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(exp. 05/31/2006)

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

PHA Plans

5 Year Plan for Fiscal Years 2007 - 2011
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 Fresno County

PHA Number: CA 028

PHA Fiscal Year Beginning: (mm/yyyy) 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

Display Locations For PHA Plans and Supporting Documents

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

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

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

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

5-Year Plan
PHA Fiscal Years 2007 - 2011

[24 CFR Part 903.5]

A. Mission

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

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

The PHA's mission is: (state mission here)

The Housing Authority of Fresno County is committed to building strong communities by providing quality housing and empowerment opportunities to eligible families in partnership with community resource.

B. Goals

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

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

PHA Goal: Expand the supply of assisted housing
Objectives:
Apply for additional rental vouchers:
Reduce public housing vacancies:
Leverage private or other public funds to create additional housing opportunities:
Acquire or build units or developments
Other (list below)

PHA Goal: Improve the quality of assisted housing
Objectives:
Improve public housing management: (PHAS score) 89
Improve voucher management: (SEMAP score) 145
Increase customer satisfaction:
Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)
Renovate or modernize public housing units:

Demolish or dispose of obsolete public housing:
Provide replacement public housing:
Provide replacement vouchers:

Other: (list below)

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

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

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

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

PHA Goal: Promote self-sufficiency and asset development of assisted households
Objectives:
Increase the number and percentage of employed persons in assisted families:
Provide or attract supportive services to improve assistance recipients' employability:
Provide or attract supportive services to increase independence for the elderly or families with disabilities.

Other: (list below)
Continue to promote self-sufficiency via the Resident Initiative, the Family Self-Sufficiency and Building Stronger Families programs.

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

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

Other PHA Goals and Objectives: (list below)

PHA Goal: Staff is committed to make this Housing Authority the best in the nation.
Objectives:
Provide high quality services to our families;
Believe in and accept the values and goals of the agency;
Achieve high standard of personal and corporate excellence to make the agency successful in all of its programs and services;
Participate and collaborate with other agencies and community organizations to make services readily available to our families.

PHA Goal: Serve the needs of children and adult victims of domestic violence, sexual assault, or stalking.
Objectives:
Develop and implement appropriate housing policies and practices;
Enhance collaboration with victim service providers and tenant organizations;
Reduce the number of victims of such crimes who are evicted or denied housing because of crimes and lease violations committed or directly caused by the perpetrators of such crimes.
Apply for available funding that will help promote the full and equal access to and use of housing by adult and youth victims of domestic violence, dating violence, sexual assault, and stalking.

[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.

A FY 2007 Annual Plan for the Housing Authority of Fresno County has been prepared in compliance with Section 511 of the Quality Housing and Work Responsibility Act (QHWRA) of 1998 and the ensuing HUD requirements. The Plan describes the Housing Authority, its mission and strategy for addressing the housing needs of low-income and very low-income families in Fresno County.

The Housing Authority of Fresno County shares an Executive Director and staff with the Housing Authority of the City of Fresno. Both Housing Authorities are public housing agencies as defined in the United States Housing Act of 1937, as amended, and in 24 C.f.R. Chapter VIII. Both agencies have been organized under Section 34200, et seq., of the California Health and Safety Code.

The primary objective of the City and County Housing Authorities is to provide decent, safe, and sanitary housing to low-income families at an affordable price. Our mission is to provide this housing within an environment that fosters the advancement of low-income families from a position of dependency to one of self-sufficiency.

The Housing Authority has the responsibility for planning, financing,

constructing, purchasing, and managing properties using a variety of affordable housing programs. As the manager of rental properties, the Housing Authority performs all the functions of maintenance. Over 6,200 people live in properties owned and managed by the City and County Housing Authorities. Additionally, we administer Section 8 rental assistance to 38,682 people living in housing that is privately owned. Overall, the Housing Authorities provide assistance to people living in approximately 15, 000 housing units located throughout Fresno City and County.

Federal laws establish the rent structure of the housing programs administered by the Housing Authority and require that family income be verified annually. Federal Regulations also impact the selection of program participants, occupancy, lease and grievance procedures. The Housing Authority will review its policies to adopt rent simplification.

This Annual Plan addresses those policies and procedures for the public housing and Section 8 Housing Assistance Payment programs that have been modified as a result of QHWRA. The most significant items addressed in the FY 2007 Annual Plan are 1)The feasibility of converting its low-income public housing to mixed finance development; 2) the feasibility of demolishing and/or disposing of its pubic housing units, and the use of leveraged future Capital Fund allocations for these purposes; 3)The Agency's goal of increasing and improving the number of affordable housing units; 4) the implementation of HUD's Asset Management and property-based accounting; and 5) the Agency's efforts to continue to provide affordable housing for low and very low-income families despite the budget constraints.

In our Five-Year Plan, the Housing Authority of Fresno County recognizes the need for housing for large families. Our goal of developing additional affordable three-bedroom housing has been established to address the need. Information taken from the County's Consolidated Plan and included in the

Housing Needs section supports this goal.

The Housing Authority also continues to promote self-sufficiency among assisted households. The Family Self-Sufficiency and Building Stronger Families programs address this need, as noted in the Five-Year Plan, serving approximately 1,000 families in Fresno County, which far exceeds HUD's mandatory caseload. Our FSS program aggressively promotes homeownership with or without mortgaged subsidy and is considered a model program for public housing agencies across the nation.

The Housing Authorities of the City and County of Fresno are active members of the Fresno Madera Continuum of Care (FMCoC). The agency continues to take the lead in preparing and submitting the application for funding to HUD on behalf of the FMCoC and has been instrumental in bringing in over $28,000,000 to the community to help end chronic homelessness.

The Authorities assertively promotes homeownership opportunities to families on the Housing Choice Voucher program with a strong focus on the families participating in the Family Self-Sufficiency program and the Mainstream (disabled) program. The participants receive intensive group and one-on-one housing counseling. The Authorities' Homebuyer Education and Counseling program (HEC) is approved by HUD and Fannie Mae, and provides homebuyer's education and counseling to the community at large.

For Fiscal Year 2006, the Housing Authority of the County of Fresno was successful in receiving an award under the Fair Housing Initiatives program, Education and Outreach Initiative (EOI), in the amount of $100,000 for a 12 month funding increment. The intent of the EOI is to highten the community's awareness on fair housing. The program designs include methods in providing outreach and education which includes a Central California Fair and Affordable Housing Conference and Exposition.

In April 2006, the Housing Authority entered into an agreement with CNA Specialists to conduct an energy audit on all of the Low Income Public Housing units. Once these audits are completed and recommendations

made, the Housing Authority will review and attempt where applicable and cost effective to incorporate some or all of the recommendations into future Capital Fund plans.

The Resident Advisory Board (RAB) has reviewed the Housing Authority's Plan. The RAB met and discussed the Plan before it was submitted to the Board of Commissioners. Their comments have been summarized and are included as Attachment ca028j01.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]
Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

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

the right of the title.

Required Attachments:

Admissions Policy for Deconcentration
FY 2007 Capital Fund Program Annual Statement
Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

PHA Management Organizational Chart
FY 2007 Capital Fund Program 5 Year Action Plan
Public Housing Drug Elimination Program (PHDEP) Plan
Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
Other (List below, providing each attachment name)

Supporting Documents Available for Review

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

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

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 Quality Housing and Work Responsibility Act Initial Guidance; Notice* 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 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 check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
x	Section 8 rent determination (payment standard) policies 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 check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
x	Section 8 informal review and hearing procedures 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
N/A	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
x	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
x	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
x	Approved or submitted assessments of reasonable	Annual Plan: Conversion of

	revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Public Housing
x	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
x	Policies governing any Section 8 Homeownership program check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
x	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
N/A	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
x	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-	Supply	Quality	Access-	Size	Loca-ti
Income <= 30% of AMI	25,938	5	5	5	5	5	5
Income >30% but <=50% of AMI	47,174	5	4	4	4	5	5
Income >50% but	24,599	4	4	4	4	5	5

<80% of AMI							
Elderly	16,728	5	5	5	5	5	5
Families with Disabilities	7631	5	5	5	5	5	5
Victims of Domestic Violence	906	5	5	5	5	5	5
White Non Hispanics	130,65	5	5	4	4	4	2
Black Non Hispanics	13,160	5	5	4	4	4	4
Native Americans Non Hispanics	2,154	5	5	4	4	4	4
Asian Pacific Islanders Non Hispanics	14,505	5	5	4	4	4	4
Pacific Islanders	144	4	4	4	4	3	1

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: 2005-2009
U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset
American Housing Survey data
Indicate year:
Other housing market study
Indicate year:
Other sources: (list and indicate year of information)
Fresno Madera Continuum of Care 2005 Homeless Street Survey and Gap Analysis

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

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

Housing Needs of Families on the Waiting List

Waiting list type: (select one)
Section 8 tenant-based assistance
Public Housing
Combined Section 8 and Public Housing
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	9,732		
Extremely low income <=30% AMI	7,084	72.79	
Very low income (>30% but <=50% AMI)	1,878	19.29	
Low income (>50% but <80% AMI)	770	7.91	
Families with children	8,790	90.32	
Elderly families	581	5.96	
Families with Disabilities	361	3.7	
White	7,814	80.29	
Black	1,379	14.16	
Indian/Alaskan	140	1.43	
Asian	399	4.09	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	2,575	25.84	
2 BR	3,550	36.47	
3 BR	2,968	30.49	
4 BR	699	7.18	
5 BR	N/A		
5+ BR	N/A		

Is the waiting list closed (select one)? No Yes
If yes:
How long has it been closed (# of months)? Effective date 10/01/2006

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

Housing Needs of Families on the Waiting List

Waiting list type: (select one)
Section 8 tenant-based assistance
Public Housing
Combined Section 8 and Public Housing
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	4586		
Extremely low income <=30% AMI	3086	67	
Very low income (>30% but <=50% AMI)	1057	23	
Low income (>50% but <80% AMI)	443	10	
Families with children	2136	47	
Elderly families	131	2	
Families with Disabilities	386	8	
White	2517	55	
Black	1895	41	
Indian or Alaskan	66	1	
Asian	204	4	

Is the waiting list closed (select one)? No Yes
If yes:
How long has it been closed (# of months)? 3 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 Y

C. Strategy for Addressing Needs

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

this strategy.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

Select all that apply

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

Collaborate with the Fresno Madera Continuum of Care to seek funding from the State of California and other sources.

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)

Implement an Elderly/Disabled Service Coordinator program to ensure that the residents are linked to the supportive services that they need to continue living independently in the projects.

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)
Implement an Elderly/Disabled Service Coordinator program to ensure that the residents are linked to the supportive services that they need to continue living independently in the projects.

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)
Provide education and outreach activities as part of a Fair Housing Initiative Program.

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

(2) Reasons for Selecting Strategies

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

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

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

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

Financial Resources: Planned Sources and Uses		
Sources	**Planned $**	**Planned Uses**
1. **Federal Grants (FY 2005 grants)**		
a) Public Housing Operating Fund	2,050,644	
b) Public Housing Capital Fund	2,121,853	
c) HOPE VI Revitalization	0	
d) HOPE VI Demolition	0	
e) Annual Contributions for Section 8 Tenant-Based Assistance	32,577,740	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	0	
g) Resident Opportunity and Self-Sufficiency Grants	0	
h) Community Development Block Grant	0	
i) HOME	0	
Other Federal Grants (list below)		
FSS	187,262	
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income	3,148,790	

4. Other income (list below)		
Interest income	27,000	Public housing operations
Other income	24,000	Public Housing Operations
4. Non-federal sources (list below)		
Total resources	**$40,137,289**	

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) 3-5 months

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)

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

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

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

(2)Waiting List Organization

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

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

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

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

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

1. How many site-based waiting lists will the PHA operate in the coming year?30

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? 30

3. Yes No: May families be on more than one list simultaneously
If yes, how many lists? 30

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) PHA website

(3) Assignment

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

One

Two
Three or More

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

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

(4) Admissions Preferences

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

b. Transfer policies:
In what circumstances will transfers take precedence over new admissions? (list below)
Emergencies
Overhoused
Underhoused
Medical justification
Administrative reasons determined by the PHA (e.g., to permit modernization work)
Resident choice: (state circumstances below)
Employment, Childcare, School or training.
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.

1 Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

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)
Housing Authority website www.hafresno.org
One Stop shops provided in conjunction with Fresno County Human Services System.

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

See attachment ca028k01

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)

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)
Rental History if applicant signs the release.

(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)
Anywhere via the telephone.
The elderly and/or disabled needing reasonable accommodation to complete their application may request assistance by fax or mail

(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:
Extenuating circumstances such as hospitalization or family emergency for an extended period of time; proof that the family was unable to locate a unit; or disapproved Report for Tenancy Addendum due to Housing Quality Standard or Public Housing Authority's inability to negotiate rent.

(4) Admissions Preferences

a. Income targeting

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

b. Preferences

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

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

Former Federal preferences

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

Other preferences (select all that apply)

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

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

1 Date and Time

Former Federal preferences

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

Other preferences (select all that apply)

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

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

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

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

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

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

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

(5) Special Purpose Section 8 Assistance Programs

a. In which documents or other reference materials are the policies governing eligibility,

selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

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

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

Through published notices
Other (list below)

Outreach to nonprofit serving population, including Fresno County Human Services System, Central Valley Regional Center, Center for Independent Living and Fresno/Madera Continuum of Care, and others.

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**:**

LIPH ACOP Chapter3, Section 3.12

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

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

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

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

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

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

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

e. Ceiling rents

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

Yes for all developments
Yes but only for some developments
No

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

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

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

Market comparability study
Fair market rents (FMR)
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) $200.
Other (list below)

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

(2) Flat Rents

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

The section 8 rent reasonableness study of comparable housing
Survey of rents listed in local newspaper

Survey of similar unassisted units in the neighborhood
Other (list/describe below)
Cost basis by average unit square footage as adjusted by bedroom size.

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 below100% 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)
To stay within budget authority.

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)

As needed based on availability of funding.

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) Availability of funding.

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)
$0
$1-$25
$26-$50

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

If the family requests a hardship exemption, the PHA will immediately suspend the minimum rent for the family until the PHA can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature. A hardship exists in the following circumstances:

- If there is a substantial decrease of income which is beyond the family's control; and
- If there is a substantial increase in expenses which is beyond the family's control.

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

Temporary hardship. If the PHA reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of the suspension. The PHA will offer a repayment agreement in accordance with this policy for any rent not paid during the period of suspension. During the suspension period the PHA will not evict the family for nonpayment of the amount of tenant withheld for the suspension period.

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. Ca028f01

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	968	40.31 days
Section 8 Vouchers	5066	10%
Section 8 Certificates	N/A	
Section 8 Mod Rehab	N/A	
Special Purpose Section 8 Certificates/Vouchers (list individually) Beyond Housing Program Family Unification Program	 162 359	 10%
Public Housing Drug Elimination Program (PHDEP)	N/A	
Other Federal Programs(list individually)		

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)

(2) Section 8 Management: (list below)

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing

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

   If yes, list additions to federal requirements below:

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

B. Section 8 Tenant-Based Assistance

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

   If yes, list additions to federal requirements below:

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

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]
Exemptions from Component 7: Section 8 only PHAs are not required to complete this component and may skip to Component 8.

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name) ca028c01

-or-

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

(2) Optional 5-Year Action Plan

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

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

b. If yes to question a, select one:

The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state nameca028d01

-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:

CA028001	CA028006	CA028011	CA028016	CA028021	CA028030
CA028002	CA028007	CA028012	CA028017	CA028022	CA028031
CA028003	CA028008	CA028013	CA028018	CA028023	CA028032
CA028004	CA028009	CA028014	CA028019	CA028024	CA028033
CA028005	CA028010	CA028015	CA028020	CA028026	CA028034
CA028038					

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:

The PHA will be exploring the feasibility of mixed finance development of the following public units.

CA028001	CA028006	CA028011	CA028016	CA028021	CA028030
CA028002	CA028007	CA028012	CA028017	CA028022	CA028031
CA028003	CA028008	CA028013	CA028018	CA028023	CA028032
CA028004	CA028009	CA028014	CA028019	CA028024	CA028033
CA028005	CA028010	CA028015	CA028020	CA028026	CA028034
					CA028038

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:

The PHA will be exploring the feasibility of mixed finance development of the following public units.

CA028001	CA028006	CA028011	CA028016	CA028021	CA028030
CA028002	CA028007	CA028012	CA028017	CA028022	CA028031
CA028003	CA028008	CA028013	CA028018	CA028023	CA028032
CA028004	CA028009	CA028014	CA028019	CA028024	CA028033
CA028005	CA028010	CA028015	CA028020	CA028026	CA028034
					CA028038

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]
Applicability of component 8: Section 8 only PHAs are not required to complete this section.

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

2. Activity Description

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

Demolition/Disposition Activity Description
1a. Development name: De Soto Gardens 1b. Development (project) number: ca02835
2. Activity type: Demolition Disposition
3. Application status (select one) Approved Submitted, pending approval Planned application
4. Date application approved, submitted, or planned for submission: (01/01/2007)
5. Number of units affected: 40 6. Coverage of action (select one) Part of the development Total development
7. Timeline for activity: a. Actual or projected start date of activity: 2006

b. Projected end date of activity: Unknown: 2010

Demolition/Disposition Activity Description
1a. Development name: Pinedale Scattered Site 1b. Development (project) number: ca028-24
2. Activity type: Demolition Disposition
3. Application status (select one) Approved Submitted, pending approval Planned application
4. Date application approved, submitted, or planned for submission: (01/01/2007)
5. Number of units affected: 50 6. Coverage of action (select one) Part of the development Total development
7. Timeline for activity: a. Actual or projected start date of activity: 2006 b. Projected end date of activity: Unknown: 2010

Demolition/Disposition Activity Description
1a. Development name: Pinedale Scattered Site 1b. Development (project) number: ca028-32
2. Activity type: Demolition Disposition
3. Application status (select one) Approved Submitted, pending approval Planned application
4. Date application approved, submitted, or planned for submission: (01/01/2007)
5. Number of units affected: 30 6. Coverage of action (select one) Part of the development Total development
7. Timeline for activity: a. Actual or projected start date of activity: 2006 b. Projected end date of activity: Unknown: 2010

Demolition/Disposition Activity Description
1a. Development name: Helsen Terrace

1b. Development (project) number: ca028-07
2. Activity type: Demolition Disposition
3. Application status (select one) Approved Submitted, pending approval Planned application
4. Date application approved, submitted, or planned for submission: (01/01/2007)
5. Number of units affected: 24 6. Coverage of action (select one) Part of the development Total development
7. Timeline for activity: a. Actual or projected start date of activity: 2006 b. Projected end date of activity: Unknown: 2010

Demolition/Disposition Activity Description
1a. Development name: Del Rey 1b. Development (project) number: ca028-18
2. Activity type: Demolition Disposition
3. Application status (select one) Approved Submitted, pending approval Planned application
4. Date application approved, submitted, or planned for submission: (01/01/2007)
5. Number of units affected: 20 6. Coverage of action (select one) Part of the development Total development
7. Timeline for activity: a. Actual or projected start date of activity: 2006 b. Projected end date of activity: Unknown: 2010

Demolition/Disposition Activity Description
1a. Development name: Biola 1b. Development (project) number: ca028022
2. Activity type: Demolition Disposition
3. Application status (select one) Approved

Submitted, pending approval Planned application
4. Date application approved, submitted, or planned for submission: (01/01/2007)
5. Number of units affected: 44 6. Coverage of action (select one) Part of the development Total development
7. Timeline for activity: a. Actual or projected start date of activity: 2006 b. Projected end date of activity: Unknown: 2010

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

[24 CFR Part 903.7 9 (i)]
Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. Yes No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If "No", skip to component 10. If "yes", complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

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

Designation of Public Housing Activity Description
1a. Development name: 1b. Development (project) number:
2. Designation type: Occupancy by only the elderly Occupancy by families with disabilities

Occupancy by only elderly families and families with disabilities
3. Application status (select one) Approved; included in the PHA's Designation Plan Submitted, pending approval Planned application
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 Revision of a previously-approved Designation Plan?
6. Number of units affected: 7. Coverage of action (select one) Part of the development Total development

10.Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]
Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

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

1. Yes No: Have any of the PHA's developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If "No", skip to component 11; if "yes", complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

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

Conversion of Public Housing Activity Description
1a. Development name: 1b. Development (project) number:
2. What is the status of the required assessment? Assessment underway Assessment results submitted to HUD Assessment results approved by HUD (if marked, proceed to next question) Other (explain below)

3. Yes 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) Conversion Plan in development Conversion Plan submitted to HUD on: (DD/MM/YYYY) Conversion Plan approved by HUD on: (DD/MM/YYYY) 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) Units addressed in a pending or approved demolition application (date submitted or approved: Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved:) Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved:) Requirements no longer applicable: vacancy rates are less than 10 percent Requirements no longer applicable: site now has less than 300 units 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: Sanger Homeownership 1b. Development (project) number: ca028028 ca028034
2. Federal Program authority: HOPE I 5(h) Turnkey III Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one) Approved; included in the PHA's Homeownership Plan/Program Submitted, pending approval Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY) 10/91
5. Number of units affected: 8 6. Coverage of action: (select one) Part of the development Total development

B. Section 8 Tenant Based Assistance

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

2. Program Description:

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

Yes No: Will the PHA's program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?
If yes, list criteria below:
See attachment ca028n01

12.PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (l)]
Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8-Only PHAs are not required to complete sub-component C.

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

Yes No: Has the PHA 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
04/27/99

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)
Karl Falk Scholarship	10	Specific Criteria	PHA main office	Both
Building Stronger Families	100 families	Specific Criteria	PHA main office	Both
Youth Mentor Program	25	Specific Criteria	Development Office	Public Housing
Perfect Attendance	8	Specific Criteria	Development Office	Public Housing

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2005 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing	250	250
Section 8	2000	2000

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

C. Welfare Benefit Reductions

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)
   - Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
   - Informing residents of new policy on admission and reexamination
   - Actively notifying residents of new policy at times in addition to admission and reexamination.
   - Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
   - Establishing a protocol for exchange of information with all appropriate TANF agencies
   - Other: (list below)

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

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]
Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

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

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

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

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

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

3. Which developments are most affected? (list below)
ca028008; ca02812; ca02815; ca02818; ca02824; ca02830; ca02832; ca02838

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

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

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

2. Which developments are most affected? (list below)
ca028008; ca02812; ca02815; ca02818; ca02824; ca02830; ca02832; ca02838

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)
ca028008; ca02812; ca02815; ca02818; ca02824; ca02830; ca02832; ca02838

D. Additional information as required by PHDEP/PHDEP Plan
PHAs eligible for FY 2005 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 2005 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)]

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) Project-based management

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

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

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

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
   Attached at Attachment (File name) ca028g01

Provided below:

3. In what manner did the PHA address those comments? (select all that apply)
   Considered comments, but determined that no changes to the PHA Plan were necessary.
   The PHA changed portions of the PHA Plan in response to comments
   List changes below:
   Other: (list below)

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

1. Yes No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)

2. Yes No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process

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

b. Eligible candidates: (select one)
   Any recipient of PHA assistance
   Any head of household receiving PHA assistance
   Any adult recipient of PHA assistance
   Any adult member of a resident or assisted family organization
   Other (list)

c. Eligible voters: (select all that apply)
   All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
   Representatives of all PHA resident and assisted family organizations
   Other (list)

C. Statement of Consistency with the Consolidated Plan

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

1. Consolidated Plan jurisdiction: (provide name here)
The County of Fresno and the State of California

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

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

Other: (list below)

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

The state of California consolidated Plan has these objectives which are consistent with the PHA's Plan"

Expand the supply of assisted housing
Improve the quality of assisted housing
Increase assisted housing choices
Provide an improved living environment
Ensure equal opportunity and affirmatively further fair housing

D. Other Information Required by HUD

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

Attachments

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

Attachment ca028a01	Public Housing Admissions and Continued Occupancy Policy
Attachment ca028b01	Section 8 Administrative Plan
Attachment ca028c01	FY 2006 Capital Fund Program Annual Statement
Attachment ca028d01	Capital Fund Program 5 Year Action Plan
Attachment ca028e01	Performance and Evaluation Reports
Attachment ca028f01	Organizational Chart
Attachment ca028g01	Membership of the Resident Advisory Board and Resident Public Comments
Attachment ca028h01	Pet Policy
Attachment ca028i01	Brief Statement of Progress
Attachment ca028j01	Resident Membership of the PHA Board
Attachment ca028k01	Deconcentration and Income Mixing Analysis
Attachment ca028l01	Voluntary Conversion
Attachment ca028m01	S-8 Project Based Assistance
Attachment ca028n01	S-8 Homeownership Capacity Statement
Attachment ca028o01	Definition of Substantial Deviation
Attachment ca028p01	Physical Needs Assessment
Attachment ca028q01	Asset Management

PHA Plan
Table Library

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

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

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

Original Annual Statement

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	
3	1408 Management Improvements	
4	1410 Administration	
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	
8	1440 Site Acquisition	
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15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
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18	1498 Mod Used for Development	
19	1502 Contingency	
20	**Amount of Annual Grant (Sum of lines 2-19)**	
21	Amount of line 20 Related to LBP Activities	
22	Amount of line 20 Related to Section 504 Compliance	
23	Amount of line 20 Related to Security	
24	Amount of line 20 Related to Energy Conservation Measures	

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

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

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

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

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

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

Optional 5-Year Action Plan Tables			
Development Number	**Development Name (or indicate PHA wide)**	**Number Vacant Units**	**% Vacancies in Development**

Description of Needed Physical Improvements or Management Improvements	**Estimated Cost**	**Planned Start Date (HA Fiscal Year)**

Total estimated cost over next 5 years		

Optional Public Housing Asset Management Table

See Technical Guidance for instructions on the use of this table, including information to be provided.

Public Housing Asset Management					
Development Identification		**Activity Description**			
Name, Number, and Location	Number and Type of units	Capital Fund Program Parts II and III *Component 7a*	Development Activities *Component 7b*	Demolition / disposition *Component 8*	Designated housing *Component*

Housing Services Department

ADMISSIONS & CONTINUED OCCUPANCY POLICY

For

Low-Income Public Housing

Effective: January 1, 2007
Revision Date: 8/14/06

ADMISSIONS AND OCCUPANCY POLICY

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(Revised 8/14/06)

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Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

1.0 INTRODUCTION

The Public Housing Program was enacted as part of the U.S. Housing Act of 1937 and amended as part of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 1437, et seq., "the 1937 Act"). The Housing Authorities of the City and County of Fresno (hereinafter PHA) owns and manages more than 2,000 public housing units which are scattered throughout the City and County of Fresno. Residents who reside in public housing can choose between paying an income based rent (30% of their adjusted gross income) or a flat rent, as determined by the PHA. The Department of Housing and Urban Development (HUD) subsidizes the balance needed to manage and maintain the properties. Federal Regulations impact the selection of residents, occupancy, lease and grievance procedures.

The Housing Authorities of the City and County of Fresno owns, manages and maintains single family homes and apartments located in the City of Fresno and communities within the County of Fresno.

The PHA maintains separate waiting lists for each of its public housing developments within the communities of Fresno, Laton, Huron, Sanger, Selma, Reedley, Fowler, Kerman, Highway City, Biola, Pinedale, Del Rey, Orange Cove, Parlier, Firebaugh, Mendota and San Joaquin.

Administration of Public Housing and the functions and responsibilities of employees of the Public Housing Authority (PHA) shall be in compliance with the PHA's Personnel Policy and the Department of Housing and Urban Development's (HUD) public housing regulations as well as all Federal, State and local Fair Housing Laws and Regulations.

1.1 HOUSING AUTHORITY OVERVIEW

The primary objective of the Housing Authorities of the City and County of Fresno is to provide decent, safe, and sanitary housing to extremely low and low income families at an affordable price. Our goal is to provide affordable housing within an environment that fosters the advancement of extremely low and low income families from a position of dependency to one of self-sufficiency. Overall, the Housing Authorities owns, manages or provides assistance to more than 30,000 persons living in 9,300 housing units in Fresno County.

The Housing Authorities of the City and County of Fresno functions as separate public agencies with separate governing bodies. Through a unique arrangement, the two Housing Authorities share a single Executive Director and staff, thus making it possible to draw on a more comprehensive staff while realizing the cost advantages that result from avoiding duplication, ordering in larger quantities, and sharing equipment and services. Both Housing Authorities are PHA's as defined in the United States Housing Act of 1937, and as amended, in (the 1998 Act). Both agencies have been organized under Section 34200, et seq, of the California Health and Safety Code. The Housing Authorities of the City and County of Fresno complies with the pertinent regulations found in the Code of Federal Regulations, Title 24, Chapter IX, part 900, et sequentes, in addition to the citations noted above. The Housing Authorities strives to remain abreast of changes to the law.

The Housing Authorities of the City and County of Fresno are each governed by seven-member Boards of Commissioners. The City Board is appointed by the Mayor. Five of the seven commissioners are appointed to four-year, staggered terms. The other two members are appointed to two-year terms from among the residents of housing owned by the Housing Authority. The County Board of Commissioners is structured in the same manner, except that the County Commissioners are appointed by the Board of Supervisors.

1.2 FAIR HOUSING POLICY

It is the policy of the Housing Authorities of the City and County of Fresno 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.

This PHA shall not discriminate with respect to age, handicap, disability, race, color, creed, sex, marital status, familial status, national or ethnic origin, or sexual orientation in the acceptance of applications, in the leasing of rental housing or related facilities (including land) or in the provision of housing assistance for any project or projects under its jurisdiction (covered by an Annual Contributions Contract under the United States Housing Act of 1937), or in the use or occupancy thereof.

To further its commitment to full compliance with applicable Civil Rights laws, the PHA will provide federal/state/local information to participants regarding "discrimination" and any recourse available to them if they are victims of discrimination. Such information will be made available during the family briefing session at the time of admission. In accordance with Section 504 of the Rehabilitation Act of 1973, as amended, no otherwise qualified individual with handicaps shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefit of, or be subjected to discrimination under any program or activity of the PHA's. The PHA will take appropriate measures to ensure that an individual with handicaps shall have equal access to available services, programs, and activities offered. Such appropriate measures include, but are not limited to:

A. Provision of telecommunication devices for the deaf;
B. Provision of sign language interpreters, as requested;
C. Provision of readers and amanuenses, as requested;
D. Utilization of barrier-free meeting places;
E. Provision of a discrimination complaints procedure.

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 **PHA's** central office is accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the ***TDY telephone service provider***.

To the extent permitted by federal status, it is the policy of the PHA to avoid concentrating the most economically and socially disadvantaged families in the housing projects. Such policy shall be effected by housing eligible families.

1.3 SPECIAL ACCOMMODATIONS

This section is applicable to all situations described within this Occupancy Policy when a family initiates contact with the PHA, when the PHA initiates contact with a family, including when a family applies.

The PHA's policies and practices will be designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notice on PHA forms and letters to all families, and all requests will be verified so that the PHA can properly accommodate the need presented by the disability.

Federal Americans with Disabilities Act of 1990
With respect to an individual, the term "disability" means:

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

Those *"regarded as having such an impairment"* may include those with conditions such as obesity or cosmetic disfigurement, and individuals perceived to be at high risk of incurring a work-related injury.

Individuals with *contagious diseases* who do not pose a direct threat to others are covered by the Act. AIDS victims and those who test positive for the HIV virus are considered to have a disability.

Requests for reasonable accommodations 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" for the PHA, meaning an action requiring "significant difficulty or expense." This standard is not specifically defined in the Act.

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

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

All requests for accommodation or modification will be verified with a reliable knowledgeable, professional.

The PHA utilizes organizations which provide assistance for hearing and sight impaired persons when needed.

The PHA will refer families who have persons with disabilities to agencies in the community that offer services to persons with disabilities.

1.4 LOCAL OBJECTIVES

The Public Housing Program is designed to achieve these major objectives:

To provide decent, safe, and sanitary housing for extremely low to low income families of all ethnic backgrounds while maintaining their rent payments at an affordable level.

To house the broadest possible range of families with very low to moderate incomes in order to achieve a stable mixed resident body and avoid concentration of very low income families.

In any fiscal year, not less than 40% of public housing admissions shall be by families whose income, at time of admission, does not exceed 30% of the area median income in accordance with Section 16 U.S. Housing Act of 1937, amended as Section 513 of the "1998 Act."

In addition, the PHA has the following goals for the program:

To encourage self-sufficiency of participant families and assist in the expansion of family opportunities which address educational, socio-economic, drug prevention, recreational and other human services needs.

To create positive public awareness and expand the level of family and community support in accomplishing the PHA's mission.

To attain and maintain a high level of standards and professionalism in our day-to-day management and delivery of services for all program components.

To administer an efficient, high-performing agency through continuous improvement of the PHA's support systems and commitment to our employees and their development.

1.5 VIOLENCE AGAINST WOMEN ACT OF 2005 (see Appendix 12)

The PHA's goal is to serve the needs of children and adult victims of domestic violence, dating violence, sexual assault, or stalking.

It is the PHA's objective to develop and implement appropriate housing policies and practices; enhance collaboration with victim service providers and resident organizations; reduce the number of victims of such crimes who are evicted or denied housing because of crimes and lease violations committed or directly caused by the perpetrators of such crimes.

The PHA will not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for assistance or admission.

1.6 PURPOSE OF THE POLICY [24 CFR 960.200]

The purpose of this Occupancy Policy is to establish administrative guidelines consistent with HUD requirements and local objectives. The Policy covers both admission and continued participation in the public housing program.

The PHA is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Policy, HUD regulations will have precedence. The original Policy and any changes must be approved by the Board of Commissioners of the PHA or the Executive Director and a copy provided to HUD.

This Occupancy Policy is set forth to define the PHA's local policies for operation of public housing programs in the context of Federal Laws and Regulations. All related issues not

addressed in this document are governed by such Federal regulations, HUD Memos, Notices and Guidelines, or other applicable law.

1.7 PRIVACY RIGHTS [24 CFR 5.212 and 24 CFR 5.230]

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 will release family information.

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

The PHA's practices and procedures 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.

PHA staff will not discuss family information contained in files unless there is a legitimate business reason to do so. Inappropriate discussion of family information, or improper disclosure of family information by staff will result in disciplinary action.

Chapter 2

ESTABLISHING THE WAITING LIST FOR PUBLIC HOUSING

2.0 INTRODUCTION

It is the PHA's objective to ensure that all families who express an interest in public housing are given an equal opportunity to apply, and are treated in a fair and consistent manner. All families who apply for public housing are placed in the proper order on the waiting list *and selected from the waiting list for admissions in accordance with this Occupancy Policy*. These procedures shall be in compliance with all provisions of Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and other applicable civil rights laws.

2.1 REASONABLE ACCOMMODATIONS TO PERSONS WITH DISABILITIES

It is the policy of the PHA 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 as described in Chapter 1, Sec. 1.2 of this policy. (**See Appendix 10**: Reasonable Accommodation Policy)

The PHA will provide federal/state/local information to participants regarding "discrimination" and any recourse available to them if they are victims of discrimination. Such information will be made available during the family briefing session at the time of admission. In accordance with Section 504 of the Rehabilitation Act of 1973, as amended, no otherwise qualified individual with handicaps shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefit of, or be subjected to discrimination under any program or activity of the PHA. The PHA will take appropriate measures to ensure that an individual with handicaps shall have equal access to available services, programs and activities offered. Such appropriate measures include, but are not limited to:

A. Provision of telecommunication devices for the deaf;
B. Provision of sign language interpreters, as requested;
C. Provision of readers and amanuenses, as requested;
D. Utilization of barrier-free meeting places;
E. Provision of a discrimination complaints procedure;
F. Limited English Proficiency (LEP) Services.

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 PHA may contact and obtain services from one of, but not limited to, the following Agencies to accommodate persons with disabilities:

A. California State Department of Rehabilitation
B. Center for Independent Living
C. Central Valley Regional Center
D. Deaf and Hard of Hearing Service Center, Inc.
E. Friendship Center for the Blind, Inc.
F. Self Help for Hard of Hearing People, Inc.

Accessibility for the hearing impaired is provided by the ***TDY telephone service provider***.

The PHA will take affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP). The PHA has contracted with Language Line Services as a reasonable accommodation for persons who do not speak English as their primary language.

2.2 VIOLENCE AGAINST WOMEN ACT OF 2005 (See Appendix 12)

A. OBJECTIVE

It is the PHA's objective to develop and implement appropriate housing policies and practices; enhance collaboration with victim service providers and resident organizations; reduce the number of victims of such crimes who are evicted or denied housing because of crimes and lease violations committed or directly caused by the perpetrators of such crimes.

B. NON-DISCRIMINATION

The PHA will not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for assistance or admission.

C. CERTIFICATION AND CONFIDENTIALITY

The PHA may require the individual who is a victim of domestic violence, dating violence, or stalking, to certify their victim status and include the name of the perpetrator. The individual shall provide such certification within 14 business days after the PHA requests such certification. Only victim service providers, medical professionals, or attorneys who have counseled the victim can provide third-party verification of the victim's status as a domestic violence victim.

All information provided to the PHA including the fact that an individual is a victim of domestic violence, dating violence, or stalking, shall be retained in confidence and shall neither be entered into any shared database nor provided any related entity, except to the extent that disclosure is:

(i) requested or consented to by the individual in writing;
(ii) required for use in an eviction proceeding;
(iii) otherwise required by applicable law

2.3 MARKETING AND OUTREACH

This section establishes the basic procedures in order to achieve an Affirmative Fair Housing and Marketing and Outreach Plan for public housing.

The PHA has taken affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP). The PHA has contracted with Language Line Services to assist persons who do not Speak English as their primary language and who have limited ability to read, write, speak or understand English.

The PHA will publicize and disseminate information to make known the availability of public housing units for extremely low to low income families on a regular basis. The PHA will publicize in the PHA's website at www.hafresno.org, a newspaper of general circulation, minority media, and by other suitable means. Notices will also be provided in Spanish and other available multi-lingual media.

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 will also utilize public service announcements.

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

Marketing and outreach notices may include being placed, but not limited to the following locations:

A. Various places of employment
B. State Unemployment offices
C. Local County Human Services offices
D. U.S. Post Offices
E. Grocery stores
F. Public transportation

G. Various churches
H. Community organizations servicing individuals with handicaps/disabilities

The PHA public notice is mailed to various organizations listed in the Fresno County Resource Directory. In addition, the information is published in a newsletter by the Fresno Housing County Information and Referral Network. Examples of organizations and media contacted are:

A. Homeless Shelters
B. Lao Center
C. CSU Fresno
D. Center for Independent Living
E. Hmong Women's Federation
F. Evangel Home
G. Emergency Housing
H. The Fresno Bee, Vida En El Valle, Channel 21 and Channel 18

The notice will contain locations where families may apply and a brief description of the program. 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, and information on eligibility requirements. Upon request from a person with a disability, additional special accommodation will be provided for submission of an application.

The PHA will promote housing choice for all prospective residents, including special outreach efforts for those least likely to apply.

2.4 "INITIAL" APPLICATION PROCEDURES

The PHA will utilize a preliminary-application form (pre-application). The PHA will utilize an electronic preliminary application process obtained through the PHA's website at www.hafresno.org. The information is to be filled out by the applicant whenever possible. To provide specific accommodation for persons with disabilities, the information may be completed by a staff person over the telephone. It may also be mailed to the applicant and, if requested, it will be mailed in an accessible format.

The purpose of the pre-application is to permit the PHA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list. The pre-application form will contain questions designed to obtain the following information:

A. Names of head of household and spouse
B. Names of all adults and children, including ages of all members
C. Sex and relationship of all members

D. Number of family members (used to estimate bedroom size)
E. Street address and phone numbers
F. Mailing address (if PO Box or other permanent address)
G. Amount(s) and source(s) of income received by household members
H. Social Security Numbers
I. Race/ethnicity
J. Birthplace and birth dates
K. Arrests/convictions for drug related or violent criminal activity
L. Questions regarding previous participation in assisted housing programs
M. Citizenship, eligible immigration status
N. Information regarding disabilities and request for specific accommodations needed.

The pre-application is the formal document used by the PHA and represents the official record of each family seeking housing assistance. Each pre-application form must be signed by the applicant and dated. By so signing, the applicant certifies the accuracy of the information stated and submitted.

All applicant families will be placed on the waiting list, except duplicate applications, including applications from a segment of an applicant household.

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.

2.5 ORGANIZATION OF WAITING LIST

The application process will involve two phases. The first is the "initial" application referred to as the pre-application. The first phase results in the family's placement on the waiting list.

The second phase is the final determination of eligibility/ineligibility for admission into public housing. This takes place when the family reaches the top of the waiting list.

By maintaining an adequate waiting list, the PHA will be able to occupy available public housing units in a timely manner. Applicants will be selected from the PHA waiting list in accordance with this Occupancy Policy.

The PHA will maintain information that permits proper selection from the waiting list. The waiting list contains the following information for each applicant listed:

A. Applicant name and social security number of the head of household
B. Family size/composition

C. Unit size required
D. Date and time of application
E. Local preference
F. Accessibility requirement
G. Racial and ethnic designation of the head of household

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

A. The application will be part of a permanent file
B. Applications will be maintained by date and time sequence
C. All applicants must meet from extremely low to low income eligibility requirements as established by HUD.

2.6 WAITING LIST PREFERENCES [24 CFR 960.206]

The Federal Preferences, which have long applied to public housing programs are repealed by the 1998 Act. (24 CFR 960.204, 960-407; Sections 514 and 545 of the 1998 Act amending Sections 6 and 8 of the 1937 Act.)

Waiting List Order of Applications

The waiting list will be ordered according to date and time of application along with the following local preferences.

In order to bring higher income families into public housing, the PHA will establish a preference for "working" families, where the head, spouse, co-head, or sole member is employed at least 32 hours per week. As required by HUD, families where the head, spouse, co-head, or sole member is a person age 62 or older, or is a person with disabilities will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].

Verification of Preference

In order to ensure accuracy and completeness of the applicant's file, applicants claiming a working preference will be required to provide a verification of preference at the time of the initial interview.

Before the family is admitted to housing, however, the PHA must verify the family's eligibility for the preference based on ***current*** circumstances. If upon verification the PHA determines that the family does not qualify for the preference claimed, the family will not receive the preference and the application will return to the waiting list according to the applications date and time received.

2.7 SITE-BASED WAITING LISTS (See Appendix 3)

The PHA will maintain site-based waiting lists for each public housing development within the following communities: Fresno, Laton, Huron, Sanger, Selma, Reedley, Fowler, Kerman, Highway City, Biola, Pinedale, Del Rey, Orange Cove, Parlier, Firebaugh, Mendota and San Joaquin. Maintenance of the site-based waiting lists will be consistent will all applicable civil rights and fair housing laws and regulations.

A. DEVELOPMENT CHOICE

The PHA maintains separate waiting lists for each of its public housing developments. Applicants may choose to apply for any or all of the developments for which they meet the minimum threshold requirements and would more likely accept unit offers.

B. MONITORING

As part of the Annual Plan submission to HUD, the PHA will monitor the racial and ethnic composition of households residing at each development and on each development waiting list. The purpose of this monitoring is to assess changes in racial, ethnic, or disability-related household composition at each development that may have occurred during the implementation of the site-based waiting lists.

In addition, at least every three years the PHA shall contract with an independent tester or use other methods approved by HUD to ensure that applicants are not treated differently based upon their race or ethnicity, and that no patterns or practices of discrimination exist. The PHA shall take steps to remedy any problems found during the review including steps necessary to affirmatively further fair housing.

C. UNIT OFFER

Applicants will only receive offers at developments where they have requested to be listed. Therefore, each applicant wil receive **one** unit offer. The PHA will keep record of the offer made, whether it is accepted or refused. Unless the applicant has good cause for refusing the offer, the applicant would be dropped off that site-based waiting list. When a family is admitted to public housing, they are taken off **other** site-based waiting lists.

2.8 MAINTAINING THE WAITING LIST

A. GENERAL GUIDELINES

Applicants can apply for one or more waiting lists. Applications shall be accepted from all apparently eligible applicants in accordance with the criteria enumerated in Section 2.3.

Applications will continue to be accepted until the number of applicants, by bedroom size, indicates that future applicants for housing would not be offered housing by the PHA within a reasonable period. At such times, the receipt of applications may be suspended.

Applicants are required to inform the PHA in writing of changes in family composition, income and address. Applicants may submit their changes through the PHA's website at www.hafresno.org. Applicants are also required to respond to requests from the PHA to update information on their application, or to determine their continued interest in housing. Failure to provide information or to respond to mailings will result in the applicant being removed from the waiting list.

PHA staff shall record the appropriate reported changes into the computer file. The computer system automatically accounts for the reported changes and updates proper placement of the family's application on the waiting list.

Applicants whose application has been withdrawn may reapply by submitting a new application.

B. SPLIT HOUSEHOLD

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

1. Which family member applied as head of household
2. Which family unit retains the children or any disabled or elderly member
3. Restrictions that were in place at the time the family applied
4. Role of domestic violence in the split
5. Recommendations of 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.

C. MULTIPLE FAMILIES IN THE SAME HOUSEHOLD

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

D. 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 the household. "Fifty-one percent of the time" is defined as 183 days of the year, which do not have to run consecutively.

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

The application and all related documents are to be maintained in the active file until the application is classified as withdrawn or denied, or until the applicant has been housed in a public housing unit.

E. BALANCE OWED TO PHA

Former housing program participants who left owing a balance to the PHA or to other housing agencies will be denied admission until such balance is paid. Although those with current payment agreements will be allowed on the waiting list, they cannot be assisted **until the entire balance is paid in full**.

F. PURGING THE WAITING LIST

The PHA will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents the interested families for whom the PHA has current information, i.e. applicant's address, family composition, and income category.

1. The waiting list will be purged 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.

2. Any mailings to the applicant which require a response will state that failure to respond will result in the applicant's name being dropped from the waiting list.

3. If a letter is returned by the U.S. Post Office because the applicant failed to notify the PHA of his/her new address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file. If the letter is returned with a forwarding address, it will be re-mailed to the address indicated.

4. The PHA will not remove an applicant's name from the waiting list unless:

    a. The applicant requests in writing that the name be removed;
    b. The applicant did not submit a change of address in a timely manner;
    c. The applicant fails to respond to a written request for information or a

request to declare their continued interest in the program; or

d. The applicant does not meet either the eligibility or suitability criteria for the program.

G. NOTIFICATION TO APPLICANTS

All correspondence and notices sent to applicants by the PHA which require a response, request submission of information, or to schedule an appointment, ***must inform the applicant that failure to comply*** will result in termination of their application.

The PHA will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. Applicants will be offered the right to an informal conference before being removed from the waiting list. Good cause includes, but is not limited to, reason related to health, proximity to work, school, and child care (for those working and attending school).

Notices will inform the applicant that their name will be removed from the waiting list if they fail to respond within the specified time frame. The PHA system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the PHA will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. Reasonable accommodation would be to reinstate the application on the waiting list based on the date and time of the original application.

H. OPENING/RE-OPENING AND CLOSING THE WAITING LISTS

The PHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the PHA to house an applicant in an appropriate unit within a reasonable period of time.

When the PHA opens/re-opens a waiting list, the PHA will advertise through the PHA's website www.hafresno.org, public notice in newspapers, minority publications and media entities, location(s) and program(s) for which applications are being accepted. The notice will contain:

1. The dates, times, and the location where families may apply;
2. The programs for which applications will be taken;
3. A brief description of the program;

4. A statement that Section 8 participants must submit a separate application if they want to apply for Public Housing;
5. Limitations, if any, on who may apply.

The opening/re-opening of the list will be done in accordance with HUD requirements. The notices will be made in an accessible format if requested. The PHA will provide potential applicants with information that includes the PHA address and telephone number, how to submit an application, and information on eligibility requirements.

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.

Chapter 3

ELIGIBILITY FOR ADMISSIONS AND TENANT SELECTION

3.0 INTRODUCTION

This chapter defines both HUD and the PHA's criteria for admission or denial of admission to public housing. It is the policy of the PHA to strive for objectivity and consistency in application of criteria used to evaluate the eligibility and screening of all families. The PHA will review all information provided by the family carefully and **without regard to factors other than those** defined in this chapter. Families will be provided the opportunity to explain their circumstances, furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the PHA pertaining to their eligibility.

3.1 POLICY OBJECTIVES [24 CFR 5.653, 24 CFR 960.202(b), and 24 CFR 903.2]

It is the objective of the PHA to house the broadest possible range of families with extremely low to low incomes in order to achieve a stable, mixed resident body. Concentration of very-low income families will be avoided.

A. INCOME TARGETING AND DECONCENTRATION

As a general rule, not less than 40% of any new admissions in any fiscal year, shall be families whose income does not exceed 30% of median income for the area.

The PHA will encourage extremely low income applicant families to move into developments populated with higher income families. Also, the PHA will encourage higher income applicant families to move into developments populated with extremely low income families. This effort will support the PHA's objective to achieve a stable mixed income resident body and avoid concentration of extremely low income families.

The PHA will affirmatively market public housing to all eligible income groups.

3.2 TIME OF SELECTION AND OCCUPANCY STANDARDS

When a housing unit becomes available, the PHA will contact the first family who is next on the waiting list and who meets the eligibility criteria for this type of unit or development and whose income category would help meet the deconcentration goal and/or the income targeting goal.

A. UNIT OCCUPANCY STANDARDS

The PHA's occupancy guidelines standards for determining unit size shall be applied in a manner consistent with Fair Housing guidelines. All guidelines in this section relate to the number of bedrooms in the unit. Generally the PHA will assign one bedroom to two people within the following guidelines:

GUIDELINES FOR DETERMINING BEDROOM SIZE

Number of Bedrooms	Number of Persons in Household	
	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6
4	5	8
5	7	10

To avoid overcrowding and to assist as many families as possible, available housing units shall be issued in accordance with the occupancy standards set forth below:

1. Minimum and maximum standards may be adjusted based on unit design, to make temporary use of available units or to accommodate the medical needs of a family.

2. Dwelling units will be assigned so as not to require the use of the living room for sleeping, except in studio units.

3. Every family member is to be counted as a person in considering the appropriate bedroom size.

4. Families may have foster children or foster adults live with them if it does not result in overcrowding. Foster persons are counted for occupancy standards, but do not qualify for the $480 dependent allowance. Foster children are qualified in the deductions for reasonable child care expenses as long as the other eligibility criteria is met.

5. In the assignment of dwelling units, the PHA will consider and advise the applicant or resident of the following guidelines:

a. No more than two persons would be required to occupy a bedroom.
b. Persons of different generations, persons of the opposite sex (other than spouse) and unrelated adults would not be required to share a bedroom.
c. Children, with the possible exception of infants, would not be required to share a bedroom with persons of different generations, including their parents.
d. In no event may any single person (who is not 62 years old or older, disabled, persons with disabilities, or the remaining member of resident family) be provided a housing unit with two bedrooms or more.
e. If a single person is pregnant, the unborn child will be counted as a person in considering the appropriate bedroom size. A third-party verification may be provided by the applicant if the PHA feels it is necessary. No allowance will be given for the unborn child and the income limit for one-person family is used.
f. Live-in attendants will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.
g. Space may be provided for children who are away at school, but who lives with the family during school recess.
h. Single person families shall be allocated one bedroom.

B. ONE UNIT OFFER

Applicants would only receive offers at developments where they have requested to be housed. Therefore, when housing units become available, the family will receive **one** unit offer. If the applicant refuses the unit offer without good cause, the applicant will be removed from that site-based waiting list.

If an applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence ***("good cause")*** that acceptance of the offer of a suitable vacancy will result in undue hardship not related to consideration of race, color, sex, religion or national origin, the applicant will not be removed from the waiting list. Good cause for refusal of a unit offer, under which an applicant would not be removed from the waiting list may include, but limited to:

1. **Inaccessibility** to source of employment, education, or job training, children's daycare, or educational program for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of daycare or an educational program for children with disabilities;

2. **The family demonstrates** to PHA's satisfaction that accepting the offer will place a family member's life, health or safety in jeopardy. The family must provide specific and compelling documentation such as restraining orders, risk assessments related to witness protection from a law enforcement agency, or other court orders.

Reasons offered must be specific to the family. ***Refusals due to location alone do not qualify for this good cause exemption***;

3. **A health professional verifies** temporary hospitalization or recovery from illness of the principal household member, other household members or live-in aide necessary to the care of the principal household member;

4. **The unit is inappropriate** for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30 Day Notice to vacate;

5. **An elderly or disabled family** makes the decision not to occupy or accept occupancy in designated housing.

The applicant should be able to document that the hardship claimed is "***good cause***" for refusing an offer of housing. If good cause is verified, the refusal of the offer shall not require that the applicant be removed from the waiting list or otherwise affect the family's position on the waiting list.

The applicant will have **seven** working days to consider a unit offer before deciding whether to accept or refuse the offer.

The PHA will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or refusal, including the reason for the refusal by an applicant.

If the reason given by the applicant violates Fair Housing Laws, i.e. racial discrimination, the application will be removed from the waiting list.

C. BUILDINGS DESIGNED FOR THE ELDERLY AND DISABLED

Preference will be given to elderly and disabled families. If there are no elderly or disabled families on the list, preference will then be given to near-elderly families. If there are no near-elderly families on the waiting list, units will be offered to families who qualify for the appropriate bedroom size using these priorities.

D. MEDICAL NEED FOR LARGER UNIT

If an applicant requests a need for a larger unit for medical reasons, a written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional.

E. ACCESSIBLE UNITS

When an accessible housing unit becomes available, the unit shall be offered:

1. ***First***: to a current public housing resident who has disabilities requiring the accessibility features and who is living in a non-accessible unit.

2. ***Second*****:** to an eligible qualified applicant on the waiting list having disabilities requiring an accessible unit. A disabled applicant has the right to reject a unit that does not meet his/her accessibility needs without having the rejection counted against him/her. A separate bedroom can be provided for live-in attendants with proper medical verification.

3. ***Third*****:** to an applicant not having disabilities requiring the accessibility features. In this case the applicant must agree to move to a non-accessible unit when one becomes available, should an individual or family needing such accessible features apply and become eligible for admission to the program. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if, at a future time, a family requiring an accessible feature applies. Any family required to transfer will be given a 30-day notice.

   If a non-handicapped person has a regular visitor who is handicapped, the unit must be accessible to the handicapped person.

F. EXCEPTIONS TO OCCUPANCY STANDARDS

The PHA will grant exceptions from the guidelines in cases where it is the family's request or the PHA determines the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances, and there is a vacant unit available. If an applicant requests to be listed on a "smaller or larger bedroom size" waiting list, the following guidelines will apply:

1. **Applicants may request** to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines, (as long as the unit is not overcrowded according to local codes).

   a. In these referenced cases, a family that voluntarily accepts a unit that is smaller than what the family is eligible for, will be required to sign a statement stating that unless there is an increase in family size, the family agrees that they are not eligible for transfer to a larger unit for **at least one year**.

   b. The applicant or resident shall sign a statement acknowledging its request for the PHA's waiver of these guidelines in assignment of a unit.

2. **At the PHA's discretion**, the family may be offered a smaller unit than the preferred unit size, based on the PHA's occupancy standards, if in doing so the family has an opportunity to be housed earlier. However, the PHA will not lease a one-bedroom unit to a three-person family that includes two adults and an adolescent or teenager.

3. **For a three-person family**, that includes two adults and an infant, the PHA may allow the family to lease a one-bedroom unit in a desired general occupancy development.

All members of the family residing in the unit must be screened and approved by the PHA. The family must obtain approval of any additional family members before the person occupies the unit except for additions by birth, adoption, or court-ordered custody, in which case the family must inform the PHA within **ten days**.

3.3 CONDITIONS GOVERNING ELIGIBILITY [24 CFR 960.201, 24 CFR 960.202, AND 24 CFR 960.203]

A. ELIGIBILITY CONDITIONS

Applicants for the public housing program shall be deemed initially eligible for consideration provided that they meet all of the following conditions:

1. The applicant must qualify as a Family **(**as defined in **Appendix 1)**.

2. Either their Annual Income (as defined in Appendix 1) does not exceed the applicable Low Income Limit (listed in Appendix 2), or they have continuously been assisted under the United States Housing Act of 1937. To determine if a family is income-eligible, the PHA compares the Annual Income of the family to the applicable income limits for the family size. Income limits apply only at admission and are not applicable for continued occupancy or families transferring within the PHA's public housing.

3. Families are required to provide verification of social security numbers issued by the Social Security Administration for all family members age 6 and older prior to admission or certify that they do not have one. This requirement also applies to persons joining the family after admission to the program.

4. In addition to the eligibility criteria, families must also meet the PHA's screening criteria for suitability as a resident described in Section 3.5 of this Chapter, in order to be admitted to public housing.

5. A family member must be a U.S. citizen or eligible immigrant. A non-citizen lawfully admitted to the U.S. either as a permanent or a temporary resident is considered an eligible immigrant.

B. CITIZENSHIP / ELIGIBLE IMMIGRATION STATUS

In order to be eligible for admission into public housing, a family member must be a U.S. citizen or eligible immigrant. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD.

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.

No Eligible Members. Applicant families that include no eligible members will be ineligible for admittance into public housing. Such families will be denied admission and offered an opportunity for an informal conference.

Non-citizen Students. Defined by HUD in the non-citizen regulations are not eligible for assistance.

Non-contending Member. Individuals who do not contend that they have eligible status. If one or more members of a family elect not to contend that he/she has eligible immigration status and the other members of the family establish their citizenship or eligible immigration status, the family may be considered for assistance despite the fact that no declaration or documentation eligible immigration status is submitted by one or more members of the family. The family, however, must identify in writing to the PHA the family member(s) who will elect not to contend that he/she has eligible immigration status.

The Non-Citizens Final Rule, published 5/12/99, requires that families assisted may be suspended for at least 24 months if the family knowingly permits an ineligible individual to reside on a permanent basis in the family's unit. Suspension does not apply to ineligible individuals already in the household where the family's assistance has been prorated.

C. TRANSFERS (see Chapter 8)

Transfers within the public housing program shall take preference over admissions of applicants from the waiting list. Transfer situations may include:

1. Emergencies;
2. Demolition, disposition rehabilitation of unit;
3. Reasonable accommodation;

4. Occupancy Standards; and
5. Incentive to residents with good resident histories.

Residents on the transfer list may refuse transfer offers for the "***good cause***" reasons without losing their position on the transfer list. Residents who refuse a transfer offer without good cause may be removed from the transfer list and residents whose transfers are mandatory are subject to lease termination. Residents are entitled to use the PHA Grievance Procedure if they are refused the right to transfer or if the PHA is requiring them to transfer and they do not want to do so.

