distributed to families, in their briefing packets.

Complaints From Families

If a family disagrees with an action or inaction of the PHA or owner, the complaint will be referred to a Principal Analyst.

Complaints From Owners

If an owner disagrees with an action or inaction of the PHA or a family, complaints from owners will be referred to Principal Analyst

Complaints From Staff

If a staff person reports an owner or family either violating or not complying with program rules, the complaint will be referred to the Principal Analyst

Complaints From the General Public

Complaints or referrals from persons in the community in regard to the PHA, a family or an owner.

- Complaints from the general public will be referred to the Principal Analyst.

- If a complaint is not resolved, it will be referred to Principal Analyst.

B. PREFERENCE DENIALS

When the PHA denies a preference to an applicant, the family will be notified in writing of the specific reason for the denial and offered the opportunity for a meeting with PHA staff to discuss the reasons for the denial and to dispute the PHA's decision. The family will have ten days to request the informal review in writing.

The person who conducts the meeting will be an employee of the PHA who is at or above the level of Housing Specialist, but not the employee who made the decision.

C. INFORMAL REVIEW PROCEDURES FOR APPLICANTS [24 CFR 982.54(d)(12), 982.554]

Reviews are provided for applicants who are denied assistance before the effective date of the HAP contract. The exception is that when an applicant is denied assistance for citizenship or eligible immigrant status, the applicant is entitled to an informal hearing.

When the PHA determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

- The reason(s) they are ineligible;
- The procedure for requesting a review if the applicant does not agree with the decision, and;
- The time limit for requesting a review.

When denying admission for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the applicant with a copy of the criminal record upon which the decision to deny was based.

The PHA must provide applicants with the opportunity for an informal review of decisions denying:

- Qualification for preference
- Listing on the PHA's waiting list
- Issuance of a voucher
- Participation in the program

- Assistance under portability procedures
- Non-Citizen Eligibility

Informal reviews are not required for established policies and procedures and PHA determinations such as:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- A determination of the family unit size under the PHA subsidy standards
- Refusal to extend or suspend a voucher
- A PHA determination not to grant a request for tenancy
- Determination that unit is not in compliance with HQS
- Determination that unit is not in accordance with occupancy standards due to family size or composition

Procedure for Review

A request for an informal review must be received in writing no later than ten days from the date of the PHA's notification of denial. The informal review will be held within thirty days from the date the request is received.

The informal review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The applicant will be given the option of presenting oral or written objections to the decision. Both the PHA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

The review may be conducted by mail and/or telephone if acceptable to both parties.

A notice of the review findings will be provided in writing to the applicant within fifteen days after the review. It shall include the decision of the review, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation and a copy of the final decision will be retained in the family's file.

D. INFORMAL HEARING PROCEDURES [24 CFR 982.555(a f), 982.54(d)(13)]

When the PHA makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The PHA will give the family prompt notice of such determinations, which will include:

- The proposed action or decision of the PHA;
- The family's right to an explanation of the basis for the PHA's decision.
- The procedures for requesting a hearing if the family disputes the action or decision;
- The time limit for requesting the hearing.
- To whom the hearing request should be addressed
- A copy of the PHA's hearing procedures

The PHA must provide participants with the opportunity for an informal hearing for decisions related to any of the following PHA determinations:

- Determination of the family's annual or adjusted income and the computation of the housing assistance payment
- Appropriate utility allowance used from schedule
- Family unit size determination under PHA subsidy standards
- Determination to terminate assistance for any reason.
- Determination to terminate a family's FSS contract, withhold supportive services, or propose forfeiture of the family's escrow account.

The PHA must always provide the opportunity for an informal hearing before termination of assistance.

Informal hearings are not required for established policies and procedures and PHA determinations such as:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- Establishment of the PHA schedule of utility allowances for families in the program
- A PHA determination not to approve an extension or suspension of a voucher term

- A PHA determination not to approve a unit or lease
- A PHA determination that an assisted unit is not in compliance with HQS (PHA must provide hearing for family breach of HQS because that is a family obligation determination)
- A PHA determination that the unit is not in accordance with HQS because of the family size
- A PHA determination to exercise or not exercise any right or remedy against the owner under a HAP contract.

Procedure for Requesting an Informal Hearing for Participants

A request for an informal hearing must be received in writing no later than ten days from the date of the PHA's notification of denial. The informal hearing will be held within thirty days from the date the request is received.

If the complainant does not request a informal hearing within ten days of the date of written notice, s/he waives his/her right to a hearing, and the PHA's proposed disposition of the grievance will become final.

This section in no way constitutes a waiver of the complainant's right to contest the Authority's disposition in an appropriate judicial proceeding.

Notification of Hearing

It is the PHA's objective to resolve disputes at the lowest possible level, The PHA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the PHA receives a request for an informal hearing, a hearing shall be held within 30 days from the date the request is received. The notification of hearing will contain:

- The date and time of the hearing
- The location where the hearing will be held
- The family's right to bring evidence, witnesses, legal or other representation at the family's expense
- The right to view any documents or evidence in the possession of the PHA upon which the PHA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing. Requests for such documents or evidence must be received no later than 5 days before the hearing date.

- A notice to the family that the PHA will request a copy of any documents or evidence the family will use at the hearing. Requests for such documents or evidence must be received no later than 5 days before the hearing date.

The PHA's Hearing Process

After a hearing date is scheduled, the family may request to reschedule only upon showing "good cause," which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

Families have the right to:

- Present written or oral objections to the PHA's determination.
- Examine the documents in the file which are the basis for the PHA's action, and all documents submitted to the Hearing Officer;
- Copy any relevant documents at their expense;
- Present any information or witnesses pertinent to the issue of the hearing;
- Request that PHA staff be available or present at the hearing to answer questions pertinent to the case; and
- Be represented by legal counsel, advocate, or other designated representative at their own expense.

If the family requests copies of documents relevant to the hearing, the PHA will make the copies for the family and assess a fee assessed by the PHA. In no case will the family be allowed to remove the file from the PHA's office.

In addition to other rights contained in this Chapter, the PHA has a right to:

- Present evidence and any information pertinent to the issue of the hearing;
- Be notified if the family intends to be represented by legal counsel, advocate, or another party;
- Examine and copy any documents to be used by the family prior to the hearing;
- Have its attorney present; and
- Have staff persons and other witnesses familiar with the case present.

The informal hearing shall be conducted by the Hearing Officer appointed by the PHA who is neither the person who made or approved the decision, nor a subordinate of that person. The PHA appoints only qualified hearing officer(s).

Chapter 18 - Complaints And Appeals

The hearing shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations.

The Hearing Officer(s) may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision.

The hearing may be conducted by mail and/or telephone if acceptable to both parties.

If the family misses an appointment or deadline or is more than 15 minutes late for an appointment, they will be required to show "good cause" or the action of the PHA shall take effect and another hearing will not be granted.

The Hearing Officer(s) will determine whether the action, inaction or decision of the PHA is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the hearing findings shall be provided in writing to the PHA and the family within 14 days and shall include:

- A clear summary of the decision and reasons for the decision;
- If the decision involves money owed, the amount owed and documentation of the calculation of monies owed;
- Notice that the Code of Civil Procedure, Sect 1094.6 governs the time within which judicial review must be sought.
- The date the decision goes into effect.
- If the PHA is upheld by the hearing decision a notice of termination of subsidy will be sent effective 30 days from the date of the notice.

The PHA is not bound by hearing decisions:

- Which concern matters in which the PHA is not required to provide an opportunity for a hearing;
- Which conflict with or contradict to HUD regulations or requirements;
- Which conflict with or contradict Federal, State or local laws; or
- Which exceed the authority of the person conducting the hearing.

The PHA shall send a letter to the participant if it determines the PHA is not bound by the Hearing Officer(s)'s determination within ten days. The letter shall include the PHA's reasons for the decision.

All requests for a hearing, supporting documentation and a copy of the final decision will be retained in the family's file.

Expedited Hearing Procedures

The PHA may expedite a hearing in its sole discretion. All of the rights and obligations of the family and the PHA stated in this Chapter shall apply except as follows:

- Family will have a hearing within ten days after receipt of notice of action or inaction of the PHA;
- PHA shall provide a hearing within 30 days after receipt of family's request for a hearing; and
- The hearing officer shall provide both the family and the PHA a written decision within 14 days after the hearing.

Transcripts

Either party may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.

Agreement

The parties may agree in writing to follow a different procedure in the resolution of a grievance.

E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS" [24 CFR Part 5, Subpart E]

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the PHA hearing is pending but assistance to an applicant may be delayed pending the PHA hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the PHA notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the PHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the PHA a copy of the appeal and proof of mailing or the PHA may proceed to deny or terminate. The time period to request an appeal may be extended by the PHA for good cause.

The request for a PHA hearing must be made within ten days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within ten days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in this chapter for both applicants and participants. If the hearing officer(s) decides that the individual is not eligible, and there are no other eligible family members the PHA will:

- Deny the applicant family
- Defer termination if the family is a participant and qualifies for deferral
- Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the PHA will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

- If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.
- Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.
- Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.
- Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

F. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES [24 CFR 982.552(c)]

When applicants are denied placement on the waiting list, or the PHA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.

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Chapter 19

SPECIAL HOUSING TYPES

[24 CFR 982.601]

INTRODUCTION

The PHA will permit the use of the following special housing types in its program:

- Single Room Occupancy Housing
- Group Homes
- Congregate Housing
- Shared Housing
- Cooperative Housing
- Homeownership
- Manufactured Homes
- Project Based Assistance

A. SINGLE ROOM OCCUPANCY [24 CFR 982.602]

HUD has determined that there is a demand for SROs in this area. Therefore, a single person may reside in an SRO housing unit.

The PHA will use a separate lease and housing assistance payment contract for each assisted person residing in a SRO. [24 CFR 982.603]

SRO Rent and Housing Assistance Payment [24 CFR 982.604]

The PHA SRO payment standard is seventy-five percent of the zero bedroom payment standard schedule. For a person residing in an exception area the payment standard is seventy-five percent of the HUD-approved zero bedroom exception payment standard amount. While an assisted person resides in SRO housing, the SRO payment standard must be used to calculate the housing assistance payment.

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Utility Allowance

The utility allowance for an assisted person residing in SRO housing is 75 percent of the zero bedroom utility allowance.

Housing Quality Standards

The PHA will ensure that all SRO units approved for the program are in compliance with all of the Housing Quality Standards for SROs as regulated in 24 CFR 982.605.

B. CONGREGATE HOUSING [24 CFR 982.606]

An elderly person or a person with disabilities may reside in a congregate housing unit.

The PHA may approve a family member or live-in aide to reside with the elderly person or person with disabilities.

The PHA will approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

Congregate Housing Lease and HAP Contract [24 CFR 982.607]

For congregate housing there will be a separate lease and HAP contract for each assisted family.

Unless there is a live-in aide, the payment standard for a family that resides in a congregate housing unit is the zero-bedroom payment standard on the PHA payment standard schedule.

However, if there are two or more rooms in the unit (not including kitchen or sanitary facilities), the payment standard for a family that resides in a congregate housing unit is the one bedroom payment standard amount.

If there is a live-in aide, the live-in aide will be counted in determining the family unit size.

Housing Quality Standards

The PHA will ensure that all congregate housing units approved for the program are in compliance with all of the Housing Quality Standards for congregate housing as regulated in 24 CFR 982.609.

C. GROUP HOMES [24 CFR 982.610, 982.612]

A group home must be licensed, certified, or otherwise approved in writing by the State, or the

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State's licensing department.

An elderly person or a person with disabilities may reside in a State-approved group home. If approved by the PHA, a live-in aide may reside with a person with disabilities.

The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. Except for a live-in aide, all residents of a group home must be elderly persons or persons with disabilities.

The PHA will not approve assistance for a person to live in a group home if file documentation indicates that the person is in need of continual medical or nursing care.

No more than twelve persons may reside in a group home. This limit covers all persons who reside in the unit, including assisted and unassisted residents and any live-in aide.

Group Home Lease and HAP Contract [24 CFR 982.611]

There will be a separate HAP contract and lease for each assisted person living in a group home. For a group home the term "pro-rata portion" means that which is derived by dividing the number of persons in the assisted household by the total number of residents (assisted and unassisted) residing in the group home. The number of persons in the assisted household equals one assisted person plus any PHA-approved live-in aide.

Group Home Rent and HAP Contract [24 CFR 982.613]

The rent to owner for an assisted person may not exceed the pro-rata portion of the reasonable rent for the group home.

The reasonable rent for a group home is determined in accordance with 982.503. In determining reasonable rent the PHA will consider whether sanitary facilities, and facilities for food preparation and service, are common facilities or private.

Maximum Subsidy

Unless there is a live-in aide, the family unit size is one bedroom. If there is a live-in aide, the live-in aide will be counted in determining the family unit size.

The payment standard for a person who resides in a group home is the lower of the payment standard for the family unit size; or the pro-rata portion of the payment standard amount on the PHA payment standard schedule for the group home size.

Utility Allowance

The utility allowance for each assisted person residing in a group home is the pro-rata portion of the utility allowance for the group home unit size.

Chapter 19- Special Housing Types

Housing Quality Standards

The PHA will ensure that all group home units approved for the program are in compliance with all of the Housing Quality Standards for group homes as regulated in 24 CFR 982.614.

D. SHARED HOUSING [24 CFR 982.615]

Occupancy

The PHA may allow an assisted family may reside in shared housing. In shared housing, an assisted family may share a unit with another resident or residents of a unit. The unit may be a house or an apartment.

The PHA may also approve a live-in aide to reside with a family in order to care for a person with a disability. The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

Other persons who are assisted or not assisted under the tenant-based program may reside in a shared housing unit. The owner of a shared housing unit may reside in the unit.

A resident owner may enter into a HAP contract with the PHA. However, housing assistance may not be paid on behalf of an owner. The PHA will not approve assistance for a person or family that is related by blood or marriage to a resident owner.

There will be a separate housing assistance payment contract and lease for each assisted family residing in a shared housing unit.