3.4 INTERVIEW FOR ADMISSIONS

The PHA utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify information which 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.

A. The head of household and/or spouse are required to attend the interview, complete the application, and certify by signature, that all the information is complete and accurate.

B. It is the applicant's responsibility to reschedule the interview if he/she misses the appointment. If the applicant does not reschedule or misses the scheduled meeting without good cause, the PHA will reject the application as indicated in the appointment letter.

C. Reasonable accommodations will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide some information, but only with permission of the person with a disability.

D. Interviews will be conducted in English. For Limited English Proficient (LEP) applicants, the PHA will provide translation services through the Language Line Services.

E. All adult members must sign the HUD Form 9886, *Consent for Release of Information*, the consent related to citizenship/immigration status and any other documents required by the PHA. Failure to sign all required verification forms for information, will cause the denial of the application for failure to provide necessary certifications and releases as required by the PHA.

F. Information provided by the applicant will be verified, including information related to family composition, income, allowance, and deductions, assets, eligible immigration status, full-time student status and other factors related to eligibility and rent calculations.

G. 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 **seven (7) working days** to supply the information.

H. If the information is not supplied in this time period, the PHA will provide the family a written notification of denial of admission.

3.5 APPLICANT SCREENING FOR RESIDENT SUITABILITY

A. APPLICANT SCREENING

The PHA shall rely upon sources of information which may include, but not limited to, PHA records, personal interviews with the applicant/resident, information and/or interviews with previous landlords, employees, family social workers, parole officer, credit reports, criminal and court records, clinic, physicians or the police department, and home visits for persons who have had negative landlord reference(s) for poor housekeeping habits.

Determination of initial eligibility for the public housing program does not guarantee the acceptance of applicants as residents. **Applicant's suitability as residents shall also be evaluated on the basis of the following information and criteria:**

1. **Financial Obligation**: The applicant's history of meeting all financial obligations, especially the payment of rent. The PHA will complete a rental history check on all adult applicants.

2. **Drug or Alcohol Abuse:** Applicants who, by definition of the Department of Housing and Urban Development 1996 "Extender Act":

   a. Have a history of any ***drug or alcohol abuse*** or related activity, or criminal activity, whether or not they have been convicted on criminal charges. Use of alcohol is not grounds for rejecting an applicant unless the abuse or pattern of abuse of alcohol results in behavior that would threaten the health, safety or right to peaceful enjoyment of the premises by other residents.

   b. Have a history of ***behavior*** that would threaten the health, safety or peaceful enjoyment of the premises by other residents.

3. **Criminal History:** Provision of evidence that any and all prior criminal activity on the part of any member of the household does not constitute a present danger to other PHA's residents or to PHA's staff. Criminal history background shall be evaluated on the basis of:

   a. The seriousness of any and all crimes committed;
   b. The number of offenses;
   c. Recommendations from parole officers or other representatives of the criminal justice system;
   d. Certification of completion of rehabilitation;
   e. Court records, police records, physicians reports, social worker reports, etc.;
   f. Evidence of criminal or malicious activity while a visitor on the PHA's property or as a former member of a resident family of the PHA;
   g. The illegal manufacture, sale, distribution, use, or possession of a controlled substance by any member of the prospective resident household;
   h. Any individual convicted of manufacturing or producing methamphetamine (commonly referred to as "speed") will be permanently denied admission into any public housing unit according to Section 428 of the FY 1999 HUD Appropriations Act, Section 16, Subsection (f);
   i. Violent criminal activity also includes any 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.

4. **Registered Sex Offender: Adult individuals who are registered in the State's Lifetime Sex Offender Registrations Program, including live-in aides, will not be admitted to public housing**.

5. **Rental History:** Reports from prior landlords indicating the resident's rent payment history, maintenance of property, and the behavior of resident's guests and family members.

6. **Home Visit:** Reports from PHA staff, based on a home visit to the applicant's current residence. If reports from PHA staff, based on a home visit to the prospective resident, show any of the following, the applicant may be deemed unsuitable:

   a. Poor housekeeping habits/failure to maintain the dwelling
   b. Destruction of the dwelling unit caused by the resident
   c. Infestation of the unit caused by resident's failure to clean properly

7. **Lack of Disclosure:** Lack of complete disclosure of family members' income and assets or indications that the applicant is deliberately obstructing efforts to obtain said information may jeopardize the applicant's acceptability for housing, since it is

indicative of a pattern which may persist once the person becomes a resident. Such behavior may be interpreted as attempted fraud and may result in the determination that the applicant is unacceptable in a federal program where assets and income determine the rent and eligibility.

B. FAMILY NOT SUITABLE FOR TENANCY

If the family is determined not suitable for tenancy, they shall be denied admission in writing and given the reason(s) for rejection. Those denied admission will be informed in writing and their right to an informal conference.

3.6 INCOME AND ASSETS

To determine annual income, the PHA counts the income of all family members. Once the annual income is determined, the PHA subtracts all allowable deductions as allowances to determine the TTP (Total Tenant Payment).

All sources of income must be verified in writing by the individuals' representatives, or from organizations providing such income. In addition, the applicant or participant will be required to sign a *Consent for Release of Information* form as designed by the PHA to be used in obtaining verifications of any and all sources of income and assets (including wage or benefit information from the California Employment Department).

Following are examples of income sources:

A. Written statements from employers, the Social Security Administration Office, pension administrators, TANF, General Assistance, Unemployment benefits, Social Security Disability, State Disability, Worker's Compensation, severance payments, insurance payments, alimony, child support, and regular contributions from family members not residing within the household may be used to verify an applicant's/resident's income.

B. All regular pay, special pay, and allowances of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family or spouse, or who is considered a member of the family, is counted toward determination of eligibility and continued occupancy. Excluded from such consideration is special pay to a family member of the Armed Forces who is exposed to hostile fire.

C. **Self-Employment.** For self-employed applicants, the provision of income tax records or a summarized book of accounts reflecting the gross and net income from a business or profession must be provided by the applicant. For this purpose, expenditures for business expansion or amortization of capital indebtedness and an allowance for the depreciation of capital assets shall not be deducted to determine

the net income. Such applicants shall also be required to sign the *Consent for Release of Information* form.

D. Determination of income shall reflect the gross and not the adjusted income after deductions for taxes, social security, pension contributions, etc. In addition, wages shall include tips, overtime pay, bonuses, commissions, etc.

E. **Asset Income.** Income from assets include, but is not limited to, interest on savings accounts, stock dividends, net income from real or personal property is counted when determining annual income.

1. Documentation shall be required from the applicant/resident's bank, fund manager, real estate manager, of all assets, of the value thereof and interest thereon, and of the dividends, or other net income derived from such capital indebtedness; and

2. An allowance for depreciation of capital assets shall not be deducted to determine the net income from real or personal property.

3. The PHA has elected to count the value of savings and checking accounts by the following methods:

   a. **Savings Account(s)** - will use the current balance in the savings account(s) and;

   b. **Checking Account(s)** - will use the average balance for the past six months in the checking account(s).

   c. **Exception to Third-Party Verification** - to checking and savings accounts may not be obtained:

      i. if it is **not** cost-effective or reasonable to obtain third-party verification; and/or
      ii. the amount of income that is being verified is an insignificant amount that would have minimal impact on the Total Tenant Payment (TTP) and the PHA is able to verify the amount through original documents provided by the applicant/resident.

4. **Family Assets**:

   a. Where a family has net family assets of $5,000 or less, the PHA will use the actual income from all family assets.

b. Where a family has net family assets in excess of $5,000, the PHA will use the greater of:

i. The actual income from all family assets;
ii. The imputed asset income from all net family assets. The imputed income is the cash value of the assets multiplied by a HUD-determined local passbook interest rate.

F. **TANF Income**. The PHA has entered into an agreement with the welfare agency to provide written verification concerning welfare benefits for families receiving housing assistance.

If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.

If the amount of the welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted as income.

G. **Seasonal and Irregular Income**. In cases where family members have occupations who regularly work less than 12 months per year i.e., seasonal farm labor workers, construction workers, school employees, IRS employees, etc., the PHA **will use** all past income to project annual income if it is the best indicator of expected future income. Since the family's employment history remains constant seasonal, projecting and/or anticipating all income in this manner will minimized the need for interim recertifications.

1. For this method, a history of all income from the past **two** years will be needed to anticipate the upcoming 12 months of income.

2. PHA will inform families with seasonal employment that all of their income has been factored in for the entire year. Therefore, when a family member has stopped working, an interim reexam will **not** be conducted.

3. Rent will not go down when the family member stops working.

4. If needed, the PHA will re-evaluate the family's rent on a case-by-case basis.

3.7 INCOME EXCLUSIONS

A. Annual income does not include casual or sporadic gifts, amounts specifically for or in reimbursement of the cost of medical expenses, or lump sum additions to family assets such as inheritances, insurance payments, or settlements for personal or property losses.

B. Annual income does not include payments received for the care of foster children or foster adults.

C. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.

D. Income from employment of children (including foster children) under the age of 18.

E. Annual income does not include the income of a live-in aide.

F. Annual income does not include special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

G. Adoption assistance payments in excess of $480 per adopted child.

H. Annual income does not include the full amount of student financial assistance paid directly to the student or the educational institution.

I. Earnings in excess of $480 for each full-time student 18 years old or older (excluding the head of household and spouse).

J. Annual income does not include incremental earnings and benefits from participation in a state or local employment training program. Amounts excluded by the provision must be received under employment training programs with clearly defined goals and objectives and are excluded only during participation in the program.

K. Annual income does not include modest amounts (not exceeding $200 per month) received by a resident as a stipend for performing a service to the PHA on a part-time basis that enhances the quality of life in the development. No resident may receive more than one such stipend during the same period of time.

L. Annual income does not include amounts received by a participant in other public assistance programs that are specifically for reimbursement of out-of-pocket expenses incurred solely to allow participation in a specific program (e.g. special equipment, clothing, transportation, child care, etc.).

M. For family members who enrolled in certain training programs prior to October 1, 1999, the earnings and benefits resulting from the participation in employment training and supportive services programs. Such employment training and supportive services programs which are funded by the Federal, State or local government; are operated or administered by a public agency; and have the objective to assist participants in acquiring employment skills.

N. Income received from these programs are excluded **only for the period** during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired after completion of such program. If the family member is terminated from employment with good cause, the exclusion period shall end.

3.8 EARNED INCOME DISREGARD (EID)

For qualified families, the Earned Income Disregard/Disallowance calls for the exclusion of increases in income attributable to new employment or increased earnings over income received prior to qualifying for the disallowance.

To qualify for the EID, a family member must experience an increase in annual income that is the result of one of the following three events:

A. PREVIOUSLY UNEMPLOYED

1. Employment by a family member who was "previously unemployed" for one or more years prior to employment.

2. Previously unemployed also includes a person who has earned, in the previous 12 months, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

B. ECONOMIC SELF-SUFFICIENCY OR JOB TRAINING

1. Whose annual income increases as a result of increased earnings by a family member ***during*** participation in any economic self-sufficiency or other job training program;

2. HUD's definition of an "***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;

3. Programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, work fairs, financial or household

management, apprenticeship, or any other program necessary to ready a person for work (such as substance abuse or mental health treatment).

C. TANF BENEFITS

1. Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within 6 months after receiving temporary assistance for needy families (TANF) benefits or services.

2. The total amount of TANF received over the six-month period must be at least $500.

3. For this purpose TANF includes monthly income maintenance plus one-time payments, wage subsidies, transportation assistance or other such benefits and services.

D. EXCLUSION TIME-FRAME

The required disallowance of all or part of the increase in earned income for a total of 24 cumulative months, over a period of not more than 48 consecutive months, as described in the following paragraphs:

1. **Initial Twelve-Month Exclusion Period.** During the initial 12-month exclusion period, the full amount of the increase in income attributable to employment or increased earnings is excluded.

    a. The initial full exclusion period begins on the date the family member who qualifies is first employed or first experiences an increase in income due to employment.

    b. The initial full exclusion extends for a total of 12 cumulative months. The months do not have to be consecutive.

2. **Second Twelve Month Exclusion and Phase-In.** During the second 12-month exclusion and phase-in period, the exclusion is reduced to half, or 50 percent, of the increase in income attributable to employment or increased earnings.

    a. The second 12-month exclusion period begins after the family member who qualifies has received 12 cumulative months of full exclusion.

    b. The phase-in period extends for a total of 12 cumulative months. The months need not be consecutive.

3. **Maximum Four-Year Disallowance.** The four-year maximum exclusion clock starts ticking at the beginning of the initial exclusion period and ends exactly 48 months later.

   a. No exclusion may be given after this lifetime limit has been reached.

   b. A maximum of 12 cumulative months for each of the two exclusion periods (full and phase-in).

4. **Other EID Information.**

   a. An applicant family is not eligible for EID at the time of admission.

   b. In a mixed family, a family member who does not have eligible immigration status is not eligible for EID.

   c. Only adults can qualify for the earned income disallowance.

   d. EID is considered to be exclusively part of the income-based rent formula.

3.9 MANDATORY DEDUCTIONS FROM INCOME

The following are HUD allowed deductions from Annual Income:

A. **Dependent Allowance**: $480 for each family member (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.

B. **Elderly/Disabled Allowance**: $400 per family for families whose head or spouse is 62 years of age or older or disabled.

C. **Medical Expenses:** For families with an elderly, disabled, or persons with disabilities head of household or spouse, there shall be a deduction of any unreimbursed medical expenses exceeding 3% of the resident's or applicant's gross Annual Income.

D. **Disability Assistance Expense**. A deduction is available to **any** assisted family. Families may deduct reasonable anticipated costs for attendant care and auxiliary apparatus for family members with disabilities, to the extent these expenses are reasonable and necessary to enable any family member 18 years of age or older who may or may not be the member who is a person with disabilities (including the member who is a person with disabilities) to be employed.

This allowance is equal to the amount by which the cost of the care attendant or auxiliary apparatus exceeds 3% of gross annual income.

E. **Child Care Expenses:** For families, there shall be a deduction for reasonable child care expenses (other than reimbursed expenses) for children under the age of 13 when such care is necessary to enable the parent(s) to attend school full-time, full-time vocational training or employment. Reasonable expenses are those that do not exceed average child care expenses as determined by the PHA's survey of local child care costs. Foster children are also qualified in the deductions for reasonable child care expenses.

Deductions, as mentioned above, from the gross Annual Income, shall result in an *Adjusted Annual Income*. Such Adjusted Annual Income shall be calculated on a monthly basis and the 30% factor applied, which shall result in the monthly TTP. In instances where a resident is required to pay for utilities (gas, electric, water, garbage or sewer), an adjustment shall be made in the TTP in accordance with the utility allowance schedule. The resulting figure shall be called the Tenant Rent.

3.10 VERIFICATION OF ELIGIBILITY

HUD regulations require that the factors of eligibility be verified by the PHA. PHA staff will obtain written verification from independent sources whenever possible and will document resident files whenever third party verifications are not possible. The PHA will obtain proper authorization from the family before requesting information from independent sources.

Verification of information must be dated within 120 days of certification. The PHA will verify information through the following methods of verification.

A. VERIFICATION RESOURCES

The PHA is required to verify documents relating to eligibility, assets, income, deductions from income, and compliance with applicant selection criteria. The PHA will use multiple resources to obtain reliable forms of verifications prior to admission. In fulfilling the verification requirements, PHA will follow the Levels of Verification Methods as stated below wherever possible. The PHA's verification tools may include, but not limited to the following verification resources:

1. HUD's Enterprise Income Verification (EIV) system, a single source of wage, unemployment compensation, and social security benefit information;

2. State wage information collection agencies (SWICAs);

3. State Temporary Assistance for Needy Families (TANF) systems, also known as California Work Opportunity and Responsibility to Kids (CalWORKs);

4. Credit Reporting Agencies;

5. Internal Revenue Service (IRS);

6. Private sector databases (e.g. The Work Number).

B. LEVELS OF VERIFICATION METHODS

1. **UP-FRONT INCOME VERIFICATION (UIV).** The verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. Verifications received electronically directly from the source are considered third-party written verifications. Where allowed by HUD, and/or State or local agencies, computer matching will be used.

   a. HUD maintains a Web site devoted to UIV, where links to many current UIV resources are posted. Current UIV resources include: HUD's Enterprise Income Verification (EIV) system, a single source of wage, unemployment compensation, and social security benefit information.

   b. The UIV is not considered as an automatic substitute for other third-party verification, therefore, third-party verification may continue to be necessary as a supplement to the UIV information.

   c. EIV resident income data is not available at the time of admission. In order to identify reported and unreported income, the PHA's staff will generate an EIV report within 90 days of admission. PHA staff will then compare the income amounts on the UIV and resident-provided documents.

   d. When an EIV report is generated within 90 days of admission, and there is unreported income, PHA staff will obtain additional third-party verification and if necessary, recalculate the family's rent.

2. **THIRD-PARTY WRITTEN VERIFICATION**. Independent verification of income and/or expenses by contacting the individual income/expense source(s) supplied by the family will be used to verify information directly with the source. Third-party written verification forms will be sent and returned via first class mail.

3. **THIRD-PARTY ORAL VERIFICATION**. Independent verification of income and/or expenses by contacting the individual income/expense source(s) supplied by

the family, via telephone, will be used when third-party written verification is delayed or not possible.

a. When third-party oral verification is used, staff will document in the resident's file, the date and time of the telephone call, with whom they spoke, and the facts provided.

b. If third party oral verification is not available, the PHA will compare the information to any documents provided by the family. If provided by telephone, the PHA must originate the call.

4. **DOCUMENT REVIEW.** In the event that third-party written or third-party oral verification is unavailable, or the information cannot be verified by a third-party within two weeks, the PHA will document the resident's file accordingly and utilize documents provided by the family as the primary source if the documents provide complete information.

5. **RESIDENT DECLARATION.** The resident will be required to submit an affidavit or notarized statement of reported income and/or expenses. This will be used as a last resort when all other verification methods are not possible. The PHA's staff will document the resident's file why third party verification was not available. Self-certification means affidavit/certification/ statement under penalty of perjury.

C. GUIDELINE FOR PROJECTING ANNUAL INCOME WHEN UIV DATA IS AVAILABLE

The following guidelines are provided to assist in consistently and uniformly resolving income discrepancies. HUD has established the criteria for what constitutes a substantial difference in cases where UIV income data differs from resident-provided and/or other verified income information. HUD defines a substantial difference as one that is $200 or more per month.

1. **UIV Income Data is <u>Not</u> Substantially Different than Resident-Provided Income Information.**

UIV will alleviate the need for third-party verifications when there is not a substantial difference between UIV and resident-reported income.

a. If UIV income data is less than **current** resident-provided documentation, the PHA will use resident-provided documents to calculate anticipated annual income.

b. If UIV income data is more than **current** resident-provided documentation, the PHA will use UIV income data to calculate anticipated annual income

unless the resident provides the PHA with documentation of a change in circumstances (i.e., change in employment, reduction in hours, etc.). Upon receipt of acceptable resident-provided documentation of a change in circumstances, the PHA will use resident-provided documents to calculated anticipated annual income.

2. **UIV Income Data <u>is</u> Substantially Different than Resident-Provided Income Information.**

   a. The PHA will request written third-party verification from the discrepant income source, in accordance with 24 CFR 5.23(3)(I).

   b. The PHA will review historical income data for patterns of employment, paid benefits, and/or receipt of other income, when the PHA can not readily anticipate income, such as in cases of ***seasonal employment, unstable working hours, and suspected fraud***.

   c. The PHA will analyze all data (UIV data, third party verification and other documents/information provided by the family) and attempt to resolve the income discrepancy.

   d. The PHA will use the most current verified income data (and historical income data if appropriate) to calculate anticipated annual income.

The PHA will not delay the processing of an application beyond 15 calendar days because a third party information provider does not return the verification in a timely manner.

D. ITEMS/DOCUMENTS TO BE VERIFIED

The PHA is required to verify documents relating to eligibility, assets, income, deductions from income, and compliance with applicant selection criteria. PHA will follow the Levels of Verification Methods as stated above wherever possible. Items and documents to be verified includes, but is not limited to:

1. **INCOME, ASSETS AND ASSET INCOME.** Acceptable verification include, employment verification form completed by the employer, check stubs, earnings statements, W-2 forms plus income tax return forms.

2. **FAMILY MEMBERS IDENTITY**. Acceptable verification includes, birth certificates, marriage licenses, guardianship papers, California DMV identification cards, and California driver's licenses, shall be photo-copied and placed in the applicant's file in order to verify identity of all family members.

3. **SOCIAL SECURITY NUMBER.** The family must disclose the social security numbers for all family members six (6) years of age or older and provide verification by presenting the social security cards as issued by the Social Security Administration (or other acceptable verifications as determined by the PHA).

   a. If a family member has no social security number, he/she or such other responsible member will be required to sign a certification to that effect.

   b. If he/she has been assigned a social security number, but has no verification of such, he/she will be required to supply verification within 60 days of signing a certification identifying his/her assigned social security number.

   c. Elderly families will be given an additional 60 days to produce such verification or certification.

   d. Failure to comply within the specified time period will result in application denial, removal from the waiting list, or termination from the process.

4. **CITIZENSHIP/ELIGIBLE IMMIGRANT 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 their status only once.

   Citizens or Nationals of the United States **-** are required to sign a declaration under penalty of perjury. The PHA will not require citizens to provide documentation of citizenship.

   Eligible Immigrants **-** who were participants and 62 years of age or older 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 show a student visa but their status will not be

verified and they do not sign a declaration but are listed on the statement as ineligible members.

Non-Contending Members - individuals who do not contend that they have eligible status. If one or more members of a family elect not to contend that he/she has eligible immigration status and the other members of the family establish their citizenship or eligible immigration status, the family may be considered for assistance despite the fact that no declaration or documentation of eligible status is submitted for one or more members of the family. The family, however, must identify in writing to the PHA the family member(s) who will elect not to contend that he/she has eligible immigration status.

Failure to Provide - if an applicant or participant family member fails to sign a required declaration 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 admission for failure to provide required information. Once verification has been completed, it need not be repeated.

The regulations stipulate that one of the following documents are acceptable unless changes are published in the Federal Register.

a. Resident Alien Card (I-55)
b. Alien Registration Receipt Card (I-151)
c. Arrival-Departure Record (I-94)
d. Temporary Resident Card (I-688)
e. Employment Authorization Card (I-688B)
f. Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified.

5. **MEDICAL EXPENSES**. Acceptable documents detailing unreimbursed medical expenses, for elderly/disabled families only, are required in order to determine the rent an applicant or participant will pay. (See Appendix 10: Medical and Disability Policy)

6. **DISABILITY ASSISTANCE EXPENSE**. Acceptable documents detailing nonreimbursed costs for attendant care and auxiliary apparatus for persons with disabilities are required in order to determine the rent an applicant or participant will pay. (See Appendix 10: Medical and Disability Policy)

7. **CHILD CARE EXPENSES**. Acceptable documents verifying child care expenses, including foster children (other than reimbursed expenses), which enable adult family members to attend school full-time, full-time vocational training, or employment (children cared for must be under 13 years of age), are required to determine the resident's rent.

8. **PREGNANCY**. Acceptable verification of pregnancy is required when it is the sole basis for qualifying a family's eligibility. In cases where an immediate determination cannot be made, the PHA may require a physician's certification.

9. **LIVE-IN AIDE**. Acceptable verification of the necessity for a live-in aide must be supported by written certification from a reliable, knowledgeable professional, such as a doctor or social worker.

   a. Verification must include the hours the care should be provided (full-time or part-time basis).

   b. **Live-in aide** is not treated as a program participant and their income will not be counted for the purpose of determining eligibility.

   c. A live-in aide is subject to screening for suitability requirements and shall not be considered as a remaining family member with residual rights to public housing.

   d. Relatives, as a live-in aide, are not automatically excluded. The relative must meet the requirements to qualify and who otherwise would not be living in the unit except to provide necessary supportive services.

10. **PRE-ADMISSION HOME VISITS**. A pre-admission home visit may be completed to determine the acceptability of the family's housekeeping habits. If a home visit is scheduled, the applicant should be notified 48 hours in advance of the scheduled home visit.

11. **RENTAL HISTORY**. A narration of a landlord's response to the PHA's inquiry concerning an applicant's behavior as a resident shall be placed in the applicant's file. Similar information concerning other individuals who will be members of the applicant's household is to be obtained and kept with the applicant's file.

12. **ZERO INCOME FAMILIES**. Families reporting zero income and/or a minimal amount of income will be reviewed on case by case basis. Zero Income Families may include, but not limited to the following:

   a. Families who report zero income and have no income excluded for rent computation; or
   b. Families whose total tenant payment equals the minimum rent; or
   c. Families who report $100 or less per month in total income; or
   d. Families who report a minimal amount of income that warrants a Utility Reimbursement Payment.

Verification. The PHA will pursue a verification of income that reflects the family's lifestyle which may include a home visit to determine the likelihood of the applicant or resident's report. ***A family budget or statement of financial responsibility may be required from the applicant/resident. Investigations may include ordering a credit report on the applicant or resident or household adult members.***

Consent. In addition, the applicant/resident and adult household members will be required to sign releases allowing the PHA to obtain verifications of ***no-income*** from sources including but not limited to: HUD's Enterprise Income Verification System, Department of Internal Revenue Services, Department of Veterans Affairs, Department of Social Services, etc.

The PHA will examine the family's circumstances every 60 to 90 days until the family has a stable income.

The PHA will request zero income families to complete a zero income worksheet, provide receipts for the amounts claimed, and self certify:

- Applicants who fail to provide receipts for the amounts claimed would be subjected to non-eligibility for admissions; and

- Residents who fail to provide receipts for the amounts claimed, would be in non-compliance with the Resident Dwelling Lease Agreement and be subjected to a 30 Day Notice to Vacate.

13. **PERMANENT ABSENCE OF ADULT 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:

    a. Husband or wife institutes divorce action;
    b. Husband or wife institutes legal separation;
    c. Order of protection/restraining order obtained by one family member against another;
    d. Proof of another home address, such as utility bills, cancelled checks for rent, drivers' license, or lease or rental agreement;
    e. Statements from other agencies, such as Social Services, that the adult family member is no longer living at that location;
    f. If adult member is incarcerated, a document from the court or prison stating how long they will be incarcerated;
    g. Notarized statement from family member or other verifiable document.

3.11 EVALUATION OF INFORMATION

All information assembled with regard to a potential resident is to be reviewed by PHA staff for completeness and accuracy. Where necessary, follow-up information shall be obtained.

After collection and documentation of information and the review for completeness and accuracy, it must be possible to make all of the following determinations concerning the applicant:

A. Eligibility as a "family."

B. Eligibility of the family with respect to income limits.

C. Eligibility of the family with respect to its suitability as a resident. A suitable resident family is one that, in the estimation of the PHA's staff, would not have a detrimental effect on other PHA residents or on the environment of the complex.

D. Eligibility of the family with respect to its having no outstanding balance on the PHA's records, or for any other federally-subsidized housing program.

E. Determination of the appropriate size unit.

F. Determination of the family's Adjusted Income and Total Tenant Payment.

3.12 DETERMINATION OF TOTAL TENANT PAYMENT [24CFR 5.628]

This section defines the allowable expense 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 section 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.

In general, the Total Tenant Payment (TTP) of the applicant shall be determined in accordance with the following guidelines and formulas. There may be other special factors impacting on Tenant Rent (TR) calculations, and PHA staff will review pertinent federal regulations and definitions prior to making a final determination.

A. FAMILY CHOICE

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

Families who opt for the flat rent, the PHA will conduct a reexamination of the family's composition at least annually, and will conduct a reexamination of the family's income at least once **every three years**, rather than the annual review they would otherwise undergo.

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

1. The family's income has decreased;
2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.;
3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

B. FORMULA METHOD

Families who pay an income-based rent, the PHA will conduct a reexamination of the family income and composition at least annually and will make appropriate adjustments in the rent after consulting with the family and upon verification of the information. The TTP shall be established based on one of the following calculations, whichever is the highest. The result shall be rounded to the nearest dollar.

1. 30% of Monthly Adjusted Income
2. 10% of Monthly Income
3. If the family receives General Relief or any other temporary assistance from Health and Human Services, and a part of the assistance payment, is specifically designated by such agency to meet the family's housing cost, that monthly portion of such payment shall be the Tenant Rent.
4. $50.00 (minimum rent)

The family will pay the greater of the Total Tenant Payment (TTP) or the minimum rent of $50, but never more than the flat rent.

Earned Income Disregard (EID) is considered to be exclusively part of the income-based rent formula. Therefore, in the case of a family who has qualified for the income exclusion described in Section 3.8 of this Chapter, upon the expiration of the 12-month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12-month period following the initial 12-

month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase the family would have otherwise received.

C. MINIMUM RENT

Minimum rent refers to minimum Total Tenant Payment (TTP) and not a minimum Tenant Rent (TR). Families subject to a utility allowance could still be entitled to a utility reimbursement if the utility allowance is greater than the TTP.

Regardless of whether the family chooses to pay a flat rent or income-based rent, the family must pay at least the minimum rent except as described in 24 CFR 5.630 (b), *financial hardship exemption from minimum rent*.

The PHA has set the minimum rent at $50. However, if the family requests a hardship exemption, the PHA will immediately suspend the minimum rent for the family until the PHA can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature. A hardship exists in the following circumstances:

1. When the family has lost eligibility for or is waiting on an eligibility determination for a Federal, State, or local assistance program;
2. When the family would be evicted as a result of the imposition of the minimum rent requirement;
3. When the income of the family has decreased because of changed circumstances, including loss of employment;
4. When the family has an increase in expenses because of changed circumstances, for medical costs, child care, transportation, education, or similar items;
5. When a death has occurred in the family.

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

Temporary hardship. If the PHA reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The PHA will offer a repayment agreement in accordance with this policy for any rent not paid during the period of suspension. During the suspension period, the PHA will not evict the family for nonpayment of the amount of Tenant Rent (TR) owed for the suspension period.

Long-term hardship. If the PHA determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.

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

D. FLAT RENT

The PHA has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its condition, amenities, services, and neighborhood. The PHA determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30 Day Notice of any rent change. Adjustments are applied on the anniversary date for each affected family. If the flat rent is selected, a utility allowance is ***NOT*** deducted.

The schedule of flat rents is re-evaluated by the PHA on an annual basis. When the PHA adopts a new schedule of flat rents, all families who have elected to pay a flat rent will be notified (30-Day Notice) of this rent change.

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

E. RENT FOR FAMILIES UNDER THE NON-CITIZEN RULE

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

1. Determine the 95th percentile of gross rents (Tenant Rent plus utility allowance) for the PHA. The 95th percentile is called the maximum rent.

2. Subtract the family's Total Tenant Payment (TTP) from the maximum rent. The resulting number is called the maximum subsidy.

3. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.

4. Subtract the prorated subsidy from the maximum rent to find the prorated Total Tenant Payment (TTP). From this amount, subtract the full utility allowance to obtain the prorated Tenant Rent (TR).

5. Mixed families may also qualify for the Minimum Rent.

F. PRORATION OF RENT FOR "MIXED FAMILIES"

Proration of rent must be offered to any "mixed" applicant family seeking admission into public housing or resident family. A household is considered a "mixed" family when some family members have eligible immigration or citizen status, while other members do not. The amount of housing assistance, for the purpose calculating the rent, is based upon the number of family members with eligible immigration status and the PHA's maximum rent. This calculation reflects the mixed family's prorated flat rent amount.

G. REDETERMINATION OF PRORATED ASSISTANCE

The amount of prorated housing assistance provided will be recalculated at the time the maximum rents are revised or at the eligible family's scheduled recertification.

In addition, the amount of housing assistance will be recalculated whenever there has been a change in family composition or income.

H. REVISION OF MAXIMUM RENTS

The maximum rents will be calculated at least annually. At the PHA's discretion, the schedule of maximum rents **may** be modified from time to time. If the maximum rents are modified, the PHA will give at least a 30 Days Notice to each affected resident setting forth the proposed modification and the reasons thereof.

I. UTILITY ALLOWANCE

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

1. **The utility allowance** will be subtracted from the family's formula rent to determine the amount of the Tenant Rent (TR). The Tenant Rent (TR) is the amount the family owes each month to the PHA. The amount of the utility allowance is then still available to the family to pay the cost of their utilities, ***except if a flat rent*** is selected, then a utility allowance is not deducted. Any utility cost above the allowance is the responsibility of the resident. Any savings resulting from utility costs below the amount of the allowance belongs to the resident.

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

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

4. **Residents may submit a request** for a special utility allowance relief. In order to be considered for evaluation, the resident must submit a description of any special circumstances that affect the amount of electricity or gas usage and include the utility usage records for the previous 12 months. Only those circumstances which are beyond the residents control are eligible for consideration.

   a. Examples of special circumstances include the special needs of the elderly, physically ill, persons with disabilities or disabled persons in need of using special equipment and/or an apparatus which require consumption of energy to operate.
   b. The PHA will review each case on an annual basis.

5. **The PHA may charge residents who pay flat rents** for excess consumption of PHA-provided utilities under the following conditions:

   a. The PHA has incorporated costs for reasonable levels of consumption into its flat rents;

   b. The residents' consumption exceeds the reasonable levels used to determine the flat rents;

   c. The excess consumption is documented through check metering.

J. INCOME CHANGES RESULTING FROM TANF PROGRAM REQUIREMENTS [24 CFR 5.615]

1. Welfare Agency Sanction. The PHA will not reduce the family rent contribution for families whose welfare benefits have been sanctioned by the Welfare Agency for:

   a. Non-compliance with welfare self-sufficiency or work activities.

   b. Because of fraud in connection with the welfare program.

c. The families income will include the amount of welfare benefits that would have been paid to the family if sanctions had not been imposed.

2. **Reduced Rent**. Any ***other*** time a resident's welfare grant is reduced or terminated, the reduce amount is the amount that shall be counted as income if the reduction was based on one of the following:

a. At expiration of lifetime or other time limit on the payment of welfare benefits;

b. If a family member cannot find a job, even though he or she has completed all the required economic self-sufficiency requirements;

c. Because the family's welfare grant was reduced for noncompliance with some other welfare agency requirement; or

d. Because of an earlier inadvertent overpayment.

3.13 NOTIFICATION TO APPLICANTS

A. Each applicant shall be informed in writing concerning his/her income and asset eligibility.

B. For all other criteria which may adversely affect an applicant's eligibility or placement on the waiting list, the applicant shall be notified and either denied (if ineligible) or placed back on the waiting list with the appropriate rank (if eligible).

C. The applicant is to be informed in writing of the reason for a determination of ineligibility. In addition, the applicant shall be informed that he/she has seven working days in which to make a request for an informal conference in order to contest a determination of ineligibility.

D. Upon determination of eligibility for admission to the program, each applicant shall be advised of the expected date of vacancy.

E. If it becomes necessary to defer a decision concerning eligibility, the applicant shall be so advised.

3.14 PUBLIC HOUSING RENT FLEXIBILITY AND SIMPLIFICATION ACT OF 2005 (*pending proposed Legislation*)

NOTE: ***Should the proposed Legislation be adopted, the above rent calculation would be subject to adopted Legislative changes.***

The Public Housing Rent Flexibility and Simplification Act of 2005 would simplify and reform the rental payment requirements for the public housing program under the United States Housing Act of 1937 (42 U.S.C. 1437). It would reduce errors in income calculations and reporting; lessen the administrative burden on public housing authorities (PHAs); lessen the intrusion in residents' lives; and provide incentives for work and increased income. Once eligibility based on income is determined, the legislation would offer other means to set rents besides solely basing that calculation on family or individual income.

Chapter 4

DWELLING LEASE AGREEMENT

4.0 INTRODUCTION

This Chapter defines execution of the dwelling lease as a condition of occupancy for public housing. The PHA's dwelling lease must be structured to and in conformance with this Occupancy Policy, the Lease and Grievance Procedures outlined in 24 CFR, Section 966.4 and California State laws.

4.1 NEW LEASE

Once a family has been determined eligible for admission to public housing, they are ready for occupancy. PHA staff shall review all sections of the lease with the family. The head of household and co-head of each family shall be required to sign a lease prior to moving into the unit.

The family is briefed on the lease requirements, housing rules, families' roles and responsibilities, and the PHA's roles and responsibility. To ensure accurate communication, any family requiring special accommodations will be provided such services upon request. Provisions may include, but is not limited to:

A. Telecommunication devices for the deaf;
B. Sign language interpreters;
C. Readers and amanuenses;
D. Utilization of barrier-free meeting places;
E. Non-discrimination complaint procedures.
F. Limited English Proficiency (LEP)

All pro-rated rent amounts and security deposit shall be paid during initial execution of the lease. A copy of the lease, along with other pertinent documents, are to be provided to the resident and a copy placed in the PHA's permanent file of the family.

If for any reason a signatory to the lease ceases to be a member of the family, the old lease shall be voided and a new lease executed (provided that the family is still eligible for housing).

If at any time during the life of the lease there are changes in the family status or the PHA wishes to amend the lease, the lease is to be canceled and a new one executed, or changes shall be affected through the use of an amendment and thus made part of the existing lease.

The remaining member of a family is a family member listed on the lease who continues to live in the unit after all other family members have left. If the remaining member signed the lease, the person could continue in the program under the lease. If the remaining member did not sign the lease, the PHA would determine whether it would be willing to enter into a new lease with that person (considering factors such as suitability for tenancy and their ability to uphold a lease).

4.2 LOCATION OF PAYMENT

Rent and other charges can be paid at the resident's District Office specified in the Resident Dwelling Lease Agreement.

4.3 RENTAL PAYMENTS

A. The monthly rental amount shall be due and payable in advance on the first day of each month.

B. A late payment charge of $20 will be assessed after the fifth working day.

C. PHA will not accept cash.

D. Residents who have submitted a check that is returned for insufficient funds will be charged the appropriate Non-Sufficient Funds (NSF) Bank Fee and shall be required to make all future payments by cashier's check or money order.

E. Residents who have been issued a 14-Day Notice will be required to make all future payments by cashier's check or money order.

4.4 SECURITY DEPOSITS

Upon signing a lease agreement and in addition to the monthly rent, a resident shall pay a security deposit as follows:

A. **0 - 1 Bedroom Units**: a minimum Security Deposit of $75 or one month's Total Tenant Payment (TTP) rent, whichever is higher. The Security Deposit is not to exceed $500.

B. **2 (+) Bedroom Units**: a minimum Security Deposit of $150 or one month's Total Tenant Payment (TTP) rent, whichever is higher. The Security Deposit is not to exceed $500.

C. **The Security Deposit for elderly residents only**, which includes persons with disabilities or disabled families, is a minimum Security Deposit of $75 or one month's Total Tenant Payment (TTP) rent, whichever is higher. The Security Deposit shall not exceed $350.

The Security Deposit shall be applied by management at the time of termination of the Lease toward any rent or other charges owed by the resident in the following order:

A. Rent
B. Late payment fee
C. Maintenance Material
D. Maintenance Labor
E. Excess Utility Consumption
F. Returned Check Fee
G. Legal Fees

Management agrees to return the Security Deposit, if any, to resident when he/she vacates, within three (3) weeks, less any deductions for any costs indicated above, so long as the resident furnishes management with a forwarding address. Management will give resident a written itemized statement of any such costs for damages and/or charges deducted from the Security Deposit. The three (3) weeks notification is to begin from the date of vacate.

The Security Deposit may not be used to pay rent or other charges while resident occupies the dwelling unit. No refund of the Security Deposit (with the exception of the pet deposit) will be made until resident has vacated, and management has inspected the dwelling unit.

4.5 PHYSICAL AND MENTAL IMPAIRMENT

The resident must have the ability to comply with the Resident Dwelling Lease Agreement terms. If, during the term of the lease, resident, by reason of physical or mental impairment is no longer able to comply with the material provisions of the lease, and cannot make arrangements for someone to aid him/her in complying with the lease, then the PHA will assist the resident, or designated member(s) of resident's family, to find more suitable housing and move resident from the dwelling unit. If there are no family members who can or will take responsibility for moving resident, PHA will work with appropriate agencies to secure suitable housing and terminate the lease.

4.6 PET POLICY (See Appendix 8)

Appendix 8 defines established rules which govern permitted domesticated pets in and/or on properties owned and operated by the PHA. These rules do not apply to animals that are used to assist the handicapped, nor small caged pets, such as hamsters, turtles, birds, fish, etc. The pet must be pre-approved and registered with the PHA. The PHA conducts the move-out inspection after the resident vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the resident is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit.

4.7 PROVIDING INFORMATION TO LAW ENFORCEMENT

Section 28 of the U.S. Housing Act of 1937 requires that PHAs provide, upon legitimate request from a law enforcement officer, the current address, social security number and photograph (if applicable) of any recipient of assistance who is a fugitive, felon and/or a parole or probation violator. The PHA will comply on a case-by-case basis with information requests from Federal, State or local law enforcement officers regarding possible fugitive felons and/or a parole or probation violators.

4.8 USE AND MAINTENANCE OF PROPERTY

Resident shall not assign the dwelling unit, give accommodation to any roomers, lodgers, or other persons not listed on the Resident Dwelling Agreement, or permit the use of the unit for any purpose other than as the private dwelling solely for the resident and his/her family. This provision does not exclude reasonable accommodation of the resident's guests or visitors. However, the PHA reserves the right to request a recorded declaration of domicile or proof domicile if it is suspected that the guest is an unauthorized household occupant. Such suspicion may arise whenever an adult person(s) is making reoccurring visits or one continuous visit of 14 days and/or nights in a 45-day period without prior notification of the PHA. Should the resident or person in question not provide the requested information needed to confirm other domicile, or should the facts be sufficient to evidence domicile in the unit, then the PHA may consider such person(s) a member of the resident household and may enforce any lease agreement shown to be broken and/or require recertification.

Resident shall keep the unit in a clean and sanitary condition, and shall comply with all laws and health and policy requirements with respect to the maintenance of rented unit. Continued lack of proper maintenance or failure to maintain sanitary conditions will be grounds for termination of tenancy.

4.9 SOLICITATION, TRESPASSING AND EXCLUSION OF NON-RESIDENTS

The PHA reserves the right, to be exercised by its employees to exclude non-residents, including but not limited to guests, who conduct themselves in a manner to disturb the residents' peaceful enjoyment of their accommodations, community facilities or other areas of PHA's property to the extent allowable by all applicable laws and/or regulations.

4.10 VIOLENCE AGAINST WOMEN ACT OF 2005 (See Appendix 12)

Incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim or such violence. The PHA has the following rights when renting to victims of domestic violence:

A. The PHA will evict victims of domestic violence for lease violations that are not related to disturbances caused by domestic violence.

B. The PHA will split the lease to evict the domestic abuser without evicting the remaining household member(s) as long as the remaining household members are eligible for assistance.

C. The PHA will evict the *victim* of domestic violence if the PHA can show that the victim's residency poses an "actual and imminent threat" to other residents or employees of the site.

4.11 TERMINATION OF LEASE

The PHA will not terminate a resident's lease based on the income of the resident unless it has been determined that there is decent, safe, and sanitary housing of suitable size for the family available at a rent not exceeding the resident's rent.

A. TERMINATION BY RESIDENT

The resident may terminate the lease at any time upon submitting a 15-day written notice. If the resident vacates prior to the end of the 15 days, they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.

B. TERMINATION BY THE PHA

The PHA will not renew the lease of any family that is not in compliance with the community service requirement or an approved Agreement to Cure. (See Chapter 5, Sec. 5.6, Community Service)

The PHA will terminate the lease for serious and/or repeated violations of material lease terms. Such violations include, but not limited to the following:

1. Non-payment of rent;

2. A history of late rental payments;

3. **Failure to provide** timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent at admission, interim, special or annual rent recertification;

4. Failure to allow inspection of the unit;

5. Failure to maintain the unit in a safe and sanitary manner;

6. **Assignment or subletting** of the premises or providing accommodation for unauthorized boarders or lodgers;

7. **Use of the premises** for purposes other than as a private dwelling solely for the resident and resident's family place of residency (other than PHA approved resident businesses);

8. **Destruction of property**, defacement or removal of any part of the premises or failure to cause guests to refrain from such acts.

9. **Any criminal activity** on the property or drug-related criminal activity on or off the premises. Any individual convicted of manufacturing or producing methamphetamine on PHA premises will be immediately and permanently terminated of their tenancy in public housing. Premises is defined as the building or complex, including common areas and grounds as defined in the HUD Federal Register.

10. **Abuse or pattern of abuse of alcohol** by a household member resulting in the behavior that would threaten the health, safety or right to peaceful enjoyment of the premises by other residents.

11. **Harboring a convicted** felon, fugitive, and/or a parole or probation violator.

12. **The PHA will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State Sex Offender Registration Program**.

13. In the event a resident is absent from the dwelling unit for 14 consecutive days, ***while in default of rent***, the resident shall be deemed to have abandoned the unit according to California State law. Any remaining personal property or belongings of resident shall be considered abandoned and may be disposed of by the PHA according to state law.

14. **Extended Absences.** In the event a resident does not notify the PHA of any extended absences, and he/she does not personally reside in the unit for a period exceeding 60 consecutive days, for reasons other than health or emergency, the resident will be in violation of the lease and shall be deemed to have abandoned the unit and the PHA may take the appropriate steps to terminate tenancy.

15. **Primary Residence.** During the term of the Resident Dwelling Lease Agreement, the use of the unit will be the resident's permanent and principle place of residency. In the event the resident maintains and/or rents another dwelling place as their sole place of residency during the term of the lease agreement with PHA, the resident will need to provide proof of their need for continued occupancy in public housing. If resident does not provide "good cause" verification for continued occupancy, PHA will take appropriate steps to terminate tenancy.

16. **Physical or Mental Impairment.** If, during the term of the Resident Dwelling Lease Agreement, the resident, by reason of physical or mental impairment is no longer able to comply with the material provisions of the lease, and cannot make arrangements for someone to aid him/her in complying with the lease, then the PHA will assist the resident, or designated member(s) of the resident's family, to find more suitable housing and move the resident from the dwelling unit. If there are no family members who can or will take responsibility for moving the resident, PHA will work with appropriate agencies to secure suitable housing and terminate the lease.

17. **In the event of the untimely and unexpected death** of the resident and there are no other adults in the household, the PHA shall contact the next of kin as designated in the resident's file. The PHA will make arrangements with the resident's designated representative regarding the resident's personal property and belongings.

18. **Lack of Disclosure** of the family's household composition, income, and assets or indications that the resident is <u>deliberately</u> obstructing efforts to obtain said information may cause termination of tenancy. Lack of disclosure may be construed as behavior interpreted as attempted fraud and may result in the determination that

the resident is not suitable for continued occupancy in a federal program where assets and income determine the rent and eligibility.

C. NOTIFICATION REQUIREMENTS

The PHA's written Notice of Lease Termination will state the reason for the proposed termination, the date that the termination will take place, and it will offer the resident all of the rights and protections afforded by the regulations and this policy. (See Tenant Grievance Procedures.)

Notice of Lease Termination shall be in writing and delivered to the resident or adult member of the household or send by first class mail properly addressed to resident return receipt requested. The return of the certified mail receipt, whether signed or unsigned, shall be considered to be proof that the resident received proper notification. The notice shall contain a statement describing the resident's right to meet with the manager to determine whether a reasonable accommodation would eliminate the need for a lease termination.

D. TIME OF NOTICE

If the PHA terminates the lease, written notice will be given as follows:

1. At least fourteen (14) calendar days prior to termination in the case of failure to pay rent;
2. A reasonable time, according to State law, considering the seriousness of the situation when the health and safety of other residents or PHA employees is threatened;
3. At least thirty (30) days prior to termination in all other cases.

The PHA shall notify the U.S. Post Office that mail should no longer be delivered to the person who was evicted for criminal activity, including drug-related criminal activity.

4.11 <u>INSPECTIONS</u>

The PHA is required to complete a physical inspection of the dwelling unit prior to resident's occupancy, once each year and periodically to review the condition of the unit.

The PHA and an adult member of the family will inspect the unit prior to moving into the dwelling unit. A written inventory listing the condition of the unit and furnished equipment will be signed by both parties and a copy provided to the resident.

The PHA will inspect each unit annually to ensure that the unit remains safe, decent, sanitary and meets local housing quality standards. If deficiencies are noted which require maintenance, a work order will be issued to correct those deficiencies.

Other inspections may be conducted by the PHA to check on preventive or annual maintenance items. The PHA's preventive maintenance procedures are covered in greater detail in Chapter 6 of this policy.

Also, at any given time during the year, a special inspection may be scheduled to enable HUD or HUD's designated contractors to inspect a sample of the PHA housing stock.

For the aforementioned inspections, the PHA shall provide the resident with reasonable notice or at least two (2) days notice to the scheduled entry.

If any PHA employee has reason to believe that an emergency exists within the dwelling unit, the unit can be entered leaving a written "Notice of Entry" for the resident.

Move-Out Inspections

The PHA conducts the move-out inspection after the resident vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the resident is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the Security Deposit.

Chapter 5

ELIGIBILITY FOR CONTINUED OCCUPANCY

5.0 INTRODUCTION

In accordance with HUD requirements, the PHA must conduct an annual re-certification of the family income and household composition of all families at least annually. The results of the re-certification determine the rent amount the family will pay and whether the family is housed in the appropriate size unit. Re-certifications and interim certifications will be processed in a manner that ensures families are given a minimum of 30 days notice of any rent increases. Income limits are not applicable for continued occupancy.

5.1 DISCLOSURE OF INFORMATION

A. It is a HUD requirement that families report all income and household composition changes to the PHA. It is the family's responsibility to promptly furnish to the PHA any letter or other notice by HUD to a member of the family that provides information concerning the amount or verification of family income. The PHA will verify the accuracy of the income information received from the family and change the amount of the resident's rent.

B. Lack of complete disclosure of family members' income and assets or indications that the resident is deliberately obstructing efforts to obtain said information may jeopardize the resident's continued assisted housing.

1. Such behavior may be interpreted as attempted fraud and may result in the termination of continued occupancy; and/or

2. Failure to report income/asset changes in a timely manner (10 business days), may result in a retroactive rent charge, even if the failure was not intentional.

5.2 ANNUAL RECERTIFICATION NOTICE TO THE FAMILY

The PHA will notify the resident of their annual recertification in the following manner.

A. **First Reminder Notice**. A Notice is sent 120 days in advance of the recertification anniversary date. The PHA will send a notice to the family scheduling an appointment for an annual recertification on family composition, community service requirement, and incomes of all resident families.

B. **Second Reminder Notice**. If the resident fails to respond within 30 days of the First Reminder Notice, the PHA will provide a Second Reminder Notice approximately 90 days prior to the resident's recertification anniversary date informing the resident that his/her recertification information is due. The second notice contains the same information as the First Notice and a new appointment is scheduled for the resident's annual recertification.

C. **Third Reminder Notice / Notice of Intent to Terminate** If the resident does not respond to the Second Reminder Notice before 60 days prior to the recertification anniversary date, the PHA will provide the resident a Third Reminder Notice no later than 60 days prior to the anniversary date. This notice serves as a 60-Day Notice to terminate assistance.

D. **Families on the flat rent** will only be required to go through the income recertification process every three (3) years. The schedule of flat rents by bedroom size are contained in Appendix 6 of this policy.

1. Families on the flat rent may request to have a recertification and return to the formula based method at any time for any of the following reasons:

   a. The family's income has decreased;
   b. The family's circumstances have changed increasing their expenses for child care, medical care, etc.;
   c. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

2. Once a family switches to income-based rent due to financial hardship, the family must wait until its next annual recertification to select the type of rent.

E. If the family fails to respond to the letter and fails to attend the scheduled interviews, this will result in eviction proceedings against the family.

5.3 RECERTIFICATION

During the interview, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances.

A. Upon receipt of verification, the PHA will determine the family's annual income and will calculate their rent as follows:

1. 30% of Monthly Adjusted Income
2. 10% of Monthly Income
3. If the family receives General Relief or any other temporary assistance from Health and Human Services, and a part of the assistance payment is specifically designated by such agency to meet the family's housing cost, that monthly portion shall be determined as the Tenant Rent.
4. $50.00 (minimum rent)

B. The PHA will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will be placed on the transfer list.

C. The PHA will determine the citizenship/immigration status of residents from whom the PHA had not previously collected the proper documentation or whose documentation suggested that their status was likely to change. In reviewing a family's citizenship/immigration status, the PHA generally considers citizenship/immigration status once for each family member, but will review more frequently if immigration status or family composition is likely to change (e.g., when a family applies for a change in immigration status).

The PHA will follow verification procedures and guidelines described in Chapter 3, of this policy.

5.4 INTERIM RECERTIFICATIONS

During an interim recertification, only the information affected by the changes being reported will be reviewed and verified.

A. REPORTING CHANGES

Families are required to report the following changes to the PHA between regular recertifications. If the family's rent is being determined under the formula method, these changes will trigger an interim recertification. The family shall report the following changes within 10 working days of their occurrence:

1. There is a loss of lessee through death, divorce or continuing circumstances;

2. A member has been added to the family through birth or adoption or court-awarded custody;

3. A household member is leaving or has left the family unit;

4. The household's income increases or decreases by more than $200 a month;

5. When there is a change in citizenship or eligible immigration status of any household member;

6. When the amount of any allowance a household is entitled to increases or when a household becomes eligible for a new allowance.

B. ADDING TO HOUSEHOLD

In order to add a household member, other than through birth or adoption (including a live-in aide), the family must do the following:

1. The family must submit their request to the PHA that a new member will be added to the household;

2. Before adding the new member to the household, the individual must complete an application form stating their income, assets, and all other information required of an applicant;

3. The individual must provide their social security number if they have one and must verify their citizenship/immigration status;

4. The PHA will determine the eligibility of the individual before adding them to the household. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. At the same time, if the family's rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member;

5. The PHA will execute a new lease reflecting the new household member with the exception of a live-in aide.

C. REMOVING A MEMBER FROM HOUSEHOLD COMPOSITION

Permanent absence of an adult member. If an adult member who was formerly a member of the household is reported permanently absent by the family, the family must submit a valid verification to PHA. PHA will consider any of the following as verification:

1. Husband or wife institutes divorce action;
2. Husband or wife institutes legal separation;
3. Order of protection/restraining order obtained by one family member against another;
4. Proof of another home address, such as utility bills, cancelled checks for rent, driver's license, or lease or rental agreement;
5. Statements from other agencies, such as Social Services, that the adult family member is no longer living at that location;
6. If adult member is incarcerated, a document from the court or prison stating how long they will be incarcerated;
7. Notarized statement from family member or other verifiable document.

D. INCOME CHANGES

Families are not required to, but may at any time, request an interim recertification based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. **The following interim recertification will be performed**:

1. **When there is a change in citizenship or immigration status** of any household member:

    a. a household member changes from an ineligible noncitizen to an eligible noncitizen or a U.S. resident; or
    b. a household member changes from an eligible noncitizen to an ineligible noncitizen or becomes a citizen of another country.

2. **When a household is entitled to an increase allowance** or when a household becomes eligible for a new allowance. Household allowances include:

    a. medical expense allowance
    b. disability assistance allowance
    c. elderly household allowance
    d. child care assistance allowance
    e. dependent allowance

3. **When the household's income increases or decreases** by more than $200 a month.

4. **The PHA may delay an interim recertification** when a household income decreases and confirmation is obtained that the household's income will be fully or partially restored in **two (2)** months.

   a. During the delay, PHA will continue to charge the resident the current rent.

   b. During this delay, PHA will not evict the household for nonpayment of rent provided resident submits all required documentation.

   c. During this delay, PHA will not charge the resident the monthly late rent fee provided resident submits all required documentation.

   d. After the resident's new income is verified, PHA will recertify the resident and retroactively apply any rent reduction to the first day of the month after the date the resident's income decreased.

5. **PHA may refuse an interim recertification** for income decrease when a household's income decreases if:

   a. The decrease is a deliberate attempt to avoid paying rent;
   b. The decrease will last less than a month. PHA will obtain confirmation of the length of the decrease.

5.5 SPECIAL CERTIFICATION

If family's income is too unstable to project for 12 months, including families that temporarily have no income or have a temporary decrease in income, the PHA may schedule special recertifications every 60 days until the income stabilizes and an annual income can be determined.

5.6 COMMUNITY SERVICE AND SELF-SUFFICIENCY (See Appendix 9)

In order to be eligible for continued occupancy, each adult family member must either: (1) contribute eight (8) hours per month of community service within the community in which the public housing development is located; or (2) participate in an economic self-sufficiency program, unless they are exempt from this requirement.

5.7 EFFECTIVE DATE OF RENT CHANGES

The resident will be notified of the recertification results and the effective date of the change in the following manner:

A. ANNUAL RECERTIFICATION

1. The new rent will generally be effective upon the anniversary date with 30 days notice of any rent increase to the family;

2. If the rent determination is delayed, any rent increase will be effective the first of the month after the month in which the family received a 30 Day Notice of the amount. If the new rent is a reduction, the rent will be effective as scheduled on the anniversary date.

B. INTERIM CERTIFICATION

1. Any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount;

2. If the new rent is a reduction, the change will be effective the first of the month after the rent amount is determined.

5.8 TRANSFERS (See Chapter 8)

Families may be transferred to another housing unit to avoid overcrowding and assist as many families as possible in available housing units. The PHA will determine that the family may require a transfer to a different size unit as the result of family composition changes (increase or decrease). The PHA will advise the family that their name will be placed on a "transfer list" and be required to move when the appropriate bedroom size unit becomes available.

Transfer of a resident from one dwelling unit owned by the PHA to another shall be at the sole discretion of the PHA and shall take precedence over admittance of applicants from the waiting list.

A. PERSONS WITH DISABILITIES-ACCESSIBLE UNITS

1. The accessible dwelling unit shall be first offered to current residents who are in need of the accessible unit and second, to applicant families with disabilities in need of such dwelling.

2. Residents in need of special medical equipment or requiring special accommodations due to medical conditions shall be offered transfers when such units become available.

3. After admission, a person with disabilities who "recovers" can remain in assisted housing, but is no longer considered a "disabled family," and cannot qualify for deductions allowed by family members with disabilities.

B. EXECUTION OF NEW LEASE FOR TRANSFERS

In the event of transfer, the old lease shall be voided and a lease for the new unit shall be signed under the condition that any balance owed on the old unit shall become an obligation under the new lease.

C. TRANSFER REQUEST FORM

A resident may request a transfer to another unit at any time, after a one year minimum residency, by completing a "***transfer request form***." The PHA will review the request and may contact the resident to better understand the need for a transfer and explore possible alternatives. After review of the situation, the PHA will either deny or approve the resident's transfer request and send a written notice to the family. If the transfer is approved, the family's name will be added to the transfer list. If the transfer is denied, the notice will advise the family of their right to an informal conference.

The provisions listed above are to be used as a guide to insure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a resident to transfer or refuse to transfer.

Chapter 6

MAINTENANCE

6.0 INTRODUCTION

The PHA is responsible for managing the maintenance of the public housing units in the most cost effective manner while maximizing the useful life of the properties and providing the best responsible service to residents.

6.1 OBJECTIVES

It is the objective of the PHA to maintain its housing inventory stock and equipment in a decent, safe and sanitary condition. Comprehensive and consistent application of a maintenance program is intended to protect the overall integrity and viability of public housing in the most economical way possible.

6.2 MAINTENANCE PRIORITY SYSTEM

The work priorities adopted by the PHA exemplifies its philosophy of delivering maintenance services. This priority system ensures that the most important maintenance work is done at a time it can be performed most cost-effectively. Minimizing vacancy loss is part of the cost-effectiveness calculation. The maintenance priorities of the PHA are as follows:

A. EMERGENCIES

Requests for maintenance service that involve **an immediate threat to life or property**, such as gas leaks, broken water pipes, inoperable plumbing and sewer facilities, etc., the PHA will respond to such requests within 24 hours.

B. ROUTINE MAINTENANCE

Requests for services which involve no particular urgency and which allow the PHA some discretion in scheduling the work order to gain efficiency. Although usually generated by resident request, such work orders may be initiated by the PHA.

C. RESIDENT ROUTINE REQUEST

Placing planned maintenance and vacancy preparation work ahead of resident work requests does not indicate that resident requests are unimportant. It emphasizes the importance of maintaining control of the maintenance work by performing scheduled routine and preventive work first. By doing so the PHA will decrease on-demand work and maintain the property in a manner that will keep and attract good residents.

6.3 PREVENTIVE MAINTENANCE

Preventive maintenance is performing tasks on a systematic routing basis. These tasks are predetermined and scheduled on an annual, semi-annual or quarterly basis, depending upon the priority, manufacturers specifications and seasonal considerations. The proposed maintenance planned is structured around a calendar year, with assigned tasks strategically scheduled to correspond with normal seasonal requirements. It is imperative that the tasks include all PHA properties to insure consistency. Strict adherence to designated time frames is important to prevent overlap into another task's time period.

There are six (6) major areas that are addressed in the initial preventive maintenance cycle. These items presently dominate routine service requests and include:

A. Wall heaters and forced air furnaces
B. Plumbing and water heaters
C. Electrical
D. Air conditioning
E. Locks and hardware
F. Appliances (stoves and refrigerators)

Each of these major areas have a task list which identifies specific items to be serviced, calibrated or repaired. These areas will be checked off as they are completed for that particular unit.

Information recorded will include complex number, unit number and signature block for the PHA personnel. This will insure accountability for work performed and uniformity of service.

To ensure integrity of the preventive maintenance program, it is routinely monitored by PHA staff. During normal operating hours, the PHA will handle these requests with assigned PHA staff. However, weekends, holidays or after hours, the PHA may either assign staff or require the services of a local vendor to perform the emergency maintenance task.

6.4 PREVENTIVE PEST CONTROL

This service is to provide treatment for the elimination and control of all the usual types of household vermin and insects, including but not limited to, roaches, beetles, silverfish, ants, crickets, mice and rats in the partitions or woodwork of the PHA properties. Termites and other flying insects that require specialized treatment programs are to be determined by a licensed pest control contractor. This service is to be provided by the PHA trained personnel or by an outside licensed pest control contractor.

Once it has been determined by either the resident or the PHA that a pesticide program should be initiated, an effort should be made to have the adjoining unit scheduled for treatment of the same pest, if the building is a multi-unit dwelling. Once the PHA has scheduled a treatment, the resident should be notified in writing no later than 48 hours prior to scheduled treatment. Each resident is required to sign and receive appropriate written instructions prior to the scheduling of pest control service that stipulates the following:

A. The importance of entry for scheduled work;
B. The preparation of the unit for treatment of pesticides, (the removal of all articles from kitchen and bathroom cabinets, shelving and counters);
C. The clearing of walls, floor and shelving in all closets, bedrooms, bathrooms, kitchen, livingroom, laundry area and hallways;
D. The covering of all removed items with plastic, (food, utensils, clothing, bedding, personal hygiene items and fish tanks);
E. The removal of all pets;
F. The refrigerator is to be left closed;
G. Entry back into the unit and replacement of removed items may start no sooner than 4 hours of application of pesticides, (unless otherwise stated by a PHA personnel or a pest control contractor).

All grounds and buildings should be inspected a minimum of once a year. If an extraordinary infestation of pests is located and application of pesticide is required, a program should be established for treatment every 16 - 18 days corresponding with egg hatching cycles (with a minimum of two treatments). All buildings including, offices, maintenance shops, storage areas, laundry areas, community rooms and occupied dwellings are to be included in the inspections.

The pest control service primarily involves crack and crevice treatment of baseboards, closets, cabinets, shelves, medicine cabinets and appliances, and/or with a fogging of the general area. The perimeter of the treated unit along with doorways and windows, are to be treated also. Where rodent activity is present, appropriate eradication methods are to be used with regular monitoring of sites.

PHA staff must comply with all state and local regulations, as well as manufacturers instructions (MSDS). The PHA is required to maintain records of pesticides used with a

copy of the pesticides used in the file of each PHA employee applying pesticides and location of pesticide application. If a pesticide application is applied in an occupied unit, a copy of pesticides used should be placed in the unit file.

For the safety and well-being of the PHA employees, a respirator program for pesticide application shall be followed, if applicable.

Chapter 7

RESIDENT GRIEVANCE PROCEDURE

7.0 SCOPE AND PURPOSE

The purpose of this grievance procedure is to assure that residents are afforded an opportunity for a hearing if the resident disputes, within a reasonable time, any PHA's action or failure to act involving the resident's lease with the PHA's regulations which adversely affect the individual resident's rights, duties, welfare or status. This grievance procedure is incorporated in the dwelling lease and is part thereof.

7.1 APPLICABILITY

This grievance procedure is applicable to all individual grievances as defined in Section 7.3 between the resident and the PHA, except that this procedure shall not apply to any grievance concerning an eviction or termination of tenancy based upon a resident's creation or maintenance of a threat to the health or safety of other residents or PHA employees.

This grievance procedure shall not be applicable to disputes between residents not involving the PHA or to class grievances, nor is this procedure intended to be a forum for initiating or negotiating policy changes between a group or groups of residents and the PHA Boards of Commissioners.

This grievance procedure is not applicable to cases involving termination of tenancy for any person registered as a sex offender or any person involved in any drug related activity, on or off such premises, and for any resident who is involved in any activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or employees of the PHA.

7.2 DEFINITIONS

For the purpose of this procedure, the following definitions are applicable:

A. "***Grievance***" shall mean any dispute which a resident may have with respect to the PHA's action or failure to act in accordance with the individual residents rights', duties, welfare or status.

B. "***Complaint***" shall mean any resident whose grievance is presented to the PHA in accordance with Section 7.4 and 7.5.

C. "***PHA***" shall mean the Housing Authorities of the City and/or County of Fresno.

D. "***Hearing Officer***" shall mean a person selected in accordance with Section 7.5 of this procedure to hear grievances and render a decision with respect thereto.

E. "***Hearing Panel***" shall mean a panel selected in accordance with Section 7.5 of this procedure to hear grievances and render a decision with respect thereto.

F. "***Resident***" shall mean any lessee or the remaining head of household of any family member residing in low income public housing accommodations operated by the PHA.

7.3 INFORMAL SETTLEMENT OF GRIEVANCES

Any grievance shall be personally presented either orally or in writing (telephone calls will not be accepted), to the PHA's main office or to the district office of the housing complex in which the complainant resides so that the grievance may be discussed informally and settled without a hearing. The grievance must be presented within seven (7) working days of the PHA's act or failure to act, which is the basis of the grievance.

A written summary of such discussion shall be prepared within seven (7) working days of the meeting, and one copy shall be given to the resident and one shall be retained in the PHA's resident file. The summary shall specify:

A. The names of the participants;
B. Date(s) of the meeting(s);
C. The nature of the proposed disposition of the complaint;
D. The specific reasons therefor; and
E. The procedures by which a formal hearing under Section 7.5 may be obtained if the complainant is not satisfied with the proposed disposition.

7.4 PROCEDURE TO OBTAIN A HEARING

A. REQUEST FOR HEARING

The complainant shall submit a written request for a formal hearing (telephone calls will not be accepted) to the PHA's main office or to the district office of the housing complex in which the complainant resides, within seven (7) working days after receipt of the summary of discussion. The written request shall specify:

1. The reasons for the grievance; and
2. The action or relief sought.

B. SELECTION OF HEARING OFFICER OR HEARING PANEL

Grievances shall be presented before a hearing officer or hearing panel. A hearing officer or hearing panel shall be selected as follows: The hearing officer shall be an impartial, disinterested person selected jointly by the PHA and the complainant. If the PHA and the complainant cannot agree on a hearing officer, they shall each appoint a member of a hearing panel, and the members so appointed shall select a third member. If the members appointed by the PHA and the complainant cannot agree on a third member, such member shall be appointed by an independent arbitration organization such as the Center for Dispute Settlement of the American Arbitration Association, or by any other third party agreed upon by the PHA and the complainant.

C. FAILURE TO REQUEST A HEARING

If the complainant does not request a hearing in accordance with this Section, then the PHA's disposition shall become final. Failure to request a hearing does not constitute a waiver by the complainant of his/her right thereafter to contest the PHA's action in disposing of the complaint in an appropriate judicial proceeding.

D. HEARING PREREQUISITES

All grievances shall be personally presented either orally or in writing pursuant to the informal procedure as a condition precedent to a hearing under this section. However, if the complainant shall show good cause why he/she failed to proceed in accordance with this Section to the hearing officer or hearing panel, the provisions of this subsection may be waived by the hearing officer or hearing panel.

E. ESCROW DEPOSIT

Before a hearing is scheduled in any grievance involving the amount of rent which the PHA claims is due, the complainant shall pay to the PHA an amount equal to the amount of the rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The complainant shall thereafter deposit the same amount of the monthly rent in an escrow account monthly until the complaint is resolved by decision of the hearing officer or hearing panel. These requirements may be waived by the PHA in extenuating circumstances. Unless so waived, the failure to make such payments shall result in termination of the grievance procedure. However, the failure to make such payments shall not constitute a waiver of any right the complainant may have to contest the PHA's disposition of his/her grievance in any appropriate judicial proceeding.

F. SCHEDULING OF HEARING

Upon complainant's compliance with the above paragraphs of this Section, and unless there are extenuating circumstances, a hearing shall be scheduled by the hearing officer or panel for a time not less than seven (7) working days and no more than 20 working days after the complaint is received by the hearing officer or the hearing panel and for a place reasonably convenient to both the complainant and the PHA. A written notification specifying the time, place and procedures governing the hearing shall be delivered to the complainant and the appropriate PHA official.

7.5 PROCEDURES

The hearing shall be held before a hearing officer or hearing panel, as appropriate. The complainant shall be afforded a fair hearing providing the basic safeguards of due process which shall include:

A. The opportunity to examine before the hearing and, at the expense of the complainant, to copy all documents, records, and regulations of PHA that are relevant to the hearing;

B. The right to be represented by counsel or other person chosen as his or her representative;

C. The right to a private hearing unless the complainant requests a public hearing;

D. The right to present evidence and arguments in support of his or her complaint, to controvert evidence relied on by the PHA, and confront and cross-examine all witnesses on whose testimony or information the PHA relies;

E. A decision based solely and exclusively upon the facts presented at the hearing;

F. The hearing officer or hearing panel may render a decision without proceeding with the hearing if the hearing officer or hearing panel determine that the issue has been previously decided in another proceeding.

If the complainant or the PHA fail to appear at a scheduled hearing, the hearing officer or hearing panel may make a determination to postpone the hearing for not to exceed five (5) working days, or may make a determination that the party has waived his/her right to a hearing. Both the complainant and the PHA shall be notified of the determination. This determination shall not constitute a waiver of any right the complainant may have to contest the PHA's disposition of the grievance in an appropriate judicial proceeding.

At the hearing, the complainant must first make a showing of an entitlement to the relief sought, and thereafter the PHA must sustain the burden of justifying the PHA's action or failure to act against which the complaint is directed.

The hearing shall be conducted informally by the hearing officer or the hearing panel and oral of documentary evidence pertaining to the facts and issues raised by the complaint must be received without regard to judicial proceedings. The hearing officer or hearing panel shall require the PHA, the complainant, counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the hearing officer or hearing panel to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate.

The complainant or the PHA may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing.

7.6 DECISION OF THE HEARING OFFICER OR HEARING PANEL

The hearing officer or hearing panel shall prepare a written decision, together with the reason therefor, within seven (7) working days after the hearing is concluded. A copy of the decision shall be sent to the complainant and the PHA who shall retain a copy of the decision in the resident's folder. A copy of such decision, with all names and identifying references deleted, shall also be maintained on file by the PHA and made available for inspection by a prospective complainant, his/her representative, or a hearing panel or a hearing officer.

The decision of the hearing officer or hearing panel shall be binding on the PHA which shall take all actions, or refrain from any actions, necessary to carry out the decision unless the PHA's Boards of Commissioners determine within 20 working days, and promptly notifies the complainant of its determination, that:

A. The grievance does not concern the PHA's action or failure to act in accordance with or involving the complainant's lease or PHA regulations, which adversely affect the complainant's rights, duties, welfare or status.

B. The decision of the hearing officer or hearing panel is contrary to applicable federal, state or local law, HUD regulations or requirements of the annual contributions contract and HUD and the PHA.

A decision by the hearing officer, hearing panel or Boards of Commissioners in favor of the PHA, or which denies the relief requested by the complainant in whole or in part shall not constitute a waiver of, nor affect in any manner whatsoever any rights the complainant may have trail de novo or judicial review in any judicial proceedings which may thereafter be brought in the matter.

7.7 PHA EVICTION ACTIONS

If a resident has requested a hearing in accordance with Section 7.4 on a complaint involving a PHA notice of termination of tenancy, and the hearing panel upholds the PHA's action to terminate the tenancy, the PHA shall not commence an eviction action in a state or local court until it has served a notice to vacate to the resident, and in no event shall the notice to vacate be issued prior to the decision of the hearing officer or the hearing panel have been mailed or delivered to the complainant. Such notice to vacate must be in writing and specify that, if the resident fails to quit the premises within the applicable statutory period, or on the termination date stated in the notice of termination, whichever is later, appropriate action will be brought against him/her and he/she may be required to pay court costs and attorney fees.

Chapter 8

RESIDENT TRANSFER POLICY

8.0 INTRODUCTION

This chapter explains the PHA's transfer policy, based on HUD regulations and PHA's policy decisions. Transfers will be made without regard to race, color, national origin, sex, religion, familial status, or persons with disabilities. This policy relates to resident transfers in four (4) parts:

1. **Emergency Transfers**. This part describes emergency transfers, emergency transfer procedures, and payment of costs associated with moving.

2. **PHA Required Transfers**. This part describes types of transfers that may be required by the PHA, notice requirements, and payment of costs associated with moving.

3. **Transfers Requested by Residents**. This part describes types of transfers that may be requested by residents, eligibility requirements, security deposits, payment of transfer costs, and handling of transfer requests.

4. **Transfer Processing**. This part describes creating a waiting list, prioritizing transfer requests, the unit offer policy, examples of good cause, deconcentration, transferring to another development and recertification.

8.1 EMERGENCY TRANSFERS

A. OVERVIEW

The emergency transfer differs from a typical transfer in that it requires immediate action by the PHA. In case of a genuine emergency, it may be unlikely that the PHA will have time or resources to immediately transfer a resident. Due to the immediate need to vacate the unit, placing the resident on a transfer waiting list would not be appropriate. Under such circumstances, if an appropriate unit is not immediately available, the PHA will find alternate accommodations for the resident until the emergency is resolved, or a permanent solution is determined.

B. UNIT DAMAGED

If the dwelling unit is damaged to the extent that the unit becomes uninhabitable, conditions created which are hazardous to life, health, or safety of the occupants, the PHA will offer standard alternative accommodations, if available, where necessary repairs cannot be made within a reasonable time.

The following is considered an emergency circumstance warranting an immediate transfer of the resident or family:

- Maintenance conditions in the resident's unit, building or at the site that pose an immediate, verifiable threat to the life, health or safety of the resident or family members that cannot be repaired or abated within 24 hours. Examples of such unit or building conditions could include: a gas leak; no heat in the building during the winter; no water; toxic contamination; and serious water leaks.

C. EMERGENCY TRANSFER PROCEDURES

If the transfer is necessary because of maintenance conditions, and an appropriate unit is not immediately available, the PHA will provide temporary accommodations to the resident by arranging for *temporary lodging* at a hotel or similar location. If the conditions that required the transfer cannot be repaired, or the condition cannot be repaired in a reasonable amount of time, the PHA will transfer the resident to the first available and appropriate unit after the temporary relocation. *Emergency transfers are mandatory for the resident.*

D. COSTS OF TRANSFER

The PHA will bear the reasonable costs of temporarily accommodating the resident and of long term transfers, if any, due to emergency conditions. *The reasonable cost of transfers includes the cost of packing, moving and unloading.*

The PHA will establish a moving allowance based on the typical costs in the community of packing, moving, and unloading. To establish typical costs, the PHA will collect information from companies in the community that provide these services. *The PHA will reimburse the family for eligible reasonable cost of moving expenses.*

8.2 PHA REQUIRED TRANSFERS

A. OVERVIEW

The PHA has developed a reasonable transfer policy that may require a resident to transfer to another unit or location due to certain circumstances. The types of transfers that may be required by the PHA, include, but are not limited to:

1. Transfers to make an accessible unit available for a disabled family;
2. Transfers to comply with occupancy standards;
3. Transfers for demolition, disposition, revitalization, or rehabilitation; and
4. Emergency transfers.

B. TRANSFERS TO MAKE AN ACCESSIBLE UNIT AVAILABLE

When a non-accessible unit becomes available, the PHA will transfer a family living in an accessible unit that does not require the accessible features, to an available unit that is non-accessible. The PHA may wait until a mobility impaired resident requires the accessible unit before transferring the family that does not require the accessible features out of the accessible unit.

C. OCCUPANCY STANDARDS TRANSFERS

1. The PHA will transfer a family when the family size has changed and the family is now too large (over-crowded) or too small (over-housed) for the unit occupied. For purposes of the transfer policy, overcrowded and over-housed are defined as:

   i. ***Over-crowded****:* the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides, according to the Unit Occupancy Standard chart in Section 3.2.

   ii. ***Over-housed:*** the family no longer qualifies for the bedroom size in which they are living based on the PHA's occupancy standards as described in Section 3.2.

2. The PHA may also transfer a family who was initially placed in a unit in which the family was over-housed to a unit of an appropriate size based on the PHA's occupancy standards, when the PHA determines there is a need for the transfer.

   - The PHA may elect not to transfer an over-housed family in order to prevent vacancies.

3. A family that is required to move because of family size will be advised by the PHA that a transfer is necessary and that the family has been placed on the transfer list.

4. Families that request and are granted an exception to the occupancy standards in accordance with Section 3.2 F, will only be required to transfer if it is necessary to comply with the approved exception.

D. DEMOLITION, DISPOSITION, REVITALIZATIONS, OR REHABILITATION TRANSFERS

1. The PHA will relocate a family when the unit or site in which the family lives is undergoing major rehabilitation that requires the unit to be vacant, or the unit is being disposed of or demolished. The PHA's relocation plan may or may not require transferring affected families to other available public housing units.

   - If the relocation plan calls for transferring public housing families to other public housing units, affected families will be placed on separate transfer lists.

2. In cases of revitalization or rehabilitation, the family may be offered a temporary relocation and may be allowed to return to their unit, depending on contractual and legal obligations, once revitalization or rehabilitation is complete.

E. ADVERSE ACTION

Transfers required by the PHA are mandatory for the resident. A transfer that is required by the PHA is an adverse action, and is subject to the notice requirements for adverse actions [24 CFR 966.4(e)(8)(I)]. As an adverse action, the transfer is subject to the requirements regarding notices of adverse actions. If the family requests a grievance hearing within the required time-frame, the PHA may not take action on the transfer until the conclusion of the grievance process.

F. COST OF TRANSFER

The PHA will bear the reasonable costs of transfers that the PHA requires. The reasonable costs of transfers include the cost of packing, moving, and unloading.

The PHA will establish a moving allowance based on the typical costs in the community of packing, moving, and unloading. To establish typical costs, the PHA will collect information from companies in the community that provide these services. *The PHA will reimburse the family for eligible reasonable cost of moving expenses.*

8.3 <u>TRANSFERS REQUESTED BY RESIDENTS</u>

A. OVERVIEW

The only requests that the PHA is required to consider are requests for reasonable accommodation. All other transfer requests are at the discretion of the PHA. To avoid administrative costs and burdens, this policy limits the types of requests that will be considered by the PHA.

B. TYPES OF RESIDENT REQUESTED TRANSFERS

The types of requests for transfers that the PHA will consider are limited to requests for:

1. Transfers to alleviate a serious or life threatening medical condition;

2. Transfers due to a threat of physical harm or criminal activity;

3. Reasonable Accommodation;

4. Transfers to a different unit size as long as the family qualifies for the unit according to the PHA's occupancy standards; and

5. Transfers to a location closer to employment.

The PHA will consider the following as high priority transfer requests:

1. When a transfer is needed to alleviate verified medical problems of a serious or life-threatening nature;

2. When there has been a verified threat of physical harm or criminal activity. Such circumstances may, at the PHA's discretion, include an assessment by law enforcement indicating a threat of criminal attack, potential retaliation for testimony, or where the resident is a victim of a hate crime or domestic violence;

3. When a family requests a transfer as a reasonable accommodation. An example of a reasonable accommodation transfer include, but are not limited to, a transfer to a unit with accessible features.

The PHA will consider the following as regular priority transfer requests:

1. When a family requests a larger bedroom size unit even though the family does not meet the PHA's definition of overcrowded, as long as the family meets the PHA's occupancy standards for the request size unit;

2. When the head of household or spouse is employed 25 miles or more from the public housing unit, does not have reliable transportation, and public transportation is not adequate.

C. ELIGIBILITY FOR TRANSFER

Transferring residents do not have to meet the admission eligibility requirements pertaining to income or preference. However, the PHA have established other standards for considering a transfer request.

1. Except where reasonable accommodation is being requested, the PHA will only consider transfer requests from residents that meet the following requirements:

    a. Have not engaged in criminal activity that threatens the health and safety or residents and staff;

    b. Owe no back rent or other charges, or have a pattern of late payment;

    c. Have no housekeeping lease violations or history of damaging property;

    d. Can get utilities turned on in the name of the head of household.

2. A resident with housekeeping standard violations will not be transferred until the resident passes a follow-up housekeeping inspection.

3. Exceptions to the good record requirement may be made when it is to the PHA's advantage to make the transfer.

4. If a family requested to be placed on the waiting list for a unit size smaller than designated by the occupancy guideline, the family will not be eligible to transfer to a larger size unit for a period of ***two (2) years*** from the date of admission, unless they have a change in family size or composition, or it is needed as a reasonable accommodation.

D. SECURITY DEPOSITS

When a family transfers from one unit to another, the PHA will transfer their security deposit to the new unit. The resident will be billed for any maintenance or other charges due for the old unit.

- A family transferring into a larger unit will pay the difference from their initial security deposit to the current TTP.

E. COST OF TRANSFER

The resident will bear all of the transfer costs. However, in cases of documented financial hardship, the PHA will consider assuming the transfer costs when the transfer is done as a reasonable accommodation.

F. HANDLING TRANSFER REQUESTS

1. Residents requesting a transfer to another unit or development will be required to submit a written request for transfer.

2. In case of a reasonable accommodation transfer, the PHA will encourage the resident to make the request in writing using a reasonable accommodation request form. However, the PHA will consider the transfer request any time the resident indicates that an accommodation is needed whether or not a formal written request is submitted.

3. The PHA will respond by approving the transfer and putting the family on the transfer list, by denying the transfer, or by requiring more information or documentation from the family.

4. If the family does not meet the "good record" requirements under this Section 8.3.C, the Manager will address the problem and, until resolved, the request for transfer will be denied.

5. The PHA will respond within ten (10) working days of the submission of the family's request. If the PHA denies the request for transfer, the family will be informed of its grievance rights.

8.4 <u>TRANSFER PROCESSING</u>

A. OVERVIEW

Transfers will be placed on a transfer list and handled in the appropriate order. The transfer process will be clearly auditable to ensure that residents do not experience disparate treatment.

B. TRANSFER LIST

1. The PHA will maintain a centralized transfer list within each district office to ensure that transfers are processed in the correct order and that procedures are uniform across all properties.

2. Emergency Transfers will not automatically go on the transfer list. Instead emergency transfers will be handled immediately on a case by case basis. If the emergency will not be finally resolved by a temporary accommodation, and the resident requires a permanent transfer, that transfer will be placed at the top of the transfer list.

3. Transfers will be processed in the following order:

   a. Emergency transfers
   b. Verified medical condition
   c. Threat of harm or criminal activity
   d. Reasonable Accommodation
   e. Transfer to make an accessible unit available
   g. Demolition, renovation, etc.
   h. Occupancy Standards
   i. Other PHA required transfers
   j. Other resident requested transfers

      i. Within each category, transfers will be processed in the order of the date the family was placed on the transfer list, starting with the earliest date.

      ii. Demolition and renovation transfers will gain the highest priority as necessary to allow the PHA to meet the demolition or renovation schedule.

      iii. Transfers will take precedence over waiting list admissions.

C. TRANSFER OFFER POLICY

Residents will receive one offer of a transfer.

When the transfer is required by the PHA, refusal of that offer without good cause will result in lease termination.

When the transfer has been requested by the resident, refusal of that offer without good cause will result in the removal of the household from the transfer list and the family must wait **one year** to reapply for another transfer.

D. GOOD CAUSE FOR UNIT REFUSAL

The PHA will require documentation of good cause for unit refusals. Examples of good cause for refusal of a unit offer include, but are not limited to, the following:

1. **Inaccessibility to** source of employment, education, or job training, children's day care, or an educational program for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an education program for children with disabilities.

2. **The family demonstrates** to the PHA's satisfaction that accepting the offer will place a family member's life, health or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption.

3. **A health professional verifies** temporary hospitalization or recovery from illness of the principal household member, other household members as listed on final application, or live-in aid necessary to the care of the principal household member.

4. **The unit is inappropriate** for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30 Day Notice to Vacate.

E. DECONCENTRATION

The PHA will consider its deconcentration goals when transfer units are offered. When feasible, families above the Established Income Range will be offered a unit in a development that is below the Established Income Range, and vice versa, to achieve the PHA's deconcentration goals. A deconcentration offer will be considered a "bonus" offer, that is, if a resident refuses a deconcentration offer, the resident will receive one (1) additional transfer offer.

F. RECERTIFICATION POLICIES FOR TRANSFERS

The recertification date will not change.

CHAPTER 9

PROGRAM INTEGRITY

9.0 INTRODUCTION

The PHA is committed to ensuring that funds made available to the PHA are spent in accordance with HUD requirements. The PHA policy is designed to prevent, detect, investigate and resolve instances of program abuse or fraud. It also describes the actions that will be taken in the case of unintentional errors and omissions.

For purposes of this Chapter, the term **error** refers to an unintentional error or omission. **Program abuse or fraud** refers to a single act or pattern of actions that constitute a false statement, omission, or concealment of a substantial fact, made with the intent to deceive or mislead.

9.1 PREVENTING ERRORS AND PROGRAM ABUSE

The PHA anticipates that the vast majority of families and PHA employees intend to and will comply with program requirements and make reasonable efforts to avoid errors.

To ensure that the PHA's program is administered effectively and according to the highest ethical and legal standards, the PHA will employ a variety of techniques to ensure that both errors and intentional program abuse are rare.

A. The PHA will provide each applicant and resident with the publication ***Things You Should Know (HUD-1140-OIG)*** that explains the types of actions a family must avoid and the penalties for program abuse.

B. The PHA will require mandatory orientation sessions for all prospective residents either prior to or upon execution of the Resident Dwelling Lease Agreement. The PHA will discuss program compliance and integrity issues. At the conclusion of all program orientation sessions, the family representative will be required to sign a program briefing checklist to confirm that all rules and pertinent regulations were explained to them.

C. The PHA will routinely provide residents with information as part of every reexamination interview in order to clarify any confusion pertaining to program rules and requirements.

PHA staff will be required to review and explain the contents of all HUD and PHA required forms prior to requesting family member signatures.

D. The PHA will place a warning statement about the penalties for fraud (as described in the False Statement Act, U.S.C. 1001 and 1010) on key PHA forms and form letters that request information from a family member.

E. The PHA will provide each PHA employee with the necessary training on program rules and the organization's standards of conduct and ethics.

9.2 DETECTING ERRORS AND PROGRAM ABUSE

In addition to taking steps to prevent errors and program abuse, the PHA will use a variety of activities to detect errors and program abuse.

A. QUALITY CONTROL AND ANALYSIS OF DATA

The PHA will employ a variety of methods to detect errors and program abuse, including:

1. The PHA routinely will use available sources of up-front income verification to compare with family-provided information.

2. At each annual reexamination, current information provided by the family will be compared to information provided at the last annual reexamination to identify inconsistencies and incomplete information.

3. The PHA will compare family-reported income and expenditures to detect possible unreported income.

B. INDEPENDENT AUDITS AND HUD MONITORING

The PHA will use the results reported in any independent audit (IPA) or HUD monitoring reports to identify potential program abuses as well as to assess the effectiveness of the PHA's error detection and abuse prevention efforts.

C. INDIVIDUAL REPORTING OF POSSIBLE ERRORS AND PROGRAM ABUSE

The PHA will encourage staff, residents, and the public to report possible program abuse.

9.3 INVESTIGATING ERRORS AND PROGRAM ABUSE

A. WHEN THE PHA WILL INVESTIGATE

The PHA will review all referrals, specific allegations, complaints, and tips from any source including other agencies, companies, and individuals, to determine if they warrant investigation. In order for the PHA to investigate, the allegation must contain at least one independently verifiable item of information, such as the name of an employer or the name of an unauthorized household member.

The PHA will investigate inconsistent information related to the family that is identified through file reviews and the verification process.

B. CONSENT TO RELEASE OF INFORMATION

The PHA may investigate possible instances of error or abuse using all available PHA and public records. If necessary, the PHA will require applicant/resident families to give consent to the release of additional information.

C. ANALYSIS AND FINDINGS

1. The PHA will base its evaluation on a preponderance of the evidence collected during its investigation.

   - ***Preponderance of the evidence*** is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence that as a whole shows that the fact sought to be proved is more probable than not. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

2. For each investigation the PHA will determine:

   a. whether an error or program abuse has occurred;
   b. whether any amount of money is owed the PHA; and
   c. what corrective measures or penalties will be assessed.

D. CONSIDERATION OF REMEDIES

All errors and instances of program abuse will be corrected prospectively. Whether the PHA will enforce other corrective actions and penalties depends upon the nature of the error or program abuse. In the case of family-caused errors or program abuse, the PHA will take into consideration:

1. the seriousness of the offense and the extent of participation or culpability of individual family members;

2. any special circumstances surrounding the case;

3. any mitigating circumstances related to the disability of a family member;

4. the effects of a particular remedy on family members who were not involved in the offense.

E. NOTICE AND APPEALS

The PHA will inform the relevant party in writing of its findings and remedies within ten (10) business days of the conclusion of the investigation. The notice will include:

1. a description of the error or program abuse;

2. the basis on which the PHA determined the error or program abuses;

3. the remedies to be employed;

4. the family's right to appeal the results through an informal hearing or grievance hearing.

9.4 CORRECTIVE MEASURES AND PENALTIES

A. UNDERPAYMENT OR OVERPAYMENT

An underpayment or overpayment includes an incorrect resident rent payment by the family, or an incorrect utility reimbursement to a family.

1. **Corrections**. Increases in the resident rent will be implemented only after the family has received a 30 Days Notice. Any decreases in the resident rent will become effective the first of the month following the discovery of the error.

2. **Reimbursement**. Whether the family is required to reimburse the PHA or the PHA is required to reimburse the family depends upon which party is responsible for the incorrect payment and whether the action taken was an error or program abuse. Policies regarding reimbursement are discussed in the three sections that follow.

B. FAMILY-CAUSED ERRORS AND PROGRAM ABUSE

This section deals specifically with errors and program abuse by family members. An incorrect rent determination caused by a family generally would be the result of incorrect reporting of family composition, income, assets, or expenses, but also would include instances in which the family knowingly allows the PHA to use incorrect information provided by a third party.

1. **Family Reimbursement to PHA**. In the case of family-caused errors or program abuse, the family will be required to repay any amounts of rent underpaid. The PHA may, but is not required to, offer the family a Repayment Agreement. If the family fails to repay the amount owed, or violates the Repayment Agreement, the PHA will proceed to terminate the Resident's Dwelling Lease Agreement.

2. **PHA Reimbursement to Family**. The PHA will not reimburse the family for any overpayment of rent when the overpayment clearly is caused by the family.

3. **Prohibited Actions**. An applicant or resident in the public housing program must not knowingly:

   a. Make a false statement to the PHA [Title 18 U.S.C. Section 1001];
   b. Provide incomplete or false information to the PHA;
   c. Commit fraud, or make false statements in connection with an application for assistance or with reexamination of income.
   d. Any of the following will be considered evidence of family program abuse:

      1. Offering bribes or illegal gratuities to the PHA Board of Commissioners, employees, contractors, or other PHA representatives;

      2. Offering payments or other incentives to a third party as an inducement for the third party to make false or misleading statements to the PHA on the family's behalf;

      3. Use of a false name or the use of falsified, forged, or altered documents;

      4. Intentional misreporting of family information or circumstances (e.g., misreporting of income or family composition);

      5. Omitted facts that were obviously known by a family member (e.g., not reporting employment income);

      6. Admission of program abuse by an adult family member.

7. The PHA may determine other actions to be program abuse based upon a preponderance of the evidence, as defined earlier in this chapter.

4. **Penalties for Program Abuse**. In the case of program abuse caused by a family the PHA may, at its discretion, impose any of the following remedies.

   a. The PHA may require the family to repay any amounts owed to the program;

   b. The PHA may require, as a condition of receiving or continuing assistance, that a culpable family member not reside in the unit;

   c. The PHA may deny admission or terminate the Resident's Dwelling Lease Agreement following the policies set forth in Chapter 4 respectively;

   d. The PHA may refer the family for state or federal criminal prosecution.

C. PHA-CAUSED ERRORS OR PROGRAM ABUSE

This section specifically addresses actions of a PHA staff member that are considered errors or program abuse related to the public housing program. Additional standards of conduct may be provided in the PHA personnel policy. PHA-caused incorrect rental determinations include failing to correctly apply public housing rules regarding family composition, income, assets, and expenses, and errors in calculation.

1. **Repayment to the PHA**. The family is not required to repay an underpayment of rent if the error or program abuse is caused by a PHA employee.

2. **PHA Reimbursement to Family.** The PHA will reimburse a family for any family overpayment of rent, regardless of whether the overpayment was the result of an employee-caused error or employee program abuse.

3. **Prohibited Activities**. Any of the following will be considered evidence of program abuse by a PHA employee:

   a. Failing to comply with any public housing program requirements for personal gain;

   b. Failing to comply with any public housing program requirements as a result of a conflict of interest relationship with any applicant or resident;

   c. Seeking or accepting anything of material value from applicants, residents, vendors, contractors, or other persons who provide services or materials to the PHA;

d. Disclosing confidential or proprietary information to outside parties;

e. Gaining profit as a result of insider knowledge of PHA activities, policies, or practices;

f. Misappropriating or misusing public housing funds;

g. Destroying, concealing, removing, or inappropriately using any records related to the public housing program;

h. Committing any other corrupt or criminal act in connection with any federal housing program;

D. CRIMINAL PROSECUTION

When the PHA determines that program abuse by a family or a PHA employee has occurred and the amount of underpaid rent meets or exceeds the threshold for prosecution under local or state law, the PHA will refer the matter to the appropriate entity for prosecution. When the amount of underpaid rent meets or exceeds the federal threshold, the case will also be referred to the HUD Office of Inspector General (OIG).

Other criminal violations related to the public housing program will be referred to the appropriate local, state, or federal entity.

E. FRAUD AND PROGRAM ABUSE RECOVERIES

PHAs who enter into a repayment agreement with a family to collect rent owed, initiate litigation against the family to recover rent owed, or begin eviction proceedings against a family may retain 100 percent of program funds that the PHA recovers. [Notice PIH 2005-7 (HA)].

If the PHA does none of the above, all amounts that constitute an underpayment of rent will be returned to HUD.

The family must be afforded the opportunity for a hearing through the PHA's grievance process.

APPENDIX I

DEFINITION OF TERMS

Accessible Dwelling Units - when used with respect to the design, construction or alteration of an individual dwelling unit, means that the unit is located on an accessible route and when designed, constructed, altered, or adapted can be approached, entered, and used by individuals with physical disabilities. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in the Uniform Federal Accessibility Standards is "accessible" within the meaning of this paragraph. When an individual dwelling unit in an existing facility is being modified for use by a specific individual, the unit will not be deemed accessible, even though it meets the standards that address the impairment of that individual, unless it also meets the UFAS.

Adaptability - ability to change certain elements in a dwelling unit to accommodate the needs of disabled and non-disabled persons; or ability to meet the needs of persons with different types and degrees of disability.

Adjusted Income - is defined as Annual income **minus** any HUD allowable expenses and deductions.

Annual Income - Income is defined as the gross amount of income anticipated to be received by the family during the 12 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 which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits.

Applicant - A person or a family that has applied for housing assistance.

Assets - Income from assets has always been counted toward the gross annual income of families applying for public housing. However, now, for those families whose assets exceed $5,000, a comparison must be made between the actual and imputed income from assets. The greater of the two (2) is now added to annual income, and is not only used for the eligibility test, but is considered with annual income in determining the rent calculation. Therefore, it is important to know what would be counted as an asset and what would not.

Include equity in land, houses, mobile homes, buildings, savings bonds, certificates of deposit, mutual funds, real estate investment trusts, money market funds, stocks, cash, savings accounts, IRA or Keogh accounts, gold or precious metals, business equipment, checking accounts to the degree where they reflect a larger amount than would regularly pass through the account in a month from usual sources of income.

Family assets do not include: furniture, antiques, automobiles, pickup trucks, wheelchairs, or other special equipment for the persons with disabilities, household goods including silver or oriental rugs, appliances, boats, recreational vehicles and campers. Like family composition, both income and assets must be verified.

Auxiliary Aids - means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of programs or activities.

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

Child Care Expense - are amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care, and in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment.

Citizen - A citizen or national of the United States. Documents must be submitted as evidence of citizenship or eligible immigration status.

Co-head of Household - a household where two persons are held responsible and accountable for the family, and where each co-head contributes to the rent.

Contract Rent - Contract rent is the actual monthly rent amount charged the resident after the allowable deductions and the utility allowance.

Covered Person - A resident, any member of the resident's household, a guest or another person under the resident's control.

Covered Families - Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

Dependent - is 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 persons with disabilities, or is a full-time student.

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

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

Drug-related criminal activity - The illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

Earned Income Disregard - For qualified families, this excludes earned income of family members who start work or self-sufficiency programs or have increases in employment income. For these families, the increase income is phased in. (See Chapter 3, Section 3.8 for definition qualifying families.)

Educational Institution - is defined in Section 351 of the Social Security Handbook as follows: "A school, college or university is considered an 'educational institution' under the Act if:

a. It is operated or directly supported by the United States, by a State or local government, or by a political subdivision of the government unit;

b. It has been approved by a state or accredited by a state-recognized or nationally-recognized accrediting agency;

c. It is unaccredited, but its credits are accepted on transfer by at least three accredited institutions on the same basis as if the credits had been transferred from an accredited institution."

Under this definition are included public and private high schools, trade or vocational schools, and colleges and universities which meet the requirements of either a, b, or c, above.

Elderly family - A family whose head, spouse, or sole member is a person who is at least 62 years of age; or two (2) or more persons who are at least 62 years of age living together; or one (1) or more persons who are at least 62 years of age living with one or more live-in aides.

Eligible Immigration Status - A non-citizen lawfully admitted to the U.S. either as a permanent or a temporary resident.

Extremely Low-Income Family - A family whose annual income does not exceed 30% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

Family - Includes, but is not limited to:

1. A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);

2. An elderly family;

3. A near-elderly family;

4. A disabled family;

5. A displaced family;

6. The remaining member of a resident family;

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

8. Other persons who live regularly as a part of the family group (including members of the family temporarily absent) whose income and resources are available for use in meeting the living expenses of the group may also be considered as part of a family.

Family Income - Total Gross Family Income means income before deductions from all sources of the head of household or spouse, and each additional member of the family residing in the household who is at least 18 years of age, with the exception of full-time students who are not employed. Total gross family income shall include that portion of the income of the head of household or spouse temporarily absent which, in the determination of the PHA, is (or should be) available to meet the family's needs.

Total Gross Family Income includes, but is not limited to, the following:

1. The full amount, before any payroll deduction, of wages and salaries, including compensation for overtime and other compensation for personal services (such as commissions, fees, tips and bonuses from anyone 18 years of age or older);

2. Net income from operation of a business or profession. (Expenditures for business expansion or amortization of capital indebtedness shall not be deducted to determine net income from a business.);

3. Interest, dividends and net income of any kind from real or personal property;

4. The full amount received from annuities, periodic payments from insurance policies, retirement income, pensions, periodic benefits for disability or death, and other similar types of periodic receipts;

5. Payments in lieu of earnings such as unemployment and disability compensation, Social Security benefits, Worker's Compensation and dismissal wages;

6. Welfare assistance payments;

7. Periodic and determinable allowances, such as alimony and regular contributions or gifts including amounts received from any person not residing in the dwelling;

8. All regular pay, special payments and allowances (such as longevity, overseas duty, rental allowances, allowances for dependents, etc.) received by a member of the armed forces;

9. Actual income derived from assets valued over $5,000, or a percentage of the value of assets based on the current passbook savings rate as determined by HUD.

Income Exclusions - Annual Income does not include the following:

1. Income from employment of children (including foster children) under the age of 18;

2. Payments received for the care of foster children;

3. Temporary, non-recurring, or sporadic income and amounts which are specifically received for, or are a reimbursement of, the cost of illness or medical care;

4. Lump sum additions to family assets such as, but not necessarily limited to, inheritances, insurance payments, including payments under health and accident insurance and Worker's Compensation, capital gains, lottery proceeds, and settlements for personal or property losses;

5. Amounts of educational scholarships paid directly to the student or to the educational institution and amounts paid by the government to a veteran for use in meeting the cost of tuition, fees, books, supplies and transportation to the extent that such amounts are so used. (Any amounts available for subsistence are to be included in Total Family Income.) This exclusion is applicable to all part-time and full-time students. Income from student loans, regardless of what such income is used for, is excluded in the computation of the Total Family Income;

6. Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

7. The value of the coupon allotments for the purchase of food in excess of the amount actually charged an eligible household pursuant to the Food Stamp Act of 1964;

8. Payments received by participants or volunteers in programs pursuant to the Domestic Volunteer Service Act of 1973. National Volunteers Anti-Poverty Programs, Vista, Service Learning Programs, University Year for Action, Special Volunteer Programs, National Older American Volunteer Programs, Retired Senior Volunteer Program, Foster Grandparent Program, Older American Community Service Programs, National Volunteer Programs to Assist Small Business and Promote Volunteer Service by Persons With Business Experience, Service Corps of Retired Executives (SCORE), Active Corps of Executive (ACE).

Income Deductions - Total Family Income less deductions and allowable exemptions specified below which are anticipated during the 12-month period for which Total Family Income is estimated. Deductions and allowable exemptions include:

1. A deduction for extraordinary medical expenses, defined for this purpose to mean medical expenses in excess of three percent (3%) of the total Family Income, ONLY IF THE FAMILY QUALIFIES AS AN ELDERLY OR DISABLED FAMILY, when such expenses are not compensated for or covered by insurance;

2. A family that has an individual member with disabilities or disabled member (other than the head or spouse), may deduct Persons with Disabilities Assistance Expenses in excess of three percent (3%) of Annual Income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to persons with disabilities;

3. A deduction of amounts paid by the family for the care of children, including foster children, is available only for dependents who are under the age of 13, and where such care is necessary to further the education of a family member or for the employment of a family member;

   An exemption of $480 for each member of the family residing in the household (other than the head or spouse) who is under 18 years of age, or who is a dependent 18 years of age or older and is disabled, persons with disabilities, or a full-time student. No person in the family shall be entitled to more than one exemption;

4. A deduction of $400 for an Elderly or Disabled Family. (See definition of Elderly or Disabled Families.)

Flat Rent - A PHA established rent amount for each public housing unit based on the market rental value. (Flat rent - must be prorated rent for assistance.)

Full-Time Student **-** A person who is attending school or vocational training on a full-time basis. (Full-time basis is considered full-time for day students under the standards and practices of the educational institution attended.)

Gross Rent (Total Tenant Payment) **-** The rent as determined by the PHA after the proper deductions have been allowed (e.g., 30% of adjusted income).

Guest **-** A person temporarily staying in the unit with the consent of a resident or other member of the household who has expressed or implied authority to so consent on behalf of the resident.

Head of Household **-** The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

Imputed Asset Income **-** Income that would be received from an asset if it were converted to cash and the cash were placed in a savings account earning a HUD-determined passbook rate.

Imputed Welfare Income **-** The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

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.

Income of Live-In Persons **-** Income of persons who "live in" to provide care for a sick or incapacitated family member shall be included if his or her income is available to the family, and if the person is expected to contribute toward the family's support. In such cases, only that part of their income which is over and above wages paid by the family shall be included. If these wages are deducted by the family as an unusual medical expense, then the entire amount of income of the "live in" caretaker shall be included. In this type of situation, the "live in" person is entitled to residual rights.

Conversely, if the person is not expected to, and does not, contribute to the family's support, his or her income should not be counted. However, the Head of the Household must then submit a doctor's certificate or such other certification as may be deemed necessary stating that this employment is necessary to the care and well-being of the sick or incapacitated family member, or to enable another family member to seek or obtain employment outside the home. If the family pays out of pocket for the care provided, such payments may be deducted as unusual expenses if family qualifies as an elderly family.

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

1. Is determined to be essential to the care and well-being of the persons;

2. Is not obligated for the support of the persons; and

3. Would not be living in the unit except to provide the necessary supportive services. (Residents as a live-in aide are not automatically excluded. The relative must meet the requirements to qualify and who otherwise would not be living in the unit except to provide necessary supportive services.)

Lower Income Family - A family whose annual income does not exceed 80% of median income as set by HUD's annual income limits for the area.

Medical Expenses - See Appendix 10 for definition.

Military or Naval Services of the United States - Military or Naval Services of the United States means only the Army, Navy, Air Force, Marine Corps, and Coast Guard. Such service does not include Merchant Marine, Red Cross, or any other organization not actually part of the Military or Naval Services of the United States.

Minimum Rent - Minimum Total Tenant Payment (TTP) and not a minimum Tenant Rent (TR). The PHA has established **$50** as a minimum rent amount. A family paying its own utilities would be entitled to a utility allowance deduction <u>only if</u> the Utility Allowance were greater than **$50**.

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

Minor - A person less than 18 years of age, except that a family head or spouse shall not be considered a minor. (An unborn child shall not count as a minor.)

Monthly Adjusted Income - One-twelfth of Adjusted Income.

Monthly Income - One-twelfth of Annual Income.

National - A person who owes permanent allegiance to the United States; for example, as a result of birth in a United States territory or possession.

Near-Elderly Family - A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.

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

Non-citizen Student Family - A non-citizen student who is admitted to the U.S. solely for the purpose of attending school. It includes the non-citizen spouse and children (regardless of the citizenship status of the children).

Non-contending Member - Individuals who do not contend that they have eligible status. If one or more members of a family elect not to contend that he/she has eligible immigration status and other members of the family establish their citizenship or eligible immigration status, the family may be considered for assistance. The family must identify to the PHA the family member(s) who will elect not to contend that he/she has eligible immigration status.

Persons with disabilities - A person having a physical or mental impairment which:

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

Pro-Rated Assistance - Assistance based upon the number of family members with eligible immigration status (i.e., given 2 families with equal members, a family with more eligible members would receive more assistance than a family with less eligible members).

Resident - An individual or a family renting and occupying a public housing dwelling unit.

Residual Member of a Resident Family - An individual remaining in a unit when other member(s) of the family have moved or deceased, unless this individual was an unrelated member of the former family, or who was necessary to care for the well being of an elderly, disabled or persons with disabilities, head of household or spouse, and whose income was not counted for eligibility purposes. The remaining member must have been included as a member of the family on the most recent certification. This designation applies more for continued occupancy than for eligibility.

Specified Welfare Benefit Reduction - is a reduction in welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program. It **does not** include a reduction or termination of welfare benefits by the welfare agency:

1. at expiration of a lifetime or other time limit on the payment of welfare benefits;
2. because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or
3. because a family member has not complied with other welfare agency requirements.

Tenant Rent - The amount payable monthly by the family as rent to the unit.

Utilities **-** Are defined as water, electricity, gas, refrigeration and cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

Very-Low Income **-** A family whose annual income does not exceed 50% of median income as set by HUD's annual income limits for the area.

Zero-Income Families **-** include (a) Families who report zero income and have no income excluded for rent computation; or (b) Families whose total tenant payment equals the minimum rent; or (c) Families who report $100 or less per month in total income.

APPENDIX 2

SCHEDULE OF INCOME LIMITS
(Effective March 8, 2006)

Family Size	Extremely Low Income (30% Median)	Very-Low Income (50% Median)	Low Income (80%)
0	10,300	17,200	27,500
1	10,700	17,800	28,450
2	12,200	20,300	32,500
3	13,750	22,850	36,600
4	15,250	25,400	40,650
5	16,450	27,450	43,900
6	17,700	29,450	47,150
7	18,900	31,500	50,400
8	20,150	33,550	53,650
9	21,370	35,582	56,902
10	22,590	37,614	60,154

APPENDIX 3

PUBLIC HOUSING DEVELOPMENTS
(Effective January 1, 2007)

SELECT ✓	ACC #	DEVELOPMENT NAME	LOCATION CITY	Bedroom Size							TOTAL UNITS
				0	1	2	3	4	5	6	
CITY OF FRESNO											
	0602	Sequoia Courts (Thorne/Dunn)	Southwest Fresno	0	16	30	[8]8	6	0	0	60
	0605	Sequoia Courts Terr (Thorne/O'Neil)	Southwest Fresno	0	12	38	16	10	2	0	78
	0603	Sierra Plaza (Tulare/Pottle)	Southwest Fresno	0	12	32	18	8	0	0	70
	0604	Fairview Heights Terr (California/Maud)	Southwest Fresno	0	14	44	14	2	0	0	74
	0606	Sierra Terrace (California/Kern)	Southwest Fresno	0	7	[5]40	18	6	1	0	72
	0626	DeSoto Gardens II (California/Maud)	Southwest Fresno	0	0	0	[2]20	[1]8	0	0	28
	0607	Monte Vista Terr (First/Olive)	Central Fresno	0	[2]9	24	9	2	0	0	44
	0608	Cedar Courts (Cedar/Hamilton)	Southeast Fresno	0	[7]25	31	31	25	6	1	119
	0609B	Cedar Courts II (Cedar/Hamilton)	Southeast Fresno	0	[2]8	5	5	8	4	0	30
	0610	Yosemite Village (California/Delno)	Southwest Fresno	0	0	0	24	9	0	0	33
	0615	Viking Village (Ashlan/Chestnut)	Southeast Fresno	0	0	20	[2]20	0	0	0	40
	0616	Inyo Terrace (Peach/Kings Canyon)	Southeast Fresno	0	0	[6]44	0	0	0	0	44
COUNTY OF FRESNO (East of Fresno)											
	2801	Shockley Terrace (Peach/Olive)	Selma	0	3	13	8	1	0	0	25
	2802	Memorial Village (Fourth/ "K")	Sanger	0	8	16	9	2	0	0	35
	2805	Magill Terrace (Nelson/Vine)	Fowler	0	2	8	8	2	0	0	20
	2818	Del Rey Complex (Oaklane/Redondo)	Del Rey	0	0	8	12	8	2	0	30
	2820	Laton Apartments (Armstrong/Latonia)	Laton	0	2	4	8	4	2	0	20
	2833	Wedgewood Commons-Senior Units (5th)	Sanger	0	[5]59*	5*	0	0	0	0	64
	2803	Sunset Terrace (Springfield/Sunset)	Reedley	0	5	9	5	1	0	0	20
	2804	Kuffel Terrace (Center/ "I")	Orange Cove	0	5	9	[1]5	1	0	0	20
	2815	Oak Grove (Parlier/Bigger)	Parlier	0	4	[2]12	17	13	4	0	50
	2816	Kuffel Terrace Annex (Center/South)	Orange Cove	0	0	10	16	14	0	0	40
	2817	Sunset Terrace II (East/Springfield)	Reedley	0	0	2	10	6	2	0	20
	2831	Mountain View Apts (Anchor/South)	Orange Cove	0	0	[3]14	8	8	0	0	30

SELECT ✓	ACC #	DEVELOPMENT NAME	LOCATION CITY	Bedroom Size							TOTAL UNITS
				0	1	2	3	4	5	6	
COUNTY OF FRESNO (West of Fresno)											
	2807	Helsem Terrace (W. "B" St)	Kerman	0	4	18	14	4	0	0	40
	2811	Marcelli Terrace (Fwy 99/Shaw)	Highway City	0	2	10	10	2	0	0	24
	2822	Biola Apartments (W. Shaw)	Biola	0	2	2	4	4	0	0	12
	2824	Pinedale Apartments (San Pablo/Herndon)	Pinedale	0	8	8	**[2]**16	**[1]**14	4	0	50
	2832	Pinedale Apartments (College/Herndon)	Pinedale	0	0	**[2]**25	5	0	0	0	30
	2838	DeSoto Gardens (California/Maud)	Fresno	0	0	0	**[4]**30	10	0	0	40
	2808	Mendoza Terrace (Mendoza St)	Firebaugh	0	4	24	18	4	0	0	50
	2812	Mendoza Terrace II (Allardt Dr)	Firebaugh	0	2	12	16	10	0	0	40
	2819	Firebaugh-Senior Units (Thomas Conboy)	Firebaugh	**20***	**10***	0	0	0	0	0	30
	2830	Cardella Courts ("P" St)	Firebaugh	0	0	16	**[2]**16	0	0	0	32
	2809	Rios Terrace (Derrick St)	Mendota	0	**[1]**2	10	10	2	0	0	24
	2810	Taylor Terrace (5th/6th-Nevada St)	San Joaquin	0	2	12	12	2	0	0	28
	2814	Rios Terrace II (Straw St/Tuft St)	Mendota	0	2	6	14	15	3	0	40
	2821	San Joaquin Apartments (W.Idaho/Pine St)	San Joaquin	0	0	2	10	6	2	0	20
	2826	Mendota Apartments (Quince/Sorensen St)	Mendota	**8***	**4***	16	**[1]**20	12	0	0	60
	2806	Cazares Terrace ("O" St)	Huron	0	2	9	11	2	0	0	24
	2813	Cazares Terrace II (Mouren/11th St)	Huron	0	0	2	10	6	2	0	20
	2823	Huron Apartments (LA/Myrtle/Orange Av)	Huron	0	2	6	6	4	2	0	20

Elderly, disabled and/or persons who require **Special Accommodations** may submit their request in writing or call any one of the following District Offices for further assistance.