Rent and HAP Contract

For shared housing, the term "pro-rata portion" means the ratio derived by dividing the number of bedrooms in the private space available for occupancy by a family by the total number of bedrooms in the unit. For example, for a family entitled to occupy three bedrooms in a five bedroom unit, the ratio would be 3/5.

The rent to owner to owner for the family may not exceed the pro-rata portion of the reasonable rent for the shared housing dwelling unit. The reasonable rent must be in accordance with the guidelines set in the "Owner Rents, Rent Reasonableness, and Payment Standards", Chapter 11 of this Administrative Plan.

Maximum Subsidy

For a family that resides in a shared housing unit the payment standard is the lower of the payment standard amount on the PHA payment standard schedule for the family unit size or the

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pro-rata portion of the payment standard amount on the PHA payment standard for the shared housing unit size.

If the PHA approves a live-in aide, the live-in aide will be counted in determining the family unit size.

Utility Allowance

The utility allowance for an assisted family living in shared housing is the pro-rata portion of the utility allowance for the shared housing unit.

Housing Quality Standards

The PHA will ensure that all shared housing units approved for the program are in compliance with all of the Housing Quality Standards for shared housing as regulated in 24 CFR 982.618.

E. COOPERATIVE HOUSING [24 CFR 982.619]

The PHA will approve a family living in cooperative housing if it is determined that assistance under the program will help maintain affordability of the cooperative unit for low-income families. The PHA will not approve assistance for a family in cooperative housing until the PHA has also determined that the cooperative has adopted requirements to maintain continued affordability for low-income families after transfer of a cooperative member's interest in a cooperative unit (such as a sale of the resident's share in a cooperative corporation).

The reasonable rent in cooperative housing is determined in accordance with "Owner Rents, Rent Reasonableness, and Payment Standards", Chapter 11 of this Administrative Plan. For cooperative housing, the rent to owner is the monthly carrying charge under the occupancy agreement/lease between the member and the cooperative.

The carrying charge consists of the amount assessed to the member by the cooperative for occupancy of the housing. It includes the member's share of the cooperative's debt service, operating expenses, and necessary payments to cooperative reserve funds. However, the carrying charge does not include down payments or other payments to purchase the cooperative unit, or to amortize a loan to the family for this purpose. Gross rent is the carrying charge plus any utility.

For a cooperative, rent adjustments are applied to the carrying charge as determined in "Owner Rents, Rent Reasonableness, and Payment Standards", Chapter 11 of this Administrative Plan.

The lease and other appropriate documents will stipulate that the monthly carrying charge is subject to Housing Choice Voucher Program limitations on rent to owner. The housing assistance payment will be determined in accordance with the guidelines in "Owner Rents, Rent Reasonableness, and Payment Standards", Chapter 11 of this Administrative Plan.

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The PHA may approve a live-in aide to reside with the family to care for a person with disabilities. The PHA will approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. If the PHA approves a live-in aide, the live-in aide will be counted when determining the family unit size.

Housing Quality Standards

The PHA will ensure that all cooperative housing units approved for the program are in compliance with all of the Housing Quality Standards outlined in "Housing Quality Standards and Inspections", Chapter 10 of this Administrative Plan, and regulated by 24 CFR 982.401.

F. MANUFACTURED HOMES [24 CFR 982.620]

The PHA will permit a family to lease a manufactured home and space with assistance under the program. The PHA will provide assistance for a family that owns the manufactured home and leases only the space.

The PHA may approve a live-in aide to reside with a family to care for a person with disabilities. The PHA will approve a live-in aide if needed as a reasonable accommodation so that the program is accessible to and usable by persons with disabilities. If the PHA approves a live-in aide, the live-in aide must be counted when determining the family unit size.

Housing Quality Standards [24 CFR 982.621]

A manufactured home must meet all the HQS requirements outlined in the "Housing Quality Standards and Inspections", Chapter 10 of this Administrative Plan, and regulated by 24 CFR 982.401. In addition the manufactured home also must meet the following requirements:

A manufactured home must be placed on the site in a stable manner, and must be free from hazards such as sliding or wind damage.

A manufactured home must be securely anchored by a tie-down device that distributes and transfers the loads imposed by the unit to appropriate ground anchors to resist wind overturning and sliding.

Manufactured Home Space Rental [24 CFR 982.622]

Rent to owner for a manufactured home space will include payment for maintenance services that the owner must provide to the tenant under the lease for the space.

Rent to owner does not include the cost of utilities and trash collection for the manufactured home. However, the owner may charge the family a separate fee for the cost of utilities or trash collection provided by the owner.

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Reasonable Rent

During the assisted tenancy, the rent to owner for the manufactured home space may not exceed a reasonable rent as determined by the PHA.

The PHA will not approve a lease for a manufactured home space until the PHA has determined that the initial rent to owner for the space is a reasonable rent. At least annually during the assisted tenancy, the PHA will redetermine that the rent is reasonable.

The PHA will determine whether the rent to owner for a manufactured home space is a reasonable rent in comparison to rents for other comparable manufactured home spaces. The PHA will consider the size and location of the space and any services and maintenance provided by the owner in accordance with the lease.

By accepting each monthly housing assistance payment from the PHA, the owner of the manufactured home space certifies that the rent to owner for the space is not more than rent charged by the owner for unassisted rental of comparable spaces in the same manufactured home park or elsewhere. If requested by the PHA, the owner must provide the PHA information on rents for other manufactured home space.

Housing Assistance Payments for Manufactured Home Space [24 CFR 982.623]

The FMR for a manufactured home space will be determined by HUD.

HAP for the Voucher Tenancy

There is a separate FMR for a family renting a manufactured home space. The payment standard is used to calculate the monthly housing assistance payment for a family. The FMR for rental of a manufactured home space is generally forty percent of the published FMR for a two-bedroom unit.

Subsidy Calculation for the Voucher Program

During the term of a voucher tenancy, the amount of the monthly housing assistance payment for a family will equal the lesser of:

The payment standard minus the total tenant payment; or

The rent paid for rental of the real property on which the manufactured home owned by the family is located (the space rent) minus the total tenant payment.

The space rent is the sum of the following as determined by the PHA:

- Rent to owner for the manufactured home space;
- Owner maintenance and management charges for the space;

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- The utility allowance for tenant paid utilities.

Utility Allowance Schedule for Manufactured Home Space Rental [24 CFR 982.624]

The PHA will establish utility allowances for manufactured home space rental. For the first twelve months of the initial lease term only, the allowances will include a reasonable amount for utility hook-up charges payable by the family, if the family actually incurs the expenses because of a move.

Allowances for utility hook-up charges do not apply to a family that leases a manufactured home space in place.

Utility allowances for manufactured home space will not be applied to cover the costs of digging a well or installation of a septic system.

G. HOMEOWNERSHIP [24 CFR 982.625] to [24CFR982.643]

Overview

The Section 8 Housing Choice Voucher program permits eligible participants in the Housing Choice Voucher program, including participants with portable vouchers, the option of purchasing a home with their voucher assistance rather than renting.

Eligible families will be current Housing Choice Voucher participants. Public Housing residents are also eligible as long as applicable transfer requirements between the Public Housing program and Housing Choice Voucher program are met and vouchers are available. The Housing Choice Voucher Homeownership Program can only be offered to those eligible for the voucher program.

In addition, families can have no outstanding debt to the PHA or other Public Housing Authority, and must have successfully completed a certified homebuyer training program provided by a recognized HUD homeowner-counseling agency.

Limitation

The homeownership program is limited to five percent 5% of the total Housing Choice Voucher program administered by the PHA in any fiscal year, provided that elderly or disabled families shall not be subject to the five percent annual limitation. In addition, no more than 20 percent of the total number of voucher units funded shall be allocated to the homeownership program at any one time. Elderly or disabled families shall not be included in the calculation of the 20 percent maximum.

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Eligible Types of Homes

The family shall have the flexibility to choose the type of housing most suitable for its particular circumstances. Housing Choice Voucher Program homeownership may be used to purchase any home within Sacramento County, or any political subdivision thereof, including new or existing single-family, condominium, planned use development, cooperative, loft/work units or manufactured homes.

Portability [CFR24.636]

The PHA will also allow portability of homeownership assistance to another jurisdiction, provided the receiving jurisdiction is administering a voucher homeownership program and is accepting new families. Public Housing residents may also be eligible as long as applicable transfer requirement between the Public Housing program and the housing choice Voucher program are met and vouchers are available.

Family Eligibility Requirements [24CFR982.627]

Participation in the Housing Choice Voucher Homeownership Program is voluntary. Each homeownership participant must meet the general requirement for admission to the Housing Choice Voucher Program as set forth in the Housing Choice Voucher Program Administrative Plan.

The Housing Choice Voucher Program family must also be eligible to participate in the PHA Homeownership Program, as follows:

1. Be a first-time Home Buyer;
2. Meet minimum income and employment duration requirements;
3. Have fully repaid any outstanding debt owned to the PHA;
4. Not defaulted on a mortgage securing debt to purchase a home under the homeownership option; and
5. Not have any member who has a present ownership interest in a residence at the commencement of homeownership assistance.

First Time Homeowner

Each Housing Choice Voucher Family must be a first-time homeowner, meaning that no member of the household has had an ownership interest in any residence during the three years preceding commencement of homeownership.

A single parent or displaced homemaker who, while married, owned a home with a spouse (or resided in a home owned by a spouse) is considered a “first time homeowner” for the purpose of

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the Housing Choice Voucher Homeownership Program. A member of a cooperative who has an existing right to purchase through the lease-purchase agreement also qualifies as a first-time homeowner.

Minimum Income Requirement

At the time the family begins receiving homeownership assistance, the head of household, spouse, and/or other adult household members who will own the home, must have gross annual income of at least equal to the federal minimum hourly wage multiplied by 2,000 hours.

For the purposes of the Housing Choice Voucher (Section 8) Homeownership Program only, the PHA will disregard any “welfare assistance” income in determining whether the family meets the minimum income requirement. Welfare assistance includes assistance from Temporary Assistance for needy Families (TANF); Supplemental Security Income (SSI) that is subject to an income eligibility test; food stamps; general assistance; or other welfare assistance specified by HUD. The disregard of welfare assistance income under this section affects the determination of minimum monthly income in determining initial qualification for the homeownership program.

The determination of income-eligibility for admission to the Housing Choice Voucher program, calculation of the family’s total tenant payment, or calculation of the amount of homeownership assistance payments is not affected by this income disregard.

Employment History

Each family must demonstrate that one or more adult members of the family who will own the home at commencement of homeownership assistance is employed full-time an average of 30 hours per week and has been so continuously employed for one year prior to execution of the sales agreement. One thirty-day break in service during the twelve-month period shall be allowed.

Repayment of Any PHA Debts

Participants in the Housing Choice Voucher Program shall be ineligible for participation in the Housing Choice Voucher Home Ownership Program in the event any debt or portion of debt remains owed to THE PHA or any other Public Housing Authority.

Prior Mortgage Defaults

If the head of household, spouse, or other adult household member who will execute the contract of sale, mortgage, or other loan documents has previously defaulted on a mortgage obtained through the Housing Choice Voucher Homeownership Program, the family will be ineligible to participate in the homeownership program. Default shall be declared when an adult household member does not fulfill his/her mortgage obligations(s) in a timely manner and vacates the premises without making suitable arrangements with the lender(s) and the PHA.

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Elderly and Disabled Households

Elderly and disabled families are exempt from continuous employment requirements. Also, the PHA will consider all forms of income in determining where they meet minimum income requirements for participation in the Housing Choice Voucher Homeownership Program.

Family Participation Requirements

Once a family is determined to be eligible to participate in the program, it must comply with the following additional requirements:

1. Complete a home ownership-counseling program approved by the PHA prior to issuance of a home ownership voucher.
2. Locate the home it proposes to purchase within a specified time frame;
3. Submit a sales agreement containing specific components to the PHA for approval; Allow the PHA to inspect the proposed home ownership dwelling to assure that the dwelling meets appropriate housing quality standards;
4. Obtain an independent inspection covering major building systems;
5. Obtain PHA approval of the proposed mortgage; and
6. Enter into a written agreement with the PHA to comply with all of its obligations under the Housing Choice Voucher Program, including the Homeownership Option.
7. Use a real estate professional

Homeownership Counseling Program

A family's participation in the home ownership program is conditioned on the family attending and successfully completing a homeownership and housing counseling program approved by the PHA prior to commencement of home ownership assistance.

The homeownership and counseling program will cover home maintenance; budgeting and money management; credit counseling; negotiating purchase price; securing mortgage financing while avoiding predatory lenders; finding a home; fair housing issues; and the advantages of purchasing and locating homes in areas that do not have a high concentration of low-income families.

The PHA may require families to participate in a PHA-approved homeownership-counseling program on an ongoing basis.

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Locating and Purchasing a Home

A Homeownership Program Voucher will be issued when the family has met all eligibility requirements, including completing the approved homeownership counseling program and pre-approval of a mortgage loan from a lender. From the time the homeownership voucher is issued, the family will have six months to locate a home to purchase. A home shall be considered if the family submits a proposed sales agreement with the requisite components to the PHA. If a suitable home to purchase is not located within six months, the voucher shall expire. If the family had entered into a contract to purchase but the renovation or construction is not complete with the six month period, the voucher will be extended by the length of time necessary to compensate for any such construction delay that is beyond the control of the participant.

The family may convert their Homeownership voucher to a rental voucher at any time during the original six-month period provided the family had a rental voucher previously. If the family was a Public Housing resident the family will not receive a rental voucher but may choose to remain a resident of Public Housing.

Homeownership Voucher holders and Public Housing residents whose assistance expires must wait a year before reapplying for the Homeownership program.

Type of Home

The family approved for the housing choice voucher homeownership assistance may purchase any of the following types of homes anywhere within Sacramento County or any incorporated area therein. A new or existing single family or condominium home, including a home in a planned use development, a cooperative, a loft or live/work unit, or a manufactured home to be situated on a privately owned lot or on a leased pad in a mobile home park. The home must already exist or be under construction at the time the family commits to purchasing the unit.