District II Office	P.O. Box 12808, Fresno, CA 93779-2808	Office (559) 445-8956	Fax (559) 457-4199
District IV Office	P.O. Box 267, Parlier, CA 93648	Office (559) 646-2778	Fax (559) 457-4149
District V Office	P.O. Box 275, Firebaugh, CA 93622	Office (559) 659-3084	Fax (559) 457-4124

TTY # 800-735-2929

APPENDIX 4

NEW STANDARD UTILITY ALLOWANCE FOR PUBLIC HOUSING
(Effective 1/1/2007)

Table A - Buildings with Wall Heaters/Evap Coolers/Single Pane Wood Windows

DEVELOPMENT	UTILITY or SERVICE		Bedroom Size					
			0	1	2	3	4	5
Huron Apts. Mendota Apts DeSoto Gardens II Pindale Apts I Pinedale Apts II DeSoto Gardens I	Heating	a. Gas/Other	$12	$14	$16	$19	$20	$22
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Cooking	a. Gas/Other	$4	$5	$6	$7	$8	$8
		b. Oil/Electric	$4	$5	$6	$6	$7	$8
	Electricity	Lighting (kWh)	$7	$9	$10	$13	$14	$14
		Basic (hWh)	$8	$10	$11	$13	$15	$19
	Water Heating	a. Gas/Other	$13	$14	$15	$16	$17	$17
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Utility Allowance w/o AC		**$48**	**$57**	**$64**	**$74**	**$81**	**$88**

Table B - Buildings with Wall Heaters/Evap Coolers/Double Pane Wood Windows

DEVELOPMENT	UTILITY or SERVICE		Bedroom Size					
			0	1	2	3	4	5
Casarez Terrace I Helsem Terrace Mendoza Terrace I Rios Terrace I Taylor Terrace Mendoza Terrace II Casarez II Rios Terrace II San Joaquin Apts Biola Apts Sequoia Courts Sierra Plaza Fairview Heights Sequoia Courts Terrace Sierra Terrace Monte Vista Terrace Cedar Courts I Cedar Courts II Yosemite Village Viking Village Inyo Terrace Marcelli Terrace	Heating	a. Gas/Other	$10	$12	$13	$15	$16	$17
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Cooking	a. Gas/Other	$4	$5	$6	$7	$8	$8
		b. Oil/Electric	$4	$5	$6	$6	$7	$8
	Electricity	Lighting (kWh)	$7	$9	$10	$13	$14	$14
		Basic (hWh)	$8	$10	$11	$13	$15	$19
	Water Heating	a. Gas/Other	$13	$14	$15	$16	$17	$17
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Utility Allowance w/o AC		**$46**	**$55**	**$61**	**$70**	**$77**	**$83**

Table C - Buildings with Wall Heaters/Window AC/Single Pane Wood Windows

DEVELOPMENT	UTILITY or SERVICE		Bedroom Size					
			0	1	2	3	4	5
Firebaugh Elderly	Heating	a. Gas/Other	$12	$14	$16	$19	$20	$22
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Cooking	a. Gas/Other	$4	$5	$6	$7	$8	$8
		b. Oil/Electric	$4	$5	$6	$6	$7	$8
	Electricity	Lighting (kWh)	$7	$9	$10	$13	$14	$14
		Basic (hWh)	$8	$9	$11	$13	$15	$19
	Water Heating	a. Gas/Other	$13	$14	$15	$18	$17	$17
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Utility Allowance w/o AC		**$48**	**$56**	**$64**	**$76**	**$81**	**$88**

Table D - Buildings with Central Furnace/Split AC/Double Pane Wood Windows

DEVELOPMENT	UTILITY or SERVICE		Bedroom Size					
			0	1	2	3	4	5
Cardella Courts	Heating	a. Gas/Other	$8	$9	$10	$12	$12	$13
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Cooking	a. Gas/Other	$4	$5	$6	$7	$8	$8
		b. Oil/Electric	$4	$5	$6	$6	$7	$8
	Electricity	Lighting (kWh)	$7	$9	$10	$13	$14	$14
		Basic (hWh)	$8	$9	$11	$13	$15	$19
	Water Heating	a. Gas/Other	$13	$14	$15	$16	$17	$17
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Utility Allowance w/o AC		**$44**	**$51**	**$58**	**$67**	**$73**	**$79**

Table E - Buildings with Wall Heaters/Evap Coolers/Double Pane Aluminum Windows

DEVELOPMENT	UTILITY or SERVICE		Bedroom Size					
			0	1	2	3	4	5
Shockley Terrace Memorial Village Sunset Terrace Kuffel Terrace I Magill Terrace Oak Grove Kuffel Terrace II Del Rey Complex Laton Apts.	Heating	a. Gas/Other	$11	$13	$15	$17	$18	$19
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Cooking	a. Gas/Other	$4	$5	$6	$7	$8	$8
		b. Oil/Electric	$4	$5	$6	$6	$7	$8
	Electricity	Lighting (kWh)	$7	$9	$10	$13	$14	$14
		Basic (hWh)	$8	$10	$11	$13	$15	$19
	Water Heating	a. Gas/Other	$13	$14	$15	$16	$17	$17
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Utility Allowance w/o AC		**$47**	**$56**	**$63**	**$72**	**$79**	**$85**

Table F - Buildings with Wall Heaters/Evap Coolers/Single Pane Aluminum Windows

DEVELOPMENT	UTILITY or SERVICE		Bedroom Size					
			0	1	2	3	4	5
Sunset Terrace II Mountain View Apts. Wedgewood Commons	Heating	a. Gas/Other	$13	$16	$19	$21	$23	$25
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Cooking	a. Gas/Other	$4	$5	$6	$7	$8	$8
		b. Oil/Electric	$4	$5	$6	$6	$7	$8
	Electricity	Lighting (kWh)	$7	$9	$10	$13	$14	$14
		Basic (hWh)	$8	$9	$11	$13	$15	$19
	Water Heating	a. Gas/Other	$13	$14	$15	$16	$17	$17
		b. Oil/Electric	$0	$0	$0	$0	$0	$0
	Utility Allowance w/o AC		**$49**	**$58**	**$67**	**$76**	**$84**	**$91**

APPENDIX 5

SCHEDULE OF MAXIMUM RENTS (95th Percentile)
(Effective January 1, 2007)

BEDROOM SIZE	PHM RENTS
0	$294
1	$377
2	$449
3	$582
4	$708
5	$630

APPENDIX 6

SCHEDULE OF FLAT RENTS
(Effective January 1, 2007)

BEDROOM SIZE	FLAT RENTS
0	$522
1	$596
2	$622
3	$722
4	$775
5	$862

APPENDIX 7

SCHEDULE OF MAINTENANCE CHARGES
(Effective January 1, 2007)

LABOR ONLY	
1/4 Hour	$7.00
1/2 Hour	$14.00
3/4 Hour	$21.00
1 Hour	$28.00
The cost of materials, sales tax and 15% overhead, will be added to the labor charges.	

APPENDIX 8

PET POLICY/ADDENDUM

The following rules are established to govern the keeping of a pet in or on properties owned and operated by the Housing Authorities of the City and County of Fresno (PHA). In accordance with Federal regulations, these rules do not apply to animals that are used to assist persons with disabilities, nor small caged pets, such as, hamsters, turtles, birds, fish, etc. Permitted pets are domesticated dogs and cats only.

The pet must be pre-approved and registered with the PHA. Residents must receive written permission to keep the pet on or about the premises. **Visiting pets are not allowed with the exception of animals used to assist persons with disabilities**. A picture of the pet will be kept in resident's file for proper identification. This privilege may be revoked at any time subject to the PHA grievance procedure if the pet becomes destructive or a nuisance to others, or if the Resident/Owner fails to comply with any one of the following:

1. Limit two (2) pets per household.

2. The only permitted pet is a domesticated dog or cat, no livestock are permitted. The following breeds of dogs are prohibited: pit bulls, miniature Dobermans, bulldogs and Rottweilers. The pet shall be limited to a small breed, weighing less than 25 pounds at adulthood. The only exception to this rule is a service animal, as defined in Senate Bill No. 2046, that is utilized by a physically handicapped resident.

3. Dogs are to be licensed yearly with the proper authorities. A pet license should be visible at all times. Dogs and cats are to be vaccinated yearly for distemper and dogs must have a rabies booster. Proof of current licensing and vaccination shall be provided by resident on a yearly basis during Resident's Re-examination for Eligibility of Continued Occupancy.

4. All cats and dogs are to be spayed or neutered before they reach six (6) months of age. If a female pet is not spayed and has offspring, resident will be in violation of this rule.

5. No pet may be kept in violation of humane or health laws.

6. A dog must be on a leash attended by the resident if outside the resident's unit. A cat must be kept indoors, unless being transported in a secured carrier. Cats and dogs are required to wear collars with identification of the owner at all times.

7. A cat is to use a litter box kept inside the resident's unit. Resident is not allowed to let waste accumulate. Waste is to be placed in a plastic bag, closed and disposed of properly.

8. Residents are responsible for promptly cleaning up their pet's droppings, and properly disposing of said droppings. Residents are also responsible for maintaining small caged animals, as referenced in the first paragraph, in a clean and sanitary environment.

9. Resident shall take adequate precautions to eliminate any pet odors within or around unit and maintain unit in a sanitary condition at all times.

10. Pets are to be kept flea, tick and lice free at all times. Residents will be responsible for flea and tick eradication in the event of infestation.

11. Resident shall not permit any disturbance by their pet which would interfere with the quiet enjoyment of other residents; whether by loud barking, howling, biting, scratching, chirping, or other such activities.

12. If a pet is left unattended for 24 hours or more, the PHA may enter the dwelling to remove the pet and transfer it to the proper authorities, subject to the provisions of Section 1954 of the California Civil Code or Penal Code Section 597. The PHA accepts no responsibility for the pet under such circumstances.

13. Residents shall not alter their unit, patio, or unit area to create an enclosure for an animal. No pet shelters shall be permitted outside the dwelling.

14. Resident is responsible for all damages caused by their pet.

15. Residents are prohibited from feeding stray animals. The feeding of stray animals shall constitute having a pet without permission of the PHA.

16. A pet sign must be displayed at dwelling as to notify PHA staff before entry.

17. Resident shall pay a $200 refundable pet deposit which may include two pets. The initial deposit will not exceed $50, at the time the pet is brought onto the premises and the remaining amount will be a gradual accumulation, not to exceed $10 per month until the full deposit of $200 is reached. Resident may elect to pay the entire amount or increments that are greater than $10 if they choose to do so.

    The resident does not have to wait to vacate the unit to receive their deposit. The deposit is returned once the pet(s) is/are gone and after the HA inspects the unit to determine any damages made by the pet(s).

    NOTE: Residents approved with pets under the previous Pet Policy, are not required to increase their deposit until approval of a new pet is requested. Residents who own a pet and are physically handicapped as defined in Sections 54.1 and 54.2 of the California Civil Code and Section 17253.5 of the California Revenue and Taxation Code, are not required to pay a pet deposit. All other provisions of the Pet Policy are applicable for keeping a pet on the premises.

18. Residents who violate these rules are subject to: (a) being required to remove the pet from the dwelling unit within 30 days of notice by the PHA; and/or (b) eviction.

I have read and understand above regulations regarding pets and agree to conform to same.

_____	_____
Resident Signature	Date
_____	_____
Witness Signature	Date

APPENDIX 9

COMMUNITY SERVICE
AND
SELF-SUFFICIENCY POLICY

A. BACKGROUND

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

B. DEFINITIONS

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

- Work at a local institution including but not limited to: school, child care center, hospital, hospice, recreation center, senior center, adult day care center, homeless shelter, indigent feeding program, cooperative food bank, etc.;
- Work with a non-profit organization that serves PHA residents or their children such as: Boys or Girl Scouts, Boys or Girls Clubs, 4-H Program, Police Activities League (PAL), Community clean-up programs, beautification programs, and other youth or senior organizations;
- Helping neighborhood groups with special projects;
- Serve on the Resident Advisory Board; and
- Caring for the children of other residents so they may volunteer.

NOTE: Political Activity is excluded.

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

- Job readiness programs

- Job training programs;
- GED classes;
- Substance abuse or mental health counseling;
- English proficiency or literacy (reading) classes;
- Apprenticeships;
- Budgeting and credit counseling;
- Any kind of class that helps a person toward economic independence;
- Full-time student status at any school, college or vocational school.

Exempt Adult - an adult member of the family who
- Is 62 years of age or older;
- Has a disability that prevents him/her from being gainfully employed;
- Is the caretaker of a disabled person;
- Is working at least 32 hours per week; or
- Is participating in a welfare to work program.

C. REQUIREMENTS OF THE PROGRAM

1. The eight (8) hours per month may be either volunteer work or a self sufficiency program activity, or a combination of the two.

2. At least eight (8) hours of activity must be performed each month. An individual may not skip a month and then double up the following month, unless special circumstances warrant special consideration. The PHA will make the determination of whether to allow or disallow a deviation from the schedule.

3. Activities must be performed within the community and not outside the jurisdictional area of the PHA.

4. **Family Obligations**: At lease execution or re-examination after February 1, 2000, all adult members (18 years or older) of a public housing resident family must:

   a. Provide documentation that they are exempt from the Community Service requirement if they qualify for an exemption, and

   b. Sign a certification that they have received and read this policy and understand that if they are not exempt, failure to comply with the Community Service requirement will result in non-renewal of their lease.

   c. At each annual re-examination, non-exempt family members must present a completed documentation (**Resident Community Service Tracking Form**) of activities performed over the previous 12 months. ***This form will include places for signatures of supervisors, instructors, or counselors certifying to the number of hours contributed.***

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

5. **Change in Exempt Status:**

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

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

D. HOUSING AUTHORITIES OBLIGATIONS

1. To the greatest extent possible and practicable, the PHA will:

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

b. provide in-house or self-sufficiency programs.

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

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

4. **Noncompliance of family member**:

a. At least 30 days prior to annual re-examination and/or lease expiration, the PHA will begin reviewing the exempt or non-exempt status and compliance of family members;

b. If the PHA finds a family member to be noncompliant, the PHA will enter into an agreement with the noncompliant member and the Head of Household to make up the deficient hours over the next 12 month period;

c. If, at the next annual re-examination, the family member still is not compliant, the lease will not be renewed and the entire family will have to vacate, unless the noncompliant member agrees to move out of the unit;

d. The family may use the PHA's Grievance Procedure to protest the lease termination.

E. COMMUNITY SERVICE EXEMPTION CERTIFICATION

Resident will certify and sign an eligibility Exemption Certification form claiming an exemption from the Community Service requirement for any one of the following reasons:

1. 62 years of age or older

2. Have a disability which prevents Resident from working *(Certification of Disability form will serve as documentation)*

3. Working *(Employment Verification form will serve as documentation)*

4. Participating in a Welfare to Work Program *(Must provide verification letter from agency)*

5. Receiving TANF and am participating in a required economic self-sufficiency program or work activity. *(Must provide verification from the funding agency that you are complying with job training or work requirements.)*

6. A full-time student *(Must provide verification letter from school attended)*

7. Other (*Must provide verification*)

F. COMMUNITY SERVICE COMPLIANCE CERTIFICATION

1. Resident will receive a copy of the Community Service/Self-Sufficiency policy.

2. Resident will be required to sign the Community Service Compliance Certification and understand that non-compliance to this requirement of the Quality Housing and Work Responsibility Act of 1998, may subject the Resident to a non-renewal lease.

APPENDIX 10

REASONABLE ACCOMMODATION POLICY

A. INTRODUCTION

It is the policy of the Housing Authorities of the City and County of Fresno (PHA) to provide Reasonable Accommodations in housing for individuals with disabilities where Reasonable Accommodation is needed to provide an equal opportunity to use and enjoy PHA's housing programs. The PHA's goal is to provide clean, safe, affordable housing to extremely-low and moderate income persons regardless of disability.

PHA complies with applicable federal and state housing legislation, without limitation. In addition, PHA complies with the related rules, regulations and procedures prescribed under federal and state law.

B. FAIR HOUSING ACT/AMERICANS WITH DISABILITIES ACT/SECTION 504 OF THE REHABILITATION ACT/CALIFORNIA CIVIL RIGHTS AND REASONABLE ACCOMMODATIONS - INTENT OF THE LAW

The policy and intent of federal and state law is to prevent discrimination against otherwise qualified individuals solely on the basis of their disability. A disabled individual is considered otherwise qualified if he/she can, with reasonable accommodation, have an equal opportunity to enjoy his/her dwelling unit. However, the law does not require that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health and safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. In addition, an accommodation is not considered reasonable if the accommodation imposes an undue financial or administrative burden or requires a fundamental alteration in the nature of PHA's program(s). PHA is committed to providing reasonable accommodations to otherwise qualified persons with disabilities to afford equal opportunity to use and enjoy a dwelling unit, including public and common use area.

C. DEFINITION OF DISABILITY

Applicable federal and state law defined "disability" with respect to the individual as:

1. a physical or mental impairment which substantially limits one or more of such person's major life activities;
2. a record of having such an impairment;

3. being regarded as having such an impairment, but such term does not include current, illegal use or addiction to a controlled substance.

Major life activities are defined as functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

D. AUXILIARY AIDS AND SERVICES

To facilitate communication with disabled individuals who want to make a request for reasonable accommodations, PHA will furnish appropriate auxiliary aids upon requests. Auxiliary aids are services or devices which enable persons with impaired sensory, manual or speaking skill, to have an equal opportunity to participate in, and, to enjoy the benefits of programs and activities. Auxiliary aids include, but are not limited to the following:

1. Provide additional information on program rules and requirements;

2. Offer information in accessible format (e.g., large type) or in plain language;

3. Permit required information to be mailed rather than being delivered in person;

4. Provide auxiliary aids (e.g., pencil and paper) for those with speech difficulties, and telecommunication devices for the deaf (such as a teletypewriter or TTY), Assisted Listening Devices (ALD), a sign interpreter or a reader. The PHA has implemented the TTY number at 800-735-2929;

5. Send mail or making phone calls to a contact person, as designated by the disabled individual;

6. Allow the use of service/assistance/companion animals;

7. Reinstate an application of a disabled individual if the failure to respond in the required time period was reasonably related to his/her disability.

8. The PHA has also taken affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP);

LEP persons are defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. The PHA has contracted with Language Line Services to assist persons who are Limited English Proficient. LEP persons will have the ability to call Language Line Services at 1-866-874-3972.

E. THE REASONABLE ACCOMMODATION REQUEST

1. How to make a request for reasonable accommodation.

Applicants and residents will be informed about how to make a request for reasonable accommodations during the admissions and occupancy cycle.

2. Who may submit a reasonable accommodation request and when?

Any applicant or resident may submit a request for reasonable accommodation at any time.

3. How is a reasonable accommodation request submitted?

The applicant or resident must submit the "Request for Reasonable Accommodation" form with information concerning the requested accommodation. The form requires independent verification of the existence of the applicant/resident's disability (e.g., a doctor, licensed professional representing a rehabilitation center, disability agency, or clinic, or the disability agency liaison).

F. THE REVIEW PROCESS - SEQUENCE FOR MAKING DECISIONS

1. **Does the applicant/resident meet the definition of an individual with a disability?**

   a. **If NO**, the PHA is not obligated to make a reasonable accommodation and will deny the request.

   b. **If YES**, the request and any related information will be reviewed by the district office. The review will include an examination of the "Request for Reasonable Accommodation" and the "Certification of Need for Reasonable Accommodation," together with any other related information provided by the applicant/resident.

   c. **If more information is needed**, the PHA will either write to request additional information, or request a meeting with an applicant/resident.

2. **Would the requested accommodation facilitate the ability of the applicant/resident to function?**

   a. **If NO**, the PHA is not obligated to make a reasonable accommodation and will deny the request.

b. **<u>If YES</u>**, the PHA will consider whether the requested reasonable accommodation violates state and/or federal law; or

(1) requires a fundamental alteration in the nature of the PHA program;
(2) it imposes an undue financial hardship on PHA; or
(3) imposes an undue administrative burden on PHA.

c. **If more information is needed**, the PHA will either write to request additional information or request a meeting with an applicant/resident.

3. **Is the requested accommodation and modification to PHA rules, policies, practices or services reasonable?**

a. **<u>If NO</u>**, the PHA may deny the request under certain conditions. The basis for denial may include the following:

(1) the requested accommodation violates a state or federal statute or regulation; and/or
(2) the requested accommodation requires a fundamental alteration in the nature of the PHA program; or
(3) imposes an undue administrative burden on PHA.

If the requested accommodation is denied for one of the above reasons, PHA will take any other action that would not result in such alterations or such undue burdens, but would nevertheless ensure that the person with the disability receives the benefits or services provided by PHA. The applicant/resident may request such alternatives for consideration by PHA. PHA will also propose possible alternatives for consideration by the applicant/resident.

b. **<u>If YES</u>**, the PHA will approve the request for reasonable accommodation and take action necessary to implement the request. PHA may propose alternative methods of providing the requested accommodation. However, the person requesting the accommodation is under no obligation to accept PHA's proposed alternatives. It is the PHA's goal to work to provide reasonable accommodations that will satisfy the needs of the individual with a disability and be cost-effective and accessible.

c. **If more information is needed**, the PHA will either write to request additional information or request a meeting with applicant/resident.

G. THE RESPONSE

All requests for reasonable accommodations are a high priority and will be addressed by PHA in a timely manner (not to exceed 30 calendar days from receipt of original request unless delays are necessary to obtain additional information from an applicant/resident). The response to the request shall be in writing, signed by the appropriate manager, or in the appropriate alternative format upon request and with reasonable notice to PHA.

A copy of all requests for reasonable accommodations and approval/denial letter shall be maintained at each designated district office.

1. Denial of Request

If a request for reasonable accommodation is denied, the district office will inform the applicant/resident in writing (or in the appropriate alternative format upon request and with reasonable notice to PHA) of the denial and the reason for the denial. If the request is denied because the requested accommodation:

(a) requires a fundamental alteration in the nature of the PHA program; or
(b) imposes an undue administrative burden on PHA,

PHA will take any other action that would not result in such alterations or such undue burdens but would nevertheless ensure that the person with the disability receives the benefits or services provided by PHA. The notice of denial will also advise the applicant/resident of his/her right to the appropriate hearings based on the program rules for hearings for applicants/residents.

2. Approval of Request

If a request is approved, the applicant/resident will be notified of the approved accommodations, in writing, or in the appropriate alternative format upon request and with reasonable notice to PHA.

APPENDIX 11

MEDICAL AND DISABILITY POLICY

A. MEDICAL EXPENSE DEDUCTION

1. Medical expense deductions are permitted ONLY for households in which the head, spouse or co-head who is at least 62 years old or is a person with disabilities (*elderly or disabled families*).

2. The **allowable Medical Expense Deduction** is that portion of total medical expenses in excess of three (3) percent of annual income.

3. If the household is eligible for a medical expense deduction, the unreimbursed medical expenses of all family members, including the expenses of non-elderly adults or children living in the family are counted.

B. MEDICAL EXPENSES include:

1. Unreimbursed expenses for medical insurance premiums, including any unreimbursed premiums paid for Medicare insurance covering hospital, medical, or prescription drug expenses;

2. Unreimbursed out-of-pocket expenses for prescription drugs, including those incurred by participants in the Medicare Part D prescription drug plan program;

3. All expenses the family ***anticipates*** to incur during the 12 months following certification/recertification that are not reimbursed by an outside source, such as insurance;
4. ***Ongoing*** expenses the family paid in the 12 months preceding the certification/recertification to estimate anticipated medical expenses.

5. Anticipated expenses, ***past one-time non-recurring*** medical expenses that have been paid in full may be included in the calculation of the medical expense deduction. If the resident is under a payment plan for his/her medical expense, the expense would be counted as anticipated. These expenses may be added to the family's total medical expenses either:

   a. at the time the expense occurs, through an interim recertification;
   b. at the upcoming annual recertification.

NOTE: If the one-time expense is added at an interim recertification, it cannot be added to expenses at the annual recertification.

6. When a family is making regular payments over time on a bill for a ***past one-time*** medical expense, those payments are included in anticipated medical expenses. However, if a family has received a deduction for the full amount of a medical bill it is paying over-time, the family cannot continue to count that bill even if the bill has not yet been paid.

7. ***When it is unclear whether or not to allow an item as a medical expense, the PHA will refer to the Internal Revenue Service Publication 502 as a guide***. The following list highlights include, but is not limited to some of the most common expenses that may be deducted:

- Services of doctors and health care professionals;
- Services of health care facilities;
- Laboratory fees, X-rays and diagnostic tests, costs for blood, and oxygen;
- Medical insurance premiums (including Medicare) and insurance deductible;
- Prescription/non-prescription medicines (non prescription medicines anticipated for the coming 12 months must be "doctor-recommended" in order to be considered a medical expense.);
- Transportation to/from treatment including the actual costs (i.e., bus fare) or if driving by car, a mileage rate based on IRS rules or other accepted standard;
- Medical care of permanently institutionalized family member ***if*** his/her income is included in annual income;
- Dental treatment including fees paid for cleaning, fluoride treatments, sealants, x-rays, fillings, braces, extractions, dentures;
- Eyeglasses, contact lenses, hearing aids and batteries, wheelchair, walker, scooter, artificial limbs;
- Live-in or periodic medical assistance such as nursing services, assistive animal and the upkeep and care of the animal.

C. DISABILITY ASSISTANCE EXPENSE DEDUCTION

The Disability Assistance Expense Deduction is available to ***any*** assisted families. Families may deduct reasonable non-reimbursed anticipated costs for attendant care and "auxiliary apparatus" for each family member who is a person with disabilities, to the extent these expenses are reasonable and necessary:

1. **To qualify for a deduction, a disability assistance expense must**:

   a. Be necessary to enable any family member 18 years of age or older who may or may not be the member who is a person with disabilities (including the member who is a person with disabilities) **to be employed**;

   b. The expense must be anticipated - that is, there must be costs that family expects to pay during the 12-month period following certification;

   c. The expenses may not be reimbursed by an outside source, such as an insurance company;

   d. They may not be paid to any member of the assisted family;

   e. Disability assistance expense must be reasonable.

2. **The deduction is equal** to the amount by which the cost of the care attendant or auxiliary apparatus **exceeds 3%** of the family's annual income. However, the deduction **<u>may not exceed</u>** the earned income received by the family member or members who are enabled to work by the attendant care or auxiliary apparatus.

3. If the disability assistance **enables more than one person** to be employed, PHA will consider the combined incomes of those persons. For example, if an auxiliary apparatus enables a person with a disability to be employed and frees another person to be employed, the allowance cannot exceed the combined incomes of those two (2) people.

4. **Auxiliary apparatus includes** non-reimbursed associated attendant care costs and items such as wheelchairs, ramps, adaptations to vehicles, or special equipment to enable a sight-impaired person to read or type, but only if these items **are directly related** to permitting the disabled person or other family member to work.

   a. Include payments on a specially-equipped van to the extent they exceed the payments that would be required on a car purchased for transportation of a person who does not have a disability.

   b. The cost of maintenance and upkeep of an auxiliary apparatus (e.g., the veterinarian, costs and food costs for a service animal; the cost of maintaining the equipment that is added to a car, but not the cost of maintaining the car.)

   c. If the apparatus is not used exclusively by the person with a disability, PHA will prorate the total cost and allow a specific amount for disability assistance.

5. In addition to anticipated, **ongoing expenses, one-time non-recurring** expenses of a current resident for auxiliary apparatus may be included in the calculation of the disability assistance expense deduction after the expense is incurred. These expenses may be added to the family's total disability assistance expense either:

   a. at the time the expense occurs through an interim recertification; or
   b. in the rent calculation during the following annual recertification

6. **Attendant care includes,** but is not limited to, reasonable expenses for home medical care, nursing services, housekeeping and errand services, interpreters for hearing-impaired, and readers for persons with visual disabilities.

7. When the same provider takes care of children and a disabled person over age 12, PHA will prorate the total cost and allocate a specific cost to attendant care. The sum of both child care and disability assistance expenses will not exceed the employment income of the family member enabled to work.

D. VERIFICATIONS OF MEDICAL AND DISABILITY EXPENSE

When verifying medical and disability expenses, the PHA will use, whenever possible, the verification method outlined in this policy, "Verification of Eligibility."

1. The PHA will obtain proper authorization from the family before requesting information from independent sources.

2. The privacy requirements under Health Insurance Portability and Accountability Act of 1996 (HIPAA) have a significant impact on how the PHA will verify disability status, medical expenses, and disability assistance expenses. PHA may find that many verification requests will not be completed and returned directly to the PHA. In the event the health care provider does not respond to the PHA's verification request, the PHA will then rely on resident provided documentation and document the resident file why third party verification was not available.

3. PHA will not inquire about the nature or extent of a person's disability.

4. PHA will not inquire about a person's diagnosis or details of treatment for a disability medical condition. If the PHA receives a verification document that provides such information, the PHA **will not place** this information in the resident's file. The PHA will destroy the document.

5. The PHA will not request a participant's medical record(s).

E. CALCULATING MEDICAL AND DISABILITY EXPENSES

1. If a family has medical expenses and no disability assistance expenses, the allowable medical expense is that portion of total medical expenses that exceeds three (3%) percent of annual income. The PHA will not include expenses that are reimbursed by insurance or another third party.

2. When a participant's social security benefit is reduced for Medicare Insurance premiums, the PHA will use the full gross benefit amount in determining annual income.

3. **Special calculation for families eligible for disability assistance and medical expense deductions**. If an elderly family has both non-reimbursed medical expenses and disability assistance expenses, a special calculation will be made to ensure that the family's 3% of income expenditure **is applied only one (1) time**.

   a. The deduction for disability assistance expenses is limited by the amount earned by the person enabled to work, the disability deduction will be calculated before the medical deduction is calculated.

   b. When a family has unreimbursed disability assistance expenses that are less than 3% of annual income, the family will receive no deduction for disability assistance expense.

   Note: However, the deduction for medical expenses will be equal to the amount by which the sum of both disability and medical expenses exceeds 3% of annual income.

   c. If the disability assistance expenses **exceeds** the amount earned by the person who was enabled to work, the deduction for the disability assistance expense will be capped at the amount earned by that family member.

   Note: When the family is also eligible for the medical expense deduction, the 3% may have been exhausted in the first calculation, and it then will not be applied to medical expenses.

   d. When a family has both disability assistance expenses and medical expenses, PHA will review the collected expenses to ensure no expenses have been inadvertently included in both categories.

5. If the disability assistance enables **more than one person** to be employed, the PHA will combine the incomes of those persons to determine the employment income ceiling.

6. If the auxiliary apparatus enables the person with a disability to be employed and frees another person to be employed, the allowance cannot exceed the combined incomes of those two people.

7. If the auxiliary apparatus is **NOT** used exclusively by the person with a disability, the PHA will prorate the total cost and allow a specific amount to be applied toward the deduction.

8. When the same provider takes care of children and a disabled person over age 12, PHA will prorate the total cost and allocate a specific cost to attendant care. The sum of both child care and disability assistance expenses cannot exceed the employment income of the family member enabled to work.

F. MEDICARE PRESCRIPTION DRUG PLAN - PART D PROGRAM (Permanent Program)

A special program called Medicare Prescription Drug Improvement and Modernization Act (MMA). The permanent program for prescription drug coverage started **January 1, 2006**. This program provides two benefits for individuals eligible for Medicare:

- ***Drug Discount Cards***. Lets eligible household members get Medicare-approved discount cards offered by private insurance companies and groups of pharmacies. These cards provide discounts on various drugs; and

- ***Low-Income Subsidy***. Household members with low incomes and limited assets can also apply for a low-income subsidy to help them pay for their Medicare prescription plan costs.

1. RENT CALCULATIONS

a. **Annual Income.** The low-income subsidy received to assist low-income persons in paying for their Medicare prescription drug plan costs ***will be excluded*** as annual income for the purpose of calculating rent.

b. Adjusted Income

1. The amount of unreimbursed out-of-pocket expenses for prescription drugs will be treated as a standard medical deduction

2. Persons with a Medicare prescription drug plan may be required to pay a premium and this premium will be counted as a medical expense allowance.

- Household members can either pay premiums directly to the insurance company or have the premiums deducted from the Social Security payments they get. In either situation, premiums are an allowable medical expense.

3. Not all prescription drugs are covered under the Medicare prescription drug plans; therefore, a person may be paying full price for some prescription drugs and a reduced amount for other prescription drugs.

4. The standard medical deduction continues to be the sum of allowable medical expenses that exceed 3 percent of annual income.

2. IMPLEMENTATION

a. Annual Recertification. Residents do not have to report they have enrolled in a Medicare prescription drug plan until the time of their next recertification.

b. Program Implementation. The Medicare prescription drug plan is effective January 1, 2006. With implementation of this program, the PHA will:

1. Exclude from annual income the low-income subsidy received by beneficiaries enrolled in this program.

2. Include as a medical expense for the medical expenses deduction, the out-of-pocket expenses incurred for prescription drugs and premiums.

3. VERIFICATION

Verification of Eligibility. The PHA will verify that the applicant or resident has enrolled in a Medicare prescription drug plan.

a. Persons enrolled in a Medicare prescription drug plan will be issued a card directly from the provider of the private prescription drug plan they select.

b. This card will include the Medicare prescription drug benefit program seal on the front of the card. This seal is a logotype comprised of the words "**Medicare Rx**" with the words "**Prescription Drug Coverage**" directly beneath. The seal can be viewed at www.medicare.gov on page 18 of the Medicare & You 2006 Handbook.

Unreimbursed Out-Of-Pocket Expense Verification. The PHA will verify the amount of the unreimbursed out-of-pocket expenses the applicant or resident will have for prescription drugs, as well as the amount of the premium for their prescription drug plan.

- Third party verification will be obtained when possible or the file will be documented why such third party verification was not available.

APPENDIX 12

VIOLENCE AGAINST WOMEN ACT OF 2005

(Effective January 1, 2006)

A. OBJECTIVE

It is the PHA's objective to develop and implement appropriate housing policies and practices; enhance collaboration with victim service providers and resident organizations; reduce the number of victims of such crimes who are evicted or denied housing because of crimes and lease violations committed or directly cause by the perpetrators of such crimes.

B. NON-DISCRIMINATION

The PHA will not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for assistance or admission, and that nothing in this section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, or stalking.

C. GOOD CAUSE

Incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the Resident Dwelling Lease Agreement by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim or such violence.

D. TERMINATION OF TENANCY

1. **Criminal Activity** directly relating to domestic violence, dating violence, or stalking, engaged in by a member of resident's household or any guest or other person under the resident's control, shall not be cause for termination of the tenancy or occupancy rights, if the resident or immediate member of the resident's family is a victim of that domestic violence, dating violence, or stalking;

2. The PHA will evict or terminate assistance any individual who is a resident or lawful occupant who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a resident or lawful occupant;

3. The PHA may honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household members in cases where a family breaks up;

4. The PHA may evict a resident for any violation of a lease not premised on the act or acts of violence in question against the resident or a member of the resident's household, provided that the PHA does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other residents in determining whether to evict or terminate;

5. The PHA may terminate the tenancy of any resident if the PHA can demonstrate an actual and imminent threat to other residents or those employed at or providing service to the property if that resident's tenancy is not terminated.

E. CERTIFICATION AND CONFIDENTIALITY

1. CERTIFICATION

a. The PHA may require the individual who is a victim of domestic violence, dating violence, or stalking, to certify their victim status and include the name of the perpetrator. The individual shall provide such certification within 14 business days after the PHA requests such certification. Only victim service providers, medical professionals, or attorneys who have counseled the victim can provide third-party verification of the victim's status as a domestic violence victim.

b. All information provided to the PHA including the fact that an individual is a victim of domestic violence, dating violence, or stalking, shall be retained in confidence and shall neither be entered into any shared database nor provided any related entity, except to the extent that disclosure is:

i. requested or consented to by the individual in writing;
ii. required for use in an eviction proceeding;
iii. otherwise required by applicable law

. **Failure to provide certification**. If the individual does not provide the certification within 14 business days after the PHA has requested such

certification in writing, the PHA may evict any resident or lawful occupant that commits violations of a lease. The PHA may extend the 14-day deadline at its discretion.

d. **Limitation.** The PHA will not demand that an individual produce official documentation or physical proof of the individual's status as a victim of domestic violence, dating violence, or stalking in order to receive any of the benefits provided in this section. At the PHA's discretion, the PHA may provide benefits to an individual based solely on the individual's statement or other corroborating evidence.

2. **CONFIDENTIALITY**

a. All information provided to the PHA, including the fact that an individual is a victim of domestic violence, dating violence, or stalking, shall be retained in confidence and shall neither be entered into any shared database nor provided any related entity, except to the extent that disclosure is:

i. requested or consented to by the individual in writing;
ii. required for use in an eviction proceeding;
iii. otherwise required by applicable law

b. **Notification.** The PHA will provide notice to residents their rights under this Act and their right to confidentiality and limits thereor.

F. **DEFINITIONS OF KEY TERMS**

1. **Domestic Violence** - includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other adult person against a victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction receiving grant monies.

2. **Dating Violence** - violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

3. **Immediate Family Members** - with respect to a person - a spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in loco parentis; or any other person living in the household of that person and related to that person by blood and marriage.

4. **Personally Identifying Information or Personal Information** - individually identifying information for or about an individual that would likely disclose the location of a victim of domestic violence, including a first and last name; a home or other physical address; contact information (including a postal, e-mail, or Internet protocol address, or telephone or facsimile number); a social security number; and any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any other non-personally identifying information would serve to identify any individual.

5. **Stalking** - means to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to that person, a member of the immediate family of that person, or the spouse or intimate partner of that perspon.

6. **Victim Service Provider** - means a nonprofit, nongovernmental organization including rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs whose primary mission is to provide services to victims of domestic violence.

HOUSING AUTHORITIES
CITY AND COUNTY
OF FRESNO

ADMINISTRATIVE PLAN
HOUSING CHOICE
DEPARTMENT

ADMINISTRATIVE PLAN

FOR THE

HOUSING CHOICE VOUCHER PROGRAMS

Implementation Date:	Changes Effective December 7, 2005
Modified:	June 8, 2006

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General Policy Statement
for the
Housing Choice Voucher Program

This Administrative Plan outlines the policies of the Housing Authorities (HA) of the City and County of Fresno regarding its administration of the Housing Choice Voucher (HCV) Program. Updates to this policy are implemented at least annually to adjust for changes in the law, HUD regulations, or to better serve our families and the local community.

In recent months dramatic changes to the funding of the HCV program have required that these policies be revisited on a more frequent basis. In the body of this plan, it will be noted that certain policies have been revised as a result of funding shortfalls. Others may be revised depending upon the outcome of waiver requests on file with the Department of Housing and Urban Development or based upon decreases in future funding. Some examples of current changes (or proposed changes if funding continues to decrease) can be found in the following sections:

- Income Limits of Up to Fifty Percent of Area Median Income (Chapter 2) . . . . . .
- Establishing Two Local Preferences for Admission to the Program (Chapter 3)
- Effective Date of Interim Adjustments, When Family Income Decreases (Chapter 12)
- Restrictions on Portability (Chapter 13)

The HA reserves the right to make additional changes to the Administrative Plan to adjust for any further decreases in the funding provided for the voucher program.

Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which recodified the U.S. Housing Act of 1937. The Act has been amended from time to time, and its requirements, as they apply to the Housing Choice Voucher Program, are described in and implemented through this Administrative Plan.

Administration of the Section 8 Program and the functions and responsibilities of the Housing Authority (HA) staff shall be in compliance with the HA's Personnel Policy and the Department of Housing and Urban Development's (HUD) Section 8 Regulations as well as all Federal, State and local Fair Housing Laws and Regulations, "including the authorities cited at 24 CFR 5.105(a) and Title II of the American with Disabilities Act, 42 U.S.C. 12101, *et seq*.

- The Fair Housing Act, 42 U.S.C. 3610-3619 (implementing regulations at 24 CFR parts 100 *et seq*.);
- Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (implementing regulations at 24 CFR part 1);
- The Age Discrimination Act of 1975, 42 U.S.C. 6101-6107 (implementing regulations at 24 CFR part 146);
- Executive Order 11063 Equal Opportunity in Housing (1962), as amended, Executive Order 12259, 46 FR 1253 (1980), as amended, Executive Order 12892, 59 FR 2939 (1994), (implementing regulations at 24 CFR part 107)'
- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (implementing regulations at 24 CFR part 8);
- Title II of the Americans with Disabilities Act, 42 U.S.C. 12101, *et seq*; and
- Title IX of the Education Amendments of 1972, as amended 20 U.S.C. 1681, *et seq* (implementing regulations at 24 CFR part 3).

A. CIVIL RIGHTS CERTIFICATION.

The PHA must submit a signed certification to HUD that:

1. The PHA will administer the program in conformity with the Fair Housing Act of 1964, section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act.
2. The PHA will affirmatively further fair housing in the administration of the program.

B. OBLIGATION TO AFFIRMATIVELY FURTHER FAIR HOUSING

The PHA shall affirmatively further fair housing as required by 903.7(0) of this title.

C. STATE AND LOCAL LAW [24 CFR 982.53]

Nothing in part 982 is intended to pre-empt operation of state and local laws that prohibit discrimination against a Section 8 voucher-holder because of status as a Section 8 voucher-holder. However, such State and local laws shall not change or affect any requirement of this part, or any other HUD requirements for administration or operation of the program."

The Public Housing Reform Act of 1998

On October 21, 1998, the Public Housing Reform Act (PHRA, also known as QHWRA, the Quality Housing and Work Responsibility Act of 1998) was signed into law. Although most notable for its massive restructuring of the nation's public housing programs, it has imposed some sweeping changes on the tenant-based housing assistance program, which included:

- protecting access to housing assistance for the poorest families
- supporting families making the transition from welfare to work
- merging the Section 8 Certificate and Voucher Programs
- allowing PHA's to implement a Section 8 home ownership program
- promoting HUD management reform through deregulation, streamlining and program consolidation.

Merger of the Certificate and Voucher Programs

QHWRA completed the merger of the Certificate and Voucher Programs begun under the Conforming Rule into a new program–the Housing Choice Voucher Program. The Housing Choice Voucher Program combines features of the earlier Certificate and Voucher Programs, plus new features. Like the Certificate Program, it requires that all participants pay no less than the TTP, and like the Voucher Program, the subsidy is calculated based on the Payment Standard. Some of the new features are the maximum initial rent burden, no shopping incentive and targeting eligibility to extremely low-income families, i.e., 30% of median income.

Jurisdiction

The jurisdiction of the HA is the City of Fresno and Fresno County.

D. HOUSING AUTHORITY OVERVIEW

The primary objective of the City and County of Fresno Housing Authorities is to provide decent, safe and sanitary housing to low income families at an affordable price. Our goal is to provide this housing within an environment that fosters the advancement of low income families from a position of dependency to one of self-sufficiency. Overall, the Housing Authority provides assistance to people living in 15,446 housing units located throughout Fresno City and County.

The City and County Housing Authorities function as separate public agencies with separate governing bodies. Through a unique arrangement, the two Housing Authorities share a single Executive Director and staff, thus making it possible to draw on a more comprehensive staff while realizing the cost advantages that result from avoiding duplication, ordering in larger quantities, and sharing equipment and services. Both Housing Authorities are public housing agencies as defined in the United States Housing Act of 1937, as amended, and in 24 C.F.R. Chapter VIII. Both agencies have been organized under Section 31000, et a seq., of the California Health and Safety Code.

The Housing Authority of the City of Fresno and the Housing Authority of Fresno County are each governed by seven-member Boards of Commissioners. The City Board is appointed by the Mayor. Five of the seven commissioners are appointed to four-year, staggered terms. The other two members are appointed to two-year terms from among the residents of housing owned by the Housing Authority. The County Board of Commissioners is structured in the same manner, except that the County Commissioners are appointed by the Board of Supervisors.

E. LOCAL OBJECTIVES

The Section 8 Program is designed to achieve these major objectives:

1. **To provide decent, safe, and sanitary housing for very low income families while maintaining their rent payments at an affordable level.**

2. **To ensure that all units meet Housing Quality Standards and families pay fair and reasonable rents.**

3. **To promote fair housing and the opportunity for very low-income families of all ethnic backgrounds to experience freedom of housing choice.**
4. **To promote a housing program which maintains quality service and integrity while providing an incentive to private property owners to rent to very low income families.**

In addition, the HA has the following goals for the program:

1. **To assist the local economy by increasing the occupancy rate and the amount of money flowing into the community.**

2. **To encourage self sufficiency of participant families and assist in the expansion of family opportunities which address educational, socio-economic, recreational and other human services needs.**
3. **To create positive public awareness and expand the level of family, owner, and community support in accomplishing the HA's mission**
4. **To attain and maintain a high level of standards and professionalism in our day-to-day management of all program components.**
5. **To administer an efficient, high-performing agency through continuous improvement of the HA's support systems and commitment to our employees and their development.**
6. **To promote a market-driven housing program that will help qualified low-income families be successful in obtaining affordable housing and increase the supply of housing choices for such families.**

HA Cooperation with Welfare Agency

One example of how the HA is working together with local community agencies to encourage self-sufficiency is our working contract with the Human Services System(HSS). Under the contract the HSS and the HA co-case manage families who are participants of both the Family Self-Sufficiency (FSS) program and the Welfare-to-Work (WTW) program. The goal is to assist participants in maintaining stable, affordable housing and allow them to concentrate on obtaining training and employment necessary for achieving self-reliance. Participants will enter into a five-year contract with the HA that identifies the steps the participants will take to reach the ultimate goal of self-reliance. During that period Employment and Temporary Assistance Job Specialists with the HSS provide co-case management services for these WTW recipients, including the issuance of supportive services and the development of WTW plans that will incorporate the services provided by FSS.

The HSS also provides written verification to the HA concerning welfare benefits for these families.

F. PURPOSE OF THE PLAN [24 CFR 982.54]

The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in the Agency Plan. The Housing Choice Voucher Program was implemented on 10/01/99, and pre-merger Housing Voucher tenancies and Over Fair Market Rent tenancies converted automatically to Housing Choice Voucher tenancies on that date. All other existing contracts remained in effect until the family's second reexamination after the merger date or when a new lease was executed.

The HA is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence. The HA will revise this Administrative Plan as needed to comply with changes in HUD regulations. The original Plan and any changes must be approved by the Board of Commissioners of the agency ***or the Executive Director***, the pertinent sections included in the Agency Plan, and a copy provided to HUD.

The Administrative Plan is a supporting document to the HA Agency Plan, and is available for public review as required by CFR 24 Part 903.

G. ADMINISTRATIVE FEE RESERVE [24 CFR 982.155]

All expenditures from the administrative fee reserve will be approved by the HA Board of Commissioners ***or the Executive Director*** and made in accordance with the approved budget.

H. RULES AND REGULATIONS [24 CFR 982.52]

This Administrative Plan is set forth to define the HA's local policies for operation of the housing programs in the context of Federal laws and Regulations. All issues related to Section 8 not addressed in this document are governed by such Federal regulations, HUD Memos, Notices and guidelines, or other applicable law. The policies in this Administrative Plan have been designed to ensure compliance with the consolidated ACC (Annual Contributions Contract) and all HUD-approved applications for program funding.

I. TERMINOLOGY

The Housing Authorities of the City & County of Fresno is referred to as "HA" or "Housing Authority" throughout this document.

"Family" is used interchangeably with "Applicant" or "Participant" and can refer to a single person family.

"Tenant" is used to refer to participants in terms of their relation to landlords.

"Landlord" and "owner" are used interchangeably.

"Disability" is used where "handicap" was formerly used.

"Non-citizens Rule" refers to the regulation effective June 19, 1995 restricting assistance to U.S. citizens and eligible immigrants.

“Merger date” refers to October 1, 1999, which is the effective date of the merging of the Section 8 Certificate and Voucher programs into the Housing Choice Voucher Program.

The Section 8 program is also known as the Housing Choice Voucher Program.

"HQS" means the Housing Quality Standards required by regulations as enhanced by the HA.

"Failure to Provide" refers to all requirements under the Family Obligation. See Chapter 15, "Denial or Termination of Assistance."

See Glossary for other terminology.

J. FAIR HOUSING POLICY [24 CFR 982.54(d)(6)]

It is the policy of the 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 HA shall not deny any family or individual the opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family ***or marital*** status, handicap or disability, or *sexual orientation*.

To further its commitment to full compliance with applicable Civil Rights laws, the HA will provide Federal/State/local information to Voucher holders regarding "discrimination" and any recourse available to them if they are victims of discrimination. Such information will be made available during the family briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's briefing packet.

Except as otherwise provided in 24 CFR 8.21©)(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 HA's facilities are inaccessible to or unusable by persons with disabilities.

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

The Housing Authorities of the City and County of Fresno's central office **is** accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the **TDY telephone service provider.**

To further comply with the Fair Housing Act of 1964, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act, the PHA has successfully administered two Fair Housing Initiative Programs (FHIP) through the Education and Outreach Initiatives. These programs have provided the capacity to increase our efforts to enhance community awareness through education and outreach.

Fair Housing Education and Outreach activities include but are not limited to the following:

- Fair Housing presentations to property owners who conduct business with the HA and owners at large.
- Fair Housing presentations to voucher participants and the public at large.
- Education and Outreach through owner and voucher participant quarterly newsletters.
- Public Service Announcements (PSA) in multi-languages, aired on various television stations.
- Regional Fair and Affordable Housing Conference.
- Fair Housing presentations to community and faith based organizations.

It is the intent of the PHA to continually apply for FHIP initiative dollars to heighten awareness on federal, state and local Fair Housing laws and regulations.

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K. ACCOMMODATIONS POLICY [24 CFR 8.28]

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

It is the policy of this HA to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to families

The HA will provide federal/state/local information to participants regarding "discrimination" and any resource available to them if they are victims of discrimination. Such information will be made available during the family briefing session at the time of admission. In accordance with Section 504 of the Rehabilitation Act of 1973, as amended, no otherwise qualified individual with handicaps shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefit of, or be subjected to discrimination under any program or activity of the Housing Authorities of the City and County of Fresno. The HA will take appropriate measures to ensure that an individual with handicaps shall have equal access to available services, programs, and activities offered. Such appropriate measures include, but are not limited to:

a. provision of telecommunication devices for the deaf;
b. provision of sign language interpreters, as requested;
c. provision of readers and amanuenses, as requested;
d. utilization of barrier-free meeting places;
e. provision of a discrimination complaints procedure.

Posters and housing information are displayed in locations throughout the HA's offices in such a manner as to be easily readable from a wheelchair. The HA may contact and obtain services from one of, but not limited to, the following Agencies to accommodate person with disabilities:

- California State Department of Rehabilitation
- Center for Independent Living
- Central Valley Regional Center
- Deaf and Hard of Hearing Service Center, Inc.
- Friendship Center for the Blind, Inc.
- Self Help for Hard of Hearing People, Inc.

Accessibility for the hearing impaired is provided by the TDY telephone service provider.

Persons with Disabilities

The HA's policies and practices will be designed to provide assurances that all persons with

disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notices on HA forms and letters to all families, and all requests will be verified so that the HA can properly accommodate the need presented by the disability.

Federal Americans with Disabilities Act of 1990

1. With respect to an individual, the term "disability" means:

   - A physical or mental impairment that substantially limits one or more of the major life activities of an individual;
   - A record of such impairment; or
   - Being regarded as having such an impairment

2. Those "regarded as having such an impairment" may include those with conditions such as obesity or cosmetic disfigurement, and individuals perceived to be at high risk of incurring a work-related injury.

3. Individuals with contagious diseases who do not pose a direct threat to others are covered by the Act. AIDS victims and those who test positive for the HIV virus are considered to have a disability.

4. An individual who has an infectious or communicable disease that is transmitted to others through the handling of food, the risk of which cannot be eliminated by reasonable accommodation, may be refused an assignment or a continued assignment to a job involving food handling. The Secretary of Health and Human Services annually will publish a list of those ideas that are transmitted through food handling.

5. Rehabilitated alcohol and drug users are considered to be persons with disabilities for purposes of the Act. However, current alcohol and drug users can be held to the same qualification standards for job performance as other employees.

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" for the HA, meaning an action requiring "significant difficulty or expense". This standard is not specifically defined in the Act.

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

The nature and cost of the accommodation needed;

The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; and

The number of persons employed at such facility, the number of families likely to need such

accommodation, the effect on expenses and resources, or the likely impact on the operation of the facility as a result of the accommodation.

Verification of a Request for Accommodation

All requests for accommodation or modification may be verified with a reliable knowledgeable, professional.

The Housing Authority utilizes organizations which provide assistance for hearing- and sight-impaired persons when needed.

A list of accessible units will be provided, when available.

The HA will refer families who have persons with disabilities to agencies in the community that offer services to persons with disabilities.

L. WHEN TRANSLATION SERVICES ARE NEEDED

The Housing Authority has bilingual staff to assist non-English speaking families in Spanish and translates documents into Spanish.

The HA will take affirmative steps to communicate with people who need services or information in a language other than English. These will be referred to as Persons with Limited English Proficiency (LEP). LEP is defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this administrative plan, LEP persons are HCV applicants and participants.

> The HA employs bi-lingual staff who are available to assist these families. Where bilingual staff is not available to interpret for these families, the HA will use an *online language interpretation service*, which offers translation in over 100 languages, to communicate effectively with clients.
>
> In addition, the HA attempts to translate program documents into other languages.

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In determining whether it is feasible to provide translation of documents written in English into other languages, the HA will consider the following factors:

> **Number of applicants and participants in the jurisdiction who do not speak English and speak the other language.**
>
> **Estimated cost to HA per client of translation of English written documents into the other language.**
>
> **The availability of local organizations to provide translation services to non English speaking families.**

Availability of bi-lingual staff to provide translation for non-English speaking families.

M. MANAGEMENT ASSESSMENT OBJECTIVES [24 CFR 985.3]

The HA operates its housing assistance program with efficiency and can demonstrate to HUD auditors that the HA is using its resources in a manner that reflects its commitment to quality and service. The HA 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. Payment Standards
9. Annual Re-examinations
10. Correct Tenant Rent Calculations
11. Pre-Contract HQS Inspections
12. Annual HQS Inspections
13. Lease-up

14a. Family Self-Sufficiency Enrollment

14b. Percent of FSS Participants with Escrow Account Balances

15. Bonus indicator (Deconcentration)

N. RECORDS FOR MONITORING HA PERFORMANCE

In order to demonstrate compliance with HUD and other pertinent regulations, the HA will maintain records, reports and other documentation for three years as outlined in 24 CFR 982.158, and in a manner that will allow a speedy and effective audit.

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Records and reports will be maintained for the purpose of:

Demonstrating that at least 98% of families were selected from the waiting list in accordance with the Admin Plan policies and met the correct selection criteria.

Determining that at least 98% of randomly selected tenant files indicate that the HA approved reasonable rents to owner at the time of initial lease-up and before any increase in rent and at the anniversary date (if there is a five percent decrease in the published FMR in effect 60 days before the contract anniversary).
Monitoring HA practices for obtaining income information, proper calculation of allowances and deductions, and utility allowances used to determine adjusted income for families.

Demonstrating that the HA has analyzed utility rates locally to determine if there has been a change of 10% or more since the last time the utility schedule was revised.

Determining that during the fiscal year the HA performs supervisory HQS quality control inspections which meet the minimum sample size required by HUD.

Determining that a review of selected files indicate that for 100% of life-threatening fail items and for at least 98% of nonemergency items which failed inspection, the HA ensures timely correction of HQS deficiencies or abates HAPs or takes vigorous action to enforce family obligations.

Demonstrating that the HA provides families and owners information which actively promotes the deconcentration of assisted families in low-income neighborhoods.

Demonstrating that voucher payment standards are not less than 90% or more than 110% of the current applicable published FMR, unless a higher or lower payment standard is approved by HUD.

Demonstrating that 96-100% **of reexams are processed on time.**

Demonstrating that less than 2% of all tenant files have rent calculation discrepancies.

Demonstrating that not less than 98% **of newly leased units passed HQS inspections before HAP contract date.**

Demonstrating that the HA performs annual HQS inspections on time for 96 **-** 100% **of all units under contract.**

Demonstrating that the HA leases 99 - 100% **of budgeted units during the fiscal year.**

Determining that the HA has filled 80 -100% **of its FSS slots**

Demonstrating that at least 30% of the HA's FSS participants have escrow account balances.

In addition to the SEMAP factors above to ensure quality control, supervisory staff audit the following functions:

5% of reexaminations
5% of new applications
5% of claims processed

O. PRIVACY RIGHTS [24 CFR 5.230]

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 will release family information.

The HA's policy regarding release of information is in accordance with State and local laws which may restrict the release of family information.

Any and all information which would lead one to determine the nature and/or severity of a person's disability must be kept in a separate folder and marked "confidential". The personal information in this folder must not be released except on an "as needed" basis in cases where an accommodation is under consideration. All requests for access and granting of accommodations based on this information must be approved by a supervisor.

The HA's practices and procedures 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.

HA 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.

All files must be signed for when removed from the secured file storage area.

Security and Confidentiality Requirements of the Enterprise Income Verification (EIV System)

The HA is committed to safeguard the privacy of the information it collects. This pertains to all client data. Because the HA has gained access to HUD's new Enterprise Income Verification This document outlines the users responsibilities, which include but are not limited to the agreement not to share their user ID and password with any other person. It clearly states that willful unauthorized inspection of the UIV data can result in civil and criminal penalties. The penalties are:

Unauthorized disclosure can result in a felony conviction and a fine of up to $5,000 and/or imprisonment up to five (5) years, as well as civil penalties.

Unauthorized inspection of UIV data can result in a misdemeanor penalty of up to $1,000 and/or 1-year imprisonment, as well as civil penalties.

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P. FAMILY OUTREACH [24 CFR 982.266]

The HA will publicize and disseminate information to make known the availability of housing assistance and related services for very low income families on a regular basis. When the HA's waiting list is open, the HA will publicize the availability and nature of housing assistance for very low income families in a newspaper of general circulation, minority media, and by other suitable means. Notices will also be provided in **other languages.**

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

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

Q. OWNER OUTREACH [24 CFR 982.54(d)(5)]

The HA encourages owners of decent, safe and sanitary housing units to lease to Section 8 families. The HA maintains a **list of preinspected units available** for the Section 8 Program and updates this list at least **weekly**. These listings may be obtained at the HA Central Office and are available on the agency website at www.hafresno.org and are listed by bedroom size. Listing are also available through our Customer Care Center.

The staff of the HA 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 HA has active participation in a community based organization(s) comprised of private property and apartment owners and managers.

The Housing Authority will actively recruit suburban property owners and grant exception rents for accessible and suburban properties if the HA has jurisdiction in that area.

The HA encourages program participation by owners of units located outside areas of poverty or minority concentration. The HA periodically evaluates the demographic distribution of assisted families to identify areas within the jurisdiction where owner outreach should be targeted. 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 HA'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 HA works with a nonprofit agency through the regional counseling program who contacts others in the area, identifies families in the program. This agency counsels the families on their prospective move and services available in the areas in which the family is interested.

The HA provides a direct phone line to handle owner questions and concerns. The Owner Services Division, in addition to taking calls daily, has also compiled information regarding commonly asked questions and answers for our website. Owners seeking information or forms can access the website at www.hafresno.org

The HA conducts ***periodic*** meetings with participating owners to improve owner relations and to recruit new owners.

R. VIOLENCE AGAINST WOMEN ACT (VAWA) 2005

On January 5, 2006, the Violence Against Women Act of 2005 (VAWA) was signed into law. The Act is intended to protect the rights of victims of domestic violence, dating violence, sexual assault, or stalking. The legislation imposes several important new requirements on public housing agencies that operate a Housing Choice Voucher (HCV) program.

The Fresno Housing Authority (FHA) has taken steps to comply with this law. One of our first steps was to inform HCV participant families and owners about how this Act affects their participation in the HCV program.

One important provision in the Act applies directly to the HA as well as to landlords, owners and managers participating in the HCV program. This provision protects victims of domestic violence from being evicted from their subsidized unit or having their housing assistance terminated solely because they are victims as defined under this Act.

Further FHA will consider evidence of domestic violence in considering when to allow transfers of the HCV assistance to other jurisdictions, when needed to protect a family from further violence.

HUD requires that an individual certify via a HUD-approved certification form that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or

incidents in question are bona fide incidents of the actual or threatened abuse; as well as to provide any documentation required by the HA such as a police report or court record relating to the violent act. VAWA 2005 requires that all information provided to an owner, manager, or public housing authority concerning the victim of domestic violence must be kept confidential, unless the disclosure is requested or consented to by the individual in writing; it is required for use in an eviction proceeding; or otherwise required by applicable law.

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Chapter 2

APPLYING FOR ADMISSION

[24 CFR 982.201-207]

INTRODUCTION

The policy of the HA 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 are covered in chapters 3 and 4 respectively of this Plan. The primary purpose of the intake function is to gather information about the family, but the HA 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. Cancellation of an application is covered in Chapter 15.

A. OVERVIEW OF THE APPLICATION INTAKE PROCESS

The purpose of application intake is to permit the HA to gather information and determine placement on the waiting list. The application will contain questions designed to obtain pertinent program information.

Families who wish to apply for any of the HA's programs **will have an opportunity to do so when application intake is open**. Applications will be made available in an accessible format upon request from a person with a disability.

The application process will involve two phases. The first is the "initial" application for assistance (referred to as a preapplication), **which may involve a prescreening process**. This first phase results in the family's placement on the waiting list.

The second phase is the "final determination of eligibility" (referred as the full application). The full application takes place when the family reaches the top of the waiting list. At this time the HA ensures that verification of all HUD and HA eligibility factors is current in order to determine the family's eligibility for the issuance of a voucher.

B. OPENING OF APPLICATION INTAKE [24 CFR 982.206, 982.54(d)(1)]

The PHA must give the public notice by publication in a local newspaper of general circulation, and also by minority media and other suitable means. The notice must comply with HUD fair housing requirements.

The notice will contain:

- The dates, times, and the locations where families may apply.

- The programs for which applications will be taken.

- A brief description of the program.

-The method by which preapplications will be accepted.

- Limitations, if any, on who may apply.

The HA may select one or more of the following methods for accepting preapplications.

1. by phone
2. by mail
3. submitted in person
4. by other method as described in the public announcement

Application Intake by Phone or by Mail

Preapplications taken by phone or mail will be recorded according to date and time received and will be confirmed by letter. However, if the family will have their initial or final determination of eligibility interview within 60 days of intake, no confirmation letter will be sent.

Application Intake In Person

Preapplications will be completed by family and the HA will date and time application when received.

Limits on Who May Apply

When the waiting list is open,

> **Any family asking to be placed on the waiting list for the Housing Choice Voucher rental assistance will be given the opportunity to submit an application.**

When participating in the intake process the preapplication submitted to the HA:

> **the family's date and time of application for placement order on the waiting list.**

C. CLOSING THE WAITING LIST [24 CFR 982.206]

If the HA determines that the existing wait list contains an adequate pool for use of available program funding, the HA may stop accepting new applications, or may accept only applications meeting criteria adopted by the HA.

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.

D. "INITIAL" APPLICATION PROCEDURES

The Prescreening Process

The HA may choose to prescreen applications to determine eligibility based on HUD eligibility factors (such as family income and citizenship) and qualifications for any preference. During the prescreening process, the family must provide verifications of income and documentation of preference (if claimed). Ineligible families will receive a written determination with appeal rights . Eligible applicants will be placed on the wait list in accordance with this plan.

The prescreening process will enable applicants to be informed timely of ineligibility. This will also assist the HA in establishing and maintaining a current and updated wait list to more effectively plan for future application intake. The purpose of the preapplication is to permit the HA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list.

HUD requires the following information be obtained for each applicant listed:

1) applicant name;
2) family unit size (number of bedrooms for which family qualifies under HA occupancy standards);
3) date and time of application;
4) qualification for any local preference;
5) racial or ethnic designation of the head of household.

In addition the HA will obtain the following information:

- Names of adult members and age of all members
- Sex and relationship of all members
- Street Address and phone numbers (message and contact numbers)
- Mailing Address (If PO Box or other permanent address)
- Amount(s) and source(s) of income received by all household members
- Information regarding disabilities to determine qualifications for allowances and deductions
- Information related to qualification for preferences
- Social Security Numbers
- **Citizenship/eligible immigration status**
- **Arrests/convictions for drug-related or violent criminal activity or child molestation**
- Request for Specific Accommodation needed to fully utilize program and services
- **Current and previous landlords names and addresses**
- **Emergency contact person and address**
- **Program integrity questions regarding previous participation in HUD programs**
- **Verification of Local Preferences**

Duplicate applications, including applications from a segment of an applicant household, will not be accepted.

The following will apply if the HA elects not to utilize the prescreening process after the preapplication is accepted,

- Preapplications **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.

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

Applicants are required to inform the HA in writing of changes of their address. Applicants are also required to respond to requests from the HA to update information on their application, or to determine their continued interest in assistance. Failure to provide information or to respond to mailings will result in the applicant being removed from the waiting list. See Chapter 19, "Complaints and Appeals."

F. TIME OF SELECTION [24 CFR 982.204]

When funding is available, families will be selected from the waiting list based on date and time sequence and preference.

When there is insufficient funding available for the family at the top of the list, the HA will not admit any other applicant until funding is available for the first applicant. Applicants will not be passed over on the waiting list.

Based on the HA's turnover and the availability of funding, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on waiting list sequence.

G. COMPLETION OF A FULL APPLICATION

All preferences claimed on the preapplication or while the family is on the waiting list will be verified:

> During the prescreening process, (when used) or if not used at the time the full application is completed.

When the HA is ready to select applicants, applicants will be required to:

> **Attend an interview and certify that the information given is true and complete.**

At the HA's discretion, the full application **MAY BE mailed to the applicant in advance to complete**, for example, as an accommodation for a person with a disability.

Requirement to Attend Interview

The HA utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify information which 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 HA services or programs which may be available.

The head and spouse may both be required to attend the interview.

Exceptions may be made for students attending school out of state/for members for whom attendance would be a hardship.

It is the applicant's responsibility to reschedule the interview if s/he misses the appointment. If the applicant does not reschedule or misses one **scheduled meeting, the HA will reject the application.**

Applicants who want to reschedule an appointment must make the request to reschedule no later than 2 **days prior to the original appointment date.**

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide information, 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 Chapter 19, "Complaints and Appeals.")

All adult members must sign the HUD Form 9886, Release of Information, **the eligibility certification form,** the declarations and consents related to citizenship/immigration status and any other documents required by the HA. 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 releases as required by the HA.

If the HA determines at or after the interview that additional information or document(s) are needed, the HA will request the document(s) or information **in writing.** The family will be given **7 calendar** days to supply the information.

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

H. VERIFICATION [24 CFR 982.201(e)]

Information provided by the applicant will be verified, using the verification procedures in Chapter seven. 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 60 days old at the time of issuance of Voucher.

Verification of preferences is covered in Chapter 3.

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

After the verification process is completed, the HA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the HA, and the current eligibility criteria in effect. If the family is determined to be eligible, the HA will notify the family in person by phone or by mail and schedule the family to attend an orientation where they be issued a voucher.

Chapter 3

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST
[982.54(d)(1); 982.204, 982.205, 982.206, 982.207]

INTRODUCTION

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

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

A. WAITING LIST [24 CFR 982.204]

Except for Special Admissions, applicants will be selected from the HA waiting list in accordance with policies and preferences defined in this Administrative Plan.

The HA will maintain information that permits proper selection from the waiting list.

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

- Applicant Name
- Family Unit Size (number of bedrooms family qualifies for under HA subsidy standards)
- Date and time of application
- Qualification for any ranking or local preference
- Racial or ethnic designation of the head of household
- Targeted program qualifications

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

1. The application will be a permanent file.

2. **The order of selection is based on the date and time of application. Applications equal in preference will be maintained by date and time sequence**.

See Section E of this chapter for HA's policy regarding income targeting.

B. SPECIAL ADMISSIONS [24 CFR 982.54(d)(3), 982.203]

INSTRUCTION: *HUD may award a PHA program funding that is targeted for families living in specified units. The PHA must use the assistance for the families living in these units.*

If HUD awards the HA program funding that is targeted for specifically named families, the HA 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 Home-ownership Act of 1990: (a) A non-purchasing family residing in a project subject to a homeownership program (under 24 CFR 248.173); or (b) A family displaced because of mortgage prepayment or voluntary termination of a mortgage insurance contract (as provided in 24 CFR 248.165).

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 and are maintained on separate lists]**.

C. LOCAL PREFERENCES [24 CFR 982.207]

INSTRUCTION: HUD Notice PIH 98-64 eliminated the requirement for public notice and a period for public comment when changing the HA's preference system. However, the HA must consider public comments on its Annual Plan in establishing local preferences. The HA must inform all applicants about available preferences and must give applicants an opportunity to show that they qualify for available preferences. If it is impractical to do so because of the length of the waiting list, the HA may provide notification to fewer than all applicants at any given time.

Local preferences will not be adopted until the next time we open our wait list for application intake.

*** The HA uses the following local preference system:**

*** Date and time of receipt of a completed application.**

1. The HA has adopted a residency preference.

An applicant who resides in Fresno County at the time of admission to the program is eligible for a residency preference. This preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.

D. VERIFICATION OF PREFERENCES

The HA will not verify a preference at the time of initial application. The applicant only needs to certify as to whether or not he/she is eligible for a preference, and the HA need only place the applicant on the wait list according to the preference claimed.

Before the family receives assistance, however, the HA must verify the family's eligibility for the preference based on current circumstances. If upon verification the HA determines that the family does not qualify for the preference claimed, the family does not receive the preference. In this situation the HA must provide a written notice stating the reasons for the determination.

NOTE: An informal review is not required.

E. INCOME TARGETING [24 CFR 982.201(B)

The HA will admit families whose income is up to or equal to 50% of the Area Median Income, without regard to income targeting. In April 2004 the HA requested a waiver from Income Targeting and has not received a response. Given our financial circumstances we are interpreting the non-response to mean HUD is not opposed to waiving Income Targeting.

F. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION [24 CFR 982.207]

At the time of application, an applicant's entitlement to a local preference may be made on the following basis.

An applicant's certification that they qualify for a preference will be accepted without verification at the initial application. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.

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 given an opportunity for a meeting.

G. EXCEPTIONS FOR SPECIAL ADMISSIONS [24 CFR 982.203]

If HUD awards an HA program funding that is targeted for families living in specified units, the HA 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 HA 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:

1. A family displaced because of demolition or disposition of a public housing project;

2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

3. For housing covered by the Low Income Housing Preservation and Resident Home-ownership Act of 1990;

a. A non-purchasing family residing in a project subject to a homeownership program (under 24 CFR 248.173); or

b. A family displaced because of mortgage repayment or voluntary termination of a mortgage insurance contract (as provided in 24 CFR 248.165).

4. 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

5. A non-purchasing family residing in a *HOPE 1* or HOPE 2 project.

H. TARGETED FUNDING [24 CFR 982.204 (e)]

When HUD awards special funding for certain family types, families who qualify are placed on a referral-based waiting list. Targeted programs are referral-based. Referring agency must have a written agreement with the PHA. The referral shall include a formal referral to be placed on the wait list and coded for the targeted program. These referrals will be subject to preference, and date and time ranking.

If an individual/family, who is on a Targeted Funding waiting list, becomes eligible for a voucher and becomes a program participant under the Housing Choice Voucher program, their name will be removed from the Targeted Funding waiting list.

A description of criteria being referred to our targeted programs follows:

Welfare-to-Work Program - The Welfare-to-Work Program is targeted to residents of Fresno County who participate in the Human Services System Welfare-to-Work Program and for whom it is determined that tenant-based housing is critical to the family's ability to obtain or retain employment. **At the time a partner agency makes a referral to us, a preapplication will be submitted.**

Family Unification Program - This program is targeted to all families whose lack of adequate housing puts the children at imminent risk of separation from the family, or whose lack of adequate housing is a primary factor which may delay the discharge of these children to the family from out-of-home care.

Beyond Housing Program - Beyond Housing is designated specifically to assist individuals with physical disabilities or developmental delays, as well as those individuals with mental illness who are able to live independently with support services.

Shelter Plus Care Program - Shelter Plus Care is a rental subsidy program which provides permanent housing to homeless disabled. Local S+C typically involves a partnership between the grantee agency, one or more housing sponsors, and a network of supportive services, sponsors or providers. Together, the partners are responsible for the broad range of activities associated with providing housing and supportive services to homeless individuals with disabilities. At the time of a referral by a partner agency, a preapplication will be submitted.

I. PREFERENCE ELIGIBILITY [24 CFR 982.207]

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the HA in writing when their circumstances change.

When an applicant claims an additional preference, s/he will be placed on the waiting list in the appropriate order determined by the newly-claimed preference.

Cross-Listing of Public Housing and Section 8 [24 CFR 982.205(b)]

The HA will not merge the waiting lists for public housing and Section 8. However, if the Section 8 waiting list is open when the applicant is placed on the public housing list, the HA must offer to place the family on both lists. If the public housing waiting list is open at the time an applicant applies for Section 8, the HA must offer to place the family on the public housing waiting list.

J. USING PREFERENCES TO SELECT APPLICANTS 24 CFR 982.207 ©)

The HA'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.

Local Preferences

The HA has selected the aggregating method to apply local preferences:

When one or more preference is claimed, two preferences will outweigh one and three preferences (if we later add another local preference) would outweigh two.

Among Applicants with Equal Preference Status

Among applicants with equal preference status, the waiting list will be organized by date and time.

K. FINAL VERIFICATION OF PREFERENCES [24 CFR 982.207]

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the HA will:

Obtain necessary verifications of preference at the interview and by third party verification.

L. PREFERENCE DENIAL [24 CFR 982.207]

If the HA denies a preference, the HA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for **an informal meeting**. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the Waiting List.

M. REMOVAL FROM WAITING LIST AND PURGING [24 CFR 982.204©)]

The waiting list will be updated/purged as needed to ensure that all applicants and applicant information is current and timely. To update the waiting list, th HA will send an update request via first-class mail to each family on the waiting list to determine whether the family continues to be interested in the program. This update request will be sent to the last address that the HA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

If a letter is returned by the Post Office, the application will be canceled without further notice, and the envelope and letter will be maintained in the file.

If the applicant did not respond to the HA request for information or updates because of a family member's disability, the HA will reinstate the applicant in the family's former position on the waiting list.

An extension of **30 calendar days** to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

Chapter 4

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

INTRODUCTION

This Chapter defines both HUD's and the HA's criteria for admission and denial of admission to the program. The policy of this HA is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The HA staff will review all information provided by the family carefully and without regard to factors other than those defined 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 HA pertaining to their eligibility.

A. ELIGIBILITY FACTORS

To be eligible for participation, an applicant must meet HUD's criteria, as well as any permissible additional criteria established by the HA.

Under the HUD eligibility criteria an applicant must:

- Be a "family"
- Be within the appropriate income limits
- Furnish Social Security Numbers for all family members age six and older
- Be a citizen or an eligible immigrant

The Family's initial eligibility for placement on the waiting list will be made in accordance with the eligibility factors.

B. FAMILY COMPOSITION [24 CFR 5.403, 982.201]

The applicant must qualify as a Family. A Family may be a single person or a group of persons. A group of persons may be:

Two or more persons who intend to share residency whose income and resources are available to meet the family's needs.

Two or more elderly or persons with disabilities living together, or one or more elderly, near elderly or persons with disabilities living with one or more live-in aides is a family.

A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members.

A single person may be:

An elderly person
A displaced person
A person with a disability
Any "other single" person

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, significant others, or co-heads.

Co-Head

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

Live-in Attendants

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

- Is determined by the HA to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities,

- The live-in aide must be required on a "full-time basis" as deemed by a licensed physician.

- 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).

A live-in aide is treated differently than family members:

1. Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.

2. Live-in aides are not subject to Non-Citizen Rule requirements.

3. Live-in aides may not be considered as a remaining member of the tenant family.

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

A Live-in Aide may only reside in the unit with the approval of the HA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker. 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) or a person with disabilities.

Verification must include the hours the care will be provided.

At any time, the HA may refuse to approve a particular person as a live-in aide or may withdraw such approval if:

(1) The person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;

(2) The person commits drug-related criminal activity or violent criminal activity; or

(3) The person currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.

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 the new families both claim the same placement on the waiting list, and there is no court determination, the HA will make the decision taking into consideration the following factors:

1. **Which family member applied as head of household.**

2. **Which family unit retains the children or any disabled or elderly members.**

3. **Restrictions that were in place at the time the family applied.**

4. **Role of domestic violence in the split.**

5. **Recommendations of 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 HA.

In cases where domestic violence played a role, the standard used for verification will be the same as that required for the "displaced due to domestic violence" preference.

Multiple Families in the Same Household

When families apply which consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, 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 the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively.

When both parents are on the Waiting List and both are trying to claim the child, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent.

Restrictions on Individuals Who are Enrolled at an Institution of Higher Education and Applying for Section 8 Assistance in their Individual Capacity

Students enrolled at an institution of higher education who are under the age of 24, not a veteran, unmarried, and do not have a dependent child, AND are seeking Section 8 assistance in their individual capacity (that is, separately from their parents), may not be eligible for assistance unless they pass a two-part income eligibility test.

This income test requires that both the student and the student's parents (the parents individually or jointly) must be income eligible for the student to receive Section 8 assistance. If it is determined that the parents are not income eligible, the student is ineligible to received Section 8 assistance.

Most definitions that apply to the new "Student Rule" are outlined in the Supplementary Guidance dated April 10, 2006 regarding Eligibility of Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937. However, this HUD Notice requires that housing authorities adopt their own definition of "veteran" and "parents" under this Rule. Therefore, the HA has adopted these definitions:

"*Veteran*" means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

HUD defines *"parents"* for the purposes of Section 8 programs to mean the biological or adoptive parents, or guardians (e.g., step-parents, grandparents, aunt/uncle, godparents, etc.). The HA will adopt this definition without adding any further stipulations.

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C. INCOME LIMITATIONS [24 CFR 982.201, 982.353]

With respect to Section 8 tenant-based assistance, for each fiscal year, not less than 75% of its new admissions must have incomes at or below 30% of the area median income.

In order to be eligible for assistance, an applicant must be either:

- A very low-income family; or

- A low-income family in any of the following categories:

- 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 90 days of voucher issuance.** Programs include public housing, all Housing Choice programs, all Section 23 programs.

- 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 resident home-ownership program under 24 CFR 248.173.

- A low-income or moderate-income family displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.

To determine if the family is income-eligible, the HA compares the Annual Income of the family to the applicable income limit for the family's size. Families must have incomes at or below 50% of the Area Median Income.

Tracking will be done to ensure the HA does not exceed these income targeting limits.

Families whose Annual Income exceeds the income limit will be denied admission and offered an informal review.

Single jurisdiction HAs: The applicable income limit to be used at initial issuance of a certificate or voucher is the income limit of the HA.

Multi jurisdictional HAs: The applicable income limit used for initial issuance of a certificate or voucher is the highest income limit with the HA's jurisdiction.

For admission to the program (initial lease-up), the family must be within the very low income limit of the jurisdiction where they want to live.

Portability: For initial lease-up, families who exercise portability must be within the very low-income limit for the jurisdiction of the receiving HA in which they want to live.

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

Families are required to provide verification of Social Security Numbers for all family members age 6 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.

Failure to furnish verification of social security numbers is grounds for denial or termination of assistance. **[24 CFR 5.522]**

Persons who have not been issued a Social Security Number must sign a certification that they have never been issued a Social Security Number.

Persons who disclose their Social Security Number but cannot provide verification must sign a certification and provide verification within 60 days. Elderly persons must provide verification within 120 days.

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.

For the Citizenship/Eligible Immigration requirement, the 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 eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-citizen students. Defined by HUD in the non-citizen regulations are not eligible for assistance.

Appeals. For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

Evidence of Citizenship/Eligible Immigrant Status will not be verified until the family is selected from the waiting list for final eligibility processing for issuance of a Voucher, unless the HA determines that such eligibility is in question, whether or not the family is at or near the top of the waiting list.

F. SUITABILITY OF FAMILY

The HA will take into consideration any of the criteria for admission in Chapter 15, but may not otherwise screen for factors which relate to the suitability of the applicant family as tenants. It is the responsibility of the owner to screen the applicants as to their suitability for tenancy.

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

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

Changes that occur during the period between placement on the waiting list and issuance of a voucher may affect the family's eligibility or Total Tenant Payment. For example, if a family goes over the income limit prior to lease up, the applicant will not continue to be eligible for the program. They will be notified in writing of their ineligible status and their right to an informal review.

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 Chapter 19, "Complaints and Appeals" for additional information about reviews and hearings.

I. OTHER CRITERIA FOR ADMISSIONS [24 CFR 982.552 and 982.553

A 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 **5** years.

A 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.

A family will be denied admission to the program for any of the grounds for denial of assistance listed in Section C of Chapter 15 of this Administrative Plan.

If an applicant is or has been a victim of domestic violence, dating violence or stalking, this is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission.

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

The family must pay any outstanding debt owed the HA or another HA as a result of prior participation in any federal housing program within 30 days of HA notice to repay.

The family must be in good standing regarding any current payment agreement made with another HA for a previous debt incurred, before this HA will allow participation in its Housing Choice program.

The HA may check criminal history for all adults in the household to determine whether any member of the family has violated any of the prohibited behaviors as referenced in the section on screening and terminations policy in the "Denial or Termination of Assistance" chapter.

If any applicant deliberately misrepresents the information on which eligibility or tenant rent is established, the HA may deny assistance. The family may request an informal review.

The family must not have been arrested, convicted, or evicted from a unit assisted under the housing Act of 1937 due to violent criminal activity within th last 3 years prior to the date of the certification form or interview.

Chapter 5

SUBSIDY STANDARDS

[24 CFR 982.54(d)(9)]

INTRODUCTION

HUD guidelines require that HA's establish subsidy standards for the determination of Voucher bedroom size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the Voucher size also must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standards which will be used to determine the Voucher size for various sized families when they are selected from the waiting list, as well as the HA's procedures when a family's size changes, or a family selects a unit size that is different from the Voucher.

A. DETERMINING VOUCHER SIZE [24 CFR 982.402]

The HA does not determine who shares a bedroom/sleeping room. The HA's subsidy standards for determining the family unit 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 family unit size on the voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

HUD regulations stipulate the following about the HA's subsidy standards:

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.
- They must be consistent with space requirements under the housing quality standards. (See Section D of this chapter).
- They must be applied consistently for all families of like size and composition.
- A child who is temporarily away form the home because of placement in foster care is considered a member of the family unit size.
- A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family.
- Any live-in aide (approved by the HA to reside in the unit to care for a family member who is disabled or is at least 50 years of age) must be counted in determining the family unit size.

Generally, the HA assigns one bedroom to two people within the following guidelines:

Foster children will be included in determining unit size only if they will be in the unit for more than twelve months.

Live-in attendants will generally be provided a separate bedroom if the assisted unit is the attendant's principle residence. No additional bedrooms are provided for the attendants' family.

Single person families shall be allocated a one bedroom.

The head of household may be entitled to a separate bedroom, provided funding is available.

A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size.

A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family.

Guidelines for Determining Voucher Size

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

B. EXCEPTIONS TO SUBSIDY STANDARDS [24 CFR 982.402 (b)(8)]

The HA shall grant exceptions from the subsidy standards if the family requests and the HA determines the exceptions are justified by the relationship, age, sex, health, handicap, or relationship of family members or other personal circumstances.

The HA will grant an exception upon request as an accommodation for persons with disabilities.

Circumstances may dictate a larger size than the subsidy standards permit when persons cannot share a bedroom because of a need, such as a:

- Verified medical or health reason; or

- Elderly persons or persons with disabilities who may require a live in attendant.

The family may request a larger sized Voucher than indicated by the HA's subsidy standards. Such request must be made in writing within 10 calendar days of the HA's determination of bedroom size. The request must explain the need or justification for a larger bedroom. Documentation verifying the need or justification will be required as appropriate.

The HA will not issue a larger Voucher due to additions of family members other than by birth, adoption, marriage, or court-awarded custody.

If the HA errs in the bedroom size designation, the family will be issued a Voucher of the appropriate size so that the family is not penalized.

Requests based on health related reasons must be verified by a **doctor, medical professional, or social service professional**.

Changes for Applicants

The Voucher size is determined prior to the briefing by comparing the family composition to the HA subsidy standards. If an applicant requires a change in the Voucher size, the above references guidelines will apply.

Changes for Participants

The members of the family residing in the unit must be approved by the HA. The family must obtain approval of any additional family member before the new member occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform

the HA within **10** calendar days. See "Reporting of Changes in Family Composition" in Chapter 12 for further information.

Underhoused Families

If a unit does not meet HQS space standards due to an increase in family size, (unit too small), the HA will issue a new Voucher and assist the family in locating a suitable unit.

- The HA will also notify the family of the circumstances under which an exception will be granted, such as:

  If a family with a disability is underhoused in an accessible unit.

  If a family requires the additional bedroom because of a health problem which has been verified by the HA.

C. UNIT SIZE SELECTED

The family may select a different size dwelling than that listed on the Voucher.

The family may lease an otherwise acceptable dwelling unit with fewer bedrooms than the voucher size , provided the dwelling unit meets the applicable HQS space requirements.

The family may lease an otherwise acceptable dwelling unit with more bedrooms than the voucher size, provided it meets the initial affordability test, where the family does not pay more than 40% of their income towards rent and utilities.

There are three criteria to consider:

1. Subsidy Limitation: The HA will apply the FMR or Payment Standard for the smaller of (1) the bedroom size shown on the Voucher or (2) the size of the actual unit selected by the family.

2. Utility Allowance: The utility allowance used to calculate the gross rent is based on the actual size of the unit the family selects, regardless of the size authorized on the family's Voucher.

3. Housing Quality Standards: The standards allow two persons per living/sleeping

room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table below. The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.

D. HQS GUIDELINES FOR UNIT SIZE SELECTED

	Maximum # of in Household
0 Bedroom	2
1 Bedroom	4
2 Bedrooms	6
3 Bedrooms	8
4 Bedrooms	10
5 Bedrooms	12
6 Bedrooms	14

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Chapter 6

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

FACTORS RELATED TO TOTAL TENANT PAYMENT (TTP)

The TTP is used in calculating the amount of subsidy a family will receive under the Housing Choice Voucher Program.

Total subsidy is the lower of

A. the payment standard minus the TTP, or

B. the gross rent minus the TTP

TTP is the higher of:

- 30% of monthly adjusted income
- 10% of total monthly gross income
- welfare rent (in as-paid states) or
- minimum rent ($50)

Family Share

The family share is calculated by subtracting the amount of the housing assistance payment from the gross rent.

The family rent to the owner is calculated by subtracting the amount of the housing assistance payment to the owner from the rent to owner.

Payment of the whole family share is the responsibility of the family.

INTRODUCTION

The HA will use the methods as set forth in this Administrative Plan to verify and determine that family income at admission and reexamination is correct. 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 the 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 HA's policies in this Chapter address those areas which allow the HA 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. INCOME AND ALLOWANCES [24 CFR 5.609]

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 which 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 12 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 which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits.

Annual income means all amounts, monetary or not, which:

(1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

(2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

(3) Which are not specifically excluded in sections. “Excludable Income” and “Federally mandated Income Exclusions” located later in this section.

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

Annual income includes, but is not limited to:

(1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;

(2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;

(3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as described in the paragraph above. authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of $5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

(4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except lump-sum payments caused by delays in processing periodic payments for Social Security or SSI are not included as income);

(5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay;

(6) Welfare assistance payments. (i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments: (A) Qualify as assistance under the TANF program definition at 45 CFR 260.31; and (B) Are not otherwise excluded.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except special pay to a family member serving in the Armed Forces who is exposed to hostile fire).

(9) For individuals enrolled at an institution of higher education who are under the age of 24, not a veteran, unmarried, and do not have a dependent child, AND are seeking Section 8 assistance in their individual capacity, any financial assistance, in excess of amounts received for tuition, that an individual received under the Higher Education Act of 1965, from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual. Such assistance, however, would not be included for persons over the age of 23 with dependent children. Also the student's parents' income must be considered in determining if the student is income eligible according to guidance given in the HUD Notice, Eligibility of Students for Assisted Housing under Section 8 of the U.S. Housing Act of 1937; Supplementary Guidance, published on April 10, 2006.

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

HUD has five allowable deductions from Annual Income:

1. 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 is a person with disabilities.
2. Elderly/Disabled Allowance: $400 per family for families whose head or spouse is 62 or over or a person with disabilities.
3. Allowable Medical Expenses: Deducted for all family members of an eligible elderly/disabled family. (After expenses exceed 3% of annual income.)
4. Child Care Expenses: Deducted for the care of children under 13 when child care is necessary to allow an adult member to work, attend school, or *actively seek employment*.
5. 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.

Excludable Income

The following kinds of income are excluded:

- Any subsidy received for transitional prescription drug assistance and any discounts negotiated in connection with the Medicare prescription drug discount card
- Income from employment of children under the age of 18
- payments received for foster children or foster adults including SSI/SSA
- Lump sum additions to family assets (counted as assets)
- medical reimbursements
- Income of a live-in aide
- Full amount of student financial assistance*
- Special armed forces pay
- Resident service stipends
- Sporadic income
- Holocaust reparation payments
- Earning for full-time students in excess of $480 for each student 18 years or older (excluding head or spouse)

* This applies only to students residing with their parents in a Section 8-assisted unit or who reside with parents who are applying to receive Section 8 assistance.

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- Adoption assistance payment in excess of $480 per adopted child
- Developmental disability care payments paid to a family with a member who has a developmental disability; enables the family to offset the cost necessary to keep the member at home.

- Refunds and rebates for property taxes
- Amounts set aside for use under a Plan for Achieving Self-support (PASS); pertains to SSI recipients
- Federally mandated income exclusions listed in Federal Register, 04/20/01 page #1287. See page 6-6 of this chapter.
- Earned income disallowance. See section B of this Chapter.
- Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program.
- Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff.

For the last exclusion above, the following definitions apply:

"Training Program" - A learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period of time. It is designated to lead to a higher level of proficiency and it enhances the individual's ability to obtain employment.

Training may include, but is not limited to:

- classroom training in a specific occupational skill;
- on-the-job training with wages subsidized by the program; or
- basic education.

"Incremental" - The increase between the total amount of welfare and earnings of a family member prior to enrollment in the training program and welfare and earnings of the family member after enrollment in the training program. All other amounts, increases or decreases, are treated in the usual manner in determining annual income.

"Supportive Services" - Employment training programs offering supportive services must include at least one of the following, or similar types of social services:

a. child care

b. transportation

c. personal welfare counseling (family-parental development counseling, parenting skills training for adult and teenage parents, substance/alcohol abuse treatment and counseling, self-development counseling);

d. health care services (including outreach and referrals);

e. youth leadership skills; youth mentoring.

The duration of time when the incremental earnings are excluded is for the length of the training program, or until the training ends, whichever comes first. (A training program should have definite goals and a definite ending date. When documenting this type of excludable income, staff will include the anticipated ending date of the training program).

Scenario of this type of excludable income: A family member is receiving $300 per month in Temporary Assistance to Needy Families (TANF) benefits. She enrolls in a Qualifying State employment training program and receives $450 per month in training income. The TANF benefits stop.

Action: To determine the incremental amount of earnings and benefits, subtract $300 (benefits prior to enrollment in the training program) from $450 (earnings while enrolled in the training program). The incremental amount is $150. In determining income, $300 is counted and $150 is excluded. After completion of the training program, the exclusion ends.

Federally Mandated Income Exclusions

- Value of Food Stamps
- Domestic Volunteer Services Act
  - Payments under the Domestic Volunteer Services Act of 1973 are excluded. These programs include:
    - VISTA - Volunteers in Service to America
    - RSVP - Retired Senior Volunteer Program
    - Foster Grandparents
    - Senior Companions Program

- Heating Assistance
  - Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program.
- JTPA/Workforce Investment Act of 1988
  - Payments or allowances received under programs funded in whole or in part under the Job Training Partnership Act, now referred to as the Workforce Investment Act of 1998.
- Americorps Living Allowance under the National and Community Service Act of 1990 (this falls under JTPA)
- Indian Settlements/Trusts
- Title IV of the Higher Education Act of 1965
- Spina bifida
  - Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran.
- Agent Orange Settlements

- Child Care and Development Block Grant Act of 1990
  - The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990.
- Earned Income Tax Credit Refunds
- Crime Victim Compensation
  - Any amount of crime victim compensation under the Victims of Crime Act.
- Title V of the Older Americans Act
  - Payments under Title V are excluded. This is the Senior Community Service in Employment Program (SCSEP) funded through the Department of Labor.
  - This program is administered by national contractors such as:
    - Green Thumb
    - AARP - American Association of Retired Persons
    - NCOA - National Council on Aging
    - National Council of Senior Citizens (sometimes called Senior Aides)
    - US Forest Services
    - NCBA - National Caucus Black
    - Urban League
    - national Association for the Spanish Elderly
  - State Coordinators for Title V can provide a list of additional contractors who administer Title V.
  - Even if there is 90% federal and 10% local funding, 100% of the income funded through Title V is excluded.

B. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS FOR PERSONS WITH DISABILITIES [24 CFR 5.617; 982.201(b)(3)]

INSTRUCTION: *This section was effective April 20, 2001. Between April 20, 2001 and March 15, 2002, the disallowance was available only to disabled members of disabled families. Technical amendments published February 13, 2002 extended the disallowance to all qualifying family members with disablilities effective March 15, 2002. Exclusion of income during participation in training programs under 24 CFR 5.609[c][8][v] is still applicable. PHAs must take all necessary steps to ensure those families eligible for the mandatory earned income disallowance receive the disallowance.*

The annual income for 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 in earned income begins and continuing for a cumulative 12-month period. After the disabled family receives 12 cumulative months of the full exclusion, annual income will include a phase-in of half the earned income excluded from annual income.

A family qualified for the earned income exclusion is a family that is receiving tenant-based rental assistance under the Housing Choice Voucher Program; and

Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;

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, 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 qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least $500 in such TANF benefits and services as one-time payments, wage subsidies and transportation assistance.

The HUD definition of "previously unemployed" 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.

The HUD definition of 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, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Qualifying increases 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 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.

Initial Twelve-Month Exclusion

During the cumulative 12-month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA will exclude from annual income of a

qualified family any increase in income of the family member who is a person with disabilities as a result of employment over the prior income of that family member.

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.

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.

Applicability to Child Care Expense Deductions

The amount deducted for child care necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for 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 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 will 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 12-month * period of exclusion (if any)

Date the family member has received a total of 12 months of the initial exclusion

Date the 12-month phase-in period began

Date(s) earned income ended and resumed during the second cumulative 12-month period (phase-in) of exclusion (if any)

Date the family member has received a total of 12 months of the phase-in exclusion

Ending date of the maximum 48-month (four year) disallowance period (48 months from the date of the initial earned income disallowance)

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

INSTRUCTION: *It is a PHA policy decision whether or not to conduct interim reexaminations for income increases. HUD has not provided guidance on how the mandatory earned income disallowance is to be implemented for PHAs that do not conduct interim reexaminations for income increases.]*

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).

C. MINIMUM RENT [24 CFR 5.630]

Minimum Rent

"Minimum rent" is $50 in the Housing Choice Voucher Program. Minimum rent refers to the minimum Total Tenant Payment and includes the combined amount a family pays towards rent

and/or utilities when it is applied.

Hardship Requests for an Exception to Minimum Rent

The PHA recognizes that in some circumstances even the minimum rent may create a financial hardship for families. The PHA will review all relevant circumstances brought to the PHA's attention regarding financial hardship as it applies to the minimum rent. The following section states the PHA's procedures and policies in regard to minimum rent financial hardship as set forth by the Quality Housing and Work Responsibility Act of 1998. HUD has defined circumstances under which a hardship could be claimed. (24 CFR 5.630)

Criteria for Hardship Exception

In order for a family to qualify for a hardship exception the family's circumstances must fall under one of the following HUD hardship criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance, including a family with a member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act, and who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including loss of employment, death in the family, or other circumstances as determined by the PHA or HUD.

In addition to the HUD hardships, the PHA has added these hardship qualifications:

- **If there is a substantial decrease of income, which was beyond the family's control.**
- **If there is a substantial increase in expenses, which was beyond the family's control**.

If the family requests a hardship exemption, the PHA will immediately suspend the minimum rent for the family until the PHA can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

Hardship exemptions must be approved by a supervisor.

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

Temporary hardship

If the PHA reasonably determines that there is qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. **The PHA will offer a repayment agreement in accordance with this policy for any rent not paid during the period of suspension**.

Long-term hardship

If the PHA determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.

D. DEFINITION OF TEMPORARILY/PERMANENTLY ABSENT

[24 CFR 982.54(d)(10), 982.551 (i)]

The HA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, the HA must count the income of the spouse or the head of the household if that person is temporarily absent, even if that person is not on the lease.

Temporarily absent is defined as away from the unit for 180 calendar days or less.

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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.

It is the responsibility of the head of household to report changes in family composition. The HA will evaluate absences from the unit using this policy.

Absence of Any Member

Any member of the household will be considered permanently absent if s/he is away from the unit for ~~**61 calendar days or more**~~ 181 calendar days or more except as otherwise provided in this Chapter.

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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 HA 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 **180 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 HA's "Absence of Entire Family" policy.

Absence Due to Full-time Student Status

Full time students who attend school away from the home will be treated in the following manner:

> **A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of Voucher size.**

Absence due to Incarceration

If the sole member is incarcerated for more than ***30*** **consecutive days**, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for **181 consecutive calendar days in a twelve month period.**

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The HA will determine if the reason for incarceration is for drug-related or violent criminal activity.

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 HA 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 6 months from the date of removal of the child/ren, the Voucher size will be reduced during the recertification process. If all children are removed from the home permanently, the Voucher size will be reduced in accordance with the HA's subsidy standards.

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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. In cases where the family has moved out of the unit, the HA will terminate assistance in accordance with appropriate termination procedures contained in this Plan.

Families are required both to notify the HA before they move out of a unit and to give the HA information about any family absence from the unit.

Families must notify the HA if they are going to be absent from the unit for more than 30 consecutive days.

If the entire family is absent from the assisted unit for **more than 61 consecutive days**, the unit will be considered to be vacated and the assistance may be terminated.

If it is determined that the family is absent from the unit, the HA will not continue assistance payments.

HUD regulations require the HA to terminate assistance if the entire family is absent from the unit for a period of more than **180 consecutive calendar days**.

"Absence" means that no family member is residing in the unit.

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

Write letters to the family at the unit

Telephone the family at the unit

Interview neighbors

Verify if utilities are in service

Verify with the post office

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 calendar days limit.

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

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 HA will treat that adult as a visitor for the first **90 days**.

If by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, the Voucher will be transferred to the caretaker. The care taker must meet program eligibility criteria.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the HA will review the status at 90-day intervals.

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If custody or legal guardianship has not been awarded by the court, but the action is in process, the HA will secure verification from social services staff or the attorney as to the status.

If custody is awarded for a limited time in excess of stated period, the HA will state in writing that the transfer of the Voucher is for that limited time or as long as they have custody of the children. The HA will use discretion as deemed appropriate in determining any further assignation of the Voucher on behalf of the children.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

The HA will transfer the Voucher to the caretaker, in the absence of a court order, if the caretaker has been in the unit for more than 120 calendar days and it is reasonable to expect that custody will be granted.

When the HA approves a person to reside in the unit as caretaker for the child/ren, the income *should be* counted pending a final disposition. The HA will work with the appropriate service agencies and the landlord to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home **for more than 3 months**, the person will be considered permanently absent.

Visitors

Any adult not included on the HUD 50058 who has been in the unit more **than 60 consecutive days** without HA approval, or a **total of 90 days in a 12-month period**, will be considered to be living in the unit as **an unauthorized** household member.

*Note: If the owner's lease stipulates guests are not allowed beyond a specified period which is shorter than HA policy,**(e.g. visitors may not reside in the unit over two weeks),** the lease will prevail over the HA policy.*

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 will be considered in making the determination.

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

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 HA will terminate assistance since prior approval was not requested for the addition.

Minors and college students who were part of the family but who now live away from home during the school year and *are no longer on the lease* may visit for **up to 180 days per year** without being considered a member of the household.

In a joint custody arrangement, if the minor is in the household **less than 180 days per year**, the minor will be considered to be an eligible visitor and not a family member.

Reporting Additions to Owner and HA

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

The family obligations require the family to request HA approval to add any other family member as an occupant of the unit and to inform the HA of the birth, adoption or court-awarded custody of a child. The family must request prior approval of additional household members.

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

Families are required to report any additions to the household in writing to the HA within 10 calendar days of the move-in date (refers to birth, adoption, or court-awarded custody).

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.

Reporting Absences to the HA

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

If a family member leaves the household, the family must report this change to the HA, within **10 calendar** days of the change and certify as to whether the member is temporarily absent or permanently absent.

The HA will conduct an interim evaluation for changes which affect the Total Tenant Payment in accordance with the interim policy.

E. AVERAGING INCOME

When Annual Income cannot be anticipated for a full twelve months, the HA may:

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 by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so as to reduce the number of interim adjustments.

The method used depends on the regularity, source and type of income.

F. MINIMUM INCOME

There is no minimum income requirement. Families who report zero income are required to complete an interim **every 90 calendar days**.

G. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME

[24 CFR 982.54(d)(10)]

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the HA will calculate **the income by using the following methodology and use the income figure which would result in a lower payment by the family:**

1. (a) **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.**

   OR

   (b) **Include the income of the person permanently confined to the nursing home and give the family the medical deductions allowable on behalf of the person in the nursing home.**

H. REGULAR CONTRIBUTIONS AND GIFTS [24 CFR 5.609]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the Total Tenant Payment.

Temporary, non-recurring or sporadic income and gifts are not counted as income for calculation of the TTP.

If the family's expenses exceed its known income, the HA will question the family about contributions and gifts.

I. ALIMONY AND CHILD SUPPORT [24 CFR 5.609]

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 HA 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 HA will accept as verification that the family is receiving an amount less that the award if:

> **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.

J. LUMP-SUM RECEIPTS [24 CFR 5.609]

Lump-sum additions to Family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses, 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 HA will calculate prospectively if the family reported the payment within 10 calendar days and retroactively to date of receipt if the receipt was not reported within that time frame**.

Prospective Calculation Methodology

If the payment is reported on a timely basis, the calculation will be done prospectively and will result in an interim adjustment calculated as follows:

1. **The entire lump-sum payment will be added to the annual income at the time of the interim.**

2. **The HA will determine the percent of the year remaining until the next annual recertification as of the date of the interim.**

3. **At the next annual recertification, the HA will apply the percentage balance to the lump sum and add it to the rest of the annual income.**

4. **The lump sum will be added in the same way for any interims which occur prior to the next annual recertification.**

Retroactive Calculation Methodology

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

The family has the choice of paying this "retroactive" amount to the HA in a lump sum.

At the HA's option, the HA may enter into a Payment 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.

K. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS

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

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

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

L. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE

The HA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. The HA 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 HA's minimum threshold for counting assets disposed of for less than Fair Market value is $1,000.00. If the total value of assets disposed of within a one-year period is less than $1,000.00, they will not be considered an asset.

M. CHILD CARE EXPENSES [24 CFR 5.611 (a)]

Child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.

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

The HA will not disallow a deduction for childcare expenses because there is an unemployed adult family that may be available to provide childcare.

Allowability of deductions for child care expenses is based on the following guidelines:

Child care to work: The maximum child care 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.**

Child care for school: The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including *reasonable* travel time to and from school.

Amount of Expense: The HA will survey the local care providers in the community and collect data as a guideline. If the hourly rate materially exceeds the guideline, the HA may calculate the allowance using the guideline.

Reasonable hours for child care must proportionate with the number of hours the adult is away due to work, school, or actively seeking employment, and will include reasonable travel time to and from those activities.

Changes in expenses due to the child's school schedule or other factors will be built into the annual estimation, so that an interim will not be required later on when the child care hours change.

When an adult is "actively seeking employment" it will be established by acceptable documentation, or the child care expense cannot be given. Acceptable documentation may include a record of companies contacted, their business addresses, phone numbers and the dates on which employment was sought.

The HA will be maintaining a child care expenses guideline.

N. MEDICAL EXPENSES [24 CFR 5.611 (a)]

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 anticipated for the coming 12 months must be doctor-recommended in order to be considered a medical expense.

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

O. 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 Chapter 12, "Recertifications.") 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. Total Tenant Payment is the gross rent minus the prorated assistance.

P. REDUCTION IN BENEFITS

INSTRUCTION: *The QHWRA established new requirements for the treatment of income changes resulting from welfare program requirements. The PHA must take procedural steps expeditiously, which establish the foundation for imposing the HUD required changes.*

The PHA will not reduce the rental contribution for families whose welfare assistance is reduced specifically because of:

fraud by a family member in connection with the welfare program; or
failure to participate in an economic self-sufficiency program; or
noncompliance with a work activities requirement.

However, the PHA will reduce the rental contribution if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where a family member has complied with welfare agency economic self-sufficiency or work activities requirements but cannot or has not obtained employment, such as the family member has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

For other reduction in benefits, not related to a welfare program, such as Social Security and SSI, the HA will use the net amount of benefits if they are reduced through no fault of the family.

Verification 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 for fraud or noncompliance with economic self-sufficiency or work activities requirements *before* denying the family's request for rent reduction.

The welfare agency, at the request of the PHA, will inform the PHA of:

Amount and term of specified welfare benefit reduction for the family;
Reason for the reduction; and Subsequent changes in term or amount of reduction.

Imputed Welfare Income

A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency), plus the total amount of other annual income as determined in accordance with the information in this chapter. At the request of the HA, the welfare agency will inform the HA in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the HA of any subsequent changes in the term or amount of such specified

welfare benefit reduction. The HA will use this information to determine the amount of imputed welfare income for a family.
A family's annual income includes imputed welfare income during the term of the welfare benefits reduction (as specified in information provided to the HA by the welfare agency).
The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.
The HA may not include imputed welfare income in annual income if the family was not an assisted resident at the time of sanction.

Q. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS [24 CFR 5.632]

The Utility Allowance Schedule is used for Vouchers. The HA will maintain an up-to-date utility allowance schedule.

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.

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. A tenant-paid air conditioning allowance will be provided throughout our jurisdiction OR **will** be provided in the parts of our jurisdiction shown on a map included in the briefing packet.

The HA 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 HA will establish an allowance adequate for the family to purchase or rent a range or refrigerator, even if the family already owns either appliance. Allowances for tenant-provided ranges and refrigerators will be based on the lower of the cost of leasing the equipment or the cost of purchasing it on an installment plan.

Where the Utility Allowance exceeds the family's Total Tenant Payment, the HA will provide a Utility Reimbursement Payment for the family each month. The check will be made out directly to the tenant:

> **unless the HA determines that utility companies should receive the check, in which case the check will be sent to appropriate utility companies without the tenant's written agreement.**

Utility Allowance Schedule

(a) Maintaining schedule.

(1) The HA must maintain a utility allowance schedule for all tenant-paid utilities (except telephone), for cost of tenant-supplies refrigerators and ranges, and for other tenant-paid housing services (e.g., trash collection (disposal of waste and refuse)).

(2) The HA must give HUD a copy of the utility allowance schedule. At HUD's request, the HA also must provide any information or procedures used in preparation of the schedule.

(b) How allowances are determined.

(1) The utility allowance schedule must be determined based on the typical cost of utilities and services paid by energy-conservative household that occupy housing of similar size and type in the same locality. In developing the schedule, the HA must use normal patterns of consumption for the community as a whole and current utility rates.

(2) (i) A HA'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. However, the PHA may not provide any allowance for non-essential utility costs, such as costs of cable or satellite television.

(ii) In the utility allowance schedule, the HA must classify utilities and other housing services according to the following general categories: space heating; air conditioning; cooking; water heating; electric; refrigerator (cost of tenant-supplied refrigerator); range (cost of tenant-supplied range); and other specified housing services. The HA must provide a utility allowance for tenant-paid air-conditioning costs if the majority of housing units in the market provide centrally air-conditioned units or there is appropriate wiring for tenant-installed air conditioners.

(3) The cost of each utility and housing service category must be stated separately. For each of these categories, the utility allowance schedule must take into consideration unit size (by number of bedrooms), and unit types (e.g., apartment, row-house, town house, single-family detached, and manufactured housing) that are typical in the community.

(4) The utility allowance schedule must be prepared and submitted in accordance with HUD requirements on the form prescribed by HUD.

(c) Revisions of utility allowance schedule.

(1) A HA must review its schedule of utility allowances each year, and must revise its allowance for a utility category if there has been a change of 10 percent or more in the utility rate since the last time the utility was revised. The HA must maintain information supporting its annual review of utility allowances and any revisions made in its utility allowance schedule.

(2) At HUD's direction, the HA must revise the utility allowance schedule to correct any errors, or as necessary to update the schedule.

(d) Use of utility allowance schedule.

(1) The HA must use the appropriate utility allowance for the size of dwelling unit actually leased by the family (rather than the family unit size as determined under the PHA subsidy standards).

(2) At reexamination, the HA must use the HA current utility allowance schedule.

(e) Higher utility allowance as reasonable accommodation for a person with disabilities.
On request from a family that includes a person with disabilities, the HA must approve a utility allowance which is higher than the applicable amount on the utility allowance schedule if a higher utility allowance is needed as a reasonable accommodation in accordance with 24 CFR part 8 to make the program accessible to and usable by the family member with a disability.

R. HA POLICY ON REIMBURSEMENT TO FAMILY

HUD regulation states housing authorities are required to reimburse families for overpayment of family share in accordance with PHA policy. While we make a very concerted effort to ensure accurate rent calculations, errors occasionally are made. In this event, the HA will correct the error from the point it is discovered, but no retroactive corrections will be made.

Chapter 7

VERIFICATION PROCEDURES

[24 CFR Part 5, Subparts B, D, E and F; HUD HB 74 20.7; PIH 01-15; HUD Guidebook for HCV Program Chart on pgs 5-46 through 5-53]

INTRODUCTION

HUD regulations require that all factors affecting eligibility and the family's payment must be verified, preferably through direct third-party contact with the independent source. Applicants and program participants must provide true and complete information to the HA whenever information is requested. The HA will obtain proper authorization from the family before requesting information from independent sources. All verifications will be kept in the client's file in a way that allows HUD to conduct a speedy and effective audit. The methods of verification are outlined in Section A below and generally apply to all types of income which must be verified.

In addition, before sending for verification from independent sources, the HA will utilize Upfront Income Verifications to verify income and, when doing face-to-face interviewing, will discuss any discrepancies with the family at the time of the certification interview.

Families will be made aware that the HA does independent verification and encouraged to fully divulge all factors related to their entitlement and the amount of their subsidy assistance.

Family Disclosure of Information to the HA and Verification

HUD regulations require that when a family is assisted under any Section 8 program receives a letter or notice from HUD with information concerning the amount or verification of family income, that family must promptly furnish this information to the HA.
The HA must verify the accuracy of the income information received from the family, and change the amount of the total tenant payment, tenant rent or Section 8 housing assistance payment, or terminate assistance, as appropriate, based on such information.

A. METHODS OF VERIFICATION AND TIME ALLOWED [24 CFR 982.516]

The HA will verify information regarding income and expenses by following a basic hierarchy, starting with the most reliable method. **All participant-provided documents must be dated within 60 calendar days of the date they are provided to the HA.** If for any reason, third-party written/up front verification cannot be obtained, the file will be documented with the reason and the next highest method of verification will be used. Following is the established verification hierarchy, from the most reliable to the least reliable:

1. Up-front Income Verification (UIV)/Third-Party Written
2. Third-Party Oral Verification
3. Review of Documents

4. Family Declaration or Certification

The HA will document the file as to why third party verification was not used.

Third party verification must be no more than 120 days old on the effective date.

Up-Front Income Verification

Up-front income verification (UIV) refers to the PHA's use of the verification tools available from independent sources that maintain computerized information about earnings and benefits. Currently, the HA uses HUD's Enterprise Income Verification (EIV) system. HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires the PHA to use the EIV system.

The purpose of UIV data is to VALIDATE tenant-reported income and supplement tenant-provided documents.
Use of the EIV system simplifies the verification process because

- Tenant reports income
- Tenant provides the HA with CURRENT documentation
- The HA consults the EIV system and prints income details report
- If additional information is not needed, the HA uses the CURRENT tenant-provided documents to calculate anticipated annual income. (If additional income is needed, the HA will request written third-party verification).

There may be legitimate differences between the information provided by the family and EIV-generated information. If the family disputes information provided by the EIV system, HCV staff will refer to the procedural guidelines on how to resolve this issue. No adverse action can be taken against a family until the PHA has independently verified the UIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the PHA.

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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 or fax machine. 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. Verifications must be returned to the HA directly from the source and may not at any time touch the client's hands.

Third-Party Oral Verification

Oral third-party verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to complete the HA-created form designed for this purpose, noting with whom they spoke, the date of the conversation, and the facts provided. When third-party oral verification is provided by telephone the HA must originate the call.

Review of Documents

In the event that third-party written or oral verification is unavailable, or the information cannot be verified by a third party within **7 calendar days**, a follow up will be made by phone immediately. If third party oral cannot be obtained, the HA will notate the file accordingly and utilize documents provided by the family as the primary source *if the documents provide complete information.*

The HA will accept verifications in the form of computerized printouts delivered by the family from the following:

Social Security Administration
Veterans Administration
Welfare Assistance
Unemployment Compensation Board

City or County Courts
Banking institutions
Medical institutions
Educational institutions
District Attorney's office
Printed wage stubs
Computer print-outs from the employer
Signed letters (provided that the information is confirmed by phone or notarized statements)
Other documents noted in this Chapter as acceptable verification

The HA will accept faxed documents.

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

1. Contact the parties necessary to resolve any discrepancy,

2. Analyze the reason for the discrepancy,

3. Explain how the discrepancy was resolved. Where appropriate, the rent will be recalculated and a rent change letter will be sent to reflect the corrected tenant rent portion.

The HA will not delay the processing of an application beyond 10 calendar days because a third-party information provider does not return the verification in a timely manner.

Self-Certification/Self-Declaration

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 **statement under penalty of perjury.**

B. RELEASE OF INFORMATION [24 CFR 5.230]

All 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 **and the ES75 for Welfare-to-Work families**.

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 because it is a family obligation to supply any information and to sign consent forms requested by the HA or HUD.

C. COMPUTER MATCHING

INSTRUCTION: *The 1988 McKinney Act legislation authorized State wage record keepers to release to both HUD and PHAs information pertaining to wages and unemployment compensation. How PHAs access this information varies. Most PHAs that do computer matching have signed an agreement with the appropriate State agency so that they can compare the name and Social Security number of applicants and participants with the records of the State agency.* ****Note****: HUD has suspended its income matching program. PHAs were instructed to stop all work on 1998 discrepancy notices. Tenant data for 1999 and later has not been released.*

Where allowed by HUD and/or other State or local agencies, computer matching will be done.

The HA will utilize the HUD established Internet format, Tenant Assessment Sub System (TASS) for obtaining Social Security benefits, Supplemental Security Income, benefit history and tenant income discrepancy reports from the Social Security Administration.

D. ITEMS TO BE VERIFIED [24 CFR 982.516]

All income not specifically excluded by the regulations.

Full-time student status including High School students who are 18 or over.

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 members to be employed or to further his/her education.

Total medical expenses of all family member 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.

Legal identity of all family members

Disability for determination of preferences, allowances or deductions.

U.S. citizenship/eligible immigrant status

Social Security Numbers for all family members 6 years of age or older who have been issued a Social Security Number.

"Preference" status, **based upon Local preferences.**

Familial/marital status when needed for head or spouse definition.

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.

E. VERIFICATION OF INCOME

Acceptable methods of verification, starting with UIV/third-party written verification, will be used by the HA whenever obtainable. This applies to income, assets, expenses, and any other factor which HUD required us to verify in determining the applicant/participant's eligibility.

Employment Income

Verification forms request the employer to specify the:

- Dates of employment
- Amount and frequency of pay (If paid twice a month for example, on the 15th and 30th, frequency of pay is 24 times per year. If paid every two weeks, frequency of pay is 26 times per year).
- 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:

1. Employment verification form completed by the employer.
2. Telephone contact with employer documented on HA's oral verification form.
3. Documents provided by applicants and program participants:
    - Check stubs or earning statements which indicate the employee's gross pay, frequency of pay or year to date earnings.
    - W-2 forms plus income tax return forms.

4. Self-certifications or income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

Applicants and program participants may be requested to sign an Authorization for Release of Information from the Internal Revenue Service for further verification of income.

Where doubt regarding income exists, a referral to IRS for confirmation will be made on a case-by-case basis.

Social Security and Supplemental Security Income (SSI) Income

1. Report supplied through Tenant Assessment Subsystem (TASS).

2. **If TASS is unavailable, ask client to provide a current benefit verification letter from the Social Security Administration.**

Unemployment Compensation

1. Mail EDD form to Sacramento for written third-party verification.

2. Telephone contact with appropriate agency is documented in HA file.

3. Copies of checks or records from agency provided by applicant/participant stating payment amounts and dates; or benefit notification letter or Employment Development Department (EDD) printout provided by applicant/participant.

Welfare Payments or General Assistance

1. HA verification form completed by payment provider or provided directly to HA by phone.

2. WHIS or Notice of Action provided by applicant/participant.

3. Self-declaration by family or by applicant/participant is not applicable.

Income of Individuals Who are Enrolled at an Institution of Higher Education and are Applying for (or Are Participants of Section 8 assistance in their Individual Capacity

Income must be verified for the student according to all other regular verification requirements stated in this Administrative Plan, with the following exception:

As it relates to the verification of a parent(s) income, the HA may accept from a parent(s) a declaration and certification of income, which includes a penalty of perjury.

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Alimony or Child Support Payments

1. Written third party can include:

- Copy of a separation or settlement agreement or a divorce decree provided by the court stating amount and type of support and payment schedules; or
- Print out supplied directly to the HA by Family Support Division or other agency showing amount of child support being paid to client; or
- written statement provided by ex-spouse or income source indicating all of the above.

2. Telephone contact with ex-spouse or income source documented by HA in client file.

3. Documentation provided by the applicant/participant

   - Printout from Family Support Division

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 HA will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable methods of verification include:

1. IRS Form 1040, including:
   Schedule C (Small Business)
   Schedule E (Rental Property Income)
   Schedule F (Farm Income)

(A Tax Account Listing may be provided if it supplies equivalent information as shown above).

Note:. 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.

2. Audited or unaudited financial statement(s) of the business.

3. **Documents such as manifests, appointment books, cash books, 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 12 months. The family will be advised to maintain these documents in the future if they are not available.**

4. **Notarized statement signed by applicant/participant listing amount earned and expenses incurred, along with dates the business was operating.**

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 HA 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.

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

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

Recurring Gifts

The family must furnish 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

The HA will verify information provided by participants. A verification form will be sent to the provider for certification purposes.

Zero Income Status

The HA will employ the use of the UIV process (e.g., TANF, TASS, EDD work history) and other written third party verifications when the family claims to have no other income.

The PHA will request information from the State Employment Development Department.

The PHA may 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, other than head or spouse, will be counted towards family income.

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

Verification of full-time student status includes:

1. 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.

2. Oral third-party must be documented in the applicant/participant file.

3. If verification cannot be received directly from the educational institution to the HA, the file must be documented with the reason.

F. INCOME FROM ASSETS

Acceptable methods of verification include, in this order:

Savings Account Interest Income and Dividends

Will be verified by:

1. Account statements, passbooks, certificates of deposit, or HA verification forms completed by the financial institution.

2. Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.

3. IRS Form 1099 from the financial institution, provided that the HA must adjust the information to project earnings expected for the next 12 months.

Interest Income from Mortgages or Similar Arrangements

1. A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 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.)

2. Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.

Net Rental Income from Property Owned by Family

1. IRS Form 1040 with Schedule E (Rental Income).

2. Copies of latest rent receipts, leases, or other documentation of rent amounts.

3. 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.