The family may also purchase a home in a jurisdiction located outside the boundaries of Sacramento County, provided the Public Housing Authority in the receiving jurisdiction operates a Housing Choice Voucher Homeownership Program for which the homeownership applicant qualifies or authorizes the PHA to administer the homeownership assistance in their jurisdiction. Also provided that the receiving PHA is accepting applications. In the former case, a family's participation in the Housing Choice Voucher program will be subject to the Housing Choice Voucher Homeownership program and policies of the receiving jurisdiction.

Purchasing a Home

Once a homeownership voucher is issued, the family shall have up to six months to purchase a home. The homeownership voucher expires if not utilized within the required time frame, unless there is unforeseen construction delay that is not the responsibility of the family.

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Lease-Purchase

Families may enter into lease-purchase agreements while receiving Housing Choice Voucher assistance. All requirements of the Housing Choice Voucher Program apply to lease-purchase agreements, except that families are permitted to pay an extra amount out-of-pocket to the owner for purchase related expenses – a homeownership premium. Any homeownership premium, defined as an increment of value attributable to the value of the lease-purchase right or agreement, is excluded from PHA rent reasonableness and subsidy calculation, and must be absorbed by the family. When a lease-purchase participant family is ready to exercise their option, they must apply for the homeownership option. If determined eligible for homeownership assistance, the family may be admitted to the homeownership program and must meet all the requirements of these policies. Such families may be allowed to "fast track" their counseling requirement in light of their more abbreviated home search.

Sales Agreement

Prior to execution of the offer to purchase or sales agreement, the family must provide the financing terms to the PHA for approval. The sales agreement must provide for inspection by the PHA and the required independent inspection, and that the purchaser is not obligated to purchase unless such inspections are satisfactory to the PHA. The contract must provide for at least a one year home warranty. The contract must also provide that the purchaser is not obligated to pay for any necessary repairs without approval of the PHA and that the purchaser is not obligated to purchase if the mortgage finance terms are not approved by the PHA. It must also contain a seller certification that the seller is not disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

Required Inspections

To assure that the home complies with the housing quality standards of the Housing Choice Voucher Program; homeownership assistance payments may not commence until the PHA first inspects the home. The PHA inspection shall be the initial response to receipt of a sales agreement.

An independent inspection of existing homes covering major building systems also must be completed by a professional selected by the family and approved by the PHA. The independent inspection report must be provided for the PHA. The PHA may disapprove the unit due to information contained in the report or for failure to meet housing quality standards.

Financing Requirements

The proposed financing terms must be submitted to and approved by the PHA prior to close of escrow. Balloon payments and loans with predatory practices will not be approved.

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Requests to obtain financing for a Home Equity loan will not be approved by the PHA.

The PHA will only approve a request to refinance for the following reasons:

1. To allow the homeowner to take advantage of a lower interest rate.
2. To allow the homeowner to make necessary major repairs. The amount of cash out to make the repair shall not exceed 2% of the initial loan amount.

Compliance with Family Obligations

A family must agree in writing to comply with all family obligations under the Housing Choice Voucher program and the PHA homeownership policies. The obligations include:

1. Any information the family supplies must be true and correct.
2. The family must disclose and verify social security numbers and employer identification numbers, sign and submit consent forms for obtaining information and supply any other information that the PHA or HUD determines to be necessary
3. Submit PHA required reports on the family's progress in finding and purchasing a home.
4. Attend and satisfactorily complete any PHA-required homeownership and housing counseling.
5. Select and pay for a pre-purchase inspection by an independent professional inspector.
6. Enter into a contract of sale with the seller of the unit and promptly provide a copy of the contract of sale to the PHA.
7. Obtain and maintain flood insurance for homes in special flood hazard areas.
8. Comply with the terms of any mortgage securing debt incurred to purchase the home.
9. Promptly notify the PHA in writing when 1) the family moves away from the home for an extended period of time in accordance with PHA policies, and 2) before the family moves out.
10. Only use the assisted home for residence by the PHA approved family members, live-in aide or foster child.
11. Promptly notify the PHA in writing of the birth, adoption, or court awarded custody of a child, and request PHA written approval to add any other family member as an

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occupant of the home. Promptly notify the PHA in writing if any family member no longer lives in the home.

12. Supply any information as required by the PHA or HUD concerning any (1) mortgage or other debt and information on any satisfaction or payment of the mortgage debt; (2) any sale or other transfer of any interest in the home; or (3) the family' homeownership expenses.
13. Promptly notify the PHA in writing if the family defaults on a mortgage securing any debt incurred to purchase the home.
14. Not commit fraud, bribery or any other corrupt or criminal act in connection with any Federal housing program not engage in drug-related criminal activity or violent criminal activity.
15. Not lease, let transfer or convey the home except to grant a mortgage on the home for debt incurred to finance purchase of the home.
16. Not receive homeownership voucher program assistance while receiving another housing subsidy for the same home or a different unit under any Federal, State or local housing assistance program.
17. Comply with any additional PHA requirements for family search and purchase of a home and continuation of homeownership assistance for the family.

Amount of Assistance

The amount of the monthly assistance payment will be based on three factors:

1. The voucher payment standard for which the family is eligible;
2. The monthly homeownership expense; and
3. The family's household income

The PHA will pay the lower of either the payment standard minus the family contribution (TFC) or the family's monthly homeownership expenses minus the TFC. The Housing Choice Voucher family will pay the difference.

Determining the Payment Standard

The voucher payment standard is the fixed amount the PHA annually establishes as the "fair market" rent for a unit of a particular size located within the PHA jurisdiction. In the homeownership program, the initial payment standard will be the lower of either 1) the payment standard for which the family is eligible based on family size; or 2) the payment standard which is applicable to the size of the home the family decides to purchase.

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The payment standard for subsequent years will be based on the higher of (1) the payment standard in effect at the commencement of the homeownership assistance; or 2) the payment standard in effect at the most recent regular reexamination of the family's income and size. The initial payment standard, for purposes of comparison, shall not be adjusted even if there is a subsequent decrease in family size. The PHA will request HUD approval of a higher payment standard where warranted as a reasonable accommodation for a family that includes a person with disabilities.

Determining Monthly Home Ownership Expense

Monthly homeownership expense includes all of the following: Principal and interest on the initial mortgage and any mortgage insurance premium (MIP) incurred to finance the purchase and any refinancing of such debt; real estate taxes and public assessments; homeowner's insurance; maintenance expenses per PHA allowance; costs of major repairs and replacements per PHA allowance (replacement reserves); utility allowance per PHA's schedule of utility allowances; principal and interest on mortgage debt incurred to finance major repairs. Replacements or improvements for the home including changes needed to make the home accessible; and homeowner association dues, fees or regular charges assessed, if any.

Homeownership expenses for a cooperative member may only include PHA approved amounts for the cooperative charge under the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home; principal and interest on initial debt incurred to finance purchases of cooperative membership shares and refinancing of such debt; home insurance; the allowances for maintenance expenses, major repairs and replacements and utilities; and principal and interest on debt incurred to finance major repairs, replacements, or improvements, including changes needed to make the home accessible.

Determining the Family Contribution

The TFC is that portion of the homeownership expense that the family must pay. TFC is generally 30 percent of the family's adjusted income, plus any gap between the payment standard and the actual housing cost. All family income (including public assistance) will be counted to determine the family's adjusted monthly income for purposes of determining the amount of assistance.

Payment to the Family or Lender

THE PHA will make the housing assistance payment directly to the lender. At the discretion of the Director other arrangements may be made on an emergency basis.

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Buying Another Home with Housing Choice Voucher Homeownership Assistance

The family can move to another unit under the Housing Choice Voucher Homeownership program after five years provided there is no mortgage default, no late payments and no violations of the homeownership obligations during the previous year.

The Housing Authority may deny permission to move to a new unit with continued assistance if it is determined that the Housing Authority does not have sufficient funding to provide additional assistance.

The Housing Authority will not commence housing assistance payments for occupancy of the new unit so long as any family member owns any title or other interest in the prior unit.

All initial requirements for the Housing Choice Voucher Homeownership program must be met with the exception of the requirement that the family must be a first-time homeowner.

The housing authority may require that the family complete additional counseling before and after moving to a new unit under the homeownership program.

Time limits for participation in the homeownership program applies to the cumulative time the family may receive homeownership assistance.

Grounds for Termination of Homeownership Assistance

A family's homeownership assistance may be terminated if the family fails to comply with its obligations under the Housing Choice Voucher program, PHA homeownership policies, or if the family defaults on the mortgage. If required, the family must attend and complete ongoing homeownership and housing counseling classes. The family must comply with the terms of any mortgage incurred to purchase and/or refinance the home. The family must provide the PHA with written notice of any sale or transfer of any interest in the home; any plan to move out of the home prior to the move; the family's household income and homeownership expenses on an annual basis; any notice of mortgage default received by the family; any other notices which may be required pursuant to the PHA homeownership policies. Except as otherwise provided in this section, the family may not convey or transfer the home to any entity or person other than a member of the assisted family while receiving homeownership assistance.

Homeownership assistance will only be provided while the family resides in the home. If the family moves out of the home, the PHA will not continue homeownership assistance commencing with the month after the family moves out. Neither the family nor the lender is obligated to reimburse the PHA for homeownership assistance paid for the month the family moves out.

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A participant in the Housing Choice Voucher (Section 8) Homeownership Program shall be entitled to the same termination notice and informal hearing procedures as set forth in the Administrative Plan of the Housing Choice Voucher Program.

The PHA shall enforce the least restrictive recapture provisions permitted by the U.S. Department of Housing and Urban Development (HUD).

Default and Continued Participation In Section 8 Housing Choice Voucher Program

If the family defaults on any mortgage, the PHA may permit the family to move with continued Housing Choice Voucher rental assistance, if the family demonstrates that it has:

- 1) Conveyed title to the home to HUD or its designee, as required by the lender, the PHA, or HUD; and
- 2) Moved from the home within the period established or approved by the lender, the PHA, or HUD.

Administrative Fee

For each month that homeownership assistance is paid by the PHA on behalf of the family, the PHA shall be paid the ongoing administrative fee described in 24 CFR 982.152(b).

Program Changes

The Director of Housing shall have the discretion to waive or modify any provision of the Housing Choice Voucher (Section 8) Homeownership Program or policies not governed by statute or regulation for good cause or to comply with changes in HUD regulations or directives.

Mortgage Defaults: The PHA may permit the family to move with continued homeownership assistance if the default is due to catastrophic medical reasons or to the impact of a federally declared disaster.

H. MOD REHABILITATION PROGRAM [24 CFR 882 Subpart D and E]

The Moderate Rehabilitation (Mod Rehab) Program was established through the Housing and Community Development Amendment of 1978 to bridge the gap between Section 8 Substantial Rehabilitation and Section 8 Rental Assistance and was intended to upgrade marginally deteriorated existing buildings for use as assisted rental housing. The program was repealed in 1991 and no new projects are authorized for development.

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Family Outreach

The PHA uses a combined wait list for tenant based and project based housing.

Tenant Selection

All vacant units under the HAP contract must be rented to eligible families referred by the PHA. The owner must be willing to accept applicants from the wait list to fill vacant units when they meet the owner's selection criteria, in order for the unit to continue to be eligible under the HAP contract. Owners may reject referrals from the PHA for reasons related to suitability. The owner must provide the PHA the reason for rejection of the referrals made to Mod Rehab units in writing.

The PHA is responsible for obtaining income, asset and allowance information, conducting verifications and determining tenant eligibility and rent. Applicants taken off the wait list will be requested to complete a full application to determine final eligibility. Families who's Total Tenant Payment, computed in accordance with federal regulations, exceed the current Gross Rent for the Mod Rehab for the Mod-Rehab unit will not be admitted.

If within 30 days of the owner's notification of the vacancy, the PHA is unable to refer a sufficient number of interested applicants from the wait list, the owner may advertise or solicit applicants and refer the families to the PHA for application, verifications, and eligibility determination.

Determining Unit Size

The size of the families referred to the Mod-Rehab unit will be based on the number of bedrooms available in the unit pursuant to the Subsidy Standard schedule in this plan.

When a change in family composition requires a change in bedroom size, the PHA will determine whether the unit is overcrowded or under occupied, in which case the owner must offer the family a suitable alternative unit should one be available and the family will be required to move.

If the owner does not have a suitable unit, the PHA will refer the family to other available project based assistance (Mod-Rehab or Project Based Assistance). If the family refuses to accept an appropriate available unit, the family's assistance will be terminated on the last day of the month following the month in which the family rejected the offer of an appropriate sized unit.

Statement of Family Responsibilities, and Briefing

After the family has been determined eligible, the family will be issued a Statement of Family Responsibility for participation in the Mod-Rehab Program at a briefing. Families who fail to attend two scheduled briefings without prior notification and approval from the PHA may be denied admission based on failure to complete the certification process.

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The PHA will conduct the briefing in group or individual sessions and will provide a full explanation of the following:

- Family obligations as stated in the Statement of Family Responsibility and the program regulations;
- That fact that the subsidy is tied to the unit and the family must occupy a unit rehabilitated under the program;
- The family's options under the program should the family be required to move due to an increase or decrease in family size;
- Information as to the Family Rent; and
- The schedule of Allowances for Utilities.

Lease Agreement

The owner and tenant must execute a lease agreement and provide an executed copy to the PHA.

Security Deposit Requirements

The maximum amount of security deposit that can be collected by the owner shall be the greater of one month's Total Tenant Payment or \$50.00

Housing Quality Standards and Inspections

In addition to the inspections identified in this plan, the PHA will conduct a move-out or vacate inspection at the owner's request only if the owner intends to file a claim for damages and vacancy loss.

If the owner fails to comply with housing quality standards and other obligations under the contract, the PHA will abate the housing assistance payment for that unit until the owner is in compliance. If the owner fails to meet the compliance requirements within the timeframe specified under the abatement, the assistance for that unit will be terminated.

The termination of any effected unit does not automatically terminate the entire contract. However the contract is amended to reduce the number of eligible units to exclude those units for which the owner failed to bring into compliance with the HQS contract.

Upon amendment or termination of a contract, the family may elect to stay in the unit and pay market rent; however, their rental assistance will terminate since the units does not meet HQS and was removed as an assisted unit under the contract.