4. **Lessee's written statement verifying rent payments to the family and family's self-certification as to net income realized.**

G. VERIFICATION OF ASSETS

Family Assets

The HA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset is less than $500 and the family has original documents that support the declared amount.

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

1. Verification forms, letters, or documents from a financial institution or broker.

2. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

3. Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

4. Real estate tax statements if the approximate current market value can be deduced from assessment.

5. Financial statements for business assets.

6. Copies of closing documents showing the selling price and the distribution of the sales proceeds.

7. Appraisals of personal property held as an investment.

Assets Disposed of for Less than Fair Market Value (FMV) During Two Years Preceding Effective Date of Certification or Recertification (See Chapter 6 of this Plan for HA's Minimum Threshold)

1. For all certifications and recertifications, the HA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.

2. If the family certifies that they have disposed of assets for less than fair market value, verification **or 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.

H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

The HA will use review of documents in lieu of requesting third-party verification when an expense is less than $500 annually and the family has original documents that support the declared amount.

Child Care Expenses

1. 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.

2. 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.

3. Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

Medical Expenses

Families who claim medical expenses or expenses to assist a person(s) with disability 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. All expense claims will be verified by one or more of the methods listed below:

1. Examples of Written Third-Party Verification include:
   - 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 12 months. A computer printout will be accepted.

Note: For attendant care:

   - A reliable, 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.

   - 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.

2. Documents Provided by the Applicant/Participant, may include:

   - Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 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 12 months.

- Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. HA 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.

Note: The HA 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 [24 CFR 8.28]

1. In All Cases:

   (a) 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.

   (b) Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

2. Attendant Care:

   (a) Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided. And, written certification from doctor or rehabilitation agency that care is necessary to employment of household member. (Always obtain this).

   (b) Certification of family and attendant and/or copies of canceled checks family used to make payments.

3. Auxiliary Apparatus:

   (a) Written certification from source of cost and purpose of apparatus. Written certification from doctor or rehabilitation agency that use of apparatus is necessary to employment of any household member. In case where the disabled person is employed, statement from employer that apparatus is necessary for employment.
   (b) Copies of receipts or evidence of periodic payments for apparatus.

Medicare Prescription Drug Benefits

HA's must treat any Medicare prescription drug discount cards and transitional assistance received by a family as a standard medical deduction so that the family continues to receive a deduction for the full cost of its prescription drugs.

- This means that neither the drug discount nor the transitional assistance should be considered in reimbursement for the purpose of calculating the family's medical expense deduction.

- This also means that the HA must verify the FULL cost of the family's prescription drugs, not the out-of-pocket cost to the family.

I. VERIFYING NON-FINANCIAL FACTORS

Verification of Legal Identity

In order to prevent program abuse, the HA 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.

Certificate of Birth, naturalization papers
Church issued baptismal certificate
Current, valid Driver's license
U.S. military discharge (DD 214)
U.S. passport
Voter's registration
Company/agency Identification Card
Department of Motor Vehicles Identification Card
Hospital records

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Certificate of Birth
Adoption papers
Custody agreement
Health and Human Services ID (Medical Card)
School records

Verification of Marital Status

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records.

Verification of marriage status is a marriage certificate.

Familial Relationships

The following verifications will always be required if applicable:

Verification of relationship:

Official identification showing names
Birth Certificates
Baptismal certificates

Verification of guardianship is:

Court-ordered assignment
Affidavit of parent
Verification from social services agency
School 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 HA will consider any of the following as verification:

1. Husband or wife institutes divorce action.

2. Husband or wife institutes legal separation.

3. Order of protection/restraining order obtained by one family member against another.

4. Proof of another home address, such as utility bills, canceled checks for rent, drivers license, or lease or rental agreement, if available.

5. 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.

6. **If no other proof can be provided, the HA will accept a self-certification from the head of household or the spouse or co-head, if the head is the absent member.**

7. If the adult family member is incarcerated, a document or **verbal verification** from the Court or prison should be obtained stating how long they will be incarcerated.

Verification of Change in Family Composition

The HA 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, and other sources**.

Verification of Disability

Verification of disability must 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, rehab specialist, or licensed social worker, using the HUD language as the verification format.

If the HA gets written certification that the disability is permanent, the HA will only require documentation of disability one time.

Targeted programs serving the disabled population are referral-based programs. The referring Agency will certify on the referral form that the client is disabled, will maintain clinical analysis records in their files, and attach the signed physician's certification that the client meets the HUD definition of disability. (Needed only if client is not already receiving Social Security or SSI disability benefits).

Verification of Citizenship/Eligible Immigrant Status

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the HA hearing is pending.

(a) Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury. The PHA will require citizens to provide documentation of citizenship.

Acceptable documentation will include at least one of the following original documents:

United States birth certificate
United States passport
Resident alien/registration card
Social security card
Other appropriate documentation as determined by the PHA

(b) Eligible Immigrants age 62 and over are required to sign a declaration of eligible immigration status and provide proof of age.

(c) 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 HA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the HA must request within ten days that the INS conduct a manual search.

(d) 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.

(e) 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 for final eligibility determination.

For participants, it is done at the first regular recertification after June 19, 1995. For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in.

Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial HA does not supply the documents, the HA must conduct the determination.

Extensions of Time to Provide Documents

The HA **will** grant an extension of **up to 30 calendar 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 INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

If the HA determines that a family member has knowingly permitted another individual who is not eligible for assistance to reside permanently in the family's unit, the family's assistance will be terminated for 24 months, unless the ineligible individual has already been considered in prorating the family's assistance.

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 a medical insurance company or provider (including Medicare and Medicaid)
- An identification card issued by an employer or trade union
- Earnings statements or payroll stubs
- Bank Statements
- IRS Form 1099
- Benefit award letters from government agencies
- Retirement benefit letter
- Life insurance policies
- Court records such as real estate, tax notices, marriage and divorce, judgment or bankruptcy records
- Verification of benefits or Social Security Number from Social Security Administration

New family members ages six and older will be required to produce their Social Security Card or provide 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 HA.

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 HA. The applicant/participant or family member will have an additional **60 calendar days** to provide proof of the Social Security Number. If they fail to provide this documentation, the family's assistance will be terminated.

In the case of an individual at least 62 years of age, the HA may grant an extension for an additional 60 days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's assistance will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

Medical Need for Larger Unit

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional. If the family member gets written certification that the need for the larger unit is based on a permanent disability, this certification will only need to be obtained once. If the certification does not indicate how long the larger unit is necessary, the medical need will be verified annually at the recertification.

J. VERIFICATION OF WAITING LIST PREFERENCES

See Chapter 3, Section D of this Administrative Plan for verification of preferences.

K. VERIFICATION UNDER THE VIOLENCE AGAINST WOMEN ACT (VAWA) 2005

When a victim of domestic violence requests special consideration,(e.g. to transfer to another unit during the first year of tenancy, or to refrain from being terminated from the HCV program due to being evicted from a unit as the result of being a victim of a domestic violence act) , the HA will require that the individual certify via a HUD-approved certification form that s/he is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of the actual or threatened abuse; as well as to provide any documentation required by the HA such as a police report, court record, or a report from one of the following: a victim service provider, an attorney, or a medical professional from whom the victim has sought assistance in addressing the violent act covered under VAWA.

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Chapter 8

VOUCHER ISSUANCE AND BRIEFINGS
[24 CFR 982.301, 982.302, 985 (g) (3) (c)]

INTRODUCTION

The HA's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an acceptable 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 HA will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, HA procedures, and how to lease a unit. The family will also receive a briefing packet which 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, the policies for how changes in the family composition will be handled and the policies for the issuance and term of the voucher.

A. ISSUANCE OF VOUCHERS [24 CFR 982.302 ~~204(d)~~, 982.54(d)(2)]

When funding is available, the HA will issue Vouchers to applicants whose eligibility has been determined. The issuance of Vouchers must be within the dollar limitations set by the ACC budget.

The number of Vouchers issued must ensure that the HA stays as close as possible to 100 percent lease-up, (within any HUD requirements for a delay in reissuance). The HA performs a monthly calculation **electronically** to determine whether applications can be processed, the number of Vouchers that can be issued, and to what extent the HA can over-issue (issue more Vouchers than the budget allows).

The HA may over-issue Vouchers only to the extent necessary to meet leasing goals. All Vouchers which are over-issued must be honored. If the HA 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 or individual meetings.** Families who attend group briefings and still have the need for individual assistance will be referred to a **Housing Program Coordinator.**

Briefings for the Voucher Program will be conducted in English.

The purpose of the briefing is to explain the documents in the Voucher holder's packet to families so that they are fully informed about the program. This will enable them to utilize the program to their advantage, and it will prepare them to discuss it with potential owners and property managers.

The HA will not issue a Voucher to a family unless the household representative 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 2 scheduled briefings, without prior notification and approval of the HA, may be denied admission based on failure to supply information needed for certification. The HA 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 packets for the Voucher program will comply with all HUD requirements. **The HA also includes other information and/or materials which are not required by HUD.**

The family is provided with the following information and materials:

1. The term of the Voucher, and the HA policy on any extensions or suspensions of the term.

   If extensions are allowed, an explanation of how the family can request an extension.

2. How the HA determines housing assistance payment for the family, including:
   1.How the HA determines the payment standard for the family
   2.How the HA determines Total Tenant Payment
   3.Information on the payment standard and the HA utility allowance schedule

3. How the maximum allowable rent is determined **including the rent reasonableness standard.**

4. Where the family may lease a unit

   - For a family that qualifies to lease a unit outside the PHA's jurisdiction under portability procedures, the information packet must include an explanation of how portability works.

5. HUD-required tenancy addendum, which must be included in the lease.
6. The Request for Tenancy Approval form, and a description of the procedure for requesting approval for a unit.

7. The HA policy on providing information about families to prospective owners.

8. The Subsidy Standards including when and how exceptions are made **and how Voucher size relates to the unit size selected.**

9. The HUD brochure entitled "A Good Place to Live" on how to select a unit **that complies with HQS.**

10. The HUD brochure on lead-based paint **and information about where blood level testing is** available.

11. Information on federal, State and local equal opportunity laws and a copy of the housing discrimination complaint form. **The HA 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.**

12. A list of landlords or other parties willing to lease to assisted families or help in the search **and/or known units available for the size Voucher issued. (Pre-Inspection list).**

13. If the family includes a person with disabilities, notice that the HA will provide a list of available accessible units known to the HA.

14. The Family Obligations under the program, including any obligations of a Welfare-to-Work family.

15. The grounds on which the HA may terminate assistance for a participant family because of family action or failure to act.

16. HA informal hearing procedures including when the HA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

17. **An Owner's Handbook, an HQS checklist and sample contract.**

18. **Procedures for notifying the HA and/or HUD of program abuses such as side payments, extra charges, violations of tenant rights, and owner failure to repair.**

19. **The family's rights as a tenant and a program participant.**

20. **Requirements for reporting changes between certifications.**

21. **The HA has prepared maps that shows various areas with housing opportunities outside areas of poverty or minority concentration both within its jurisdiction and neighboring its jurisdiction; has assembled information about the characteristics of those area which may include information about job opportunities, schools, transportation and other services in these areas; and can demonstrate that it uses the maps and area characteristics information when briefing rental voucher holders about the full range of areas where they may look for housing.**

Additionally, the HA will inform Welfare-to-Work Voucher Holders with:

1. Of the local obligations of Welfare-to-Work families.

2. That failure to meet Welfare-to-Work obligations is grounds for HA denial of admission or termination of assistance.

Other Information to be Provided at the Briefing [24 CFR 982.301(a)]

The person conducting the briefing will also describe how the program works and the relationship between the family and the owner, the family and the HA, and the HA and the owner.

The briefing presentation emphasizes:

- Family and owner responsibilities
- Where a family may lease a unit inside and outside its jurisdiction
- How portability works for families eligible to exercise portability
- Advantages to moving to area with low concentration of poor families if family is living in a high poverty census tract in the HA's jurisdiction
- **Exercising choice in residency**
- **Choosing a unit carefully and only after due consideration.**
- **The Family Self Sufficiency program and its advantages.**

If the family includes a person with disabilities, the HA will ensure compliance with CFR 8.6 to ensure effective communication.

The HA will not discourage the family from choosing to live anywhere inside or outside HA's jurisdiction under portability procedures. (See "Restrictions on Moves" if the family requests to exercise portability procedures during the initial year of assisted occupancy).

Families must sign a statement acknowledging receipt and understanding of the briefing packet.

Owner Briefings

Briefings are held for owners quarterly. All new owners receive a personal invitation and current owners are notified by mail. Prospective owners are also welcome. 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.

Signature Briefing: Owners may be required to attend a signature briefing with the family head at the office to execute contracts and leases. The HA will provide details on the program rules and relationships and responsibilities of all parties.

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 HA will provide assistance to families who wish to do so.~~

~~**The assistance provided to such families includes:**~~

- ~~**Direct contact with landlords.**~~
- ~~**Counseling with the family.**~~
- ~~**Providing information about services in various non-impacted areas.**~~
- ~~**Meeting with neighborhood groups to promote understanding.**~~
- ~~**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**~~

APPLICABILITY OF THIS SEMAP INDICATOR TO OUR JURISDICTION

SEMAP indicator #7 only applies to PHAs with a jurisdiction in metropolitan FMR areas. The metropolitan area in Fresno County is the Fresno/Clovis Metropolitan Area.

PHA-IDENTIFIED AREAS OF POVERTY AND MINORITY CONCENTRATION *(See Maps A and B at the end of this chapter).*

The HA is committed to taking action to encourage participation by owners of units located outside areas of poverty or minority concentration. These areas have been identified in Map A and are described later in this chapter under the section entitled, "Identifying Non-Impacted Areas of Housing Opportunities". Map A will be available to voucher holders and program participants searching for housing.

Also included is a map of the City of Fresno's Empowerment Zones which encompasses the key areas of poverty and minority concentration in our metropolitan area. The Fresno Empowerment Zone encompasses census tracts 2,3,4,5,6,7,9,11,20,and 23, all near the urban core. They are roughly bordered by the following:

- north of Annadale Avenue,
- east of Marks Avenue,
- south of McKinley Avenue, and
- west of First Street.

Six of the census tracts have poverty rates from 33% to 57%. The areas unemployment rate of 26.1% exceeds the national and the state level, as well as the Fresno level of 12.9%. Per capita income in the Fresno Empowerment Zone area is $6,542, and Median Household Income is $14,052. Both measures are below the same indicators for the national, state and city figures. The area's high school drop out rate is double that of the State and the local rates. This information is shared at the briefings with our families as an incentive to consider locating in other non-impacted areas of the City. [There were no high poverty areas in the City of Clovis].

Identifying Non-Impacted Areas of Housing Opportunities

Understanding that Fresno County has one of the highest percentages of families living in extreme poverty, as depicted in the 2005 Brookings Institute study on poverty, the task of locating non-impacted areas is based on a relative standard. We took the average poverty rate for the county of 24.7 percent and used the most recent Census Bureau poverty statistics for Fresno County (by census tract) to locate census tracts which are below the county average.

These areas are predominantly located above Shields Avenue, both in Fresno and in Clovis, and east of Minnewawa Avenue in Southeast Fresno, as shown in Map A which is available for families searching for units. This map is also used in briefing families to explain the benefits of locating outside areas of poverty or minority concentration.

Encouraging Participation From Property Owners With Units Outside Areas of High Poverty or Minority Concentration

The Outreach and Education Division markets and encourages property owners to offer units outside areas of high poverty or minority concentration. The HA has various ways to market our plan of action to property owners:

- HA offers prospective owners a presentation to explain the program which includes encouragement to offer units outside areas of high poverty or minority concentration;
- HA offers current owners a presentation to explain any updates and/or changes to the program; additionally updates are presented in other forums, such as
  - In quarterly "Owners' Newsletters"
  - At our Community Outreach presentations
  - At our HA website
  - Through our recorded Owner Information Line;
- In the HA-Produced "Owner Handbook";
- Through an Available Property Survey (Count Me In Flyer) which is distributed to owners who visit the FHA to conduct buisness with the Owner Services Division;
- By actively participating with the California Apartment Association, we share outreach information with their owner members, including out-of-town members.

These marketing techniques may be measurable through:

- Written evaluations at owner presentations and Community Outreach presentations
- Tracking of owners' newsletters and owner handbooks distributed
- Tracking the number of units leased up from Vacant Unit Listing that are outside of areas of high poverty or minority concentration
- Tracking of "Available Property Survey" collected

Information to encourage participating families to seek units outside areas of high poverty or minority concentration will be distributed by:

- Vacant Unit Listing available at initial and transfer briefing

- Vacant Unit Listing available at HA office
- In quarterly participant newsletter.

Maps and Criteria about Non-Impacted Areas

The briefing materials contain maps and information about the characteristics of various non-impacted areas in the Fresno jurisdiction to educate families regarding various opportunities in these areas.

Lists of Owners Which Includes Properties in Non-Impacted Areas

The HA has a list of owners that can assist families in locating units outside impacted areas. This Rental Listing is located on our website. Copies may be obtained by the family when they attend a briefing. The location of these properties is indicated via a link to Mapquest which can be accessed by using the Rental Listing on the Fresno Housing Authority website

Portability/ Areas Where the Family Can Live

The briefing packet contains our Administrative Plan policy on allowable moves under portability as well as any restrictions on such a move. It also includes a list of HAs with their address and phone numbers in the surrounding area.

Analysis of Need for Exception Payment Standards

Each year when the SEMAP certification is completed, an analysis is conducted to compare families with children who live in areas of low poverty with those who live in areas which are at or above the overall poverty rate for the principal operating area of the HA. Each year over 50% of the families have been living in low poverty areas. While Fresno County does have pockets of high poverty, with over 100 census tracts, most program participants have succeeded in locating in non-impacted areas. Therefore, there has not been a need for an exception payment standard to provide expanded housing opportunities for our clients.

MODIFIED 09-01-06

D. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION

Fair Housing Laws

In compliance with Section 147 of the National Affordable Housing Act, no owner who has entered into a contract for housing assistance payments under this section on behalf of any tenant in a multifamily building (more than four units) shall refuse to lease any available dwelling unit in any multifamily building owned by the same owner to a Voucher holder solely because of their status as a Voucher holder.

The HA provides the family with a complaint form and the location of the local Fair Housing office. If HUD Fair Housing makes a finding of discrimination against an owner, the HA will restrict the owner from future participation.

The HA provides the family with the HUD discrimination complaint form and directs the family to report suspected discrimination to HUD.

E. SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]

Security deposits charged by owners may not exceed those charged to unassisted tenants nor 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.

F. TERM OF VOUCHER [24 CFR 982.303, 982.54(d) (2)]

During the briefing session, each household will be issued a Voucher which represents a contractual agreement between the HA and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program which occurs when the lease and contract become effective.

Under HUD regulations the Voucher is valid for at least 60 days from the date of issuance.

The HA will set the voucher term up to 120 days; the term will be stated on each individual voucher. If more search time is needed the family may request an extension, provided the request is made prior to the expiration date on the voucher. The family may request one or more extensions.

The family must submit a Request for Tenancy Approval and a copy of their lease within the term listed on the voucher, unless an extension has been granted by the HA.

When a Request for Tenancy Approval is received, the HA will deduct the number of days required to process the request from the term of the voucher (called tolling or suspension).

Extensions

Any requests for an extension of the voucher time period, must be made prior to the expiration date of the voucher. **Extensions may be granted with supervisory approval at the discretion of the HA, primarily for the following reasons:**

- **It is necessary as a reasonable accommodation for a person with disabilities,**
- **Extenuating circumstances such as illness, hospitalization or a family emergency, which affected the family's ability to find a unit within the voucher time period;**

- **Family can show evidence, through a completed search record, that they were unable to locate a unit;**
- **Family has submitted Request(s) for Tenancy Approval that the HA has disapproved (i.e., HA unable to negotiate rent(s) with owner or unit(s) do not meet HQS);**
- **Family size or other special requirements made finding a unit difficult.**

The HA will request proof to substantiate the need for an extension.

The final merger rule allows HA's the discretion to extend the voucher beyond the prior 120-day limit.

Assistance to Voucher Holders

Families who require additional assistance during their search may call the HA Office to request assistance. **Voucher holders will be notified at their briefing session that the HA periodically updates the listing of available preinspection units and how the updated list may be obtained.**

The HA will assist families with negotiations with owners and provide other assistance related to the families search for housing.

Expirations

If the voucher has expired, or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or a hearing.

If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.

G. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS [24 CFR 982.315]

In those instances when a family assisted under the Section 8 program 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, and there is no determination by a court, the HA shall consider the following factors to determine which of the families will continue to be assisted:

1. **Whether the assistance should remain with family members remaining in the original assisted unit.**
2. **The interest of minor children or of ill, elderly or disabled family members.**
3. **Whether family members are forced to leave the unit as a result or actual or threatened physical violence against family members by a spouse or other member of the household.**

4. **Recommendations of social service professionals.**

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the HA will terminate assistance on the basis of failure to provide information necessary for a recertification.

Where the breakup of the family also results in a reduction of the size of the Voucher, the family will be required to move to a smaller unit if the current landlord is unwilling to accept the rent level of the smaller sized Voucher.

H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF VOUCHER

The remaining member of a tenant family is a person left in assisted housing who may or may not normally qualify for assistance on own circumstances.

To be considered the remaining member of the tenant family, the person must have been previously approved by the HA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

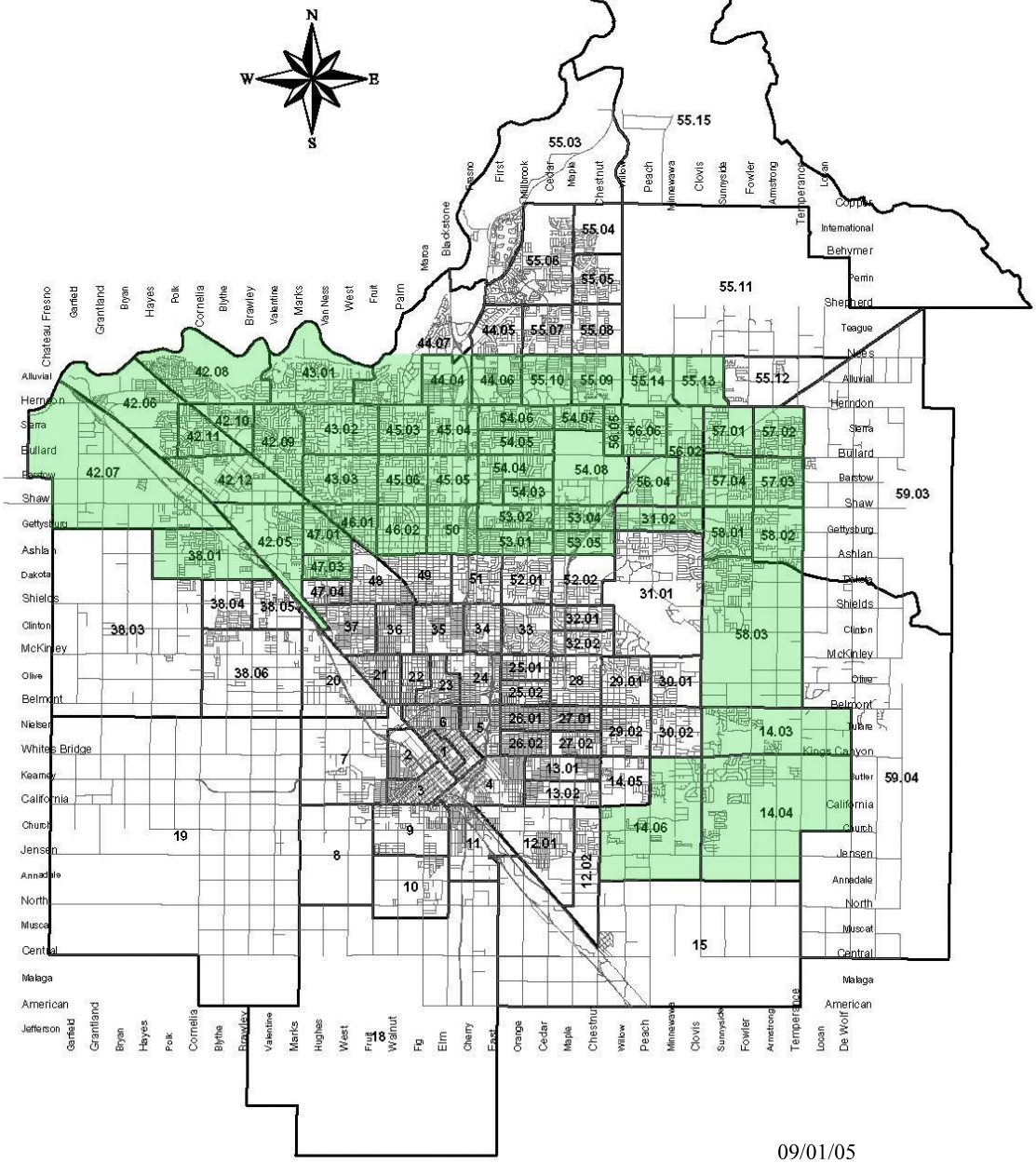
1. **The court has to have awarded emancipated minor status to the minor, or**

2. **The HA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child(ren) for an indefinite period.**

A reduction in family size may require a reduction in the Voucher size.

MAP A

AREAS OUTSIDE OF POVERTY AND MINORITY CONCENTRATION, FRESNO METROPOLITAN AREA



09/01/05

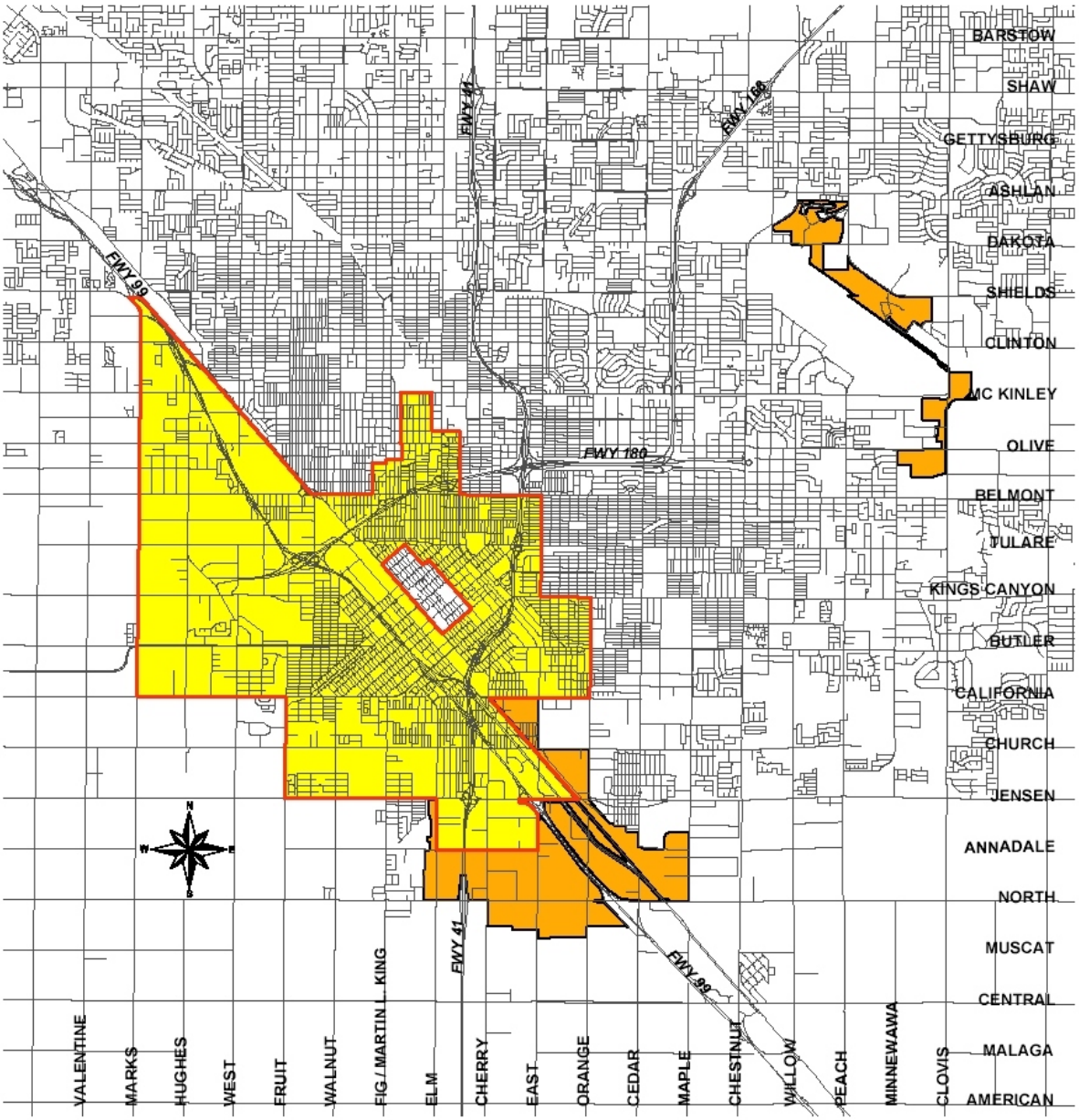
CITY OF FRESNO
EMPOWERMENT ZONE MAP

MAP B

LEGEND

Empowerment Zone Core Area

Empowerment Zone Developable Sites



Updated June 10, 2005

Chapter 9

REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION

INTRODUCTION [24 CFR 982.305(a)]

The HA's program operations are designed to utilize available resources in a manner that is efficient and provides eligible families timely assistance based on the number of units that have been budgeted. The HA'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 HA, or outside of the HA'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 HA. This Chapter defines the types of eligible housing, the HA's policies which pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests For Tenancy Approval (RFTA).

A. REQUEST FOR TENANCY APPROVAL [24 CFR 982.305]

The Request for Tenancy Approval must be signed by both the owner and Voucher holder.

The HA will not permit the family to submit more than one RFTA at a time.

The HA 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:

1. The unit is an eligible type of housing

2. The unit meets HUD's Housing Quality Standards (and any additional criteria as identified in this Administrative Plan)

3. The rent is reasonable and approvable (See Section G).
4. The Security Deposit is approvable in accordance with any limitations in this plan.

5. The proposed Lease complies with HUD and HA requirements (See Section C).

6. The owner is approvable, and there are no conflicts of interest (See Section I).

Disapproval of RFTA

If the HA determines that the Request cannot be approved for any reason, the landlord and the family will be notified in writing. The HA will instruct the owner and family of the steps that are necessary to approve the Request.

The owner will be given **10 calendar days** to submit an approvable RFTA from the date of disapproval.

When, for any reason, an RFTA is not approved, the HA 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.

B. ELIGIBLE TYPES OF HOUSING [24 CFR 982.352, 982.54(d)(16)]

Eligible Housing

1. The family may receive tenant-based assistance to lease a unit located:
   - Anywhere within the initial PHA's jurisdiction
   - Outside the initial PHA's jurisdiction under the portability requirements

2. The family may select the dwelling unit they have been residing in prior to participation in the program if the unit is approvable. This is called leasing-in-place.

3. The PHA may not directly or indirectly reduce a family's opportunity to select among available units other than exceptions identified in the regulations, such as:
   - The housing is ineligible.
   - The housing does not meet housing quality standards.
   - The rent to owner exceeds reasonable rent.

4. Unless their Lease was effective prior to June 17, 1998, a family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member. The HA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

5. Lease Purchase Agreements

   Section 8 regulations do not prohibit lease-purchase arrangements, but approval of a unit, the lease and the terms of the lease must meet normal program requirements, including housing quality standards.
   - The rent must be reasonable.
   - The tenant cannot make any extra payments.

   Section 8 assistance terminates when the family takes title to the unit.

6. For PHA owned housing see 24 CFR 982.352 (b).

7. If the unit has other housing subsidy attached to it as described in 24 CFR 982.352 (c), a family may not receive the benefit of tenant-based assistance in such unit.

8. See Chapter 20 of this Plan for Special Housing Types.

C. LEASE REVIEW [24 CFR 982.308]

The HA will review the Lease, particularly noting the approvability of optional charges and compliance with regulations **and State law**. Responsibility for utilities, appliances and optional services must correspond to those provided on the Request For Tenancy Approval.

The HUD-prescribed tenancy addendum must be attached and executed.

House Rules of the owner may be attached to the Lease as an addendum, provided they are approved by the HA to ensure they do not violate any fair housing provisions and do not conflict with the Lease Addendum.

The initial term of the lease must be at least one year under HUD regulation.

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.

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 HA.

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.

The HA 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.

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 HA. If agreements are entered into at a later date, they must be approved by the HA and attached to the Lease.

E. TERM OF ASSISTED TENANCY [24 CFR 982.309]

The initial lease term must be for at least one year under HUD regulations.

During the initial lease term, the owner may not raise the rent to owner (rent to owner represents the total of the HAP and tenant portion), except when permitted by special rules for subsidized units (as described in 24 CFR 982.521).

F. INITIAL INSPECTIONS [24 CFR 982.305(a) & (b)]

See Chapter 10, "Housing Quality Standards and Inspections."

G. RENT LIMITATIONS [24 CFR 982.507]

For the Voucher Program, the HA 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.

H. DISAPPROVAL OF PROPOSED RENT [24 CFR 982.305]

If the proposed Gross Rent is not reasonable, at the family's request, the HA will negotiate with the owner to reduce the rent to a reasonable rent.

If the rent can be approved, the HA will continue processing the Request for Tenancy Approval and Lease. If the revised rent involves a change in the provision of utilities, a new Request for Tenancy Approval must be submitted by the owner.

If the owner does not agree on the Contract Rent after the HA has tried and failed to negotiate a revised rent, the HA will inform the family and owner that the Lease is disapproved.

I. INFORMATION TO OWNERS [24 CFR 982.307(b), 982.54(d)(7)]

In accordance with HUD requirements, the HA will furnish prospective owners with the family's current address as shown in the HA's records and, if known to the HA, the name and address of the landlord at the family's current and prior address.

The HA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

The HA 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, eviction history, damage to units, and other factors related to the family's suitability as a tenant.

A statement of the HA's policy on release of information to prospective landlords will be included in the briefing packet which is provided to the family.

The HA will provide the following information based on documentation in its possession:

Eviction history

Damage to rental units
Other aspects of tenancy history (i.e. 3-Day Notices)

The information will be provided for the **last 5 years**, providing the information is in the file.

The information will be provided **orally**.

Only **Housing Program Coordinator I/II or higher (with supervisory approval)** may provide this information. The HA's policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

J. OWNER DISAPPROVAL [24 CFR 982.306]

For purposes of this section, "owner" includes a principal or other interested party.

The HA will disapprove the owner for the following reasons:

- HUD **or other agency directly related** has informed the HA that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

- HUD has informed the HA 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 HA that a court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements.

- The owner has a conflict of interest as described in HUD regulation 24 CFR 982.161(a), and would therefore be unable to enter into a contract with the HA.

- **The owner has violated obligations under a Housing Assistance Payments Contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).**

- **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.**

- Unless their Lease was effective prior to June 17, 1998, a family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member. The HA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

K. CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE

When the family reports changes in factors that will affect the Total Tenant Payment (TTP) prior to the effective date of the HAP Contract at admission, the information will be verified and the TTP will be recalculated. If the family does not report any change, the HA need not obtain new verifications before signing the HAP Contract, even if verifications are more than **60 days** old.

L. CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]

The HA prepares the Housing Assistance Contract for execution. The family and the owner will execute the Lease agreement, and the owner and the HA will execute the HAP Contract. Copies of the documents will be furnished to the parties who signed the respective documents. The HA will retain a copy of all signed documents..

The HA 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 HA representative(s) is/are authorized to execute a Contract on behalf of the HA: **Director.**

Owners must provide the current address of their residence (not a Post Office box). If families lease properties owned by relatives, the owner's current address will be compared to the subsidized unit's address.

Owners must provide an Employer Identification Number or Social Security Number**.**

Owners must also submit a completed and accurate W-9 form.

The owner must provide a business or home telephone number.

M. CHANGE IN OWNERSHIP

A change in ownership **does not** require execution of a new contract.

The HA will process a change of ownership only upon the written request of the new owner and only if accompanied by a copy of the escrow statement or other document showing the transfer of title and the Employee Identification Number or Social Security Number of the new owner.

The HA must receive a written request by the old owner in order to change the HAP payee and/or the address to which payment is to be sent.

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 HA will inspect each unit under contract at least annually. The HA will also have an inspection supervisor perform quality control inspections on at least 5 percent of all units under contract annually to maintain the HA's required standards and to assure consistency in the HA's program. This Chapter describes the HA's procedures for performing HQS and other types of inspections, and HA 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 HA requirements. (See additions to HQS).

A. GUIDELINES/TYPES OF INSPECTIONS [24 CFR 982.401(a), 982.405]

There are four types of inspections the HA will perform:

1. Initial/Move-in: Conducted upon receipt of Request For Lease Approval.
2. Annual: Must be conducted prior to the HAP Contract anniversary date.
3. Special/Complaint: At request of owner, family or an agency or third-party *if HA-approved.*
4. Quality Control
5. ~~Pre-Inspection: At owner request~~

MODIFIED 09/01/06

The HA has adopted local requirements of acceptability in addition to those mandated by the HUD Regulations. Refer to Section F of this chapter**.**
Efforts will be made at all times to encourage owners to provide housing above HQS minimum standards.

All utilities must be in service prior to the effective date of the HAP Contract. 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 HA will allow the stove and refrigerator to be placed in the unit after the inspection, if after the unit

has passed all other HQS, the owner and family certify that the appliances are in the unit and working according to the Housing Quality Standards. The HA will not conduct a reinspection.

B. INITIAL HQS INSPECTION [24 CFR 982.401(a)]

The Initial Inspection will be conducted to:

- Determine if the unit and property meet the HQS defined in this Plan.
- Document the current condition of the unit as to assist in future evaluations whether the condition of the unit exceeds normal wear and tear.
- Document the information to be used for determination of rent-reasonableness.

If the unit fails the initial Housing Quality Standards inspection, the **family and** owner will be advised to notify the HA once repairs are completed.

On an initial inspection, the owner will be given up to **30 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 up to **one** reinspection for repair work to be completed.

If the time period given by the Inspector to correct the repairs has elapsed, or the maximum number of failed reinspections has occurred, **the family must select another unit**.

~~**Pre-Inspections**~~

~~The HA encourages owners to take advantage of their preinspection process, which allows the unit to be inspected before a tenant is selected to fill the vacant unit. These inspections will be good for 30 calendar days. If the owner does not select a tenant to fill the vacancy and the RFTA is not submitted within 30 days of the date the preinspection passes, the preinspection will be voided and a regular initial inspection will be scheduled.~~

~~Note: If the RFTA comes in after the normal 30 days period, it may still be accepted if a supervisor determines that the submission was made in a "reasonable" time frame. It will be a supervisor's discretion to determine this on a case-by-case basis.~~

MODIFIED 09-01-06 (HA NO LONGER CONDUCTS PRE-INSPECTIONS)

C. ANNUAL HQS INSPECTIONS [24 CFR 982.405(a)]

The HA conducts an inspection in accordance with Housing Quality Standards at least annually, **up to 120 calendar days** prior to the anniversary month of the Contract. Special inspections may be scheduled between anniversary dates.

HQS deficiencies which cause a unit to fail must be corrected by the landlord unless it is a fail for which the tenant is responsible.

The family must allow the HA to inspect the unit at reasonable times with reasonable notice. [24 CFR 982.551 (d)]

Inspections will be conducted on business days only.

Inspections may be conducted during normal business hours Monday through Friday from 7:30 a.m. - 6:00 p.m., or as needed (including Saturday or Sunday).

Inspection: The family **and owner are** notified of the date and time of the inspection appointment by mail. If the family is unable to be present, they may authorize another adult to represent them at the inspection or they must reschedule the appointment so that the inspection is completed within **15 calendar days**.

If the family does not contact the HA to reschedule the inspection, or if the family misses one inspection appointment, the HA will consider the family to have violated a Family Obligation. The family will be sent a noncomplaince letter giving the family one final inspection appointment.

Reinspection: The family and owner are mailed a notice of the inspection appointment by mail. If the family is not at home for the reinspection appointment, a card 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).

The family is also notified that it is a Family Obligation to allow the HA to inspect the unit. If the family was responsible for a breach of HQS identified in Chapter 15, "Denial or Termination of Assistance," they will be advised of their responsibility to correct.

Time Standards for Repairs

1. Emergency items which endanger the family's health or safety must be corrected by the owner within 24 hours of the inspection.

2. For non-emergency items, repairs must be made within 30 days.

3. For major repairs, the **supervisor** may approve an extension beyond 30 days.

The extension will be made for a period of time not to exceed 60 calendar days. At the end of that time, at the HA's discretion, if the work is not completed, the HA will begin the abatement for owners or termination of assistance for family breach of HQS.

Annual Rent Adjustments and HQS

The HA will conduct an inspection using the Housing Quality Standards annually. All requests for rental increases must be after the initial term of the lease. **These requests will reviewed be based on rent reasonable as well as HQS Compliance.** Rent increases will be approved based upon funding availability.

D. SPECIAL/COMPLAINT INSPECTIONS [24 CFR 982.405(c)]

If at any time the family or owner notifies the HA that the unit does not meet Housing Quality Standards, the HA may conduct an inspection. Prior to scheduling the inspection, the HA will verify that the owner is aware of the need for the repair and has been given sufficient time to make the repairs.
The HA may also conduct a special inspection based on information from third parties such as neighbors or public officials.

The HA 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 anniversary date is within 120 calendar days of a special inspection, the special inspection will be categorized as annual and all annual procedures will be followed.

E. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b) and 985.3(e)]

Quality Control inspections will be performed by the **supervisors** in a quantity to meet the minimum sample size required by HUD. The supervisors' reinspected sample is drawn from recently complete HQS inspections and represents a cross section of neighborhoods and the work of a cross section of Housing Program Coordinators who are responsible for conducting inspections.

The purpose of Quality Control inspections is to ascertain that each Housing Program Coordinators is conducting accurate and complete inspections, and to ensure that there is consistency among Housing Program Coordinators in application of the HQS.

F. ADDITIONS TO HQS [24 CFR 982.401 (a)]

The HA adheres to the acceptability criteria in the program regulations and HUD Inspection Booklet **with the additions described below.**

Additions:

Security:

If window security bars or security screens are present on emergency exit window, they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.

Deadbolts:

All exterior doors must have thumbnail deadbolt.

Bedrooms:

Minimum bedroom ceiling height is 7'6" or local code, whichever is greater. Sloping ceilings may not slope to lower than five feet in the 70 square foot area.

Interior/Exterior:

All chipping/peeling paint must be stabilized.

G. EMERGENCY REPAIR ITEMS [24 CFR 982. 404(a)(3)]

Only life-threatening items are considered of an emergency nature and must be corrected by the owner or tenant (whoever is responsible) within 24 hours of inspection.

MODIFIED 06-08-06

Supervisory approval is required on all emergency items prior to deeming the repair an emergency repair.

The HA may give a short extension (not more than 72 additional hours) whenever the responsible party cannot be notified or it is impossible to effect the repair within the 24-hour period. In the event it is not feasible to extend the time frame for the required emergency repair, but the HA is not physically able to go out and confirm the repair has been corrected in 24-hours, the owner can provide a faxed self-certification to the HA stating he has corrected the 24-hour emergency deficiency(s). The HA will make every effort to confirm with the client by phone that the emergency repairs have been completed. The HA also will follow up to confirm the repair has been corrected by conducting a reinspection within no more than 3 business days.

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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 HA.

If the emergency repair item(s) are not corrected in the time period required by the HA, 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 HA, and it is an HQS breach which is a family obligation, the HA will terminate the assistance to the family.

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, and the owner is responsible for completing the necessary repair(s) in the time period specified by the HA, the assistance payment to the owner will be held until the unit is reinspected. If the unit continues to fail at reinspection, abatement will begin.

Abatement

A Notice of Abatement will be sent to the owner, and the abatement will be effective from the day after the date of the failed inspection. The notice is generally for **30 calendar days**, depending on the nature of the repair(s) needed.

The HA will inspect abated units within **30 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.

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 HA's portion of rent that is abated.**

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 Proposed Termination Notice. Prior to the effective date of the termination, the abatement will remain in effect.

If repairs are completed before the effective termination date, the termination **may** be rescinded by the HA if the tenant chooses to remain in the unit. Only **two** Housing Quality Standards inspections will be conducted after the termination notice is issued.

I. DETERMINATION OF RESPONSIBILITY [24 CFR 982.404]

Certain HQS deficiencies are considered the responsibility of the family:

- Tenant-paid utilities not in service.

- Failure to provide or maintain family-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 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.

However, 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 HA may terminate the family's assistance on that basis.

The inspector will make a determination of owner or family responsibility during the inspection. The owner or tenant may appeal this determination to the HA within 10 calendar days of the inspection.

If the family is responsible but the owner carries out the repairs, the owner will be encouraged to 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 HA will require the family make any repair(s) or corrections within **30 calendar days**. If the repair(s) or correction(s) are not made in this time period, the HA will terminate assistance to the family. Extensions in these cases must be approved by **supervisors**. 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.

K. Lead-Based Paint and HQS [24 CFR Part 35]

In order to comply with the Residential Lead-Based Paint Hazard Reduction Act of 1992 and the HUD regulations of September 15, 1999 the HA will adopt the following policies. For all pre-1978 dwelling units with a child under six years of age, during the initial and annual inspections, the HA will conduct a visual assessment of all painted surfaces in order to identify any deteriorated paint. If deteriorated paint is found, the owner will be required to perform paint stabilization. If the area to be stabilized is above “de minimis levels”, the owner will be required to use “safe work practices” as defined in 24 CFR Part 35.1350. For common terms used regarding lead hazard reduction see the end of this section.

Owner Responsibilities

The owner must notify the HA and the family if aware of any known lead-based paint or lead-based paint hazards on the premises. This must occur prior to execution of the HAP contract.

The owner must perform paint stabilization when required by the HA as a result of an HQS inspection.

Where a pre-1978 dwelling unit is occupied by a child of less than six years of age with an environmental intervention blood lead level (EIBLL),the owner will:

- be required to allow the HA to conduct a risk assessment of the dwelling unit;
- be advised of the risk assessment inspection and given the opportunity to be present;

- upon receipt of a written report of the results of the above inspection, the owner must post notice to the tenant;
- if hazard conditions exist, the owner must comply with the scope of the work within 30 days;
- once interim controls or abatement (corrective actions to reduce or eliminate LBP hazards) have been completed, the owner must contract with a Certified Lead Inspector (CLI) for a clearance examination;
- once cleared by the CLI, a copy of the Clearance Report must be provided by the owner to the HA.

HA Responsibilities

The HA staff will conduct a visual assessment at initial and periodic inspections. If during the inspection the family informs the HA staff person there is a child under 6 years of age with an EIBLL, staff is to give a written report to a Housing Choice Voucher manager.

The Ha will attempt to obtain from the health department names and/or addresses of children with EIBLL's. Such information will be matched with HA address records of assisted families.

The HA will report to the health department addresses of assisted units, unless the health department states it does not want such a report.

Lead-based paint inspection reports, with owner certifications, will be kept for a minimum of three years; indefinitely if chewable surfaces require testing.

As part of the briefing of applicant/participant families, the HA will provide the household with a copy of the HUD brochure, "Protect Your Family from Lead in Your Home."

Where a pre-1978 dwelling unit is occupied by a child of less than six years of age with an environmental intervention blood lead level (EIBLL), and the HA has received EIBLL notification by the health department or other medical health care provider, the HA will:

- schedule a risk assessment within 15 days and give the owner an opportunity to be present;
- place the housing assistance payment on hold, if the written report reveals items which must be corrected;
- notify the owner in writing of the hold, and of the Lead Based Paint Hazard Reduction Procedures [letter], giving 30 days to correct all items;
- upon receipt of a clearance form per 24 CRF 35.1340, will release the housing assistance payment; (however, if other HQS items are pending repair, the HAP is only released after the HA reinspects the unit and all items pass inspection);
- notify the owner and family in writing of termination of the contract and housing assistance payments if the required clearance form is not provided by the end of the 30-day correction period;
- if the owner does not obtain a clearance, or if the family decides not to stay in the unit, the HA will process the family's request to transfer to another unit, if the family serves a proper notice of intent to vacate and meets the other requirements to transfer as described in Chapter 13 of this Plan.

The unit will be taken off the program and the property tracked so that it will not be allowed back on the program until such time as a clearance is supplied.

Common Definitions Regarding Lead-Based Paint

Below are some of the key terms used in this section. Other definitions are located in 24 CFR part 35.7, 35.110.

Abatement means any set of measures designed to permanently eliminate lead-based paint or lead-based paint hazards. Abatement includes: (1) The removal of lead-based paint and dust-lead hazards, the permanent enclosure or encapsulation of lead-based paint, the replacement of components or fixtures painted with lead-based paint, and the removal or permanent covering of soil-lead hazards; and (2) All preparation, cleanup, disposal, and post abatement clearance testing activities associated with such measures.

Certified [Inspector] means licensed or certified to perform such activities as risk assessment, lead-based paint inspection, or abatement supervision, either by a State or Indian tribe with a lead-based paint certification program authorized by the Environmental Protection Agency (EPA), or by the EPA, in accordance with 40 CFR part 745, subparts L or Q.

Clearance Examination means an activity conducted following lead-based paint hazard reduction activities to determine that the hazard reduction activities are complete and that no soil-lead hazards or settled dust-lead hazards, as defined in 24 CFR part 35, exist in the dwelling unit or worksite. The clearance process includes a visual assessment and collection and analysis of environmental samples. Dust-lead standards for clearance are found in 24 CFR part 35.1320.

De Minimis Levels (aka De Minimis Rule) means

- 20 sq ft on exterior surfaces,
- 2 sq ft in any one interior room, or
- 10% of total surface area of an interior or exterior type component with a smaller surface area (e.g., window sills)

Deteriorated Paint means any interior or exterior paint or other coating that is peeling, chipping, chalking or cracking, or any paint or coating located on an interior or exterior surface or fixture that is otherwise damaged or separated from the substrate.

Environmental Intervention Blood Lead Level (EIBLL) means a confirmed concentration of lead in whole blood equal to or greater than 20 ug/dL (micrograms of lead per deciliter) for a single test or 15 to 19 ug/dL in two tests taken at least 3 months apart.

Hazard Reduction means measures designed to reduce or eliminate human exposure to lead-based paint hazards through methods including interim controls or abatement or a combination of the two.

Interim Controls means a set of measures designed to reduce temporarily human exposure or likely exposure to lead-based paint hazards. Interim controls include, but are not limited to, repairs, painting, temporary containment, specialized cleaning, clearance, ongoing lead-based paint maintenance activities, and the establishment and operation of management and resident education programs.

Paint Stabilization means repairing any physical defect in the substrate of a painted surface that is causing paint deterioration, removing loose paint and other material from the surface to be treated, and applying new protective coating or paint.

Risk Assessment means: (1) An on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards; and (2) The provision of a report by the individual or firm conducting the risk assessment explaining the results of the investigation and options for reducing lead-based paint hazards.

Visual Assessment means looking for, as applicable: (1) Deteriorated paint; (2) Visible surface dust, debris, and residue as part of a risk assessment or clearance examination; or (3) The completion or failure of a hazard reduction measure.

Chapter 11

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS
[24 CFR 982. 503, 982. 507, 982. 505]

INTRODUCTION

It is the HA's responsibility to ensure that the rents charged by owners are reasonable based upon objective comparables in the rental market. The HA will not approve the lease or execute a payments contract until it has determined that the unit meets the minimum HQS and that the rent is reasonable. The HA will determine rent reasonableness at initial lease-up, before any increases in rent to owner and at other times as described in this section. The HA will provide the owner with information concerning rent adjustments in the Housing Choice Voucher Program.

This Chapter explains the HA's procedures for determination of rent-reasonableness, payments to owners, adjustments to the Payment Standards, and rent adjustments.

A. OWNER PAYMENT IN THE VOUCHER PROGRAM [24 CFR 982. 503]

The maximum subsidy for each family is determined by the Payment Standard for the Voucher size issued to the family, less 30% of the family's Monthly Adjusted Income. The actual subsidy level could be less if the family is required to pay the Minimum Total Tenant Payment (10% of the family's Monthly Income).

The Voucher size issued to the family is based on the HA's Subsidy Standards. The Payment Standard for the family is based on the lesser of the Payment Standard for the Voucher size issued and the Payment Standard for the unit selected.

The Housing Assistance Payment to the owner is the lesser of the subsidy described above or the rent charged by the owner.

Subsidy Calculation

Under the Housing Choice Voucher Program, the HAP subsidy is the *lower* of:

- the Payment Standard minus the Total Tenant Payment,
- the gross rent (rent to the owner plus utility allowance) minus the Total Tenant Payment

Total Tenant Payment is the highest of:

- thirty (30) percent of the monthly adjusted income
- ten (10) percent of monthly gross income
- welfare rent (in as-paid states) or
- the HA minimum rent (see Chapter 6).

A family renting a unit above the Payment Standard also pays the highest of the amounts above, plus the amount by which the gross rent for the unit exceeds the Payment Standard.

An example of the subsidy calculation follows:

EXAMPLE #1
Subsidy Calculation

Gross Rent is lower than Payment Standard

$575	Payment Standard
-150	TTP
$425	Maximum Subsidy
$570	Gross Rent
-150	TTP
$420	HAP Subsidy

B. MAKING PAYMENTS TO OWNERS [24 CFR 982.451]

Once the HAP Contract is executed, the HA begins processing payments to the landlord. The effective date and the amount of the HA payment is communicated **in writing to the family and owner.** A HAP Register will be used as a basis for monitoring the accuracy and timeliness of payments. Changes are made **automatically** to the HAP Register for the following month. Checks are disbursed by **Accounting** to the owner each month.

Checks may not be picked up by owner at the HA without prior approval from the Director.

Checks will only be disbursed on the first of the month and at mid-month. **Exceptions may be made with the approval of the Director in cases of hardship**.

Checks that are not received will not be replaced until a written request has been received from the payee and a stop payment has been put on the check. Owners will be advised there is a $10 processing fee for reissuance of a HAP check.

C. RENT REASONABLENESS DETERMINATIONS [24 CFR 982.507]

The HA will not approve a lease until the HA determines that the initial rent to owner is a reasonable rent. The HA must redetermine the reasonable rent before any increase in the rent to owner, and if there is a five percent decrease in the published FMR in effect 60 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 HA must redetermine rent reasonableness if directed by HUD and based on a need identified by the HA's auditing system, the HA may elect to redetermine 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 redetermined by the HA.

For the Voucher Programs, the HA 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.

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 HA information on rents charged by the owner for other units in the premises or elsewhere. ~~**The HA will only request information on the owner's units elsewhere if the HA has cause to demonstrate that the owner has a tendency to charge higher rents to Program participants or if needed for rent reasonableness comparables.**~~

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The data for other unassisted units will be gathered from **owners, newspapers, realtors, professional associations, inquiries of owners, market surveys, and other available sources**.

The market areas for rent reasonableness are **subdivisions, census tracts and neighborhoods** within the HA's jurisdiction. Subject units within a defined housing market area will be compared to similar units within the same area.

The following items will 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
- Utilities
- ~~Maintenance~~

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The HA maintains **a 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 ***12*** **months** old.

At least 3 comparable units will be used for each rent determination. All comparables must be based on the rent that the unit would command if leased in the current market. Leased in the current market means that the unit has been leased within the last 12 months.

MAKING AND DOCUMENTING THE RENT REASONABLENESS DETERMINATION

The rent reasonableness certification form is a side-by-side comparison of the proposed unit against three open market rental units. Each of the four units (the unit for which an RFTA was submitted as well as three other open market units) will be described in terms of the 7 comparability factors noted above. While not all factors will be identical they should be sufficiently similar to demonstrate they are comparable units.

In most rent reasonableness determinations it is possible to obtain open market comparable data for three units. However when comparables are insufficient to meet the "three open market comparables" rule, the HA will exercise one of the following methods for making the rent reasonableness determination, ***and will document why an alternate method of documenting rent reasonableness was needed.*** It is very important that the file is well documented in these instances. Alternate methods include:

- Owner will be asked to supply additional rental amounts for comparable unassisted units.
- Should there be no comparable units in a particular area due to the bedroom-size of the proposed unit being larger than those in the surrounding area, we are setting a suggested multiplier of 15% per bedroom size to estimate the rental value of the larger-size bedroom unit.
- Some housing authorities require that their open market comparables be restricted to units that are within a one-mile radius of the unit whose rent is being negotiated. While FHA does not require this one-mile radius limit, it is appropriate to look at areas in an ever widening circumference until comparable units are located. When using a different census tract to determine rent reasonableness, the documentation of rent reasonableness must explain why comparables from outside areas had to be used and why these other areas are considered comparable to the proposed unit.

MODIFIED 09-01-06

D. PAYMENT STANDARDS FOR THE VOUCHER PROGRAM

[24 CFR 982. 503]

Basic Range. PHA's must establish Payment Standard(s) in the basic range–between 90 percent and 110 percent of the HUD-published FMR. PHA's must immediately update Payment Standards when new FMR's are published if not within basic range. Previously approved area exception rents that are higher than the basic range continue to apply. ~~Effective May 1, 2004 the HA set the Payment Standards at 105% of the recently published FMRs.~~ Effective ~~September 1, 2004~~ April 1, 2006 the HA is setting the Payment Standards at ~~100%~~ 93% of the FY ~~2004~~ 2006 FMRs.

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Manufactured Home Space Payment Standard. The Payment Standard for a manufactured home space is to 40 % of the published FMR for a 2-bedroom unit.

Exception Payment Standard

PHA-approved exception. The PHA may establish a higher Payment Standard for reasonable accommodation for disabled families within the basic range.

HUD-approved Payment Standard. With HUD approval, a PHA may establish payment standards below 90% or above 110% of the FMR.

Exception Payment Standards exceeding 120% of the FMR will only be approved for the total area of a PHA jurisdiction or place.

Justification for Payment Standard exceptions above 120% must demonstrate that the approval is:

- needed to prevent financial hardship for families
- supported by a program justification
- justified by rental survey results.

PHA's may request HUD approval up to 120% as reasonable accommodation for a family with a disabled member.

Maximum Initial Rent Burden

Any new admission or any family who moves may not pay more than 40% of adjusted income toward the initial rent and utilities for the unit if the gross rent for the unit exceeds the applicable payment standard for the family. See Example 3.