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If the family was not at fault and they are eligible for continued assistance, the family may continue to receive housing assistance through the conversion of the Mod-Rehab unit to a Housing Choice Voucher. Once the termination notice has been issued, the unit will not be reinstated even if the landlord proceeds to make the repairs.

The family will be issued a voucher, which must be used in a non-Mod-Rehab project. The unit continued to count as a Mod-Rehab unit and remains under the Mod-Rehab Annual Contributions Contract (ACC), which provides for such a conversion of unit(s); no amendment to the ACC is necessary to convert to a voucher.

Contract Rent Adjustments

Contact rent adjustments are based on the published Annual Adjustment Factor (AAF). The AAF is applied to the original base rent in affect at the time of the HAP contract execution. Rent changes will be applied annually at the anniversary date of the HAP contract.

Family Moves

The Mod-Rehab Program provides project based assistance, which is tied to the unit under contract. Therefore, if a family vacates the unit, no additional assistance will be available to the family unless the family transfers to another Mod-Rehab unit with the approval of the PHA and the property owner.

All termination of lease agreement for cause must be carried out through the judicial process under the state and local law. The owner cannot terminate or refuse to renew the lease except upon the following grounds:

- Serious or repeated violation of the terms and conditions of the lease;
- Violation of applicable Federal, State or local law, or
- Other good cause.

The owner must serve a written termination of tenancy to the family, which states the date the date the tenancy will terminate.

Denial or Termination of Assistance

In accordance with 882.413 The PHA may terminate assistance to Mod-Rehab participants for the following reasons:

- Failure to comply with all provisions of the lease agreement;
- Failure to maintain tenant responsible utilities; and

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- Failure to fulfill all of its obligations under the Statement of Family Responsibility, which include the following:
 1. Providing such family income information and records as may be required in the administration of the program;
 2. Permitting inspection of its dwelling unit at reasonable times after reasonable written notice;
 3. Giving at least 30 days notice in writing to the PHA of the family's intention to vacate the unit;
 4. Cooperating with the PHA in finding another unit when the family is no longer eligible for the contract unit it occupies because of a change in family size;
 5. Not assigning the lease or subleasing the premises; and
 6. Not providing accommodations for boarders or lodgers.
 7. Engaging in drug-related criminal activity or violent criminal activity, including criminal activity by any family member.

Glossary

GLOSSARY

A. ACRONYMS USED IN SUBSIDIZED HOUSING

AAF	Annual Adjustment Factor. A factor published by HUD in the Federal Register, which is used to compute annual rent adjustment.
ACC	Annual Contributions Contract
BR	Bedroom
CDBG	Community Development Block Grant
CFR	Code of Federal Regulations. Commonly referred to as "the regulations". The CFR is the compilation of Federal rules, which are first published in the Federal Register and define and implement a statute.
CPI	Consumer Price Index. CPI is published monthly by the Department of Labor as an inflation indicator.
CR	Contract Rent
FDIC	Federal Deposit Insurance Corporation
FHA	Federal Housing Administration
FICA	Federal Insurance Contributions Act - Social Security taxes
FmHA	Farmers Home Administration
FMR	Fair Market Rent
FY	Fiscal Year
FYE	Fiscal Year End
GAO	Government Accounting Office
GFC	Gross Family Contribution. Note: Has been replaced by the term Total Tenant Payment (TTP).
GR	Gross Rent
PHA	Public Housing Authority
HAP	Housing Assistance Payment

Glossary

HAP Plan	Housing Assistance Plan
HCDA	Housing and Community Development Act
HOA	Home Ownership Assistance
HQS	Housing Quality Standards
HUD	The Department of Housing and Urban Development or its designee.
IGR	Independent Group HURRA Housing and Urban/Rural Recovery Act of 1983
IG	Inspector General
IPA	Independent Public Accountant
IRA	Individual Retirement Account
MSA	Metropolitan Statistical Area established by the U.S. Census Bureau
PBA	Project-Based Assistance
PHA	Public Housing Authority
PMSA	A Primary Metropolitan Statistical Area established by the U.S. Census Bureau
PS	Payment Standard
QC	Quality Control
RFTA	Request for Tenancy Approval
RFP	Request for Proposals
RRP	Rental Rehabilitation Program
SHRA	Sacramento Housing and Redevelopment Agency
SRO	Single Room Occupancy
SSMA	Standard Statistical Metropolitan Area. Has been replaced by MSA, Metropolitan Statistical Area.
TR	Tenant Rent
TTP	Total Tenant Payment
UA	Utility Allowance

Glossary

URP Utility Reimbursement Payment

B. GLOSSARY OF TERMS IN SUBSIDIZED HOUSING

ABATEMENT. Permanent withholding of the HAP for the duration that the assisted unit is not in compliance with Housing Quality Standards after the initial thirty day repair timeframe.

ABSORPTION. In portability, the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.

ACC RESERVE ACCOUNT (FORMERLY "PROJECT RESERVE"). Account established by HUD from amounts by which the maximum payment to the PHA under the consolidated ACC (during an PHA fiscal year) exceeds the amount actually approved and paid. This account is used as the source of additional payments for the program.

ADJUSTED INCOME. Annual income, less allowable HUD deductions.

ADMINISTRATIVE FEE. Fee paid by HUD to the PHA for administration of the program.

ADMINISTRATIVE FEE RESERVE (Formerly "Operating reserve"). Account established by PHA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMINISTRATIVE PLAN. The HUD required written policy of the PHA governing its administration of the Section 8 Certificate and Voucher program. The Administrative Plan and any revisions must be approved by the PHA's board and a copy submitted to HUD.

ADMISSION. The effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

ADULT. A Person aged 18 years or older.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A written contract between HUD and an PHA. Under the contract HUD agrees to provide funding for operation of the program, and the PHA agrees to comply with HUD requirements for the program

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.

APPLICANT (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

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"AS-PAID" STATES. States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS. (See Net Family Assets.)

ASSISTED TENANT. A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Section 8 assistance and all other 236 and 221 (d)(3) BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

BUDGET AUTHORITY. An amount authorized and appropriated by the Congress for payment to HAs under the program. For each funding increment in an PHA program, budget authority is the maximum amount that may be paid by HUD to the PHA over the ACC term of the funding increment.

CERTIFICATE. A Certificate issued by the PHA under the Section 8 Rental Assistance Program, declaring a family to be eligible for participation in this program and stating the terms and conditions for such participation.

CERTIFICATE OR VOUCHER HOLDER. A family holding a voucher or certificate with unexpired search time.

CERTIFICATE PROGRAM. Rental certificate program.

CHILDCARE EXPENSES. Amounts paid by the family for the care of minors under 13 years of age where such care is necessary to enable a family member to be employed or for a household member to further his/her education.

CO-HEAD. An individual in the household who is equally responsible for the lease with the Head of Household. (A family never has a Co-head and a Spouse and; a Co-head is never a Dependent).

CONGREGATE HOUSING. Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing

COOPERATIVE. A dwelling unit owned and or shared by a group of individuals who have individual sleeping quarters and share common facilities such as kitchen, living room and some bathrooms.

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT. (Consolidated ACC). See 24 CFR 982.151.

CONTIGUOUS MSA. In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.

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 certificate or voucher program.

Glossary

CONTRACT. (See Housing Assistance Payments Contract.)

CONTRACT AUTHORITY. The maximum annual payment by HUD to an PHA for a funding increment.

CONTRACT RENT. 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 PHA.

COVERED FAMILY. A family which receives benefits from welfare or public assistance from a state or public agency which requires, as a condition of eligibility to receive assistance, the participation of a family member in an economic self-sufficiency program.

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 18 years of age or over.

DISABILITY ASSISTANCE EXPENSE. Anticipated costs for care attendants and auxiliary apparatus for disabled family members, which enable a family member (including the disabled family member) to work.

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).
- (2) A person who has a physical, mental, or emotional impairment that:
 - (i) Is expected to be of long-continued and indefinite duration
 - (ii) Substantially impedes his or her ability to live independently
 - (iii) Is of such a 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 Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)).

DISABLED FAMILY. A family where the head or spouse meets any of the above criteria for disabled person.

DISPLACED PERSON/FAMILY. A person or family displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY. The illegal manufacture, sale, distribution, use, or

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the possession with intent to manufacture, sell distribute or use, of a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802)).

DRUG TRAFFICKING. 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)).

ECONOMIC SELF-SUFFICIENCY PROGRAM. Is any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workforce, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

ELDERLY HOUSEHOLD. A family whose head or spouse or whose sole member is at least 62 years of age; may include two or more elderly persons living together or one or more such persons living with another person who is determined to be essential to his/her care and wellbeing.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBILITY INCOME. May 10, 1984, regulations deleted Eligibility Income, per se, because Annual Income is now for eligibility determination to compare to income limits.

ELIGIBLE FAMILY (Family). A family is defined by the PHA in the administrative Plan, which is approved by HUD.

EMANCIPATED MINOR.

EMERGENCY. As any documented and verifiable situation endangering the life or health and safety of the family.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES. Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889, which exceeded 25% of the Annual Income. It is no longer used.

EXCEPTION RENT. In the certificate program an initial rent (contract rent plus any utility allowance) in excess of the published FMR. In the certificate program the exception rent is approved by HUD, or the PHA under prescribed conditions, and is used in determining the initial contract rent. In the voucher program the PHA may adopt a payment standard up to the exception rent limit approved by HUD for the PHA certificate program.

EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly or disabled families only in excess of 3% of Annual Income, which are not reimbursable from any other source.

EXTREMELY LOW-INCOME FAMILY. A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

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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. Fair market rents for existing housing are established by HUD for housing units of varying sizes (number of bedrooms) and are published in the Federal Register.

FAMILY. "Family" includes but is not limited:

- (a) An Elderly Family or Single Person as defined in 24 CFR 5.403(b),
- (b) The remaining member of a tenant family, and
- (c) A Displaced Person.
- (d) "Family" can be further defined by the PHA.

FAMILY OF VETERAN OR SERVICE PERSON. A family is a "family of veteran or service person" when:

1. The veteran or service person (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a family member at the time of death.
2. The veteran or service person, unless deceased, is living with the family or is only temporarily absent unless s/he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the family contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by a PHA to promote self-sufficiency of assisted families, including the provision of supportive services.

FAMILY SHARE. The amount calculated by subtracting the housing assistance payment from the gross rent.

FAMILY UNIT SIZE. The size of the Certificate or Voucher issued to the family based on the PHA's subsidy standards.

FEDERAL PREFERENCE. A preference under federal law for admission of applicant families that are any of the following:

- (1) Involuntarily displaced.
- (2) Living in substandard housing (including families that are homeless or living in a shelter for the homeless).

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(3) Paying more than 50 percent of family income for rent.

FEDERAL PREFERENCE HOLDER. An applicant that qualifies for a federal preference.

FMR/EXCEPTION RENT LIMIT. The section 8 existing housing fair market rent published by HUD headquarters or any exception rent. In the certificate program the initial contract rent for a dwelling unit plus any utility allowance may not exceed the FMR/exception rent limit (for the dwelling unit or for the family unit size). In the voucher program the PHA may adopt a payment standard up to the FMR/exception rent limit.

FOSTER CHILDCARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

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.

FUNDING INCREMENT. Each commitment of budget authority by HUD to an PHA under the consolidated annual contributions contract for the PHA program.

GOOD CAUSE. (In respect to missed appointments) An unavoidable conflict which seriously affects the health, safety, or welfare of the family.

GROSS FAMILY CONTRIBUTION. Changed to Total Tenant Payment.

GROSS RENT. The sum of the Contract Rent and the utility allowance. If there is no utility allowance, Contract Rent equals Gross Rent.

GROUP HOME. A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide).

HAP CONTRACT. (See Housing Assistance Payments contract.)

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HOUSING AUTHORITY. A state, country, municipality or other governmental entity or public body authorized to administer the program. The term "PHA" includes an Indian housing authority (IHA). ("PHA" and "IHA" mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. Act in which the U.S. Housing Act of 1937 (sometimes referred to as the Act) was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PAYMENT. The monthly assistance payment by an PHA. The total assistance payment consists of:

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- (1) A payment to the owner for rent to owner under the family's lease.
- (2) An additional payment to the family if the total assistance payment exceeds the rent to owner. The additional payment is called a "utility reimbursement" payment.

HOUSING ASSISTANCE PAYMENTS CONTRACT. (HAP contract). A written contract between an PHA and an owner in the form prescribed by HUD headquarters, in which the PHA agrees to make housing assistance payments to the owner on behalf of an eligible family.

HOUSING ASSISTANCE PLAN. (1) A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. (2) A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the tenant-based programs.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

HURRA. The Housing and Urban/Rural Recovery Act of 1983 legislation that resulted in most of the 1984 HUD Regulation changes to the definition of income, allowances, and rent calculations.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME. HUD passbook rate x total cash value of assets. Calculation used when assets exceed \$5,000.

IMPUTED WELFARE INCOME. The amount of annual income, not actually received by a family, as a result of a specified benefit reduction

INITIAL PHA. In portability, the term refers to both:

- (1) An PHA that originally selected a family that later decides to move out of the jurisdiction of the selecting PHA; and
- (2) An PHA that absorbed a family that later decides to move out of the jurisdiction of the absorbing PHA.

INITIAL PAYMENT STANDARD. The payment standard at the beginning of the HAP contract term.

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INITIAL RENT TO OWNER. The rent to owner at the beginning of the HAP contract term.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME FOR ELIGIBILITY. Annual Income.

INDIAN. Any person recognized as an Indian or Alaska Native by an Indian Tribe, the federal government, or any State.

INDIAN HOUSING AUTHORITY (IHA). A housing agency established either:

- (1) By exercise of the power of self-government of an Indian Tribe, independent of State law, or
- (2) By operation of State law providing specifically for housing authorities for Indians.

INTEREST REDUCTION SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

INVOLUNTARILY DISPLACED PERSON. Involuntarily Displaced Applicants are applicants who meet the HUD definition for the federal preference.

JURISDICTION. The area in which the PHA has authority under State and local law to administer the program.

LANDLORD. This term means 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.