EXAMPLE #3
Maximum Initial Rent Burden

Tenant Rent exceeds 40% of Adjusted Monthly Income

Family's monthly adjusted income	$600
TTP @ 30%	$180
40% adjusted income	$240
Payment Standard	$500
TTP	-180
Maximum subsidy	$320
Unit gross rent (above Payment Standard)	$575
Maximum subsidy	-320
Family Share	$255

PHA cannot approve unit because family would be required to pay more than 40% of its monthly adjusted income .

E. ADJUSTMENTS TO PAYMENT STANDARDS

The HA will review Payment Standards at least annually. A quarterly review will be done if any of the following occurs:

- 25% or more Voucher holders cannot locate housing within the term of the Voucher
- 40% or more of families of a particular unit size pay more than 30% of adjusted income as their family share
- based on a review of its rent reasonableness data base and vacancy rate data, there is an insufficient supply of vacant units below the Payment Standard in areas without minority concentration and/or poverty-impacted areas.

F. PAYMENT STANDARDS FOR A FAMILY

The payment standard is used to calculate the monthly housing assistance payment (HAP) for a family under the Housing Choice Voucher program. The HAP, or subsidy, is arrived at by taking the *lower* of:

- ♦ Payment standard minus the Total Tenant Payment (TTP) *or*
- ♦ Gross rent for the unit minus the TTP.

Under the housing choice voucher program, if the gross rent for the unit is lower than the payment standard, the family will pay the full TTP. If the gross rent or the unit is higher than the payment standard, the family will pay the TTP plus the amount by which the gross rent exceeds the payment standard.

If during the term of the HAP contract the owner *lowers* the rent for a unit, the HAP will be recalculated using the lower of the initial payment standard or the lower gross rent for the unit.

Payment Standard Amount for a Family

The payment standard amount for a family is the *lower* of:

- ♦ Payment standard amount for the family unit size, or
- ♦ Payment standard amount for the size of the unit leased by the family.

If the unit is located in an exception area, the HA must use the appropriate payment standard amount for the exception area.

The payment standard in place on the effective date of the HAP contract remains in place for the duration of the contract term unless the HA increases or decreases its payment standard.

When the Payment Standard Increases

If a payment standard is increased, the higher payment standard is first used in calculating the HAP at the time of the family's regular (annual) reexamination. Families requiring or requesting

interim reexaminations will *not* have their HAP payments calculated using the higher payment standard until their next annual reexamination.

When the Payment Standard Decreases

If the amount of the payment standard is decreased during the term of the HAP contract, the lower payment standard amount generally must be used to calculate the monthly housing assistance payment for the family beginning at the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard amount. The HA must determine the payment standard for the family as follows:

Step 1: At the first regular reexamination following the decrease in the payment standard amount, the HA will determine the payment standard using the decreased payment standard amount.

Step 2: (First reexamination payment standard amount). The HA will compare the payment standard amount from Step 1 to the payment standard amount last used to calculate the monthly housing assistance payment for the family. The payment standard amount used by the HA to calculate the monthly HAP at the first regular reexamination following the decrease in the payment standard amount is the higher of these two payment standard amounts. The HA will advise the family that the application of the lower payment standard amount will be deferred until the second regular reexamination following the effective date of the decrease in the payment standard amount.

Step 3: (Second reexamination payment standard Amount). At the second regular reexamination following the decrease in the payment standard amount, the lower payment standard amount will be used to calculate the monthly HAP for the family unless the HA has subsequently increased the payment standard amount. Current regulations do not give a HA discretion to set policy in this matter.

Change in the Family Unit Size

Irrespective of any increase or decrease in the payment standard amount, if the family unit size increases or decreases during the HAP contract term, the new family unit size must be used to determine the payment standard for the family beginning at the family's first regular reexamination following the change in family unit size.

HA Approval of Higher Payment Standard for the Family as a Reasonable Accommodation

If the family includes a person with disabilities and requires a higher payment standard for the family as a reasonable accommodation for such person, the HA may establish a higher payment standard for the family within the basic range.

G. RENT ADJUSTMENTS [24 CFR 982.519 and 982.308 (g)]

The HA will notify owners at the initial inspection of their right to request a rent adjustment **60 calendar** days in advance of the anniversary date dependent upon funding availability.

Owners may not request rent adjustments in the voucher program to be effective prior to the expiration of the initial term of the lease. Rent adjustments are effective:

> **With a sixty-day notice to the family and a copy to the HA.** The HA will advise the family as to whether the rent is reasonable and shall approve or disapprove the rent increase.

The approval or disapproval decision regarding the adjustment will be based on a HUD-required rent reasonableness determination. The adjustment may be an increase or a decrease based on this determination.

Owners must request the rent increase in writing **on the form provided by the HA.** Any increase will be effective the later of (1) the anniversary date of the Contract, or (2) at least 60 das after the owner's request is received. To be honored, requests must be received at least 60 days prior to the next anniversary date.

The change in rent does not affect the automatic renewal of the lease and does not require a new lease or contract or even an executed amendment. A notice of rent change will be sent to the owner and the family.

Special Adjustments [24 CFR 982. 520]

An owner may request a special adjustment based on substantial and general increases in real property taxes, special government assessments, or costs of utilities. The rent requested must be found to be reasonable and must be approved by HUD.

When Owner's Request for Adjustment Exceeds HA's Rent Reasonableness Determination

If the HA is not able to accept the amount of the owner's proposed increase because it exceeds the HA's rent reasonableness determination for a comparable unassisted unit, **the HA will contact the owner to negotiate the rent. When deemed necessary by the HA, there will be an inspection of the unit for the purpose of determining rent reasonableness. Once the amount has been negotiated, a notice of rent change will be sent to the owner and the family.**

If, during the negotiation process, the HA and the owner cannot reach an agreement on the rent adjustment, the HA will send a letter to the owner and family denying the request for rent adjustment. The letter will:

- **notify owner and family that the request for adjustment was denied;**
- **instruct the family that no change is being made to their rent portion;**
- **advise the family that if the owner serves them with a written vacate notice, they are to provide a copy to the HA;**

- **and in order to keep their assistance they will need to contact our office about starting the transfer process right away.**

Chapter 12

RECERTIFICATIONS
[24 CFR 982.516]

INTRODUCTION

In accordance with HUD requirements, the HA 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 regulation. It is a HUD requirement that families report all changes in household composition. This Chapter defines the HA'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.

A. ANNUAL ACTIVITIES [24 CFR 982.516, 982.405]

There are two activities the HA must conduct on an annual basis. **These activities will be coordinated whenever possible:**

1. Recertification of Income and Family Composition

2. HQS Inspection

The HA produces a monthly listing of units under contract to ensure that timely reviews of contract rent, housing quality, and factors related to Total Tenant Payment can be made. Requests for rent adjustments and other monetary changes will be transmitted to the **Housing Choice Voucher Department.**

Reexamination of the family's income and composition must be conducted at least annually.

Annual inspections: See Chapter 10, "Housing Quality Standards and Inspections."

Rent Adjustments: See Chapter 11, "Owner Rents, Rent Reasonableness and Payment Standards."

B. ANNUAL RECERTIFICATION/REEXAMINATION [24 CFR 982.516]

Families are required to be recertified at least annually. At the first interim or annual certification on or after June 19, 1995, family members must report and verify their U.S. citizenship/eligible immigrant status.

When families move to another dwelling unit:

An annual recertification will be scheduled if a recertification is due within 120 calendar days . The anniversary date for recertification will not be changed.

The anniversary date for the recertification will not be changed but the new anniversary date will apply to inspection and owner rent adjustment.

Reexamination Notice to the Family

The HA will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview up to **120 calendar days** in advance of the anniversary date. If requested as an accommodation by a person with a disability, the HA will provide the notice in an accessible format. The HA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

~~Procedure~~

The HA's ~~procedure~~ method for conducting annual recertifications ~~will~~ may be by mail or face-to-face:

MODIFIED 09-01-06

Provide the family with a Personal Declaration packet.

Schedule the date and time of appointments and mail a notification to the family (face-to-face interviews only).

MODIFIED 09-01-06

Completion of Annual Recertification

The HA will have all recertifications for families completed before the anniversary date. This includes notifying the family of any changes in rent at least 30 days before the scheduled date of the change in family rent.

Persons with Disabilities

Persons with disabilities who are unable to come to the HA's office will be granted an accommodation by conducting the interview **at the person's home, or by mail or phone** upon verification that the accommodation requested meets the need presented by the disability.

MODIFIED 09-01-06

Conduction of Face-to-Face Interviews

MODIFIED 09-01-06

- **Collection of Information**

The HA will allow the family to complete the recertification packet.

The HA representative will interview the family and enter the information provided by the family on the recertification packet, review the information with the family and have them sign the form.

The HA will require the family to complete a Personal Declaration Form prior to all recertification interviews.

- **Requirements to Attend**

The following family members may be required to attend the recertification interview:

The head of household and spouse or co-head

If the head of household is unable to attend the interview:

The spouse, co-head, or any adult may recertify for the family.

- **Failure to Respond to Notification to Recertify**

The written notification must state which family members are required to attend the interview. The family may call to request another appointment date up to **one** day prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the HA**,** the HA **will** reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the HA will:

Send family notice of termination and offer them an informal hearing

Exceptions to these policies may be made by a supervisor if the family is able to document an emergency situation that prevented them from canceling or attending the appointment or if requested as a reasonable accommodation for a person with a disability.

Documents Required From the Family

In the notification letter to the family, the HA will include instructions for the family to bring the following:

Documentation of income for all family members
Documentation of all assets
Documentation of any deductions/allowances
Personal Declaration Form completed by head of household
Immigration cards

Verification of Information

The HA will follow the verification procedures and guidelines described in this Plan.
~~Verifications for reexaminations must be less than **120 calendar days old**.~~

Tenant Rent Increase

If tenant rent increases, a thirty day notice is mailed to the family. The effective date of the change will be on the anniversary date. However, if less than thirty days are remaining before the anniversary date, the tenant rent increase will be effective on the first of the month following the 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 reexamination processing, there will be a retroactive increase in rent to the anniversary date.

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 reexamination is not complete by the anniversary date, rent change will be effective on the first day of the month following completion of the reexamination processing by the HA.

C. REPORTING INTERIM CHANGES [24 CFR 982.516]

Program participants must report all changes in household composition to the HA between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain HA 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 HA will conduct a reexamination 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 at the first interim or regular recertification after moving into the unit.

Increases in Income

Families will report increase in income, but the HA has temporarily eliminated conducting interim reexaminations, with the following exceptions:

- FSS participants who report an increases of income since this may positively impact their escrow account;
- Anyone who might qualify for the Earned Income Disallowance
- When a client requests an interim adjustment to report newly acquired higher income, which is needed to afford their new unit.

MODIFIED 09/01/06

Decreases in Income

Participants may report a decrease in income and other changes which would reduce the amount of tenant rent, such as an increase in allowances or deductions. The HA must calculate the change if a decrease in income is reported.

HA Errors

If the HA makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination 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.

Other Interim Reporting Issues

An interim reexamination does not affect the date of the annual recertification.

An interim reexamination will be scheduled for families with **unstable** income every **120 calendar days**.

In the following circumstances, the HA may conduct the interim recertification by mail:

> **Changes that will not result in a change in tenant rent or voucher size.**
>
> **Changes in income that are normal for the family, such as seasonal employment.**
>
> **As a reasonable accommodation when requested. (See Chapter 1, "Statement of Policies and Objectives")**

Any changes reported by participants other than those listed in this section **will be notated in the file by the staff person but** will not be processed between regularly-scheduled annual re-certifications.

D. NOTIFICATION OF RESULTS OF RECERTIFICATIONS [24 CFR 908.101]

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. Signatures ***are not*** required by the HA. If the family disagrees with the rent adjustment, they may request an informal hearing.

E. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS [24 CFR 5.615]

INSTRUCTION*: The QHWRA established new requirements for the treatment of income changes resulting from welfare program requirements. However, before implementation of the new requirements, the HA must revise operating procedure to effectuate these provisions.*

The PHA will not reduce the family share of rent for families whose welfare assistance is reduced due to a "specified welfare benefit reduction", which is a reduction in benefits by the welfare agency specifically because of:

1) Fraud in connection with the welfare program; or

2) Noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

However, the PHA will reduce the rent if the welfare assistance reduction is a result of:

A) The expiration of a lifetime time limit on receiving benefits; or

B) A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, or

C) A situation where a family member has not complied with other welfare agency requirements.

Definition of Covered Family

A household that receives benefits for welfare or public assistance from a State or public agency program which requires, as a condition of eligibility to receive assistance, the participation of a family member in an economic self-sufficiency program.

F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)

[24 CFR 982.516(c)]

Standard for Timely Reporting of Changes

The HA requires that families report interim changes to the HA within **10 calendar days** of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided must be provided within **60 calendar days** of the change.

An exception will be made for TANF recipients who obtain employment. In such cases, families will have to report within 90 calendar days of receipt of the Notice of Action from TANF that shows the full adjustment for employment income.

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 HA 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 that month in which the change is documented through third-party verification. **No rent reductions will be processed until all the facts have been verified.**

The change may be implemented based on documentation provided by the family, pending third-party written verification.

Procedures When the Change is Not Reported by the Tenant 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 reexamination 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 the month that the change was reported.

Procedures When the Change is Not Processed by the HA 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 HA 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 HA.

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.

G. REPORTING OF CHANGES IN FAMILY COMPOSITION [24 CFR 982.516(c)]

All changes in family composition must be reported within **10 days** of the occurrence.

Increases in Family Size

The HA will only approve an addition to the family composition resulting from birth, adoption, court-awarded custody, marriage/marital type relation, or a minor who is a member of the nuclear family who has been living elsewhere. All persons must meet the eligibility requirements for admission.

The HA will issue a larger Voucher, under the subsidy standards for additions to the family.

The HA may grant an exception in extreme hardship cases.

Families who need a larger Voucher because of voluntary additions, will have lower priority on of the Transfer List than other families who are required to change unit size.

H. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.518 and 5.516]

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members. Mixed families may receive prorated assistance only.

Chapter 13

MOVES WITH CONTINUED ASSISTANCE AND PORTABILITY

[24 CFR 982.314; 982.353 (b); 982.355]

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the HA's jurisdiction, or to a unit outside of the HA's jurisdiction under Portability procedures. The regulations also allow the HA 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 HA's jurisdiction, and the policies for restriction and limitations on moves.

A. ALLOWABLE MOVES

A family may move to a new unit if:

1. The assisted lease for the old unit has terminated because the HA has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.

2. 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).

3. The family has given proper notice of lease termination (if the family has a right to terminate the lease on notice to owner) for owner breach or otherwise.

4. The family has given proper notice of lease termination, and the move is needed to protect a victim who is covered under the Violence Against Women Act of 2005, subject to the victim providing the necessary documentation required of victims of this Act, as described in the Verification chapter of this Plan."

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B. RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552; 982.54 (d) (19)]

Families will not be permitted to move until they have been under contract at least a year according to the effective date of their HAP contract.

Families will not be permitted to move outside the HA's jurisdiction under portability procedures during the initial year of assisted occupancy without supervisor approval.

An example of such an exception would be where the family obtains new employment outside the HA jurisdiction which was secured AFTER issuance of the voucher.

The supervisor may make exceptions to these restrictions if there is an emergency reason for the move over which the participant has no control.

The HA will deny permission to move if there is insufficient funding for continued assistance.

The HA **will** deny permission to move if:

The family has violated a Family Obligation.
The family owes the HA money.

A family requesting to move must:

- have a current recertification and
- a current inspection (provided there is no breach of HQS by the family, which has not been corrected

An applicant/voucher holder, who was living in another jurisdiction at the times/he made an application in Fresno County for assistance, will not be permitted to take the voucher and lease up in another city. The voucher holder may only lease up within the jurisdiction of the Fresno Housing Authority and is not permitted to move outside FHA's jurisdiction during the initial lease term.

C. PROCEDURE FOR MOVES [24 CFR 982.314]

Issuance of Voucher

If the family has not been recertified within the last **120 calendar days**, the HA will issue the Voucher to move **after conducting the recertification/as soon as the family requests the move**.

If the family does not locate a new unit, they may remain in the current unit so long as the owner and family submit a rescinding letter.

Notice Requirements

Briefing sessions emphasize the family's responsibility to give the owner and the HA proper written notice of any intent to move.

The family must give the owner the required number of days written notice of intent to vacate specified in the lease and must give a copy to the HA simultaneously.

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 30 day notice. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves.

D. PORTABILITY [24 CFR 982.353]

Portability applies to families moving out of or into the HA's jurisdiction within the United States and its territories. Under portability, families are eligible to receive assistance to lease a unit outside of the initial HA's jurisdiction. The unit may be located:

Anywhere in the USA in the jurisdiction of a PHA with tenant-based assistance.

E. OUTGOING PORTABILITY [24 CFR 982.353, 982.355]

When a family requests to move to outside of the HA's jurisdiction, the request must specify the area to which the family wants to move.

The family must supply the name, address, phone number and portability contact name for the housing authority which has jurisdiction in the area where they want to move.

If there is more than one HA in the area in which the family has selected a unit, the client will choose the receiving HA.

Families may move to any area where the local housing agency administers a voucher program.

Restrictions on Portability

1. If the family is in violation of a family obligation.
2. If the family owes money to the HA.
3. ~~*We will not approve a family's move outside our jurisdiction, unless the RPHA is willing to absorb the family;* **or if the payment standard of the RPHA is equal to or less than our own payment standard.** In April 2004, the HA requested that HUD release us from the requirement to allow families to exercise portability due to funding shortfalls and we have not received a response. Given our financial circumstances we are interpreting the non-response to mean HUD is not opposed to the HA taking measures to restrict portability.~~

   A program participant who wishes to take their voucher and move to a higher cost area will be allowed to do so regardless of whether or not the receiving HA will absorb the family. The only exception would be if the HA had insufficient funding to serve our currently assisted families for the remainder of the calendar year.

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Residency [CFR 982.353 (c)]

- If neither the head of household nor the spouse of an assisted family already had a "domicile" (legal residence) in the jurisdiction of the initial PHA at the time the family first submitted an application for assistance with the initial PHA, the following applies during the 12-month period from the time the family is admitted to the program (effective date of first HAP contract):
  - The family may lease a unit anywhere in the initial PHA's jurisdiction;
  - The family does not have a right to portability;
  - The initial PHA may choose to allow portability during this period.

Responsibility of the Initial PHA [24 CFR 982.355]

- Advise the family how to contact and request assistance from the receiving PHA.

- Advise the family that they must promptly contact the receiving PHA and comply with receiving PHA's procedures for incoming portable families.
- Promptly notify the receiving PHA to expect the family.

- If the family has not yet been admitted to the program, determine whether a family is income eligible in the area where the family wants to lease a unit.

- Send to the receiving PHA the following documents:

  1. The current HUD-50058
  2. Copies of the income verification for the current HUD-50058
  3. Copies of the citizen/eligible immigrant verification
  4. A copy of the family's voucher
  5. The Portability Form, HUD-52665, with Part I completed
  6. Family Self-Sufficiency information if the family is participating in FSS

- Pay the receiving PHA 80% of the initial PHA's ongoing administrative fee.

- Reimburse the receiving PHA for the HAP payment made in behalf of the family.

- Make payment to the receiving PHA per the Portability Billing Form.

Responsibilities of the Receiving PHA [24 CFR 982.355]

- The receiving PHA does not redetermine eligibility for a portable family that was already receiving assistance in the initial PHA tenant-based program.

- Must provide assistance when a family has a right to lease up under portability.

- The receiving PHA's selection preferences do not apply.

- The receiving PHA's waiting list is not used.

- The receiving PHA may opt to screen using the receiving PHA's screening criteria only if the family is not a current participant.

- Must promptly notify the initial PHA whether it will bill the initial PHA for assistance or absorb the family.

- The receiving PHA must issue a voucher to the family.

- The voucher cannot expire before any expiration date of any initial PHA voucher. The receiving PHA decides whether to extend or suspend.

- The family must submit a request for approval of tenancy to the receiving PHA during the term of the receiving PHA voucher.

- Promptly inform the initial PHA if absorbing.

- Determine the family unit size based on the subsidy standards of the receiving PHA.

- Promptly notify the initial PHA if the family fails to submit a request for tenancy approval within the term of the voucher.

- Promptly notify the initial PHA if the family has leased an eligible unit under the program..
- To provide tenant-based assistance for portable families, the receiving PHA must perform all PHA program functions such as reexaminations of family income and composition.

- At any time the initial PHA or the receiving PHA may make a determination to deny or terminate assistance to the family in accordance with program regulations.

- The receiving PHA may deny or terminate assistance for action or inaction of the family.

- If a HAP contact is executed, the receiving PHA must:

  - Bill the initial PHA within six months from the date the initial PHA issued the voucher.
  - Send to the initial PHA the following documents:
    1. The Portability Form, HUD-52665, with the applicable sections of Part II-B completed.
    2. A current HUD-50058 if item 3 or 4 are comleted on Part II-B of the Portability Billing Form.
    3. Supply the name of HA staff designated for inquiries on eligibility and billing.
    4. The Administrative Fee schedule for billing purposes.
    5. The receiving PHA tax ID number.

Payment to the Receiving HA

The HA will requisition funds from HUD based on the anticipated lease-ups of portable Vouchers in other HA's jurisdictions. Payments for families in other jurisdictions will be made to other HAs when billed or in accordance with other HUD approved procedures for payment.

When billed, the HA will reimburse the Receiving HA for 100% of the Housing Assistance Payment, 100% of the Special Claims paid on HAP contracts effective prior to 10/2/95, and 80% of the Administrative Fee (at the initial HA's rate).

Claims

The HA will be responsible for collecting amounts owed by the family for claims paid and for monitoring the repayment. The HA will notify the Receiving HA if the family is in arrears or if the family has refused to sign a Payment Agreement, and the Receiving HA will be asked to terminate assistance to the family as allowed by this Administrative Plan.

Receiving HA's will be required to submit hearing determinations to the HA within **60 calendar** days.

F. INCOMING PORTABILITY [24 CFR 982.355]

Absorption or Administration

See Section E for Responsibilities of the Receiving PHA.

The HA will absorb all port-in families provided that there is funding available.

When the HA does not absorb the incoming Voucher, it will administer the Initial HA's Voucher and the HA's policies will prevail.

Income and TTP of Incoming Portables

As receiving HA, the HA will conduct a recertification interview but only verify the information provided if the documents are missing or are over 120 calendar days old, whichever is applicable, or there has been a change in the family's circumstances.

If the family's income exceeds the income limit of the HA, the family will not be denied assistance unless the family is an applicant and over the Very-Low Income Limit.

If the family's income is such that a $0 subsidy amount is determined prior to lease-up in the HA's jurisdiction, the HA will refuse to enter into a contract on behalf of the family at $0 assistance.

Requests for Tenancy Approval

A briefing will be mandatory for all portability families.

When the Family submits a Request for Tenancy Approval, it will be processed using the HA's policies. If the Family does not submit a Request for Tenancy Approval or does not execute a lease, the Initial HA will be notified within **60 calendar days** by the receiving HA.

If the Family leases up successfully, the HA will notify the Initial HA within **60 calendar days**, and the billing process will commence.

If the HA denies assistance to the family, the HA will notify the Initial HA within **60 calendar days** and the family will be offered a review or hearing.

The HA will notify the Family of its responsibility to contact the Initial HA if the Family wishes to move outside the HA's jurisdiction under continued portability.

Terminations

The HA will notify the Initial HA in writing of any termination of assistance within **60 calendar days** of the termination. If an Informal Hearing is required and requested by the Family, the hearing will be conducted by the HA, using the regular hearing procedures included in this Plan. A copy of the hearing decision will be furnished to the Initial HA.

The Initial HA will be responsible for collecting amounts owed by the Family for claims paid and for monitoring repayment. If the Initial HA notifies the HA that the Family is in arrears or the Family has refused to sign a Payment Agreement, the HA will terminate assistance to the family.

Billing Procedures

As Receiving HA, the HA will bill the Initial HA **monthly** for Housing Assistance Payments. The billing cycle for other amounts, including Administrative Fees and Special Claims will be **monthly** unless requested otherwise by the Initial HA.

The HA will bill 100% of the Housing Assistance Payment, 100% of Special Claims and 80% of the Administrative Fee (at the Initial HA's rate) for each "Portability" Voucher leased as of the first day of the month.

The HA will notify the Initial HA of changes in subsidy amounts and will expect the Initial HA to notify the HA of changes in the Administrative Fee amount to be billed.
The receiving HA will complete RX and send 52665 and 50058 to initial HA <u>before</u> RX due date of initial HA.

Chapter 14

CONTRACT TERMINATIONS

INTRODUCTION

The Housing Assistance Payments (HAP) Contract is the contract between the owner and the HA which defines the responsibilities of both parties. This Chapter describes the circumstances under which the contract can be terminated by the HA 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 HA may be terminated by the HA, or by the owner or tenant terminating the lease.

No future subsidy payments on behalf of the family will be made by the HA to the owner after the month in which the Contract is terminated. The owner must reimburse the HA for any subsidies paid by the HA for any period after the contract termination date.

If the family continues to occupy the unit after the HAP contract is terminated, the family is responsible for the total amount of rent due to the owner.
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: MOVES [24 CFR 982.309, 982.314]

The family may terminate tenancy in accordance with the lease and tenancy addendum.

If the family terminates the lease on notice to the owner, the family must give the PHA a copy of the notice of termination at the same time. Failure to do this is a breach of family obligations under the program. The family must notify the PHA and the owner before the family moves out of the unit. Failure to do so is a breach of family obligations under the program.

C. TERMINATION OF TENANCY BY THE OWNER: EVICTIONS [24 CFR 982.310,]

If the owner wishes to terminate the lease, the owner is required to serve written notice and state grounds, using the notice procedures in the HUD regulations and State/local law. The owner must provide the HA with a copy of the notice to terminate tenancy.

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 initial term of the lease the owner may only evict for:

1. Serious or repeated violations of the lease;

2. Violations of federal, state or local law related to occupancy of the unit;

3. 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.

4. Any drug-related criminal activity on or near the premises.

5. **Tenant history of disturbance of neighbors, destruction of property, or behavior resulting in damage to the premises**.

After the initial term of the lease the owner may evict for other good cause. This 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.

If the lease is for successive definite terms, after the initial term, the owner can terminate tenancy at the end of the initial term or any successive term without cause.

The eviction notice must specify the cause for the eviction.

The HA requires that the owner specify the section of the lease that has been violated and cite some or all of the ways in which the tenant has violated that section as documentation for the HA termination of assistance.

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 HA 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.

The HA will continue housing assistance payments until the family moves or is evicted from the unit.

If the action is finalized in court, the owner must provide the HA with the documentation, including notice of the lock-out date.

The HA must continue making housing assistance payments to the owner in accordance with the Contract as long as the tenant continues to occupy the unit and the Contract is not violated. By endorsing the monthly check from the HA, the owner certifies that the tenant is still in the unit, the rent is reasonable and s/he is in compliance with the contract.

If an eviction is not due to a serious or repeated violation of the lease, and if the HA has no other grounds for termination of assistance, the HA may issue a new certificate or voucher so that the family can move with continued assistance.

D. TERMINATION OF THE CONTRACT BY HA [24 CFR 982.309 (b), 982.403 (a), 982.404(a), 982.453, 982.454, 982.455, 982.552(a)(3)]

The term of the HAP contract terminates when the lease terminates, when the HA terminates program assistance for the family, and when the owner has breached the HAP contract.
(See Chapter 16/Disapproval of Owner)

The HA may also terminate the contract if:

- The family is required to move from a unit because of a violation of HQS space standards.

- Funding is no longer available under the ACC.

The contract will terminate automatically if 180 days have passed since the last housing assistance payment to the owner.

Notice of Termination

The HA will provide the owner and family with at least thirty days written notice of termination of the contract.

E. TERMINATIONS DUE TO RESTRICTIONS ON ASSISTANCE TO NONCITIZENS [24 CFR 5.514]

A tenant's assistance will be terminated upon the following events:

27) Evidence of citizenship (i.e., the declaration) and eligible immigrations status is not submitted
    a) at initial occupancy, or
    b) for new occupants of assisted units (i.e., a new family member comes to live in the assisted unit), at the first interim or regular reexamination following the person's occupancy.
        1) Evidence of citizenship and eligible immigration status is timely submitted, but INS primary and secondary verification does not verify eligible immigration status of a family member; and
    c) the family does not pursue INS appeal or information hearing rights as provided in this section; or
    d) INS appeal and information hearing rights are pursued, but the final appeal or hearing decisions are decided against the family member; or
    e) the responsible entity determines that a family member has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the assisted housing unit of the family member. Such termination shall be for a period of not less than 24 months. This provision does not apply to a family if the ineligibility of the ineligible individual was considered in calculating any proration of assistance provided for the family.

Chapter 15

DENIAL OR TERMINATION OF ASSISTANCE

INTRODUCTION

The HA may deny or terminate assistance for a family because of the family's action or failure to act. The HA will provide families with a written description of the Family Obligations under the program, the grounds under which the HA can deny or terminate assistance, and the HA's informal hearing procedures. This Chapter describes when the HA is required to deny or terminate assistance, and the HA's policies for the denial of a new commitment of assistance and the grounds for termination of assistance under an outstanding HAP contract.

A. TYPES OF DENIAL/TERMINATION [24 CFR 982.552, 982.553]

If denial or termination is based upon behavior resulting from a disability, the HA will delay the denial or termination in order to determine if there is an accommodation which would negate the behavior resulting from the disability.

Form of Denial/Termination

Denial of assistance for an applicant may include any or all of the following:

1. Denial for placement on the HA waiting list
2. Denying or withdrawing a voucher
3. Refusing to enter into a HAP contract or approve a lease

4. Refusing to process or provide assistance under portability procedures

Termination of assistance for a participant may include any or all of the following:

1. Refusing to enter into a HAP contract or approve a lease

2. Terminating housing assistance payments under an outstanding HAP contract

3. Refusing to process or provide assistance under portability procedures

Mandatory Denial and Termination [24 CFR 982.552(b), 982.553]

The HA must deny assistance to applicants, and terminate assistance for participants:

1. If any member of the family fails to sign and submit HUD or HA required consent forms for obtaining information.

2. If no member of the family is a U.S. citizen or eligible immigrant.(See Chapter 14, Section E)

3. If the family is under contract and 180 days have elapsed since the HA's last housing assistance payment was made.

4. If any member of the family is convicted of manufacturing or producing methamphetamine.

5. [For denial only] If any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

6. [For termination] If a family member does not establish citizenship or eligible immigration status. (The HA must terminate based on noncitizen Rule Regulations and applicable informal hearing procedures).

7. If a student, applying for or participating in the HCV program separately from his parents, is a student enrolled at an institution of higher education AND is under the age of 24, not a veteran, unmarried, and does not have any dependent children, the student will be denied (if an applicant) or terminated (if a current HCV participant) and his income separately or his parent's joint income do not meet the income requirements for admission to the HCV program.

MODIFIED 06-08-06

See also "Ineligibility if Evicted for Drug-Related Activity" on page 15-9 and "Screening Out Illegal Drug Users and Alcohol Abuse" on page 15-10.

B. GROUNDS FOR CANCELLATION FROM THE WAIT LIST

The HA will cancel the application when the applicant does not respond to the HA's request for information or updates, or when the application expires, whichever occurs first.

Applicants may be reinstated after the HA has conducted a review of the case.

C. GROUNDS FOR DENIAL OR TERMINATION OF ASSISTANCE [24 CFR 982.552 (c); 982.553]

The HA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following reasons:

1. The family violates any family obligation under the program as listed in 24 CFR 982.551.

2. Any member of the family has ever been evicted from public housing in the last five years.

3. The family currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.

4. The family has not reimbursed any HA 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.

5. The family breaches an agreement with an HA to pay amounts owed to an HA, or amounts paid to an owner by an HA.

6. The family has engaged in or threatened abusive or violent behavior toward HA personnel.

"Abusive or violent behavior towards HA personnel" 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 an intent to abuse or commit violence.

Actual physical abuse or violence will always be cause for termination.

7. Any member of the family whose drug or alcohol abuse interferes with health, safety or peaceful enjoyment of other residents.

8. Crime by family member, such as:

   - Fraud, bribery or other corrupt or criminal act in federal housing program

   - Drug-related criminal activity (as defined in law)

   - Violent criminal activity (as defined by rule) Criminal use of physical force against person or property

HA must find elements of covered crime by civil standards and with a preponderance of evidence. HA is not required to show crime beyond reasonable doubt.

Family Self-Sufficiency (FSS) [24 CFR 982.552 (c)]

Failure to fulfill the obligations and conditions of the FSS contract is grounds for termination of assistance.

The HA may terminate assistance for FSS families who fail to comply with the FSS Contract of Participation without good cause.

If a Welfare-to-Work family fails, willfully and persistently to fulfill its obligations under the welfare to work voucher program, the HA may terminate assistance.

MODIFIED 09-01-06

Housing Authority Discretion

In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the HA has discretion to consider all of the circumstances in each case, including the seriousness of the case. The HA will use its discretion in reviewing, the extent of participation or culpability of individual family members, the length of time since the violation occurred. The HA may also review the family's more recent history and record of compliance, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure to act.

The HA 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 will not reside in the unit. The HA may permit the other members of a family to continue in the program.

D. FAMILY OBLIGATIONS [24 CFR 982.551]

1. The family must supply any information that the HA 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 part 812). "Information" includes any requested certification, release or other documentation.

2. The family must supply any information requested by the HA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.

3. The family must disclose and verify Social Security Numbers (as provided by 24 CFR part 750) and must sign and submit consent forms for obtaining information in accordance with 24 CFR part 760 and 24 CFR part 813.

4. All information supplied by the family must be true and complete.

5. The family is responsible for an HQS breach caused by the family as described in 982.404(b).

6. The family must allow the HA to inspect the unit at reasonable times and after reasonable notice.

7. The family may not commit any serious or repeated violation s of the lease.

8. The family must notify the owner and, at the same time, notify the HA before the family moves out of the unit or terminates the lease upon notice to the owner.

9. The family must promptly give the HA a copy of any owner eviction notice.

10. The family must use the assisted unit for residence by the family. The unit must be the family's only residence.

11. The composition of the assisted family residing in the unit must be approved by the HA. The family must promptly inform the HA of the birth, adoption or court-awarded custody of a child. The family must request HA approval to add any other family member as an occupant of the unit.

12. The family must promptly notify the HA if any family member no longer resides in the unit.

13. If the HA has given approval, a foster child or a live-in aide may reside in the unit. **If the family does not request approval or HA approval is denied, the family may not allow a foster child or live-in aide to reside with the assisted family.**

14. 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.

15. The family must not sublease or let the unit.

16. The family must not assign the lease or transfer the unit.

17. The family must supply any information or certification requested by the HA to verify that the family is living in the unit, or relating to family absence from the unit, including any HA-requested information or certification on the purposes of family absences. The family must cooperate with the HA for this purpose. The family must promptly notify the HA of absence from the unit.

18. The family must not own or have any interest in the unit. (Excludes participants in the Section 8 Homeownership Assistance Program).

19. The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the programs.

20. The members of the family may not engage in drug-related criminal activity or violent criminal activity.

21. An assisted family, or members of the family, may not receive Housing Choice Voucher tenant-based assistance 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.

Enforcing Family Obligations

Explanations and Terms

The term "Promptly" when used with the Family Obligations always means "**within 10 calendar days**." Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

HQS Breach: The **inspector** 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 **supervisor**.

Lease Violations: The following criteria will be used to decide if a serious or repeated violation of the lease will result in a termination of assistance:

If the owner terminates tenancy through court action for serious or repeated violation of the lease.

If the owner notifies the family of termination of tenancy for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and the HA determines that the cause is a serious or repeated violation of the lease based on available evidence.

If there are police reports, neighborhood complaints or other third party information, that has been verified by the HA.

Notification of Eviction: If the family requests assistance to move and they did not notify the HA of an eviction within **10 calendar days** of receiving the Notice of Lease Termination, the move will be denied.

Proposed Additions to the Family: The HA **will** deny a family's request to add additional family members who are:

Persons who have been evicted from public housing.

Persons who have previously violated a family obligation listed in 24CFR 982.51 of the HUD regulations.

Persons who have been part of a family whose assistance has been terminated under the Voucher program.

Persons who commit drug-related criminal activity or violent criminal activity.

Persons who do not meet the HA's definition of family.

Persons who commit fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

Persons who currently owe rent or other amounts to the HA or to another HA in connection with Housing Choice Vocuher or public housing assistance under the 1937 Act.

Persons who have engaged in or threatened abusive or violent behavior toward HA personnel.

Family Member Moves Out: Families are required to notify the HA if any family member leaves the assisted household. When the family notifies the HA, 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:

The HA will impose the following limitations, and deny profit-making activity in the unit if:

The business activity area results in the inability of the family to use any of the critical living areas, such as a bedroom utilized for a business which is not available for sleeping, it will be considered a violation.

The HA determines that the use of the unit as a business is not incidental to its use as a dwelling unit.

The HA determines the business is not legal.

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: 1) owns the mobile home and rents the pad under the Voucher Program, 2) is participating in the Section 8 Homeownership Program, or 3) is living in shared housing.

Fraud: In each case, the HA will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent members.

In the event of false citizenship claims, the HA will give the family member the opportunity to elect not to contend their status in lieu of termination of the entire family.

Drug Related and Violent Criminal Activity [24 CFR 982.553]

Drug-related criminal activity is the illegal manufacture, sale, distribution or the use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

Drug-related criminal activity means on or off the premises, not just on or near the premises.

Violent criminal activity means any 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.

The activity is being engaged in by any Family member.

Ineligibility if Evicted for Drug-Related Activity

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

The HA will waive this requirement if:

1. **The person demonstrates successful completion of a rehabilitation program approved by the HA, or**

2. **The circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person is incarcerated.**

Applicants will be denied assistance if:

a. Any member has been arrested, convicted, or evicted from a unit assisted under the Housing Act of 1937 **due to violent criminal activity within the last 3 years prior to the date of the certification interview.**

a. Any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

Participants may be terminated who have been:

Arrested, convicted, evicted from a unit assisted under the Housing Act of 1937 **due to drug-related or violent criminal activity within the last 3 years prior to the date of the notice to terminate assistance, and whose activities have created a disturbance in the building or neighborhood.**

If the family violates the lease for drug-related or violent criminal activity, the HA will terminate assistance.

In appropriate cases, the HA 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 HA may consider individual circumstances with the advice of Juvenile Court officials.

If the PHA seeks to deny or terminate assistance because of illegal use, or possession for personal use, of a controlled substance, such use or possession must have occurred within one year before the date that the PHA provides notice to the family of the PHA determination to deny or terminate assistance.

Screening Out Illegal Drug Users and Alcohol Abusers

The HA will deny participation and terminate assistance in the program in cases where the HA determines there is reasonable cause to believe that the person is illegally using a controlled substance, or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. This includes cases where the HA determines that there is a pattern of illegal use of a controlled substance, or pattern of alcohol abuse.

The HA will consider the use of a controlled substance or alcohol to be a pattern if there is more than one incident during the previous 6 months.

The HA will waive this policy if the person demonstrates to the HA's satisfaction that the person is no longer engaging in the illegal use of a controlled substance or abuse of alcohol, and:

a. Has successfully completed a supervised drug or alcohol rehabilitation program;

b. Has otherwise been rehabilitated successfully; or

c. Is participating in a supervised drug or alcohol rehabilitation program.

Violence Against Women Act (VAWA) and Termination of Assistance (TAS)
Under the Violence Against Women Act 2005 (VAWA) statutes, the abuser's criminal activity directly related to abuse and beyond control of the victim shall not be grounds for termination. The amendments clarify that the HA may terminate a VAWA victim if the individual is an actual and imminent threat to other tenants or the community. Also if the victim is evicted for unrelated criminal activity, this may be grounds for termination of the HCV assistance, provided the HA does not hold the victim to a more demanding standard than other program participants.

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Confidentiality of Criminal Records

The HA 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.

Required Evidence

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred.

a. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

b. Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

The HA ~~may~~ will pursue fact-finding efforts as needed to obtain credible evidence.

Notice of Termination of Assistance

In any case where the HA decides to terminate assistance to the family, the HA must give the family written notice which states:

1. The reason(s) for the proposed termination,

2. The effective date of the proposed termination,

3. The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.

4. The date by which a request for an informal hearing must be received by the HA.

The HA will simultaneously 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.

E. 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, section on Citizenship/Eligible Immigration Status.)

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

False or Incomplete Information

When the HA has clear, concrete, or substantial documentation (such as a permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual given an opportunity to present relevant information.

If the individual is unable to verify their citizenship, the HA may give him/her an opportunity to provide a new declaration as an eligible immigrant or to elect not to contend their status. The HA will then verify eligible status, deny, terminate, or prorate as applicable.

The HA will deny or terminate assistance based on the submission of false information or misrepresentations.

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 HA either after the INS appeal or in lieu of the INS appeal.

After the HA 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).

F. ZERO ASSISTANCE TENANTS [24 CFR 982.455 (a)]

The family may remain in the unit at $0 assistance for up to 180 days after the last HAP payment. If the family is still in the unit after 180 days, the assistance will be terminated. If, within the 180 day timeframe, an owner rent increase or a decrease in the Total Tenant Payment causes 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, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

G. OPTION NOT TO TERMINATE FOR MISREPRESENTATION [24 CFR 982.552(c)]

If the family has misrepresented any facts that caused the HA to overpay assistance, the HA 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 or reimburses the HA in full.

H. MISREPRESENTATION IN COLLUSION WITH OWNER [24 CFR 982.552 (c]

If the family is intentionally willingly and knowingly commits fraud or is involved in any other

illegal scheme with the owner, the HA **will** deny or terminate assistance.

In making this determination, the HA will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

I. 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 HA to fulfill its responsibilities. The HA schedules appointments and sets deadlines in order to obtain the required information. The Obligations also require that the family allow the HA 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 HA may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow the HA 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:

1. Eligibility for Admissions
2. Verification Procedures
3. Certificate/Voucher Issuance and Briefings
4. Housing Quality Standards and Inspections
5. Recertifications
6. Appeals

Acceptable reasons for missing appointments or failing to provide information by deadlines are:

Medical emergency
Family emergency

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 notice will be rescinded if the family offers to cure and the family does not have a history of non-compliance.

See Chapter 12, “Failure to Respond to Notification to Recertify” and Chapter 10 “Annual HQS Inspections” for more information on HA policy when appointments are missed.

Chapter 16

OWNER DISAPPROVAL AND RESTRICTION

INTRODUCTION

It is the policy of the HA to recruit owners to participate in the Voucher program. The HA will provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of the HA. The regulations define when the HA must disallow an owner participation in the program, and they provide the HA 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 HA will disapprove the owner for the following reasons:

- HUD **or other agency directly related** has informed the HA that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

- HUD has informed the HA 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 HA that a court or administrative agency has determined that the has owner violated the Fair Housing Act or other federal equal opportunity requirements.

The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).

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 HA 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.

B. OWNER RESTRICTIONS AND PENALTIES [24 CFR 982.306, 982.453]

If an owner has committed fraud or abuse or is guilty of frequent or serious contract violations, the HA will restrict the owner from future participation in the program for a period of time commensurate with the seriousness of the offense. The HA may also terminate some or all contracts with the owner.

Before imposing any penalty against an owner the HA will review all relevant factors pertaining to the case, and will consider such factors as the owner's record of compliance and the number of violations.

See Program Integrity Addendum for guidance as to how owner fraud will be handled.

Chapter 17

CLAIMS, MOVE-OUT AND CLOSE-OUT INSPECTIONS
(For HAP Contracts Effective Before October 2, 1995)

Note: This chapter, which applied to the pre-merger certificate and voucher programs, is now obsolete and therefore has been removed.

Chapter 18

OWNER OR FAMILY DEBTS TO THE HA

INTRODUCTION

This Chapter describes the HA's policies for the recovery of monies which 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 HA'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 HA'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 HA, the HA will make every effort to collect it. The HA 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

A. PAYMENT AGREEMENT FOR FAMILIES [24 CFR 792.103, 982.552 (c) (6-8)]

A Payment Agreement as used in this Plan is a document entered into between the HA and a person who owes a debt to the HA. 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 HA upon default of the agreement.

The maximum amount for which the HA will enter into a payment agreement with a family is $2,500.00.

The maximum length of time the HA will enter into a payment agreement with a family is 3 years.

The minimum monthly amount of monthly payment for any payment agreement is $25.00.

The HA will use a sliding scale system to determine the monthly payment.

Payment Schedule for Monies Owed to the HA

Initial Payment Due (% of Total Amount)	Amount Owed	Maximum Term
30% to **35%**	0 - $500	3 - 12 months
30% to **35%**	$501 - $1,000	6 - 24 months
20% to **30%**	$1,001 - $2,500	12 - 36 months

There are some circumstances in which the HA will not enter into a payment agreement. They are:

If the family already has a Payment Agreement in place.

B. DEBTS OWED FOR CLAIMS [24 CFR 792.103, 982.552 (c) (6-8)]

If a family owes money to the HA for claims paid to an owner:

The HA will review the circumstances resulting in the overpayment and decide whether the family must pay the full amount or enter into a repayment agreement.

Late Payments

A payment will be considered to be in arrears if:

The payment is not received by the close of the business day 5 calendar days after the due date.

If the family's payment agreement is in arrears, **the HA may**:

Require the family to pay the balance in full
Pursue civil collection of the balance due
Terminate the housing assistance
Grant an extension of 30 calendar days

If the family requests a move to another unit and has a payment agreement in place for the payment of an owner claim, and the payment agreement is not in arrears:

The family will be required to pay the balance in full prior to the issuance of a voucher.

If the family requests a move to another unit and is in arrears on a payment agreement for the payment of an owner claim:

If the family pays the balance in full, they will be permitted to move.

C. DEBTS DUE TO MISREPRESENTATIONS/NON-REPORTING OF INFORMATION

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 Housing Choice Voucher program funds in violation of Housing Choice Voucher program requirements.

Family Error/Late Reporting

Families who owe money to the HA due to the family's failure to report increases in income will be required to repay in accordance with the payment procedures for program fraud, below.

Program Fraud

Families who owe money to the HA due to program fraud are subject to the policies described in Chapter 23, Section J-4, "Disposition of Cases Involving Misrepresentations".

If a family owes an amount which equals or exceeds **$10,000.00** as a result of program fraud, the case will be referred to the Inspector General. Where appropriate, the HA will refer the case for criminal prosecution.

D. GUIDELINES FOR PAYMENT AGREEMENTS [24 CFR 982.552 (c) (8)]

Payment Agreements will be executed between the HA and the head of household and spouse.

A Payment Agreement will be considered to be in default when it is in arrears if the payment is not received by the close of the business day five calendar days after the due date.

Monthly payments may be decreased in cases of family hardship and if requested with reasonable notice from the family with verification of the hardship, and the approval of the supervisor.

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

Undue hardship, at HA discretion

Additional Monies Owed: If the family already has a Payment Agreement in place and incurs an additional debt to the HA:

The HA will not enter into more than one Payment Agreement with the family.

E. OWNER DEBTS TO THE HA [24 CFR 982.453(b)]

If the HA determines that the owner has retained Housing Assistance or Claim Payments the owner is not entitled to, the HA may reclaim the amounts from future Housing Assistance or Claim Payments owed the owner for any units under contract.

If future Housing Assistance or Claim Payments are insufficient to reclaim the amounts owed, the HA will:

Require the owner to pay the amount in full within 30 calendar days and/or,

Enter into a Payment Agreement with the owner for the amount owed and/or,

Pursue collections through the local court system and/or,

Restrict the owner from future participation at HA discretion.

F. WRITING OFF DEBTS

Debts will be written off if:

The debtor's whereabouts are unknown and the debt is more than 7 years old.

A determination is made that the debtor is judgment proof.

The debtor is deceased.

The debtor is confined to an institution indefinitely or for more than 7 years.

G. RECORDKEEPING AND REPORTING REQUIRED WITH FRAUD RECOVERIES [24 CFR 792.204]

Part 792 of Title 24 CFR encourages public housing agencies to investigate and pursue instances of tenant and owner fraud and abuse in the operation of the Section 8 housing assistance progrmas. According to the criteria explained in part 792, the HA will be eligible to retain a

portion of program fraud recoveries.

To permit HUD to audit amounts retained under this part, the HA will maintain all records required by HUD, including:

- **a. amounts recovered on any judgment or repayment agreement;**
- **b. the nature of the judgment or repayment agreement; and**
- **c. the amount of the legal fees and expenses incurred in obtaining the judgment or repayment agreement and recovery.**

Chapter 19

COMPLAINTS AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the HA. This Chapter describes the policies, procedures and standards to be used when families disagree with an HA decision. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the HA to ensure that all families have the benefit of all protections due to them under the law.

This Chapter also addresses the Housing Choice Department's policy on handling discrimination complaints.

A. DISCRIMINATION COMPLAINTS

Should an applicant or participant contact the Housing Choice Voucher Department with a claim that a department employee engaged in a discriminatory action in carrying out program rules, an appointment will be made with a supervisor. The supervisor will question the client in order to learn the exact nature of the complaint. All processes will be assessed as to whether correct policy was carried out. If the process was conducted correctly, regulatory requirements will be explained to the client. If upon assessment it is found that processes need to be streamlined, the process will be reviewed and improvements made. If there was an oversight on the part of the HCV Department, the error will be corrected and the family will be accommodated accordingly to federal guidelines. If upon assessment a personnel issue should arise, progressive discipline will be instituted and the family would again be accommodated.

In the event an applicant or participant brings some other discrimination issue to the attention of the HCV Department, this will be handled by a staff person at the supervisory level or above. A referral to the Fair Housing Council will be made when appropriate; but not before researching any issue which is within the scope of authority of the HA and applying a suitable remedy.

B. COMPLAINTS TO THE HA

The HA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The HA **may** require that complaints other than HQS violations be put in writing. HQS complaints may be reported by telephone.

Categories of Complaints

1. Complaints from families: If a family disagrees with an action or inaction of the HA or owner.

   Complaints from families will be referred to a supervisor.

2. Complaints from owners: If an owner disagrees with an action or inaction of the HA or a family.

   Complaints from owners will be referred to a supervisor.

3. Complaints from staff: If a staff person reports an owner or family either violating or not complying with program rules.

   Complaints from staff will be referred to a supervisor.

4. Complaints from the general public: Complaints or referrals from persons in the community in regard to the HA, a family or an owner.

   Complaints from the general public will be referred to supervisor.

The HA hearing procedures will be provided to families in the briefing packet.

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 citizen or eligible immigrant status, the applicant is entitled to an informal hearing.

When the HA 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
- The time limit for requesting a review

The HA must provide applicants with the opportunity for an Informal Review of decisions denying:

Listing on the HA's waiting list
Issuance of a Voucher
Participation in the program

Informal Reviews are not required for established policies and procedures and HA determinations such as:

1. Discretionary administrative determinations by the HA
2. General policy issues or class grievances
3. A determination of the family unit size under the HA subsidy standards
4. Refusal to extend or suspend a Voucher
5. Disapproval of tenancy
6. Determination that unit is not in compliance with HQS
7. Determination that unit is not in accordance with HQS due to family size or composition

Procedure for Review

A request for an Informal Review must be received **in writing** by the close of the business day, no later than **10 calendar days** from the date of the HA's notification of denial of assistance. The informal review will be scheduled within **30 calendar 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 Review may be conducted by:

An individual from outside the HA

The applicant will be given the option of presenting oral or written objections to the decision. Both the HA 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 **10 calendar days** after the review. It shall include the decision of the review officer, 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-g), 982.54(d)(13)]

When the HA makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The HA will give the family prompt notice of such determinations which will include:

The proposed action or decision of the HA;
The date the proposed action or decision will take place;
The family's right to an explanation of the basis for the HA'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 HA's Hearing Procedures

The HA must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following HA determinations:

1. Determination of the family's annual or adjusted income and the computation of the housing assistance payment

2. Appropriate utility allowance used from schedule

3. Family unit size determination under HA subsidy standards

4. A determination to terminate assistance because a participant family has been absent from the assisted unit for longer than the maximum period permitted under this plan. See Definition of Temporarily/Permanently Absent in Chapter 6.

5. Determination to terminate assistance because of family's action or failure to act.

6. **Determination to terminate a family's FSS Contract, withhold supportive services, or propose forfeiture of the family's escrow account.**

7. **Determination not to reduce a family's portion of rent because of 1) family's noncompliance with welfare requirements or 2) welfare fraud.**

The HA must always provided the opportunity for an informal hearing before termination of assistance.

Informal Hearings are not required for established policies and procedures and HA determinations such as:

1. Discretionary administrative determinations by the HA.

2. General policy issues or class grievances.

3. Establishment of the HA schedule of utility allowances for families in the program.

4. An HA determination not to approve an extension or suspension of a voucher term.

5. An HA determination not to approve a unit or tenancy.

6. An HA determination that an assisted unit is not in compliance with HQS. (However, the HA must provide a hearing for a family breach of HQS because that is a family obligation determination).

7. An HA determination that the unit is not in accordance with HQS because of the family size.

8. An HA determination to exercise or not exercise any right or remedy against the owner under a HAP contract.

Notification of Hearing

It is the HA's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, the HA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the HA receives a request for an informal hearing, a hearing shall be scheduled within **60 calendar days**. The notification of hearing will contain:

1. The date and time of the hearing

2. The location where the hearing will be held

3. The family's right to bring evidence, witnesses, legal or other representation at the family's expense

4. The right to view any documents or evidence in the possession of the HA upon which the HA 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 10 calendar days before the hearing date.**

5. A notice to the family that the HA 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 10 calendar days before the hearing date.**

The HA's Hearing Procedures

After a hearing date is agreed to, 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.

If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, the family must contact the HA within 24 hours, excluding weekends and holidays. The HA will reschedule the hearing only if the family can show good cause for the failure to appear.

Families have the right to:

- Present written or oral objections to the HA's determination.
- Examine the documents in the file which are the basis for the HA'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 HA 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 HA will make the copies for the family and assess a charge of $.50 for the first page and $.30 per page thereafter, plus $20 per hour for staff time or $5 per quarter hour or fraction thereof. In no case will the family be allowed to remove the file from the HA's office.

In addition to other rights contained in this Chapter, the HA 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 HA who is neither the person who made or approved the decision, nor a subordinate of that person. The HA appoints hearing officers who may be:

Trained volunteers

Managers from other departments in the government of the jurisdiction

Managers from other HAs

Professional mediators or arbitrators employed by the county Bar Association, a mediation, dispute resolution, or arbitration service.

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" include records and regulations.

The family must request an audio recording of the hearing, if desired, 10 calendar days prior to the hearing date.

The Hearing Officer 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.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of the HA shall take effect and another hearing will not be granted.

The Hearing Officer will determine whether the action, inaction or decision of the HA 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 HA and the family within **15 business 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;** and
- The date the decision goes into effect.

The HA is not bound by hearing decisions:

- Which concern matters in which the HA is not required to provide an opportunity for a hearing

- Which conflict with or contradict 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 HA shall send a letter to the participant if it determines the HA is not bound by the Hearing Officer's determination within **15 business days**. The letter shall include the HA'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.

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 HA hearing is pending but assistance to an applicant may be delayed pending the HA 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 HA 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 HA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the HA a copy of the appeal and proof of mailing or the HA may proceed to deny or terminate. The time period to request an appeal may be extended by the HA for good cause.

The request for an HA hearing must be made within **fourteen days** of receipt of the notice offering the hearing or, if an appeal was made to the INS, within **fourteen days of receipt** of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in Section D of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the HA will:

- Deny the applicant family

If there are eligible members in the family, the HA will offer to prorate assistance.

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 982.204, 982.552(c)]

When applicants are denied placement on the waiting list, or the HA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the appeal process.

Chapter 20

SPECIAL HOUSING TYPES
[24 CFR 982.601]

INTRODUCTION

The HA will permit the use of any special housing types in its program only if the applicant/participate can demonstrate that it is needed as a reasonable accommodation for a person with a disability. Acceptable demonstration will include documentation from one or more knowledgeable professionals who are familiar with the applicant/participant and or the type of special housing requested as accommodation.

The HA will not set aside any program funding for special housing types, or for a special housing type. A family may choose whether to rent housing that qualifies as a special housing type or to rent other eligible housing in accordance with requirements of the program.

Special housing types include:

1) Single room occupancy (SRO)
2) Congregate housing
3) Group home
4) Shared housing
5) Manufactured home
6) Cooperative housing

The regulatory requirements for these special housing types are listed in subpart in of 24 CFR 982 and in this chapter.

A final special housing type, homeownership option, is covered in subpart in of 24 CFR 982 as well as in Chapter 21 of this Administrative plan**.**

Verification of Need for Reasonable Accommodation

An example of acceptable documentation as verification of the need for reasonable accommodation would be a letter to the HA describing how the special housing type requested provides the accommodation that the person is in need of. **The request and documentation will be reviewed by a supervisor and a written response stating approval or disapproval will be sent to the applicant/participant within 10 business days of receipt of the request**.

A copy of the HA's response with supporting documentation will be maintained in the applicant/participant's file. The requested housing type must be approvable by all other HUD standards and HQS requirements in accordance with 24 CFR 982 Section M - Special Housing Types.

A. SINGLE ROOM OCCUPANCY [24 CFR 982.602-605]

The HA and the general local government will certify to HUD that the property meets applicable local health and safety standards for SRO housing before approving any SRO unit.

The HA 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

Voucher Program

For a person residing in SRO housing, the payment standard is 75 percent of the zero-bedroom payment standard.

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 HA 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 982.606-609]

An elderly person or a person with disabilities may reside in a congregate housing unit.

The HA may approve a family member or live-in aide to reside with the elderly person or person with disabilities.

The HA 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

For congregate housing there will be a separate lease and HAP contract for each assisted family.

Unless there is a live-in aide, the FMR/exception rent limit for a family that resides in a congregate housing unit is the zero-bedroom FMR/exception rent limit.

However, if there are two or more rooms in the unit (not including kitchen or sanitary facilities), the FMR/exception rent limit for a family that resides in a congregate housing unit is the one bedroom FMR/exception rent limit.

If there is a live-in aide, the live-in aide will be counted in determining the family unit size.

Housing Quality Standards

The HA 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 982.610-614]

A group home must be licensed, certified, or otherwise approved in writing by the State, or the State's licensing department.[24 CFR 982.612]

An elderly person or a person with disabilities may reside in a State-approved group home. If approved by the HA, a live-in aide may reside with a person with disabilities.

The HA 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 HA 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.

Group Home Rent and Housing Assistance Payment [24 CFR 982.613]

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 HA-approved live-in Aide.
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 982.507. In determining reasonable rent the HA 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.

For a Voucher Tenancy, 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 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.