LARGE VERY LOW INCOME FAMILY. Prior to the 1982 regulations, this meant a very low-income family, which included six or more minors. This term is no longer used.

LEASE.

- (1) 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 PHA
- (2) In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement establishes the conditions for occupancy of the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the PHA.

LEASE ADDENDUM. In the lease between the tenant and the owner, the lease language required by HUD.

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who:

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

LOCAL PREFERENCE. A preference used by the PHA to select among applicant families without regard to their federal preference status.

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. For admission to the certificate program, HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family incomes.

MANUFACTURED HOME. A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type. See 24 CFR 982.620 and 982.621.

MANUFACTURED HOME SPACE. In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See 24 CFR 982.622 to 982.624

MARKET RENT. The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. A deduction for Elderly Households only. These allowances are given when calculating adjusted income for medical expenses in excess of 3% of Annual Income.

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 with citizens and eligible immigration status and without citizens and eligible immigration status as defined in 24 CFR 5.504(b)(3)

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances or Adjusted Income.

MONTHLY INCOME. 1/12 of the Annual Income.

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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.

NEGATIVE RENT. Now called Utility Reimbursement. A negative Tenant Rent results in a Utility Reimbursement Payment (URP).

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.

NET FAMILY CONTRIBUTION. Former name for Tenant Rent.

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

OCCUPANCY STANDARDS. Now referred to as Subsidy Standards. Standards established by an PHA to determine the appropriate number of bedrooms for families of different sizes and compositions.

OWNER. Any persons or entity having the legal right to lease or sublease a unit to a participant.

PARTICIPANT. A family that has been admitted to the PHA's certificate program or voucher program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (First day of initial lease term).

PAYMENT STANDARD. In a voucher or over-FMR tenancy, the maximum subsidy payment for a family (before deducting the family contribution). For a voucher tenancy, the PHA sets a payment standard in the range from 80 to 100 percent of the current FMR/exception rent limit. For an over-FMR tenancy, the payment standard equals the current FMR/exception rent limit.

PERSONS WITH DISABILITIES. Individuals with any condition or characteristic that renders a person an individual with a handicap as defined in 24 CFR 8.2.

PORTABILITY. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial PHA

PREMISES. The building or complex in which the dwelling unit is located, including common areas and grounds.

PREVIOUSLY UNEMPLOYED. This includes a person with disabilities who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality.

PRIVATE SPACE. In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need,

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which are made under programs funded, separately or jointly, by Federal, state, or local governments.

(PHA). A state, county, municipality, or other governmental entity or public body authorized to administer the programs. The term "PHA" includes an Indian housing authority (IHA). ("PHA" and "PHA" mean the same thing.) In this rule, a "PHA" is referred to as a "housing authority" (PHA).

RANKING PREFERENCE. A preference used by the PHA to select among applicant families that qualify for federal preference.

REASONABLE RENT. A rent to owner that is not more than rent charged:

- (1) For comparable units in the private unassisted market; and
- (2) For comparable unassisted units in the premises.

RECEIVING PHA. In portability: An PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a certificate or voucher and provides program assistance to the family.

RECERTIFICATION. Sometimes called reexamination. The process of securing documentation of total family income used 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.

REGULAR TENANCY. In the Certificate program: A tenancy other than an over-FMR tenancy.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RENT TO OWNER. The total monthly rent payable to the owner under the lease for the unit. Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

RESIDENT ASSISTANT. A person who lives in an Independent Group Residence and provides on a daily basis some or all of the necessary services to elderly, handicapped, and disabled individuals receiving Section 8 housing assistance and who is essential to these individuals' care or wellbeing. A Resident Assistant shall not be related by blood, marriage or operation of law to individuals receiving Section 8 assistance nor contribute to a portion of his/her income or resources towards the expenses of these individuals.

RESPONSIBLE ENTITY. For the public housing and Section 8 tenant-based assistance, project-based certificate assistance and moderate rehabilitation program, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECRETARY. The Secretary of Housing and Urban Development.

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SECURITY DEPOSIT. A dollar amount that can be applied to unpaid rent, damages or other amounts to the owner under the lease.

SERVICE PERSON. A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON. A person living alone or intending to live alone.

SPECIAL ADMISSION. Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

SPECIAL HOUSING TYPES. See Subpart M of 24 CFR 982, which states the special regulatory requirements for SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

SPOUSE. The husband or wife of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

1. Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or
2. Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or
3. Direct loans pursuant to Section 202 of the Housing Act of 1959; or
4. Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;
5. Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a ;
6. A Public Housing Project.

SUBSIDY STANDARDS. Standards established by an PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUBSTANDARD UNIT. Substandard housing is defined by HUD for use as a federal preference.

SUSPENSION/TOLLING. Stopping the clock on the term of a family's certificate or voucher, for such period as determined by the PHA, from the time when the family submits a request for PHA approval to lease a unit, until the time when the PHA approves or denies the request.

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TENANT. The person or persons (other than a live in aide) who executes the lease as lessee of the dwelling unit.

TENANT RENT. (Formerly called Net Family contribution.) The amount payable monthly by the family as rent to the owner (including a PHA in other programs). Where all utilities (except telephone) and other essential housing services are supplied by the owner, Tenant Rent equals Total Tenant Payment. Where some of 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 to the owner, Tenant Rent equals Total Tenant Payment less the Utility Allowance in the Certificate Program. In the Voucher Program, Tenant Rent is Rent to Owner less HAP.

TOTAL TENANT PAYMENT (TTP). The highest of 30% of the monthly-adjusted income, 10% of total monthly income, the welfare rent or the minimum rent. .

UNIT. Residential space for the private use of a family.

UNUSUAL EXPENSES. Prior to the change in the 1982 regulations, this was the term applied to the amounts paid by the family for the care of minors under 13 years of age or for the care of disabled or handicapped family household members, but only where such care was necessary to enable a family member to be gainfully employed.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. If the cost of utilities (except telephone) including range and refrigerator, and other housing services for an assisted unit is not included in the Contract Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD 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 healthy living environment.

UTILITY REIMBURSEMENT PAYMENT. The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VACANCY LOSS PAYMENTS. (For contracts effective prior to 10/2/95) When a family vacates its unit in violation of its lease, the owner is eligible for 80% of the Contract Rent for a vacancy period of up to one additional month, (beyond the month in which the vacancy occurred) if s/he notifies the PHA as soon as s/he learns of the vacancy, makes an effort to advertise the unit, and does not reject any eligible applicant except for good cause.

VERY LARGE LOWER-INCOME FAMILY. Prior to the change in the 1982 regulations this was described as a lower-income family which included eight or more minors. This term is no longer used.

VERY LOW-INCOME FAMILY. A Lower-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for

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smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit for the Certificate and Voucher Programs.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

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 PROGRAM. The rental voucher program.

WAITING LIST ADMISSION. An admission from the PHA waiting list.

WAITING LIST. A list of families organized according to HUD regulations and PHA policy that are waiting for subsidy to become available.

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.

WELFARE RENT. This concept is used ONLY for Section 8 Certificate tenants who receive welfare assistance on an "AS-PAID" basis. It is not used for the Housing Voucher Program.

- (1) If the agency does NOT apply a ratable reduction, this is the maximum a public assistance agency COULD give a family for shelter and utilities, NOT the amount the family is receiving at the time the certification or recertification is being processed.
- (2) If the agency applies a ratable reduction, welfare rent is a percentage of the maximum the agency could allow.

C. GLOSSARY OF TERMS USED IN THE NONCITIZENS RULE

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

CITIZEN. A citizen or national of the United States.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents, which must be submitted to evidence citizenship or eligible immigration status.

PHA. A housing authority- either a or an Indian housing authority or both.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. Department of Housing and Urban Development.

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INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

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.

NONCITIZEN. A person who is neither a citizen nor nation of the United States.

PHA. A housing authority who operates Public Housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to non-citizens with ineligible immigration status (the PHA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for non-citizens unless they meet one of the categories of eligible immigration status specified in Section 214.

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

Program Integrity Addendum

ADDENDUM #1

PROGRAM INTEGRITY

INTRODUCTION

The US Department of HUD conservatively estimates that 200 million dollars is paid annually to program participants who falsify or omit material facts in order to gain more rental assistance than they are entitled to under the law. HUD further estimates that twelve percent of all HUD-assisted families are either totally ineligible, or are receiving benefits which exceed their legal entitlement.

The PHA is committed to assuring that the proper level of benefits is paid to all participating families, and that housing resources reach only income-eligible families so that program integrity can be maintained.

The PHA will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This chapter outlines the PHA's policies for the prevention, detection and investigation of program abuse and fraud.

A. CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

Under no circumstances will the PHA undertake an inquiry or an audit of a participating family arbitrarily. The PHA's expectation is that participating families will comply with HUD requirements, provisions of the voucher, and other program rules. The PHA staff will make every effort (formally and informally) to orient and educate all families in order to avoid unintentional violations. However, the PHA has a responsibility to HUD, to the Community, and to eligible families in need of housing assistance, to monitor participants and owners for compliance and, when indicators of possible abuse come to the PHA's attention, to investigate such claims.

The PHA will initiate an investigation of a participating family only in the event of one or more of the following circumstances:

- Referrals, Complaints, or Tips. The PHA will follow up on referrals from other agencies, companies or persons which are received by mail, by telephone or in person, which allege that a family is in non-compliance with, or otherwise violating

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the family obligations or any other program rules. Such follow-up will be made providing that the referral contains at least one item of information that is independently verifiable. A copy of the allegation will be retained in the family's file.

- Internal File Review. A follow-up will be made if PHA staff discovers (as a function of a certification or recertification, an interim redetermination, or a quality control review), information or facts which conflict with previous file data, the PHA's knowledge of the family, or is discrepant with statements made by the family.
- Verification of Documentation. A follow-up will be made if the PHA receives independent verification or documentation, which conflicts with representations in the family's file (such as public record information or credit bureau reports, reports from other agencies).

B. STEPS THE PHA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The PHA management and staff will utilize various methods and practices (listed below) to prevent program abuse, non-compliance, and willful violations of program rules by applicants and participating families. This policy objective is to establish confidence and trust in the management by emphasizing education as the primary means to obtain compliance by families.

- Things You Should Know. This program integrity bulletin (created by HUD's Inspector General) will be furnished and explained to all applicants to promote understanding of program rules, and to clarify the PHA's expectations for cooperation and compliance.
- Program Orientation Session. Mandatory orientation sessions will be conducted by the PHA staff for all prospective program participants, either prior to or upon issuance of a voucher. At the conclusion of all Program Orientation Sessions, the family representative will be required to sign a "Program Briefing Certificate" to confirm that all rules and pertinent regulations were explained to them.
- Review and Explanation of Forms. The PHA will routinely provide participant counseling as a part of every recertification interview in order to clarify any confusion pertaining to program rules and requirements.
- Use of Instructive Signs and Warnings. Instructive signs will be conspicuously posted in common areas and interview areas to reinforce compliance with program rules and to warn about penalties for fraud and abuse.
- Participant Certification. All family representatives will be required to sign a "Participant Certification" form, as contained in HUD's Participant Integrity Program Manual.

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C. STEPS THE PHA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The PHA Staff will maintain a high level of awareness to indicators of possible abuse and fraud by assisted families.

Quality Control File Reviews.

Prior to initial certification, and at the completion of all subsequent recertifications, each participant file will be reviewed. Such reviews shall include, but are not limited to:

- Assurance that verification of all income and deductions is present.
- Changes in reported Social Security Numbers or dates of birth.
- Authenticity of file documents.
- Review of signatures for consistency with previously signed file documents.
- All forms are correctly dated and signed.

Observation.

The PHA Management and Staff (to include inspection personnel) will maintain high awareness of circumstances, which may indicate program abuse or fraud, such as unauthorized persons residing in the household and unreported income.

- Observations will be documented in the family's file.

Public Record Bulletins

Public Record Bulletins may be reviewed by Management and Staff.

State Wage Data Record Keepers.

Inquiries to State Wage and Employment record keeping agencies as authorized under Public Law 100-628, the Stewart B. McKinley Homeless Assistance Amendments Act of 1988, may be made annually in order to detect unreported wages or unemployment compensation benefits

Credit Bureau Inquiries.

Credit Bureau inquiries may be made in the following circumstances:

- At the time of final eligibility determination and continued eligibility determination.
- When an allegation is received by the PHA wherein unreported income sources are disclosed.

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- When a participant's expenditures exceed his/her reported income, and no plausible explanation is given.

D. THE PHA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The PHA staff will encourage all participating families to report suspected abuse to designated staff. All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented and placed in the participant's file. All allegations, complaints and tips will be carefully evaluated in order to determine if they warrant follow-up. The PHA will not follow up on allegations, which are vague or otherwise non-specific. They will only review allegations, which contain one or more independently verifiable facts.

File Review.

An internal file review will be conducted to determine:

If the subject of the allegation is a client of the PHA and, if so, to determine whether or not the information reported has been previously disclosed by the family.

It will then be determined if the PHA is the most appropriate authority to do a follow-up (more so than police or social services). Any file documentation of past behavior as well as corroborating complaints will be evaluated.

Conclusion of Preliminary Review.

If at the conclusion of the preliminary file review there is/are fact(s) contained in the allegation which conflict with file data, and the fact(s) are independently verifiable, the designated staff will initiate an investigation to determine if the allegation is true or false.

E. OVERPAYMENTS TO OWNERS

If the landlord has been overpaid as a result of fraud, misrepresentation or violation of the Contract, the PHA may terminate the Contract and arrange for restitution to the PHA and/or family as appropriate.

The PHA will make every effort to recover any overpayments made as a result of landlord fraud or abuse. Payments otherwise due to the owner may be debited in order to repay the PHA or the tenant, as applicable.

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F. HOW THE PHA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the PHA determines that an allegation or referral warrants follow-up, either the staff person who is responsible for the file, or a person designated by the Executive Director to monitor the program compliance will conduct the investigation. The steps taken will depend upon the nature of the allegation and may include, but are not limited to, the items listed below. In all cases, the PHA will secure the written authorization from the program participant for the release of information.

Credit Bureau Inquiries

In cases involving previously unreported income sources, a CBI inquiry may be made to determine if there is financial activity that conflicts with the reported income of the family.

Verification of Credit

In cases where the financial activity conflicts with file data, a *Verification of Credit* form may be mailed to the creditor in order to determine the unreported income source.

Employers and Ex-Employers

Employers or ex-employers may be contacted to verify wages that may have been previously undisclosed or misreported.

Neighbors/Witnesses

Neighbors and/or other witnesses may be interviewed who are believed to have direct or indirect knowledge of facts pertaining to the PHA's review.

Other Agencies

Investigators, caseworkers or representatives of other benefit agencies may be contacted.

Public Records

If relevant, the PHA will review public records kept in any jurisdictional courthouse. Examples of public records which may be checked are: real estate, marriage, divorce, uniform commercial code financing statements, voter registration, judgments, court or police records, state wage records, utility records and postal records.

Interviews with Head of Household or Family Members

The PHA will discuss the allegation (or details thereof) with the Head of Household or family member by scheduling an appointment at the appropriate PHA office. A high standard of courtesy and professionalism will be maintained by the PHA staff person who conducts such

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interviews. Under no circumstances will inflammatory language, accusation, or any unprofessional conduct or language be tolerated by the management. If possible, an additional staff person will attend such interviews.

G. PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS OBTAINED BY THE PHA

Documents and other evidence obtained by the PHA during the course of an investigation will be considered "work product" and will either be kept in the participant's file, or in a separate "work file." In either case, the participant's file or work file shall be kept in a locked file cabinet. Such cases under review will not be discussed among PHA Staff unless they are involved in the process, or have information, which may assist in the investigation.

H. CONCLUSION OF THE PHA'S INVESTIGATIVE REVIEW

At the conclusion of the investigative review, the reviewer will report the findings to the Executive Director or designee. It will then be determined whether a violation has occurred, a violation has not occurred, or if the facts are inconclusive.

I. EVALUATION OF THE FINDINGS

If it is determined that a program violation has occurred, the PHA will review the facts to determine:

- The type of violation (procedural, non-compliance, fraud).
- Whether the violation was intentional or unintentional.
- What amount of money (if any) is owed by the family.
- If the family is eligible for continued occupancy.

J. ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED

Once a program violation has been documented, the PHA will propose the most appropriate remedy based upon the type and severity of the violation.

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1. **Procedural Non-compliance.** This category applies when the family "fails to" observe a procedure or requirement of the PHA, but does not misrepresent a material fact, and there is no retroactive assistance payments owed by the family.

Examples of non-compliance violations are:

- Failure to appear at a pre-scheduled appointment.
- Failure to return verification in time period specified by the PHA.
 - (a) Warning Notice to the Family. In such cases a notice will be sent to the family, which contains the following:
 - A description of the non-compliance and the procedure, policy or obligation which was violated.
 - The date by which the violation must be corrected, or the procedure complied with.
 - The action, which will be taken by the PHA if the procedure or obligation is not complied with by the date, specified by the PHA.
 - The consequences of repeated (similar) violations.

2. **Procedural Non-compliance - Overpaid Assistance.** When the family owes money to the PHA for failure to report changes in income or assets, the PHA will issue a Notification of Overpayment of Assistance. This Notice will contain the following:

- A description of the violation and the date(s).
- Any amounts owed to the PHA.
- A 30 day response period.
- The right to disagree and to request an informal hearing with instructions for the request of such hearing.

(a) Participant Fails to Comply with PHA's Notice:

If the Participant fails to comply with the PHA's notice, and a family obligation has been violated, the PHA will initiate termination of assistance.

(b) Participant Complies with PHA's Notice:

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When a family complies the PHA's notice, the staff person responsible will meet with him/her to discuss and explain the Family Obligation or program rule which was violated. The staff person will complete a Participant Counseling Report, give one copy to the family and retain a copy in the family's file.

3. **Intentional Misrepresentations.** When a participant falsifies, misstates, omits or otherwise misrepresents a material fact which results (or would have resulted) in an overpayment of housing assistance by the PHA, the PHA will evaluate whether or not:

- The participant had knowledge that his/her actions were wrong, and
- The participant willfully violated the family obligations or the law.

Knowledge that the action or inaction was wrong. This will be evaluated by determining if the participant was made aware of program requirements and prohibitions. The participant's signature on various certification, briefing certificate, Personal Declaration and Things You Should Know are adequate to establish knowledge of wrongdoing.

The participant willfully violated the law. Any of the following circumstances will be considered adequate to demonstrate willful intent:

- (a) An admission by the participant of the misrepresentation.
- (b) That the act was done repeatedly.
- (c) If a false name or Social Security Number was used.
- (d) If there were admissions to others of the illegal action or omission.
- (e) That the participant omitted material facts that were known to him/her (e.g., employment of self or other household member).
- (f) That the participant falsified, forged or altered documents.
- (g) That the participant uttered and certified to statements at an interim (re) determination which were later independently verified to be false.

4. **Dispositions of Cases Involving Misrepresentations.** In all cases of misrepresentations involving efforts to recover monies owed, the PHA may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:

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- (a) Criminal Prosecution: If the PHA has established criminal intent, and the case meets the criteria for prosecution, the PHA will:

* Refer the case to HUD's RIGI, and terminate rental assistance.

- (b) Administrative Remedies: The PHA will:

* Terminate assistance and demand payment of restitution in full.

Permit continued assistance at the correct level and execute an administrative repayment agreement in accordance with the PHA's repayment policy.

5. The Tenant Conference for Serious Violations and Misrepresentations.

When the PHA has established that material misrepresentation(s) have occurred, a Tenant Conference will be scheduled with the family representative and the PHA staff person who is most knowledgeable about the circumstances of the case.

This conference will take place prior to any proposed action by the PHA. The purpose of such conference is to review the information and evidence obtained by the PHA with the participant, and to provide the participant an opportunity to explain any document findings which conflict with representations in the family's file. The PHA will take any documents or mitigating circumstances presented by the family into consideration. The family will be given fourteen days to furnish any mitigating evidence.

A secondary purpose of the Tenant Conference is to assist the PHA in determining the course of action most appropriate for the case. Prior to the final determination of the proposed action, the PHA will consider:

- The duration of the violation and number of false statements.
- The family's ability to understand the rules.
- The family's willingness to cooperate, and to accept responsibility for his/her actions
- The amount of money involved.
- The family's past history
- Whether or not criminal intent has been established.
- The number of false statements.

6. Notification to Participant of Proposed Action

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The PHA will notify the family of the proposed action no later than thirty days after the conference by mail.

K. CODE OF CONDUCT

The PHA strives to conduct business in accordance with core values and ethical standards. Professional conduct, ethical practices and adherence to all laws, regulations, and government codes are expected by all employees at all times. To ensure compliance with these standards, the following policies have been established:

Prohibited Activities

1. Employees shall not engage in any employment, activity, or enterprise for compensation that is inconsistent, incompatible, in conflict with, or inimical to his or her duties, functions, or responsibilities in a position with the Public Housing Authority. Employees shall not perform any work, service or counsel for compensation outside of the authority where any part of his/her efforts will be subject to approval by any other officer, employee, board, or commission of this Public Housing Authority.
2. Prohibited activities shall include but not be limited to:
 - a. Acceptance of money or other consideration from anyone other than the Housing Authority for the performance of duties required or expected of him/her in the regular course of Public Housing Authority employment.
 - b. Performance of an act in other than his/her capacity as an officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee of the Public Housing Agency.
 - c. Any act wherein time demands would render performance of his or her duties as an officer or employee less efficient and productive.
 - d. Embezzlement and falsification of accounts as defined in the California Penal Code.

Conflict Of Interest Policy

1. To avoid potential conflicts of interest, or the appearance of such, it is the policy of this Housing Authority that:
 - a. No employee shall enter into any agreement, written or unwritten, without prior approval from the Executive Director or his designee, that involves any direct

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payment or other form of compensation as a result of any program administered by this Housing Authority, either directly or indirectly, through agreements with other parties.

- b. No employee, officer, or agent of the PHA shall participate directly or indirectly in the selection, award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interests in the execution of a contract or in PHA program participation is held by:
- (1) An employee, officer, or agent involved in making the award;
 - (2) The relative of such a person (including, but not limited to, father, other, son, daughter, brother, sister, uncle, aunt, first cousin, father-in-law, mother in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister);
 - (3) The partner of such a person; or,
 - (4) An organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

The Consequences of Rule Violations

Any violation of prohibited activities shall be handled as for the acts set out under the PHA's personnel policies on Discipline, Dismissal, and Review.

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ADDENDUM #2 **PROJECT-BASED HOUSING CHOICE VOUCHER PROGRAM**

CHAPTER 1 **OVERVIEW OF PROJECT-BASED VOUCHER PROGRAM**

INTRODUCTION

The US Department of Housing and Urban Development (HUD) published a final rule for Project Based Vouchers on October 13, 2005. This governs how the Housing Authority manages project-based vouchers from November 14, 2005 on. Prior to this final rule, Sacramento Housing and Redevelopment Agency already had 283 project-based vouchers at Phoenix Park and had issued a Request for Proposals, although the decision letter was sent to Saybrook Apartments after November, 2005. Management of Phoenix Park is still determined by the interim rule for project-based vouchers, published January 16, 2001 until/unless HUD approves waivers. It is this housing authority's intent to manage all project-based vouchers consistently so the housing authority will pursue waivers for Phoenix Park where there are differences between the interim rule and the final rule.

Based on the provisions of the final rule for Project-Based Vouchers (PBV), published in the Federal Register on October 13, 2005 and effective November 14, 2005, the Sacramento Housing and Redevelopment Agency (SHRA) will project base up to 15 percent of its Housing Choice Voucher funding. SHRA will not be required to reduce the number of PBV units under contract if the Budget Authority is subsequently reduced, but will look first to reducing the number of tenant-based vouchers. No additional funding is provided for this program for either Housing Assistance Payments (HAP) or Administrative costs.

Regulations governing tenant-based vouchers found at 24 CFR 982 also govern project-based vouchers, except where the differences are spelled out in the final rule as defined above, and in 24 CFR 983 and in SHRA's Administrative Plan. The Administrative Plan seeks to clarify areas where the Housing Authority has discretion, but will not repeat all of the regulatory language contained in these documents.

SHRA is a joint powers authority, answering to the SHRA's Commission, the City Council and the County Board of Supervisors to oversee the City and County Redevelopment Agencies and the City and County Housing Authorities. Only the Sacramento County Housing Authority manages the Housing Choice Voucher Program.

The Housing Authority will project base units selected in new construction projects, rehabilitation projects, and or existing projects, as defined in a Request for Proposal. The Housing Authority will project base no more than 25 percent of the units in a building unless the project meets the following exceptions, and the exceptions were allowed under the specific RFP at the time of consideration. The exceptions to the 25 percent unit limitation are:

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- Units in single family homes (four units or less)
- Units in a multifamily building that are made available for qualifying families. Qualifying families are elderly or disabled families or families receiving qualifying supportive services as described in Chapter 2 Section B.

SHRA is committed to providing PBV with supportive services to families in order to encourage independence and self-sufficiency. This may include families with multiple challenges (such as family members who are disabled and with minor children), or elderly or disabled families.

The Housing Authority will publish a Request for Proposals (RFP) seeking applications from housing owners for new construction, rehabilitation or existing housing to serve families. The RFP will detail the amount of funding available for which of the three types of housing units described above. SHRA will not use PBV to fund more than 50% of the total number of rental units at any site.

New Construction

New construction involves building housing where no housing exists. New construction projects must be completed within a two-year period after approval of the proposal.

Rehabilitation

Rehabilitation of housing means that the housing units will not pass a Housing Quality Standards (HQS) inspection and it will take in excess of \$1,000 per unit to make minimal improvements so that they can pass HQS.

Existing Housing

Existing housing means that the units exist, have a “Certificate of Occupancy” and can either pass HQS inspection at the time of the proposal, or the units can be made to pass inspection after an infusion of less than \$1,000 per unit.

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Chapter 2 PROPOSAL SELECTION PROCEDURES

A. PROPOSAL SELECTION PROCEDURES

The PHA may choose to project-base rental units based on a competitive process.

Competitive Process

A Request for Proposals (RFP) will be published in the Sacramento Bee, a newspaper of general circulation, in order to provide broad public notice of the opportunity to apply for project-based vouchers. The RFP will list the submission deadline and the date and time for a bidders conference. It will include guidelines for the proposal and the evaluation criteria to be used. This RFP is established pursuant to Title 24, Chapter VIII of the Code of Federal Regulations, 24 CFR, and Section 983. All procurement will be consistent with PHA's procurement policy and all relevant regulations.

B. PROPOSAL REQUIREMENTS

The goal of project-basing vouchers is to ensure long-term viability of affordable housing across a broad continuum of housing types within the County of Sacramento. The RFP will outline the type of project (ie, existing, new construction or rehabilitation) to be funded. The Housing Authority is committed to providing housing:

- to serve low income families, especially those that are
 - Elderly,
 - Disabled,
 - Needing supportive services,
- which deconcentrate poverty and expands housing and economic opportunities.
- that meets the following goals of the agency:
 - boosts home ownership;
 - revitalizes areas through physical rehabilitation of housing and enrich the quality of life in rental housing by investing in resident services;
 - provides housing resident self sufficiency programs;
 - develops the work force;
 - creates jobs;
 - revitalizes commercial areas;
 - encourages business activities in low income areas; and
 - provides public amenities.

The proposal must be submitted by the property owner and will be evaluated based on its merit. The proposal shall include:

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1) Description of How the Applicant Meets the Need for Affordable Housing as Defined in the Consolidated Plan:

The need for affordable housing is needed especially to serve the following groups:

- Low-income families who are living in substandard housing,
- Low-income families who are paying more than 50% of their income for housing,
- Disabled families
- Homeless families.

2) Description of How the Proposed Housing Deconcentrates Poverty and Expands Housing and Economic Opportunities

In order to deconcentrate poverty, the housing development must be located in a low poverty census tract, defined as where less than 14.1% of the population have incomes less than the poverty level as measured by the 2000 Census. The average poverty rate for the County of Sacramento was 14.1% as of the 2000 Census.

If the census tract where the project-based vouchers are proposed is not in a low poverty census tract, a narrative must be provided showing that:

- a) The project site is in a census tract that is a HUD designated Enterprise Zone, Economic Community, or Renewal Community, or
- b) The project site is in a census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition, or
- c) The project site is in a census tract which the proposed PBV development will be located is undergoing significant revitalization, or
- d) State, local, or federal dollars have been invested in the area that has assisted in the achievement of the statutory requirement of deconcentrating poverty and expanding housing and economic opportunities, or
- e) New market rate units are being developed in the same census tract as the proposed project and it is likely that the market rate units will reduce the poverty rate for the census tract, or
- f) The project site is in a census tract with greater than 20 percent poverty but in the last five years there has been an overall decline in the poverty rate; and/or
- g) The project site is in a census tract with meaningful opportunities for education and economic development.

This criteria is met if one of the above is met.

3) The State of Housing to Be Funded

The state of housing:

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Existing housing, defined as housing which will, at the time of proposal section, pass Housing Quality Standards (HQS) inspections, or where it will cost less than \$1,000 per unit to bring the housing to a point where they will pass an HQS inspection.

Housing to be rehabilitated, defined as existing housing units which will require more than \$1,000 per unit to pass HQS inspection.

New construction, defined as housing units that do not exist at the time of proposal submission.

4) The Type of Housing to Be Funded

Single or multi-family units may be considered. For a complete listing of all ineligible units refer to 24CFR 983.53 and 983.54:

5) Number of Units to Be Funded

6) Supportive Services (if the number of units to be project-based exceeds 25% of units in a building)

The Proposal must contain a Memorandum of Agreement, or a letter of commitment, showing a relationship between the housing provider and the service providers (if they are different entities). This Agreement must list:

- What supportive services are to be provided. The proposal must describe at least three services that the owner will provide, directly or indirectly, that help the family move to economic self-sufficiency;
- Where the supportive services are to be provided. It is not necessary for the services to be provided at the project site or by the project;
- Steps the owner will take when a family is not participating in services;
- The type of documentation utilized concerning the family's compliance with their services contract. This documentation must be made available to SHRA for review. Failure of the family to comply may be good cause for SHRA to terminate the family from the PBV program; and
- Timeframe within which the owner will identify a replacement service provider.

Evaluation Criteria

The RFP will describe the process used to rank applications which may include but are not limited to:

- The location of the housing, whether it is in a redevelopment area or an area targeted for blight elimination;
- The size and configuration of the units to serve the unmet needs of targeted populations (i.e., whether serving elderly or disabled large family sizes);
- Long-term viability of the project;

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- The proximity of the site to amenities;
- The size and existence of a community center on site;
- The existence of supportive services;
- Management experience; and
- The number of accessible units for persons with disabilities
- Other sources of funding.

C. PROPOSAL REVIEW PROCESS

If there are no SHRA-owned or controlled applicants, a PBV Selection Panel appointed by the SHRA will review, evaluate, rank, and select the proposals.

If one of the respondents presents an Identity of Interest with SHRA, the proposal in question will be forwarded to the HUD field office or HUD-approved independent entity for review. The HUD field office, or designee, will review the proposal to determine that the PHA-owned units were appropriately selected based on the selection procedure specified in the Administrative Plan.

The Selection Panel will review all proposals (HUD will also review any applications which present an Identity of Interest). Before selecting units, they will determine that each proposal is responsive to and in compliance with the information provided in the RFP.

The Panel will assure that the project meets PBV goals, civil rights requirements, HQS site standards, the project must be consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities, and the site and neighborhood standards.

For existing housing, SHRA will inspect the site before the proposal selection date to determine whether it substantially complies with HQS.

Proposals that meet the requirements will be evaluated and ranked by the Selection Panel. A Ranking List will be prepared according to points awarded to each proposal. Ranking scores become public information. SHRA may, at its discretion, select one or more of the proposals submitted, or none of the proposals submitted.

SHRA will provide written notice to the owner whose proposal is selected within 45 days of the decision.

SHRA will give prompt public notice of the selection including publication of public notice in the Sacramento Bee, a local newspaper of general circulation. The notice will include information about how the public can inspect documentation regarding the basis for the selection of the proposal. SHRA will also provide this information directly to owners whose proposals were not selected.

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Chapter 3 SITE AND NEIGHBORHOOD REVIEW

Selection Criteria

SHRA is working to ensure long-term viability of affordable housing across a broad continuum of housing types within the County of Sacramento. SHRA is targeting projects located in redevelopment areas that are affordable, have received long-term affordable housing financing, and are close to amenities including public transportation and shopping. Proposals providing units specifically to elderly or disabled households or households receiving supportive services, and providing on-site supportive services will be given preference over projects that do not have these characteristics.

In order for the site to be selected for participation in this program, the SHRA must:

- determine that the site is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities;
- determine that the site is eligible to receive project-based vouchers, as defined by 24 CFR 983 published on October 13, 2005 and any other regulations and Notices issued;
- complete a site inspection if the proposal covers existing or rehabilitated housing to ensure that it meets HQS for the site;
- determine that the site is suitable from the standpoint of facilitating and furthering full compliance with the Fair Housing Laws;
- has adequate utilities and streets available to service the site.
- meet site and neighborhood standards

Environmental Review

The entity responsible for Environmental Review under 24 CFR part 58 must determine whether or not a project selected for PBV assistance is categorically excluded from review under the National Environmental Policy Act and whether or not the assistance is subject to review. The PHA may not enter into an Agreement or HAP contract and may not commit or expend program or local funds for PBV activities until such determination is made.

PHA-Owned Units

If housing is selected for PBV where SHRA has an identity of interest, an independent entity approved by HUD must:

- 1) determine initial rent to owner based on an appraisal by a licensed, state-certified appraiser;
- 2) determine reasonable rent based on a comparability analysis for other than initial rents;

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- 3) furnish a copy of the rent determination for SHRA-owned units to the SHRA and to the HUD field office; and
- 4) complete all HQS inspections and provide a copy of the HQS inspections to the Housing Authority and to the HUD field office.

The Housing Authority may only compensate the independent entity from ongoing administrative fee income, not other program receipts. The PHA may not charge the family any fee for the appraisal or for other services provided by the independent entity.

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Chapter 4 HAP AMENDMENTS, CONTRACT, CONTRACT TERMINATION

The PHA may not enter into an Agreement for A Housing Assistance Payment (AHAP) contract (for new construction and rehabilitation) or a HAP contract (for existing housing) until HUD has completed any required subsidy layering review.

The HAP contract must contain the owner's certification that the project has not received and will not receive any public assistance for acquisition, development or operation for the housing other than assistance disclosed in the subsidy layering review, either before or during the term of the HAP contract.

A unit that is occupied on the date of selection by an ineligible family or a family who is uninterested in PBV assistance cannot be selected for PBV assistance. For families who will reside in excepted units, the family must be a *qualified* family.

The HAP contract must specify:

- The total number of contract units by number of bedrooms;
- Information needed to identify the site and the building or buildings where the contract units are located. The information must include the project's name, street address, city or county, state and zip code, block and lot number (if known), and any other information necessary to clearly identify the site and the building;
- Information needed to identify the specific contract units in each building. The information must include the number of contract units in the building, the location of each contract unit, the area of each contract unit, and the number of bedrooms and bathrooms in each contract unit;
- Services, maintenance, and equipment to be supplied by the owner without charges in addition to the rent to owner;
- Utilities available to the contract units, including a specifications of utility services to be paid by the owner (without charges in addition to rent) and utility services to be paid by the tenant;
- Features provided to comply with program accessibility requirements of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8;
- The HAP contract term;
- The number of units in any building that will exceed the 25 percent per building cap (as described in 983.56) which will be set-aside for occupancy by qualifying families (elderly or disabled families and families receiving supportive services); and
- The initial rent to owner (for the first 12 months of the HAP contract term).

The Housing Authority will not execute a HAP contract until all the units fully comply with HQS.

Project-Based Housing Choice Voucher Program Addendum

Vacancy Loss

HAP shall only be paid to the owner while the family is residing in the contract unit during the term of the HAP contract. The PHA shall not pay a HAP to the owner for any month after the month when the family moves out. The PHA shall pay the HAP through the end of the month if during that month the participant moves or is deceased.

Accessible Units

Distribution of accessible dwelling units shall, to the maximum extent feasible and subject to reasonable health and safety requirements, be distributed throughout projects and sites and shall be available in a sufficient range of sizes and amenities so that persons with disabilities have choices of living arrangements comparable to that of other families eligible for assistance under the same program. At a minimum, projects must meet 24CFR Part 8, subpart C.

Rents Limits

- 1) The initial rent for units is established at the beginning of the HAP term. The rents determined at AHAP are only an estimate.
- 2) Except for certain tax credit units and units with other subsidies, the rent must not exceed the lower of:
 - a) 110 percent of the Fair Market Rent or a HUD approved exception rent;
 - b) The rent requested by the owner; or
 - c) Reasonable rent;
 - A. Factors are in the same as in the tenant based program
 - B. Three comparables must be used, including when unassisted units in the project/premises are used
 - C. Comparability analysis may be done by PHA staff, or other qualified person or entity as long as there is no direct or indirect interest in the property
- 3) For PHA owned units or units where the PHA has an identity of interest, HUD must approve an independent agency who will perform the comparability analysis. The independent agency must have a State Certified Appraiser perform the comparability analysis for the initial rents. The independent agency must provide HUD with a copy of all the determinations of the reasonable rent.
- 4) Projects that receive subsidies from other programs or tax credits are subject to the rent limits of those programs (see 983.304 for additional guidance). Tax credit units in qualified census tracts may receive the tax credit rents even if they are higher than 110 percent of the FMR or HUD approved exception rent, as long as the tax credit rent is reasonable.

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- 5) All projects receiving tax credits or any other governmental housing assistance from federal, state, or local agencies must have a subsidy layering review performed by HUD, Office of Public Housing or designee.
- 6) Rent to owner must be re-determined at owner's request (on HAP anniversary date), or when there is a five percent decrease in the published FMR. There are no "special adjustments" to rent.
- 7) In addition to 6) above, reasonable rent must be determined whenever the HAP is amended to substitute or add a unit, when there is a change in the allocation of responsibility for utilities, or when there is any other change that may impact reasonable rent.
- 8) If the rent is reduced to a rate below the initial rent at the time of HAP execution, the owner may terminate the HAP. Should this occur, the families residing in the PBV units will be given tenant-based vouchers.
- 9) In the determination of initial rent shall be based on the most recent FMR and utility allowance. However, the PHA may use the amounts in effect up to 30 days prior to HAP execution.
- 10) The rent to owner may be subject to rent control or other limits under local, state, or federal law. Under the HAP contract, the monthly Housing Assistance Payment by the PHA to the owner is the rent to owner minus the tenant rent (Total Tenant Payment minus any applicable utility allowance).

Term of HAP Contract

The PHA may enter into a HAP contract with an owner for an initial term of up to ten years for each contract unit. The length of the term of the HAP contract for any contract unit may not be less than one year, nor more than ten years.

Within one year before expiration, the PHA may agree to extend the term of the HAP contract for an additional term of up to five years if the PHA determines an extension is appropriate to continue providing affordable housing for low-income families. Subsequent extensions are subject to the same limitations. Any extension of the term is subject to the conditions prescribed by HUD at the time of the extension.

The HAP contract must provide that the term of the PHA's contractual commitment is subject to the availability of sufficient appropriated funding (budget authority) as determined by HUD or by the PHA in accordance with HUD instructions. For purposes of this section, "sufficient funding" means the availability of appropriations, and of funding under the ACC from such appropriations, to make full payment of housing assistance payments payable to the owner for any contract year in accordance with the terms of the HAP contract.

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If there is not be sufficient funding for the Housing Authority to meet all of its contractual obligations, the Housing Authority will seek to decrease it's commitment to tenant-based vouchers through attrition first. The cost of project-based vouchers must not exceed 15 % of the total funding level.

The owner may terminate the HAP contract, upon 60 days written notice to the PHA, if the amount of the rent to owner for any contract unit, as adjusted in accordance with 983.302, is reduced below the amount of the initial rent to owner (rent to owner at the beginning of the HAP contract term). In this case, the assisted families residing in the contract units will be offered tenant-based voucher assistance.

Rent Increase

The owner may request a rent increase to be effective at any anniversary date of the HAP contract after submitting a 60 day written notice to the PHA and the tenant. The PHA shall determine reasonable rent in accordance with 983.303. The rent increase will apply to all units included in the HAP contract.

HAP Contract Amendments (Add or Substitute Contract Units)

The HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same building for a previously covered contract unit. Prior to such substitution, the PHA must inspect the proposed substitute unit and must determine the reasonable rent for such unit.

The HAP contract may be amended during the three-year period immediately following the execution date of the HAP contract to add additional PBV contract units in the same building subject to 25% unit limitation per building or whatever limit was included within the scope of the RFP. Funding can not exceed the 15% cap. An amendment to the HAP contract is subject to all PBV requirements (e.g., rents are reasonable), except that a new PBV RFP is not required. The anniversary and expiration dates of the HAP contract for the additional units must be the same as the anniversary and expiration dates of the HAP contract term for the PBV units originally placed under HAP contract. In all cases, only families who were residing in the units at the time of the initial selection of the project will have a right to an absolute preference on the waiting list and the family must be eligible to live in an assisted unit.

Utility Reimbursement Payment

When the Total Tenant Payment (TTP) is less than the utility allowance, the PHA will issue a Utility Reimbursement Payment (URP) to the tenant.

Project-Based Housing Choice Voucher Program Addendum

Contract Terminations

Chapter 14 “Contract Terminations” of the Administration Plan applies to project-based vouchers. The following exceptions apply:

- If contract requires a service provider and owner fails to provide one, contract will be terminated
- Contract remains in effect regardless of the tendency

Project-Based Housing Choice Voucher Program Addendum

Chapter 5 ELIGIBILITY FOR ADMISSION

All regulations regarding Eligibility for Admission (chapter 2 of the Administration Plan) are the same for the tenant-based voucher program and the project-based voucher program, except:

- Families must be a qualified family for excepted units
- The income targeting requirements apply to the HCV program as a whole including PBV. However, the HA does not need to apply the ratio exactly for tenant-based and project-based.

Definitions

TENANT-BASED VOUCHER PROGRAM. Tenant-based assistance is attached to the family allowing the participant to relocate from one unit to another.

PROJECT-BASED VOUCHER PROGRAM. Project-based assistance is attached to the unit.

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Chapter 6 APPLYING FOR ADMISSION

A. OPENING/CLOSING OF THE WAITLIST

A separate waiting list may be created and maintained for each site within the PBV program. Opening and closing the waiting list will be consistent with policies governing tenant-based vouchers (Chapter 3 of the Housing Choice Voucher Program Administrative Plan). If a new waiting list is created, all families on the tenant-based waiting list will be queried for the new waiting list first, before allowing the public access. The owner can refer families to the PHA waiting list when it is open.

B. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

In the project-based voucher program, hard copies of vouchers are **not** issued. Families are briefed when they are determined to be eligible to participate in the program and are referred to the owner. The owner will select families based on the screening process. The owner must provide written notice within seven (7) calendar days to all families referred by the PHA, listing the reason the family was not selected. The owner must send a copy of the notice to the Housing Authority. The SHRA will not screen for behavior or suitability.

As soon as the PHAs notified of an available unit, families will be selected from the waiting list by bedroom size and then by preference; then by date and time of application.

C. FILLING VACANCIES AT PHOENIX PARK

The policy regarding filling vacancies at the project based units at Phoenix Park was established under the initial guidance, January 16, 2001. For projects selected after November 14, 2005 a separate waiting list may be created.

Project-Based Housing Choice Voucher Program Addendum

Chapter 7

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST/TENANT SELECTION

Applicants who will occupy PBV units must be selected by the PHA from a waiting list that is maintained by the PHA. The PHA will place families referred by the PBV owner/manager on its PBV waiting list when the waiting list is open.

A. TYPES OF WAITING LISTS

The PHA will establish separate waiting lists for:

1) Tenant-Based Wait List

Tenant-based assistance is attached to the family allowing the participant to relocate from one unit to another. Preferences are found in Chapter 4 of the Administration Plan:

2) Project-Based Wait Lists

The owner must promptly notify the PHA of any vacancy or expected vacancy in a contract unit. After receiving the owner notice, the PHA will make every reasonable effort to promptly refer a sufficient number of families to the owner in order to fill such vacancies. Vacant units will be filled based on:

- Current HCV participants who have submitted applications to rent in the project-based unit. HCV participants will be considered according to the date and time their application was received.
- Families on the waiting list, in order of preference, and then by date and time the pre-application was received where preferences are the same.

There may be site-based waiting lists for the project-based voucher program.

a. Non-Excepted Units

The Housing Authority will maintain one waiting list for project-based vouchers where supportive services are not provided. This list will be subject to the following weighted preferences:

- family resides in unit when converted to a project-based voucher unit (absolute preference);
- residency (four points);
- disability (two points); and
- rent burden and/or homeless (one point).

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(Please see section B “Definition of Preferences” in the following section for more detail.)

For families with the same preferences, families will be pulled from the waiting list based on date and time of the pre-application.

b. Excepted Units with Supportive Services

Project-based assistance is attached to the unit. Families must be receiving at least one supportive service. At the time of initial lease execution between the family and the owner, the family and the HA must sign a statement of family responsibility. The statement of family responsibility must contain all family obligations including the family’s participation in a service program. Supportive services will be provided by the owner/manager or by their contractor. The project-based targeted needs wait list will be utilized to fill vacancies in a complex where supportive services are provided. Families with family members who meet all of the following preferences will be assisted first:

- Family who is eligible to be a qualified family based on supportive services and who is residing in unit at the time of conversion to project-based voucher property (this is an absolute preference);
- Residency;
- Have a disabled family member and/or the head, spouse or sole member is employed or enrolled in a job training or educational program.

c. Excepted Units for Elderly and/or Disabled

SHRA will maintain one waiting list for project-based vouchers for elderly and/or disabled applicants. This list will be subject to the following weighted preferences:

- Family resides in unit when converted to a project-based voucher unit (absolute preference)
- Elderly or disabled, depending on type of housing available (six points)
- Residency (four points)
- Rent burden and/or homeless (one point)

B. DEFINITION OF PREFERENCES

1. *Residency* preference is given to applicants who live, work, or have been hired to work in Sacramento County, or any political subdivision thereof.

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2. *Rent Burden* preference is given to applicants who pay more than 50% of their gross income for rent and utilities. The applicant family must provide copies of receipts, lease, their income and utility bills.
3. *Homeless* preference is to be given to applicants who meet HUD's definition of homeless which is listed in section 103 of the McKinney Act (42 USC 11302). It defines homeless persons as 1) an individual who lacks a fixed, regular, and adequate nighttime residence; and 2) an individual who has 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 for the mentally ill); (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or, (C) a public or private place not designed for, a regular sleeping accommodation for human beings.

The applicant can self-certify to the fact that they are homeless or an Agency can certify that the applicant family is homeless. Self-certification means a notarized statement signed under penalty of perjury in the presence of a witness. The HA will allow up to one week for a family to provide a self-certification or self-declaration if other forms of verification are impossible to obtain.

4. *Disability* preference is given to applicants who have a disabled household member. A person with a disability is defined as "Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment."

C. MULTIPLE WAITING LISTS

If an applicant is placed on a waiting list they shall be given the option to apply for all other PHA-administered housing programs that also have an open waiting list. Applicants on the tenant-based wait list will be queried for interest on any newly established wait list.

If a family refuses the PHA's offer from one waiting list (i.e., PBV assistance), such refusal does not affect the family's position on another PHA waiting list for another type of assistance (i.e., tenant-based assistance).

The PHA may not take any of the following actions against an applicant who has applied for, received, or refused an offer of PBV assistance:

- Deny any admission preference for which the applicant is currently qualified
- Change the applicant's place on the waiting list based on date and time of application, or other factors affecting selection under the PHA selection policy
- Remove the applicant from the waiting list for tenant-based voucher assistance

If an applicant is pulled from two waiting lists at the same time, they can choose which option to pursue. Applications will be marked by program to ensure families are directed to the appropriate program.

Project-Based Housing Choice Voucher Program Addendum

Screening

If a PBV owner rejects a family for admission to the owner's PBV units such rejection by the owner does not affect the family's position on SHRA's waiting list for tenant-based assistance. (The owner must apply screening criteria in compliance with fair housing regulations). SHRA will not screen for behavior. Screening for behavior will be the responsibility of the owner.

Accessible Units

In selecting families to occupy PBV units with special accessibility features for persons with disabilities, SHRA must first refer families who require such accessibility features to the owner. The pre-application will allow families to state whether they have limited mobility, hearing or seeing abilities so that they can be matched with an appropriate unit. Families will be taken out of order to fill a vacant unit in order to accommodate a person with disabilities. Families who do not need the accessible features of a specific unit will be skipped over to the next family on the waiting list that does need the accessible features.

Filling an accessible unit with a non-disabled person

When an accessible unit becomes vacant, SHRA will:

1. offer the unit to a current occupant with disabilities living in a Project-Based unit in the same development that requires the accessibility features of the vacant accessible unit and occupying a unit not having those accessibility features. Next, offer the unit to a family living in a Project-Based unit in other developments that requires the accessibility features of the vacant accessible unit and occupying a unit not having those accessibility features. SHRA will pay moving expenses to transfer a resident with a disability to an accessible unit as an accommodation for the resident's disability, unless the accommodation would impose an undue financial and administrative burden.
2. if there is no current resident who requires the accessibility features of the vacant, accessible unit, then SHRA will offer the vacant, accessible unit to an eligible, qualified applicant with disabilities on SHRA's waiting list who can benefit from the accessible features of the available, accessible unit.
3. if there is not an eligible qualified resident or applicant with disabilities on the waiting list who wishes to reside in the available, accessible unit, then SHRA should offer the available accessible unit to an applicant on the waiting list who does not need the accessible features of the unit. However, SHRA will require the applicant to execute a lease that requires the resident to relocate to a non-accessible unit within thirty (30) days of notice by SHRA that there is an eligible applicant or existing resident with disabilities who requires the accessibility features of the unit.

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A PHA may not prohibit an eligible disabled family from accepting a non-accessible unit for which the family is eligible that may become available before an accessible unit. The owner is required to modify such a non-accessible unit as needed, unless the modification would result in an undue financial and administrative burden.

Project-Based Housing Choice Voucher Program Addendum

Chapter 8 HOUSING QUALITY STANDARDS AND INSPECTIONS (HQS)

Refer to CFR 983.103 “Inspecting Units” for Project-Based units approved under the Final Rule effective November 14, 2005

If more than 20 percent of the annual random sample (every third unit will be chosen until 20% minimum has been attained and all units have been inspected) of inspected contract units in a building fail, SHRA must reinspect 100 percent of the contract units in the building.

Phoenix Park

Refer to rule applying to “Unit inspection and housing quality standards” for Project-Based units approved under the Initial Guidance effective January 16, 2001 for Phoenix Park. SHRA must inspect each assisted unit annually. The new law provides that in the project-based voucher program, SHRA is not required to inspect each assisted unit in a project annually, thus allowing annual inspection of a representative sample of the project-based voucher units in a project.

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Chapter 9 MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

Moves with Continued Assistance

- 1) Families who are overhoused or underhoused based on SHRA's subsidy standard or families living in units with accessible features that the family does not need, but is needed by another eligible family must:
 - a) If in the first year of the lease SHRA will refer the family to owners of appropriate sized PBV units that are currently vacant or provide the family with a voucher to move.
 - i. the family remains eligible to participate in the PBV program,
 1. The family must move to an appropriate PBV unit that the owner is willing to lease to them within 30 days after receiving notice that another unit has become available, or if the family is given a tenant-based voucher, the family must move within the term of the voucher or
 2. The family will be evicted.
 - ii. the family is no longer eligible to participate in this PBV program (i.e., the family member with the active services contract for supportive services moves out, without good cause. (good cause is defined as circumstances beyond the control of the supportive service recipient, such as death or hospitalization), the remaining family members must move
 1. To an Non-Excepted or unassisted unit, or
 2. SHRA amends the contract removing this unit from the PBV program and substituting another unit, if possible.
 - b) If the family has been leased d for more than one year:
 - i. the family remains eligible to participate in the PBV program,
 1. The family must move to an appropriate unit within 30 days after receiving notice that another unit has become available, or
 2. The family may request a tenant-based voucher, if tenant-based vouchers are available, and move
 - ii. the family is no longer eligible to participate in this PBV program (i.e., the family member with the active services contract for supportive services moves out), the remaining family members must move
 1. To an unassisted unit, or
 2. To a PBV unit where the family would be eligible within 30 days of receiving notice of the unit's availability, or
 3. SHRA amends the contract removing this unit from the PBV program and substituting another unit, if possible.

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- 2) A family may move with continued tenant-based assistance after the first year of occupancy, if tenant-based vouchers are available. The family must give the owner of the PBV unit and SHRA 60 days written notice of their intent to move.

- 3) If a family assisted under the PBV program wishes to move after the initial 12 month lease, SHRA must offer the family the opportunity for tenant-based rental assistance. If a tenant-based voucher is not available upon termination of the lease the family must be given priority to receive the next available opportunity for continued project-based, mod-rehab or public housing assistance.

Project-Based Housing Choice Voucher Program Addendum

Chapter 10 SUPPORTIVE SERVICES

SUPPORTIVE SERVICES

A family must have at least one member receiving at least three qualifying supportive services. Family participation is not required in medical or disability-related services, other than drug and alcohol treatment in the case of current abusers as a condition of living in an excepted unit, although such services may be offered.

If the family at the time of initial tenancy is receiving, and the resident of an excepted unit receives supportive services and successfully completes the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit.

If a family, in an excepted unit, fails without good cause to complete the supportive services requirement, SHRA will take actions provided under 983.261(d), and the owner may terminate the lease in accordance with 983.257(c). At the time of initial lease execution between the family and the owner, the family and the Public Housing Authority (PHA) must sign a statement of family responsibility. The statement of family responsibility must contain all family obligations including the family's requirement to participate in a supportive service. Failure by the family without good cause (incident beyond control of supportive services recipient i.e. deceased or hospitalization) to fulfill its supportive service obligation will be cause for SHRA to terminate assistance. If the unit at the time of such termination is an excepted unit, the exception continues to apply to the unit as long as the unit is made available to another qualifying family.

Families must participate in at least one of the supportive services listed in an Individual Case Plan.

A qualifying supportive service is any program, publicly or privately sponsored listed in the Individual Case Plan (ICP):

- Employment and educational services
- Practical living skills
- Independent living skills
- Credit repair
- Employment readiness
- Computer training

Supportive services will be provided to the applicant in accordance to their ICP provided by the supportive service agency.

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Monitoring of Supportive Service

SHRA will monitor, annually, the excepted family's continued participation in supportive services and take appropriate action regarding families that fail, without good cause, to complete their supportive services requirement. The participant will be required to provide annual documentation to SHRA stating they are currently participating in the supportive service(s) required in their ICP.

The participant will be required to provide a letter of completion to SHRA, from the supportive service agency when ICP goals have been met.

The participant is required to provide and complete all documentation requested by SHRA. SHRA will third party the supportive service documentation received from the participant with the supportive service agency

If the participant fails to comply with any family obligations SHRA will:

- Mail a Warning Notice. The participant will be give ten (10) days to provide verification the family is in compliance with family obligations. If family fails to comply;
- Mail a Notice of Mandatory Tenant Conference. If the family fails to attend;
- Mail a Notice of Proposed Termination of Project-Based Voucher Eligibility from and an Informal Hearing Request form. The participant will have fourteen (14) days to reply.

SHRA will work with the supportive service agency to prevent termination of eligibility. If the participant does not become compliant the Project-Based eligibility for the participant will be terminated.