Housing Quality Standards

The HA 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 982.615-618]

Occupancy

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 HA may approve a live-in aide to reside with a family in order to care for a person with a disability. The HA 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 HA. However, housing assistance may not be paid on behalf of an owner. The HA 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 [24 CFR 982.617]

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 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

Chapter Eleven, Section C and 24 CFR 982.507.

Maximum Subsidy

For the Voucher Program the payment standard is the lower of the payment standard for the family unit size or the pro-rata portion of the payment standard for the shared housing unit size.

If the HA 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 HA 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 HA 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 HA will not approve assistance for a family in cooperative housing until the HA 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 24 CFR 982.507. 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 cooperatives 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 Chapter Eleven, Section G of this Plan.

The lease and other appropriate documents will stipulate that the monthly carrying charge is subject to Section 8 limitations on rent to owner. The housing assistance payment will be

determined in accordance with the guidelines in Chapter Eleven, Section A of this Plan.

The HA may approve a live-in aide to reside with the family to care for a person with disabilities. The HA 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 HA approves a live-in aide, the live-in aide will be counted when determining the family unit size.

Housing Quality Standards

The HA will ensure that all cooperative housing units approved for the program are in compliance with all of the Housing Quality Standards outlined in Chapter Ten and regulated by 24 CFR 982.401.

F. MANUFACTURED HOMES [24 CFR 982.620]

The HA will permit a family to lease a manufactured home and space with assistance under the program. The HA **will** provide assistance for a family that owns the manufactured home and leases only the space.

The HA may approve a live-in aide to reside with a family to care for a person with disabilities.

The HA 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 HA 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 Chapter Ten 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.

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 HA.

The HA will not approve a lease for a manufactured home space until the HA has determined that the initial rent to owner for the space is a reasonable rent. At least annually during the assisted tenancy, the HA will redetermine that the rent is reasonable. The HA 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 HA 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 HA, 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 HA, the owner must provide the HA information on rents for other manufactured home spaces.

Housing Assistance Payments for Manufactured Home Space [24 CFR 982.623]

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 40 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;

The utility allowance for tenant paid utilities.

Utility Allowance Schedule for Manufactured Home Space Rental [24 CFR 982.624]

The HA 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.

Chapter 21

SECTION 8 HOMEOWNERSHIP PROGRAM

INTRODUCTION

The Housing Authorities of the City and County of Fresno (FHA) have developed their Section 8 Home ownership Program (S 8 HOP)according to the Quality Housing and Work Responsibility Act of 1998 and the Section 8 Homeownership Final Rule of September 12, 2000.

FHA has demonstrated in its 2003 Annual Plan that it has the capacity to successfully operate a S 8 HOP as it has successfully managed the following homeownership programs: HOPE 3, HOP and the Mortgage Credit Certificate Program. It also administers the Down Payment Assistance Program (DAP) for the city of Clovis, and works closely with the County of Fresno Redevelopment Agency who administers the County's DAP. FHA has also administered the DAP for the cities of Mendota and Reedley. Additionally, the Housing Authority of the City of Fresno has been designated as a HUD approved Housing Counseling Agency.

Regulatory requirements for administering this program are described in the remainder of this Chapter. Bolded text indicates policy set by the Fresno Housing Authorities.

A. GENERAL PROVISIONS [24 CFR 982.625]

S 8 HOP option is used to assist a family residing in a home purchased and owned by one or more members of the family. It allows eligible low-income families to purchase a home using mortgage subsidy rather than rental subsidy. **Under this subsidy option, FHA will pay a monthly home ownership assistance payment**; **It will not offer homeowner assistance in the form of single downpayment assistance grant.**

The HA 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.

In the event FHA is currently assisting the maximum number of homeowners, and a family requests to use the S 8 HOP option as a reasonable accommodation (see definition of "first-time home owner" in Section C of this Chapter), FHA will make this accommodation on a case-by-case basis. FHA will make its determination of what is reasonable based on the specific circumstances and individual needs of the person with disabilities.

The HA establishes a minimum homeowner down payment requirement of at least three (3) percent of the purchase price for participation in its Section 8 Home ownership Program; and requires that at least one (1) percent of the purchase price come from the family's personal resources.

It is a requirement of the HA that financing or purchase of a home under its Section 8 Home ownership Program

(1) be provided, insured, or guaranteed by the state or Federal government;
(2) comply with secondary mortgage market underwriting requirements, or
(3) comply with generally accepted private sector underwriting standards.

B. FAMILY ELIGIBILITY REQUIREMENTS [24 CFR 982.626, 982.627]

The family must meet all of the requirements listed below before the commencement of home ownership assistance.

The family must be eligible to participate in the Housing Choice Voucher program and must be able to meet all program requirements.

The family must satisfy the first-time homeowner requirement by being any of the following: 1) a first-time homeowner (as defined in the Glossary of this Administrative Plan); 2) be a cooperative member (as defined in the Glossary); or 3) be a family of which at least one family member is a person with a disability, and use of the home ownership option is needed as a reasonable accommodation so that the program is readily accessible to and usable by such a person.

The unit must be eligible; (see Eligible Units below).

The family must meet the Federal minimum income requirement.

(1) The family must have a gross annual income equal to the Federal minimum wage multiplied by 2000, based on the income of adult family members who will own the home. Unless the family is elderly or disabled, income from welfare assistance will not be counted toward this requirement.

(2) In the case of a disabled family, the minimum income requirement will be the monthly Federal Supplemental Security Income (SSI) benefit for an individual living alone (or paying his or her share of food and housing costs) multiplied by twelve.

FHA is in the process of gathering demographics to help in the decision of whether or not to set a higher minimum income standard to allow successful implementation of S 8 HOP.

The family must meet the Federal minimum employment requirement (does not apply to elderly or disabled families):

At least one adult family member who will own the home must be currently employed full time and must have been continuously employed for one year prior to home ownership assistance.

a. HUD regulations defines ”full time employment” as not less than an average of 30 hours per week.
b. A family member will be considered to have been continuously employed even if that family member has experienced a break in employment, provided that the break in employment: did not exceed 30 calendar days; did not occur within the 6 month period immediately prior to the family’s request to utilize the home ownership option; and has been the only break

in employment within the past 12 calendar months.

The family must have satisfactorily completed the HA program of required pre-assistance home ownership counseling.

Except for cooperative members who have acquired cooperative membership shares prior to commencement of home ownership assistance, no family member has a present ownership interest in a residence at the commencement of home ownership assistance for the purchase of any home.

The family, except for cooperative members, has entered a contract of sale in accordance with this Chapter.

The HA will deny the use of the home ownership option for a family that includes an individual who was an adult member of the family at the time when such family received home ownership assistance and defaulted on a mortgage securing debt incurred to purchase the home.

Additional FHA Requirements

FHA will impose the following additional initial requirements:

Families must be enrolled in the FSS program before the commencement of housing assistance (does not apply to disabled and elderly persons).

FHA will refer eligible FSS participants for the IDEA and WISH programs for possible three-to-one matching of escrow funds/savings for home ownership. Preference will be given to families qualifying for a IDEA (Individual Development Empowerment Account) or a WISH (Workforce Initiative Subsidy for Homeownership) grant.

Families must be in good standing with HA (i.e., must not have violated any Section 8 program requirements) to be eligible to participate in S 8 HOP.

Families must not be sanctioned by, or be in non-compliance with any other government agency.

Eligible applicants for the Section 8 HOP must not owe FHA or any other HA an outstanding debt.

C. HOME OWNERSHIP COUNSELING REQUIREMENTS [24 CFR 982.630]

When the family has been determined eligible, they must attend and complete homeownership counseling sessions, including the eighteen-hour Homeownerhsip Education and Counseling Program. The Homeownership Education and Counseling Program will be conducted by a HUD-approved housing counseling agency or the HA will ensure that its own Homeownership Education and Counseling program is HUD-approved.

MODIFIED 06-08-06

The following topics will be included in the home ownership counseling sessions:

Home maintenance (including care of grounds);

Budgeting and money management;

Credit counseling;

How to negotiate the purchase price of a home;

How to obtain home ownership financing and loan preapprovals, including a description of types of financing that may be available; also including the pros and cons of different types of financing;

How to find a home, including information about home ownership opportunities, schools, and transportation in FHA jurisdiction;

Advantages of purchasing a home in an area that does not have a high concentration of low-income families and how to locate homes in such areas;

Information about state and Federal truth-in-lending laws, and how to identify and avoid loans with oppressive terms and conditions.

The HA will require post-purchase housing counseling after commencement of home ownership assistance; the frequency to be determined by the Homeownership Coordinator. If the HA offers a program of ongoing counseling for participants in the homeownership option, the HA will have to determine whether the family is required to participate in the ongoing counseling.

MODIFIED 06-08-06

Additional FHA Requirements:

The family must have satisfactorily completed:

1. **One-on-One pre-purchase housing counseling with the homeownership coordinator**
2. **The Early Homebuyer Education Workshop (EHEB)**
3. **FHA HUD approved Homebuyer Education and Counseling Program (HEC)**

D. ELIGIBLE UNITS [24 CFR 982.628]

The unit must meet all of the following requirements.

The unit must not fall under any of the types of housing listed as ineligible housing in 24 CFR 982.352, with the exception of (a)(6), (a)(7), and (b) of that section.

The unit must be either under construction or already existing at the time the family enters into the contract of sale.

The unit is either a one unit property (including a manufactured home) or a single dwelling unit in a cooperative or condominium.

A unit where the family will not own fee title to the real property on which the home is located will be approved only if:

the home is located on a permanent foundation; AND
the family has the right to occupy the home site for at least 40 years.

The unit has been inspected by HA and by an independent inspector designated by and paid for by the family.

The unit meets Housing Quality Standards.

The HA will not approve the seller of the unit if the HA has been informed that the seller is disbarred, suspended, or subject to a limited denial of participation under part 24 of this title.

Lease-Purchase Agreements

Families may enter into lease-purchase agreements while receiving Section 8 rental 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 as a "home ownership premium." Any "home ownership premium" defined as an increment of value attributable to the value of the lease-purchase right or agreement, is excluded from HA rent reasonableness determination and subsidy calculation, and must be absorbed by the family. **When a lease-purchase participant family is ready to exercise their option, they must notify the Home Ownership Coordinator/FSS Coordinator at FHA and apply for the home ownership option. If determined eligible for home ownership assistance, the family may be admitted to the home ownership program and must meet all the requirements FHA S 8 HOP.**

E. ADDITIONAL SEARCH AND PURCHASE REQUIREMENTS [24 CFR 982.629]

The HA has establish~~ed~~ the maximum time that will be allowed for a family to locate and purchase a home.

The family's deadline date for locating, purchasing , and closing escrow on a home will be 180 calendar days from the date the family's eligibility for the home ownership option is determined. For good cause, FHA may extend the time limit for a family for an additional 45 days.

Participating families will submit progress reports during the housing search and escrow period, and will continue to meet with the homeownership coordinator for ongoing counseling. Such reports will be provided at intervals of 30 days.

If the family is unable to purchase a home within the maximum time permitted by FHA, FHA shall continue the family's participation in the Section 8 housing choice voucher rental subsidy program. The family may not re-apply for the Section 8 home ownership program until they have completed monthly one-on-one counseling with the home ownership coordinator for a

period of 180 days.

F. INSPECTIONS AND CONTRACT OF SALE [24 CFR 982.631]

The unit must meet Housing Quality Standards, and must also be inspected by an independent professional inspector selected by, and paid for, by the family.

The independent inspection must cover major building systems and components. The inspector must be qualified to identify physical defects and report on property conditions, including major building systems and components. These systems and components include, but are not limited to:

Foundation and structure;

Housing interior and exterior;

Roofing;

Plumbing, electrical and heating systems.

Copies of the independent inspection report will be provided to the family and the HA by the independent inspector**.** Based on the information in this report, the family and FHA will determine whether any pre-purchase repairs are necessary.

The HA may disapprove the unit for homeownership assistance because of information in the report.

Contract of Sale

The family must enter into a contract of sale with the seller of the unit. A copy of the contract must be given to the HA. The contract of sale must specify the price and terms of sale, and provide that the purchaser will arrange for a pre-purchase independent inspection of the home. The contract must also:

Provide that the purchaser is not obligated to buy the unit unless the inspection is satisfactory to the purchaser and to the HA.

Provide that the purchaser is not obligated to pay for any necessary repairs; and

Contain the seller's certification that he or she has not been debarred, suspended or subject to a limited denial of participation under part 24 of this title.

Disapproval of Seller

FHA reserves the right to deny approval of a seller for any of the reasons provided for disapproval of an owner under the voucher rental program regulations as described in 24 CFR 982.306(c).

G. FINANCING AND AFFORDABILITY OF PURCHASE [24 CFR 982.632]

The family is responsible for securing financing, and obtaining HA approval of the proposed mortgage**. FHA has established financing requirements, listed below, and may disapprove proposed financing if FHA determines that the debt is unaffordable.**

FHA will prohibit the following forms of financing:

Balloon payment mortgages

Seller financing will be considered on a case by case basis

H. CONTINUED ASSISTANCE REQUIREMENTS AND FAMILY OBLIGATIONS [24 CFR 982.633]

Home ownership assistance may only be paid while the family is residing in the home. The family or lender is not required to refund home ownership assistance for the month when the family moves out.

The family must comply with the following obligations:

To the extent required by FHA, the family must attend and complete ongoing home ownership and housing counseling.

The family must comply with the terms of any mortgage securing debt incurred to purchase the home, or any refinancing of such debt.

The family may not convey or transfer ownership of the home, except for purposes of financing, refinancing, or pending settlement of the estate of a deceased family member. Use and occupancy of the home are subject to CFR 982.551 (h) and (I).

The family must supply information to FHA or HUD as specified in CFR 982.551(b). The family must further supply any information required by FHA or HUD concerning mortgage financing or refinancing, sale or transfer of any interest in the home, or home ownership expenses.

The family must notify the HA before moving out of the home.

The family must notify the HA if the family defaults on the mortgage used to purchase the home.

No family member may have any ownership interest in any other residential property.

The family must allow FHA, on or around the anniversary of the date the home ownership assistance started, to inspect the property for compliance with program rules.

Before commencement of home ownership assistance, the family must execute a statement in which the family agrees to comply with all family obligations under the home ownership option .

I. MAXIMUM TERM OF HOME OWNERSHIP ASSISTANCE [24 CFR 982.634]

Except in the case of elderly or disabled families, the maximum term of home ownership assistance is:

15 years, if the initial mortgage term is 20 years or longer; or

10 years in all other cases.

The elderly exception only applies if the family qualified as elderly at the start of home ownership assistance. The disabled exception applies if, at any time during receipt of home ownership assistance, the family qualifies as disabled.

If the family ceases to qualify as elderly or disabled during the course of home ownership assistance, the maximum term becomes applicable from the date assistance commenced. However, such a family must be afforded at least 6 months of home ownership assistance after the maximum term becomes applicable.

If the family receives home ownership assistance for different homes, or from different PHA's, the total is subject to the maximum term limitations. The time limit applies to any member of the household who has ownership interest in the unit during any time that home ownership payments are made, or is a spouse of any member of the household who has an ownership interest.

J. HOME OWNERSHIP ASSISTANCE PAYMENTS AND HOME OWNERSHIP EXPENSES [982.635]

The monthly home ownership assistance payment is the lower of: the voucher payment standard minus the total tenant payment , or the monthly home ownership expenses minus the total tenant payment.

In determining the amount of the home ownership assistance payment, FHA will use the same payment standard schedule, payment standard amounts, and subsidy standards as those described in this Plan for the Housing Choice Voucher program.

FHA will pay the home ownership mortgage assistance payment directly to the lender. However, FHA reserves the option, if a particular lender prefers it, to pay the homeownership mortgage assistance directly to the family.

Some home ownership expenses are allowances or standards determined by FHA in accordance with HUD regulations. These allowances are used in determining expenses for all home ownership families and are not based on the condition of the home.

Home ownership expenses include:

Principal and interest on mortgage debt

Mortgage insurance premium

Taxes and insurance

FHA utility allowance used for the voucher program

An allowance for routine maintenance costs,

An allowance for major repairs and replacements,

Principal and interest on debt for improvements

Land lease payments (where a family does not own fee title to the real property on which the home is located)

If the home is a cooperative or condominium, expenses also include operating charges or maintenance fees assessed by the condominium or cooperative homeowner association.

Home ownership assistance for a family terminates automatically 180 calendar days after the last housing assistance payment on behalf of the family. **However, FHA has the discretion to grant relief from this requirement in those cases where automatic termination would result in extreme hardship for the family.**

Extreme hardship would be defined as:

any significant reduction in the family's income, and/or any significant increase in family debt, which was beyond the control of the family.

FHA will review all relevant circumstances brought to FHA's attention regarding financial hardship and review on a case-by-case basis.

K. PORTABILITY [24 CFR 982.636, 982.353(B) and (c), 982.552, 982.553]

Subject to the restrictions on portability included in HUD regulations and in Chapter 13 of this Plan, the family may exercise portability if the receiving PHA is administering a voucher home ownership program and accepting new home ownership families.

The receiving PHA may absorb the family into its voucher program, or bill the initial PHA. The receiving PHA arranges for housing counseling and the receiving PHA's home ownership policies apply.

L. MOVE WITH CONTINUED TENANT-BASED ASSISTANCE [24 CFR 982.637]

A family receiving home ownership assistance may move with continued tenant-based assistance in accordance with HUD regulations in 982.637. The family may move with voucher rental assistance or with voucher home ownership assistance. Continued tenant-based assistance for a new unit cannot begin so long as any family member owns any title to the prior home.

M. DENIAL OR TERMINATION OF ASSISTANCE FOR THE FAMILY

[24 CFR 982.638, 982.551, 982.552, 982.553]

Termination of home ownership assistance is governed by the policies for the Housing Choice Voucher program contained in Chapter 15 of the Administrative Plan. However, the provisions of CFR 982.551 (c), (d), (e), (f), (g) and (j) are not applicable to home ownership.

FHA will terminate home ownership assistance if the family is dispossessed from the home due to a judgment or order of foreclosure.

FHA will permit such a family to move with continued voucher rental assistance. However, rental assistance will be denied if the family defaulted on an FHA-insured mortgage, and the family fails to demonstrate that:

The family conveyed title to the home as required by HUD, and

The family moved within the period required by HUD.

FHA will terminate home ownership assistance if the family violates any of the family obligations contained in this section.

FHA will terminate home ownership assistance if the family violates any of the following family obligations:

Those stated in 982.552, Grounds for Denial or Termination of Assistance
Those stated in 982.553, Crime by Family Members.

CHAPTER 22

SECTION 8 PROJECT-BASED VOUCHERS

INTRODUCTION

The Housing Authorities is offering a Section 8 Project-Based Voucher (PBV) program as described in 24 CFR 983. The program allows a housing authority to use up to 20% of its funding under the tenant-based assistance program for project-based assistance. The principal difference between this program and the regular voucher program is that if a project-based voucher resident moves, the voucher stays with the unit.

The program's target is for three (3) or more bedroom units for large families. Three hundred (300) are targeted for the City of Fresno; two hundred (200) are targeted for the County. The program is designed to operate in non-poverty impacted census tracts in the County of Fresno, and the following poverty impacted census tracts that have received a HUD waiver:

- **six RDA areas (Census Tracts 2, 11, 12, 22, 26, 48) located within the City of Fresno jurisdiction; and**
- **six census tracts (Census Tract 68.2, located in the City of Parlier; Census Tract 70.02, located in the City of Selma; Census Tracts 68.02 and 66.01 located in the City of Reedley; Census Tract 82, located in the City of San Joaquin; and Census Tract 40, located in the City of Kerman). All of these locations are within the County of Fresno jurisdiction.**

Project size will be set according to HUD regulations:

- single family, duplex, triplex and fourplex may be 100% assisted;
- for complexes with 5 or more units, up to 25% of units may be assisted.

Families from the Housing Authority's Section 8 wait list are referred to the units, and must meet all the regular HCV program requirements to be eligible for the PBV assistance.

Housing that may qualify for the program is described in the following sections, and must qualify according to the definitions of "existing housing" or "rehabilitated units" as defined in this Chapter.

The contract for the PBV program will be for ten years because of the need to preserve the supply of three or more bedroom units for large families. The City of Fresno's 2001-2004 Consolidated Plan specifically identifies the need for affordable housing including large units for large families.

Also the Housing Authority is considering the feasibility of converting public housing units to project-based voucher assistance in the not too distant future.

A. Eligible Housing

Existing Housing. Those units which, at the time of the HA's written notice of selection of the project-based assistance, would require a maximum expenditure of less than $1,000 per unit (including the unit's prorated share of any work to be accomplished on common areas or systems) to comply with the Housing Quality Standards.

Rehabilitated Units. Those units which must require a minimum expenditure of $1,000 per assisted unit, including the unit's prorated share of work to be accomplished on common areas or systems, in order to:

1. Upgrade the property to decent, safe, and sanitary condition to comply with the housing quality standards or other standards approved by HUD, from a condition below those standards;
2. Repair or replace major building systems or components in danger of failure within two years from the date of the initial HA inspection;
3. Convert or merge units to provide housing for large families;
4. For up to seven percent of the units to be assisted, make accessibility improvements to the property necessary to meet the requirements of Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988; or
5. **At-risk developments with three (3) bedroom or larger units will have priority.**

B. Ineligible Housing

The HA will not attach or pay PBV assistance to units in the following types of housing:

- Housing for which rehabilitation started before Agreement execution
- Shared housing, nursing homes, and facilities providing continual assistance of a medical nature including board and intermediate care
- Units within the grounds of a penal institution, reformatory , medical, mental, and similar public or private institutions
- College or other school dormitory
- A manufactured home
- Units already receiving subsidies as defined in 24 CRF 983

In addition to the above requirements, any new project-based assistance Agreement or HAP contract must be for eligible units located in census tract areas with a poverty impaction of less than 20%, unless HUD specifically approves an exception.

C. HA-Owned Units [24 CFR 983.7 (f) (1)]

A HA-owned unit under the PBV assistance program means a unit that:

- is owned by the HA
- administers the assistance under 24 CFR 983
- is owned by an entity substantially controlled by the HA

A HA-owned unit may only be provided project-based assistance if the unit is eligible as referenced under the "Eligible Housing" section of this Chapter.

HUD field office selects the HA-owned unit pursuant to a competitive ranking and rating process. The HUD field office establishes the initial contract rents.

The HUD field office must conduct all HA reviews required under 24 CFR 983 before execution of the Agreement.

Any adjustment of the contract rent for a HA-owned unit must be approved in advance by the HUD field office.

As owner of a HA-owned unit, the HA is subject to all the same program requirements that apply to other owners in the program.

HUD headquarters establishes the amount of the administrative fee for a HA-owned unit.

The HA will earn a lower ongoing administrative fee for a HA-owned unit than for a unit not owned by the HA, and no fee for the cost to help a family experiencing difficulty in renting appropriate housing.

HA-owned units are subject to the same requirements as units that are not HA-owned.

D. Rehabilitation Units

The HA may use an outside source to conduct any or all of the required functions associated with the regulatory requirements of the PBV program. W*hen attaching PBV assistance to "rehabilitated units" where an outside source is performing some or all of the functions below, the HA will audit the contracted agent's activities for compliance with the following regulations listed in 24 CFR 983.*

- ♦ 983.51(a,b,c) Competitive procedures for owner submission of applications and requirement to submit such applications to the HUD field office for review and approval.
- ♦ 983.51(d,1-5) Owner application must conform to the five criteria contained in this part of the PBV regulations covering:
  1) a description of the housing to be rehabilitated
  2) evidence of site control
  3) evidence of compliance with local permits and zoning requirements
  4) the proposed contract rent per unit
  5) a statement as described in 983.51(d)(5), identifying information regarding displacement or relocation of persons occupying the property
- ♦ 983.11(b) Environmental reviews must be completed and HUD must have approved release of funds before the HA enters into an Agreement for housing assistance payments contract (hereafter referred to as AHAP).
- ♦ 983.6(a) Site and neighborhood review must be completed prior to AHAP; HUD conducts if the project is HA-owner property; HA conducts for moderation rehabilitation construction.
- ♦ 983.10 Displacement is to be kept to a minimum by the owner when a rehabilitation project is attached to PBV assistance. Relocation requirements described in this CFR section also apply if a building or complex is rehabilitated and some, but not all, of the rehabilitated units will

be assisted upon completion of the rehabilitation project. This is true whether or not Section 8 assistance will be provided for the unit.

- ♦ 983.11(c,7) Federal Labor Standards must be followed in accordance with the Davis-Bacon Act if the building contains nine or more units after rehabilitation.
- ♦ 983.8 Rehabilitation must require a minimum expenditure of $1,000 per assisted unit, including the unit's prorated share of work to be accomplished on common areas or systems, as described in this part of the PBV program regulations.

Relocation assistance for displaced persons must be provided at the levels described in , and in accordance with the requirements of, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). [Refer to 24 CFR 983.10c for further details]. The HA must ensure compliance with the URA, and must maintain records in sufficient detail to demonstrate such compliance. HA records must maintain data on the race, ethnicity, gender, and disability of displaced persons.

E. Soliciting Owner Participation [24 CFR 983.51]

Owner participation will be solicited by advertising in the Fresno Bee and/or Business Journal. The advertisement will be published once a week for three consecutive weeks; specify an application deadline of at least 30 days after the date the advertisement is last published; specify the number of units for which assistance is available; contain an outline of the selection process and policy; and state a telephone number to call to request an application package.

F. HA Unit Selection Policy

Application Ranking and Scoring Criteria

For existing housing where 25% or less of the units in a building will be under PBV assistance, projects can be non-competitively selected (not rated and ranked), but advertisement with unit selection policy is required.

For rehabilitated units, these projects must be competitively selected. The ranking factors will include:

- ♦ site
- ♦ design
- ♦ feasibility
- ♦ experience in marketing and management and local objectives

Buildings selected to be project-based must be located in a census tract with poverty rates of less than 20%, or be one of the census tracts for which HUD has approved a waiver as described on page 22-1 of this Chapter; is subject to subsidy layering reviews, if tax credits are involved; and may not be selected if the units are already being subsidized.

Application Requirements

To be complete, the application must contain all the following:

1. A project description which includes the overall number of units in each building in the project; the number of units the owner wishes to project base, number of units by size, unit plans, and a listing of the amenities;
2. A description of the property as is and a description of the proposed rehabilitation, and an estimated date of completion;
3. Location of the property including the census tract;
4. A statement of whether or not the units are in a census tract with poverty rates of less than 20 percent;
5. Proposed contract rent and an indication of what utilities and services are include in that rent;
6. Projected utility costs;
7. The number of units that will be vacant at the time of HAP;
8. A statement identifying:
    a. The number of persons occupying the property on the date of the submission of the application;
    b. The number of persons to be displaced, temporarily relocated or moved permanently within the building or complex;
    c. The estimated cost of relocation payments and services, and the sources of funding; and
    d. The organization that will carry out the relocation activities.
9. Participant information including owner, management agent, and any other participants which have a substantial financial interest in the AHAP or HAP;
10. Qualifications and experience of the principal participants;
11. **Whether the complex is an at-risk property; the reason it is at risk and how project basing would allow the property to remain available as a new or continuing source of affordable housing for the community**.

The following information will be requested for applications that are conditionally approved:

✓ Evidence of site control;
✓ Evidence of compliance with local permits and zoning requirements
✓ Documentation that the rents being proposed are reasonable and comparable to rents being charged for similar housing, with similar amenities in the same area as the proposed project.

In all cases the HA will maintain documentation of responses to advertisements or competitive proposals received in response to the HA advertisement.

Incomplete Applications, Tied Scores, or Applications that Cannot Be Fully Funded

In the event an owner submits an incomplete application, the application will be returned with a letter explaining the deficiencies and giving the owner a specific number of days, as specified in a written communication of that fact, to return the application in completed form. Any tied scores will be broken by the applicant whose proposed rent per unit is most affordable in comparison to that proposed by other applicants with the same tied score for

the same unit bedroom size. If an applicant submits an application that cannot be fully funded, the applicant will be informed in writing of this fact and the application will be denied.

Evaluation and Scoring Criteria

The following criteria will be used to evaluate each site/development proposed. To qualify for the Section 8 funding, proposals for each site/development **must achieve a minimum of 60 points**.

		# of Points
1.	**Qualifications and Experience**	
	a) **Owner/Manager's demonstrated expertise in managing and implementing similar projects, or**	**20**
	b) **Owner/Manager's demonstrated expertise in managing and implementing dissimilar projects**	**10**
2.	**Commitment to Providing Long-Term Affordable Housing**	
	a) **Owner agrees to keep all project-based units in the project affordable for the term of the Housing Assistance Payments contract**	**10**
3.	**Location of Housing and Need for Affordable Housing**	
	a) **Housing that addresses the greatest need within a community will score higher under this criteria as compared to housing that proposes to meet a lesser need. Applicants should use such documents as the City of Fresno Consolidated Plan or 2000 Census to support their assessment of unmet housing need**	**20**
4.	**At Risk Properties**	
	a) **Proposals will be evaluated on whether the rehabilitation will allow an "at risk" property that would be leaving the community's stock of affordable housing to be retained within the housing stock available for low-income families**	**20**
5.	**Keeping Displacement or Relocation to a Minimum**	
	a) **Consistent with HUD goals for minimizing the displacement of persons as part of a rehabilitation project under the Project-Based Voucher program, owner certifies that no displacement will occur along with his proposal, or**	**10**
	b) **Consistent with HUD goals for minimizing the displacement of persons as part of a rehabilitation project under the Project-Based Voucher program, owner's certification of the costs involved with relocation of families is low compared to other proposals submitted**	**10**
TOTAL POINTS		**80**

Housing Assistance Payments Contract

G. Owner Selection Criteria [24 CFR 982.306(a), 982.54(d)(8)]

✓ The applicant for participation in the PBV program must be the owner of the building.

- ✓ The owner may not have been debarred or suspended by any government agency or subject to a limited denial of participation under the debarment and suspension rules of the United States Department of Housing and Urban Development (24 CFR Part 24).
- ✓ The owner may not have engaged in any drug related criminal activity or any violent criminal activity.
- ✓ The owner may not have been the subject of any administrative or judicial action instituted by the Federal, State, or local government for violation of the Fair Housing Act or other equal opportunity requirements.
- ✓ The owner may not have been found by any court or administrative agency to have violated the Fair Housing Act or other equal opportunity requirements.
- ✓ The owner may not have been found guilty of committing fraud, bribery or any other criminal act in connection with any Federal, State, or local housing program.
- ✓ The owner may not be on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement program.
- ✓ The owner may not have a conflict of interest due to being employed by the Housing Authorities.
- ✓ The owner may not have a conflict of interest due to the fact that they are related to any resident now occupying a unit to be designated for project-based Section 8 assistance.

H. Responsibilities of the HA

The HA will:

- ✓ apply fair and competitive practices in soliciting and selecting units for particiation in the PBV program;
- ✓ perform the necessary inspections, and ensure the unit meets HQS;
- ✓ perform all HA responsibilities under the HAP contract; and
- ✓ ensure that the amount of assistance attached to units is within the amounts available under the ACC.

I. Responsibilities of the Owner

The list of owner responsibilities listed in 24 CFR 982.452 apply to the PBV program. In addition the owner is responsible for:

- ✓ performing all of the owner responsibilities under the HAP contract;
- ✓ providing the HA with a copy of any termination of tenancy notification;
- ✓ offering vacant, accessible units to a family with one or more members with a disability requiring accessibility features of the vacant unit and already occupying an assisted unit not having such features.

J. Term of HAP Contract [24 CFR 983.151(b)]

The contract term will be ten (10) years, subject to:

- ✓ future availability of appropriations;
- ✓ future availability of funding under the Annual Contributions Contract; and

✓ the unit's continuing compliance with Section 8 Housing Quality Standards.

In order to ensure compliance the contract will be recorded against the property.

Program Management

K. Resident Selection Criteria [24 CFR 982.201(b)(2)]

As with the tenant based rental assistance, the HA will admit families whose income is up to or equal to 50% of the Area Medium Income without regard to income targeting. *See Chapter 3 Section E of this Administrative Plan for further information.*

L. Filling Vacant Units [24 CFR 983.203]

Eligible applicants from the current Section 8 wait list are referred to the owner/manager to choose an applicant for occupancy based upon their usual screening process. The HA must determine eligibility for participation in accordance with HUD requirements.

When the owner notifies the HA of vacancies in the units to which assistance is attached, the HA will refer to the owner one or more families of the appropriate size on its waiting list. A family that refuses the offer of a unit assisted under part 983 keeps its place on the waiting list. The owner must rent all vacant units to eligible families referred by the HA from its waiting list.

If the HA does not refer a sufficient number of interested applicants on the HA waiting list to the owner within 30 days of the owner's notification to the HA of a vacancy, the owner may advertise for or solicit applications from eligible very low-income families. The owner will refer these families to the HA to determine eligibility. The revisions to the PBV assistance program guidelines allow the HA to place these families referred by the owner on the HA waiting list in accordance with its admissions/waiting list policy.

The owner is responsible for screening and selection of tenants.

The owner must adopt written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income families.

An owner must promptly notify in writing any rejected applicant of the grounds for any rejection.

A family may file a discrimination complaint with the HUD field office against the owner, if they believe they have been discriminated against.

M. Briefing of Families [24 CFR 983.203(d)]

When a family is selected to occupy a project-based unit, the HA must provide the family with information concerning the tenant rent and any applicable utility allowance and a copy of the HUD-prescribed lead-based paint brochure.

The family must also, either in group or individual sessions, be provided with a full explanation of the following:

- ✓ family and owner responsibilities under the lease and HAP contract;
- ✓ information on Federal, State, and local equal opportunity laws;
- ✓ the fact that the subsidy is tied to the unit, that the family must occupy a unit rehabilitated under the program, and that a family that moves from the unit before occupying the dwelling unit with PBV assistance for at least 12 months, does not have any right to continued assistance;
- ✓ the likelihood of the family receiving a voucher after the HAP contract expires;
- ✓ the family's options under the program, if the family is required to move because of a change in family size or composition;
- ✓ information on the HA's procedures for conducting informal hearings for participants, including a description of the circumstances in which the HA is required to provide the opportunity for an informal hearing (under 983.207) and of the procedures for requesting a hearing.

N. Term of the Lease [24 CFR 983.206(b)]

The term of the lease, including a new lease or lease amendment, executed by the owner and the family must be for at least one year.

The term may be less than one year if the remaining term of the HAP contract is less than one year.

O. When the Family Must Move [24 CFR 983.203(d)(5), 983.203(e)

If the HA determines that a contract unit is not decent, safe, and sanitary because of an increase in the family size that causes the unit to be overcrowded based on the HA's subsidy standards:

- ✓ the HA must offer the family a suitable alternative unit if one is available; and
- ✓ the family shall be required to move.

If the HA does not have a suitable unit available within the family's ability to pay, the HA must offer tenant-based voucher assistance to the family if it has sufficient funding.

If the family has lived less than one year in a dwelling unit with PBV assistance AND the family is required by the HA to move, the family will have the option of:

- ✓ **moving to another PBV unit which is the appropriate size for the family; or**
- ✓ **receiving a tenant-based voucher to use in locating a new unit.**

P. Continued Assistance for a Family

There are two primary reasons why a family with a PBV may move with continued assistance from a project-based unit to a unit with tenant-based assistance.

- If the HAP contract for the PBV unit expires or if the HA terminates the HAP contract for the PBV unit, the assisted family will be issued a tenant-based voucher, unless the HA has determined that it does not have sufficient funding for continued assistance for the family, or unless the HA denies issuance of a voucher in accordance with 24 CFR 982.552. [24 CFR 983.203(e)]
- Where the HAP contract for the PBV unit continues, but the family has lived in the assisted PBV unit for at least a year, the family may make request to the HA to move. The HA will issue the family a tenant-based voucher for this purpose. The family must go through the normal process for requesting to transfer assistance as described in Chapter 13 of this Administrative Plan.

Q. HQS Inspections [24 CFR 983.204]

The same regulations which apply to the tenant-based voucher program apply to the project-based program in regards to each assisted unit meeting HQS.

The HA will inspect 100 percent of project-based voucher units before entering into a HAP contract, and will only enter into a HAP contract for units that fully comply with HQS. The PBV program differs from the tenant-based program, however, in regards to the annual inspection process. The HA is not required to inspect each assisted unit in a project annually, but may inspect a representative sample of the PBV units in a project.

The HA will take into account complaints and any other information coming to its attention in scheduling inspections.

R. Maximum Rents [24 CFR 983.252, 983.253, 983.254]

The maximum initial gross rent shall not exceed 110 percent of the established Fair Market Rent (FMR).

The HAP contract will provide for annual adjustments for rent to the owner during the contract term.

Both initial rents and any subsequent adjustment must meet the comparability test for being reasonable in comparison with rents charged for comparable unit in the private, unassisted local market.

S. Approval of Initial Rent [24 CFR 983.253]

The HA approves the initial rent to owners for PBV units that are not HUD-insured or HA-owned.

For HA-owned PBV units or PBV units financed with a HUD insured multifamily mortgage, the initial rents must be approved by HUD.

T. Reasonable Rent [24 CFR 983.256]

The HA will not enter an agreement to enter into a HAP contract until the HA determines that the initial rent to owner under the HAP contract is a reasonable rent. During the term of a HAP contract, the rent to owner may not exceed the reasonable rent as determined by the HA. At least annually during the HAP contract term, the HA will redetermine that the current rent to owner does not exceed a reasonable rent.
Determinations will be based on a comparison of rents for other comparable unassisted units. To make this determination, the HA will consider:

- the location, quality, size, unit type, and age of the unit, as well as any
- amenities, housing services, maintenance, utilities provided by the owner in accordance with the lease.

To determine the initial rent to owner is reasonable, the HA must use a qualified State-certified appraiser who has no direct or indirect interest in the property or otherwise. For each unit type the appraiser must submit a completed comparability analysis on Form HUD-92273 (Estimates of Market Rent by Comparison available at HUD Custom Service Center, 451 7th Street, SW, Room B-100, Washington, DC 20410) for HA review and approval. The appraisal must use at least three comparable units in the private unassisted market. The HA must certify to HUD that the initial rent to owner does not exceed the reasonable rent.

In determining the annual adjustment of rent to owner (in accordance with 983.254), the adjusted rent to owner must not exceed a reasonable rent as determined by an HA "comparability study."

The comparability study is an analysis of rents charged for comparable units.

This study must include a completed analysis for each unit type on Form HUD-92273, which may be prepared by HA staff or by another qualified appraiser who has no direct or indirect interest in the property.

The study must show how the reasonable rent was determined and any major differences between the contract units and comparable unassisted units.

If the owner requests a rent increase by the 120 day deadline, the HA must submit a comparability study to the owner at least 60 days before the HAP contract anniversary.

If the HA does not submit the comparability study to the owner by this deadline, an increase of rent by application of the annual adjustment factor is not subject to the reasonable rent limit.

Owner Certification of Rents
By accepting each monthly housing assistance payment from the HA, the owner certifies that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.

U. Notice to HUD and Tenants [Federal Register, QHWRA Notice, 02/18/99]

The Quality Housing and Work Responsibility Act (QHWRA) now requires owners to provide not less than one-year written notice to tenants and HUD of expiration or termination of the contract.

V. Unit Turnover

[24 CFR 983.203(c), Sec 232 of the Appropriations Act to the PBV program]

The HA will pay the full lease rent for a vacant unit for a period of up to two months or until the unit is rented (whichever comes first) provided the unit becomes vacant through no fault of the owner and the owner has taken reasonable actions to minimize the vacancy.

Chapter 23

PROGRAM INTEGRITY ADDENDUM
[24 CFR Part 792]

INTRODUCTION

The United States Department of Housing and Urban Development 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 12% of all HUD-assisted families are either totally ineligible, or are receiving benefits which exceed their legal entitlement.

The HA 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 HA will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This Chapter outlines the HA'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 HA undertake an inquiry or an audit of a participating family arbitrarily. The HA's expectation is that participating families will comply with HUD requirements, provisions of the voucher, and other program rules. The HA staff will make every effort (formally and informally) to orient and educate all families in order to avoid unintentional violations. However, the HA 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 HA' s attention, to investigate such claims.

The HA will initiate an investigation of a participating family only in the event of one or more of the following circumstances:

1. **Referrals, Complaints, or Tips.** The HA 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 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.

2. **Internal File Review.** A follow-up will be made if HA 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 HA's knowledge of the family, or is discrepant with statements made by the family.

3. **Verification of Documentation.** A follow-up will be made if the HA receives independent verification or documentation which conflicts with representations in the family's file (such as public record information, credit bureau reports or reports from other agencies).

B. STEPS THE HA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The HA 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.

1. **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 HA's expectations for cooperation and compliance.**

2. **Program Orientation Session. Mandatory orientation sessions will be conducted by the HA 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.**

3. **Resident Counseling. The HA may routinely provide participant counseling as a part of every recertification interview in order to clarify any confusion pertaining to program rules and requirements.**

4. **Review and Explanation of Forms. Staff will explain all required forms and review the contents of all (re)certification documents prior to signature.**

5. **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**

6. **Participant Certification. All family representatives will be required to sign a "Participant Certification" form, as contained in HUD's Participant Integrity Program Manual.**

C. STEPS THE HA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The HA Staff will maintain a high level of awareness to indicators of possible abuse and fraud by assisted families.

1. **Quality Control File Reviews.** Prior to initial certification, and at the completion of all subsequent recertifications, **5% of files** 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
   Ratio between reported income and expenditures
   Review of signatures for consistency with previously signed file documents
   All forms are correctly dated and signed

2. **Observation.** The HA Management and Staff 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.

3. **Public Record Bulletins** may be reviewed by Management and Staff.

4. **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

5. **Credit Bureau Inquiries.** Credit Bureau inquiries may be made (with proper authorization by the participant) in the following circumstances:

   At the time of final eligibility determination

   When an allegation is received by the HA wherein unreported income sources are disclosed.

   When a participant's expenditures exceed his/her reported income, and no plausible explanation is given.

D. THE HA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The HA staff will encourage all participating families to report suspected abuse to **management.** 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 HA 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.**

1. **File Review.** An internal file review will be conducted to determine:

   If the subject of the allegation is a client of the HA 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 HA 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.

2. **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 **HA** will initiate an investigation to determine if the allegation is true or false.

E. OVERPAYMENTS TO OWNERS

The HA 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 HA or the tenant, as applicable.

F. HOW THE HA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the HA 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 HA 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 which 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 HA's review.

Other Agencies. Investigators, case workers or representatives of other benefit agencies may be contacted.

Public Records. If relevant, the HA 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 HA will discuss the allegation (or details thereof) with the Head of Household or family member by scheduling an appointment at the appropriate HA office. A high standard of courtesy and professionalism will be maintained by the HA staff person who conducts such 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 HA

Documents and other evidence obtained by the HA 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 HA Staff unless they are involved in the process, or have information which may assist in the investigation.**

H. CONCLUSION OF THE HA'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 HA will review the facts to determine:

1. The type of violation (procedural, non-compliance, fraud).

2. Whether the violation was intentional or unintentional.

3. What amount of money (if any) is owed by the family.

4. 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 HA will propose the most appropriate remedy based upon the type and severity of the violation.

1. Procedural Non-compliance. This category applies when the family "fails to" observe a procedure or requirement of the HA , 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 HA.

(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.

2. Procedural Non-compliance - Overpaid Assistance. When the family owes money to the HA for failure to report changes in income or assets, the HA 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 HA .

- A **10 calendar 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 HA's Notice. If the Participant fails to comply with the HA's notice, and a family obligation has been violated, **the HA will initiate termination of assistance**.

(b) Participant Complies with HA's Notice. When a family complies the HA's notice, **the staff person responsible will meet with him/her to discuss and explain the Family Obligation or program rule which was violated**.

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 HA, the HA 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 wrong-doing.

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 which 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 a 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 HA may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:

(a) **Criminal Prosecution**: If the HA has established criminal intent, and the case meets the criteria for prosecution, the HA will:

1. Refer the case to the local State or District Attorney,

2. Notify and then refer to HUD's RIGI, and

3. Terminate rental assistance.

(b) **Administrative Remedies**: The HA may:

Terminate assistance and demand payment of restitution in full.

Terminate assistance and execute an administrative repayment agreement in accordance with the HA's Repayment Policy.

Terminate assistance and pursue restitution through civil litigation.

Continue assistance at the correct level upon repayment of restitution in full within 90 calendar days.

Permit continued assistance at the correct level and execute an administrative repayment agreement in accordance with the HA's repayment policy (not an option if misrepresentation was intentional).

5. The Participant Conference for Serious Violations and Misrepresentations. When the HA has established that material misrepresentation(s) have occurred, a Participant Conference will be scheduled with the family representative and the HA staff person who is most knowledgeable about the circumstances of the case.

This conference will take place prior to any proposed action by the HA. The purpose of such conference is to review the information and evidence obtained by the HA with the participant, and to provide the participant an opportunity to explain any document findings which conflict with representations in the family's file. Any documents or mitigating circumstances presented by the family will be taken into consideration by the HA . The family will be given 30 calendar days to furnish any mitigating evidence.

A secondary purpose of the Participant Conference is to assist the HA in determining the course of action most appropriate for the case. Prior to the final determination of the proposed action, the HA 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.

6. Notification to Participant of Proposed Action. The HA will notify the family of the proposed action no later than 30 business days after the participant conference by certified mail.

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. (Does not apply to HCV program).

ACC Annual Contributions Contract means the written contract between HUD and a PHA under which HUD agrees to provide funding for a program under the 1937 Act, and the PHA agrees to comply with HUD requirements for the program.

ADA Americans with Disabilities Act of 1990

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

EOHP Equal Opportunity Housing Plan

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
HA	Housing Authority
HAP	Housing Assistance Payment
HAP Plan	Housing Assistance Plan
HCDA	Housing and Community Development Act of 1981
HCV	Housing Choice Voucher
HoDAG	Housing Development Action Grant
HQS	Housing Quality Standards
HUD	The Department of Housing and Urban Development or its designee.
HURRA	Housing and Urban/Rural Recovery Act of 1983
IG	Inspector General
IGR	Independent Group Residence
IIP	Initial Implementation Period (for documentation of citizenship and/or eligible alien status)
IPA	Independent Public Accountant
IPS	Initial Payment Standard (applies to the Housing Choice Voucher program)
IRA	Individual Retirement Account
JTPA	Job Training Partnership Act
MSA	Metropolitan Statistical Area established by the U.S. Census Bureau
NOFA	Notice of Funding Availability
PHA	Public Housing Agency
PMSA	A Primary Metropolitan Statistical Area established by the U.S. Census Bureau
PS	Payment Standard
QC	Quality Control
RAD	Regional (HUD) Accounting Division

RFTA Request for Tenancy Approval

RFP Request for Proposals

RIGI Regional Inspector General for Investigation (handles fraud and program abuse matters for HUD at the Regional office level)

RRP Rental Rehabilitation Program

SRO Single Room Occupancy

SSA Social Security Administration

SSMA Standard Statistical Metropolitan Area. Has been replaced by MSA, Metropolitan Statistical Area.

TR Tenant Rent

TTP Total Tenant Payment

UA Utility Allowance

URP Utility Reimbursement Payment

B. GLOSSARY OF TERMS IN SUBSIDIZED HOUSING

ABSORPTION. In portability, the point at which a receiving HA stops billing the initial HA for assistance on behalf of a portability family. The receiving HA uses funds available under the receiving HA consolidated ACC.

ACCESSIBLE. The facility or portion of the facility which can be approached, entered and used by individuals with physical handicaps.

ACC RESERVE ACCOUNT (FORMERLY "PROJECT RESERVE"). Account established by HUD from amounts by which the maximum payment to the HA under the consolidated ACC (during an HA 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 of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions:

(1) $480 for each dependent;

(2) $400 for any elderly family or disabled family;

(3) The sum of the following, to the extent the sum exceeds three percent of annual income: (i) Unreimbursed medical expenses of any elderly family or disabled family; and (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and

(4) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.

ADMINISTRATIVE FEE. Fee paid by HUD to the HA for administration of the

ADMINISTRATIVE PLAN. The HUD required written policy of the HA governing its administration of the Section 8 tenant-based and project-based assistance programs. The Administrative Plan and any revisions must be approved by the HA's board to dsignee and a copy submitted to HUD.

ADMINISTRATIVE FEE RESERVE (Formerly "Operating reserve"). Account established by HA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

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.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A written contract between HUD and an HA. Under the contract HUD agrees to provide funding for operation of the program, and the HA agrees to comply with HUD requirements for the program

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. (24 CFR Part 5)

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.

"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.

AUXILIARY AIDS. Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities receiving Federal financial assistance.

BUDGET AUTHORITY. An amount authorized and appropriated by the Congress for payment to HAs under the program. For each funding increment in an HA program, budget authority is the maximum amount that may be paid by HUD to the HA over the ACC term of the funding increment.

CERTIFICATE. A Certificate issued by the PHA under the Section 8 pre-merger certificate program, declaring a family to be eligible for participation in this program and stating the terms and conditions for such participation. Will no longer be issued after October 1, 1999.

CERTIFICATE PROGRAM. Pre-merger rental certificate program.

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

CHILD CARE EXPENSES. Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of

child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

CITIZEN. A citizen or national of the United States.

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).

COMMON SPACE. In shared housing: Space available for use by the assisted family and other occupants of the unit.

CONGREGATE HOUSING. A special housing type as described in subpart M of 24 CFR 982; for an elderly person or a person with disabilities. Must meet the HQS requirements of 24 CFR 982.401 as modified by 24 CFR 982.609.

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 HA 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 voucher program.

CONTRACT. (See Housing Assistance Payments Contract.)

CONTRACT AUTHORITY. The maximum annual payment by HUD to an HA for a funding increment.

CONTRACT RENT. (This term has been changed to **RENT TO OWNER)**

COOPERATIVE. (Term includes mutual housing). Housing owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing. A special housing type: See 24 CFR 982.619.

DEPENDENT. A member of the family (excluding foster children and foster adults) other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student.

DISABILITY ASSISTANCE EXPENSES. Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

DISABLED PERSON. See Person with Disabilities**.**
Assistance and Bill of Rights Act (42 U.S.C. 6001(7)).

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

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. As defined in 42 U.S.C. 1437 (f) (5).Discussed in Chapter 15 Section D under the subheading Drug Related and Violent Criminal Activity.

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. Any program designed to encourage, assist, train or facilitate the economic independence of assisted families, or to provide work for such families. Can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as treatment for drug abuse or mental health treatment).

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

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 (See **FAMILY**)**.** A family is defined by the PHA in the administrative Plan.

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 pre-merger certificate program, an initial rent (contract rent plus any utility allowance) in excess of the published FMR. See **FMR/EXCEPTION RENT**.

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, except that HUD may establish income ceilings higher or lower than 30 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

EVIDENCE OF CITIZENSHIP OR ELIGIBLE STATUS. The documents which must be submitted to provide evidence of citizenship or eligible immigration status. (See 5.508(b).)

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 in accordance with 24 CFR part 888.

FAMILY. Includes but is not limited to the following, and can be further defined in HA policy.

1) A family with or without children (the temporary absence of a child from the home due to placement in foster care is not considered in determining family composition and family size)
2) An elderly family
3) A near-elderly family
4) A disabled family
5) A displaced family
6) he remaining member of a tenant family
7) single person who is not an elderly or displaced person; or a person with disabilities, or the remaining member of a tenant family

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 RENT TO OWNER. In the Voucher program, the portion of rent to owner paid by the family.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by an HA to promote self-sufficiency of assisted families, including the provision of supportive services.

FAMILY SHARE. The portion of rent and utilities paid by the family. For calculation of family share, see 982.515(a).

FAMILY UNIT SIZE. The appropriate number of bedrooms for a family, as determined by the HA under the HA subsidy standards.

FIRST-TIME HOMEOWNER. In the homeownership option: A family of which no member owned any present ownership interest in a residence of any family member during the three years before commencement of homeownership assistance for the family. The term "first-time homeowner" includes a single parent or displaced homemaker (as those terms are defined in 12 U.S.C. 12713) who, while married, owned a home with his or her spouse, or resided in a home owned by his or her spouse.

FMR/EXCEPTION RENT LIMIT. The Section 8 Existing housing fair market rent published by HUD headquarters or any exception rent. In the voucher program the HA may adopt a payment standard up to the FMR/exception rent limit.

FOSTER CHILD CARE 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 attending school or vocational training on a full-time basis.

FUNDING INCREMENT. Each commitment of budget authority by HUD to an HA under the consolidated annual contributions contract for the HA program.

GROSS FAMILY CONTRIBUTION. Changed to Total Tenant Payment.

GROSS RENT. The sum of the rent to owner plus any utility allowance.

GROUP HOME. A Special Housing Type as described in subpart M of 24 CFR 982 for an elderly person or a person with disabilities who does not require continual medical or nursing care. The group home must be licensed, certified, or otherwise approved in writing by the state or the state's licensing department, for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide).

HANDICAP. Any condition or characteristic that renders a person an individual with handicaps. See "persons with disabilities".

HANDICAP ASSISTANCE EXPENSES. The definition of "handicap" has been combined with that of "persons with disabilities". See "Disability Assistance Expenses."

HAP CONTRACT. (See Housing Assistance Payments contract.)

HEAD OF HOUSEHOLD. The adult member of the family who is the head of household for purposes of determining income eligibility and rent.

HOMELESS FAMILIES. A local preference: applies if an applicant family can provide proof of the following: (1) Lacks a fixed, regular, and adequate nighttime residence; AND (2) has a primary nighttime residence that is a supervised public or private shelter providing temporary accommodations (including welfare hotels, congregate shelters, and transitional housing), or an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not ordinarily used as a sleeping accommodation for human beings.

HOMEOWNER. In the homeownership option: A family of which one or more members owns title to the home.

HOMEOWNERSHIP ASSISTANCE. Assistance for a family under the homeownerhsip option. There are two alternative and mutually exclusive forms of homeownership assistance by a PHA for a family: monthly homeownership payments, or a single down payment assistance grant. Either form of homeownership assistance may be paid to the family, or to a mortgage lender on behalf of the family. Under the HOP pilot only the first form of assistance is offered.

HOMEOWNERSHIP EXPENSES. In the homeownership option: A family's allowable monthly expenses for the home, as determined by the HA in accordance with HUD requirements. (See 982.635(c).

HOMEOWNERSHIP OPTION. A special housing type. Assistance for a homeowner or cooperative member under 982.625 to 982.641; allows monthly homeownership assistance payments by the HA. See Chapter Twenty-One of this Administrative Plan for policies on this program.

HOUSING AGENCY. A state, country, municipality or other governmental entity or public body authorized to administer the program. The term "HA" includes an Indian housing authority (IHA). ("PHA" and "HA" 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 HA. The total assistance payment consists of:

(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 HA and an owner in the form prescribed by HUD headquarters, in which the HA 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. An amount of annual income that is not actually received by a family a s a result of a specified welfare benefit reduction, but is included in the family's annual income and therefore reflected in the family's rental contribution. (See 24 CFR Part 5).

INCOME INFORMATION. Information relating to an individual's income, including: (1) All employment income information known to current or previous employers or other income sources that HUD or the HA determines is necessary for purposes of determining an assistance applicant's or participant's eligibility for, or level of assistance in, a covered program; (2) All information about wages, as defined in the State's unemployment compensation law, including any Social Security Number; name of the employee; quarterly wages of the employee; and the name, full address, telephone number, and, when known, Employer Identification Number of an employer reporting wages under a State unemployment compensation law;
(3) With respect to unemployment compensation: (i) Whether an individual is receiving, has received, or has applied for unemployment compensation; (ii) The amount of unemployment compensation the individual is receiving or is entitled to receive; and (iii) The period with respect to which the individual actually received such compensation;
(4) Unearned IRS income and self-employment, wages and retirement income as described in the Internal Revenue Code, 26 U.S.C. 6103(l)(7); and
(5) Wage, social security (Title II), and supplemental security income (Title XVI) data obtained from the Social Security Administration.

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.

INDIVIDUAL OWNER APPLICANT. An individual who seeks to participate as a private owner in:

- The project-based assistance programs in 24 CFR Parts 880,882,886,887, or 891; or
- The project-based assistance programs under Section 8 of the 1937 Act

INDIVIDUAL WITH HANDICAPS. Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment.

INITIAL HA. In portability, the term refers to both:

(1) An HA that originally selected a family that later decides to move out of the jurisdiction of the selecting HA; and

(2) An HA that absorbed a family that later decides to move out of the jurisdiction of the absorbing HA.

INITIAL PAYMENT STANDARD. The payment standard at the beginning of the HAP contract term.

INITIAL RENT TO OWNER. The rent to owner at the beginning of the HAP contract term.

INTEREST IN THE HOME. In the homeownership option: (1) In the case of assistance for a homeowner, "interest in the home" includes title to the home, any lease or other right to occupy the home, or any other present interest in the home. (2) In the case of assistance for a cooperative member, "interest in the home" includes ownership of membership shares in the cooperative, any lease or other right to occupy the home, or any other present interest in the home.

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.

INVOLUNTARY DISPLACEMENT. A local preference; applies if an applicant family provides proof of being displaced, as defined in the Local Preferences section in Chapter Three of this Administrative Plan.

JURISDICTION. The area in which the HA 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.

LEAD-BASED PAINT. Common terms on this subject are included in Chapter Ten of this Administrative Plan, "Lead-Based Paint and HQS".

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 HA

(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 HA.

LEASE ADDENDUM. Lease Addendum. For pre-merger certificate and pre-merger voucher tenancies, the lease language required by HUD in the lease between the tenant and the owner. Lease Addendum has been replaced by the Tenancy Addendum in the Housing Choice Voucher Program.

LIVE-IN AIDE. A person who resides with one or more elderly persons or near-elderly persons, or person with disabilities who:

(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.

LIVING IN SUBSTANDARD HOUSING. A local preference: applies if an applicant family provides proof of living in substandard housing that meets one or more of the criteria listed in Chapter Three of this Plan; see Local Preferences section.

LOCAL PREFERENCE. A preference used by the HA to select among applicant families.

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; HUD may establish income limits higher or lower than 80 percent for areas with unusually high or low 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 Section 236 units, the market rent is shown on the project's HUD-approved rent schedule. For Rental Supplement, Section 202 and Section 8 units, the Market Rate Rent is the same as the contract rent.

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 or disabled families only. These allowances are given when calculating adjusted income for medical expenses in excess of 3% of Annual Income.

MEMBERSHIP SHARES. In the homeownership option: shares in a cooperative. By owning such cooperative shares, the share-owner has the right to reside in a particular unit in the cooperative, and the right to participate in management of the housing.

MERGER DATE. October 1, 1999.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

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

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances or Adjusted Income.

MONTHLY INCOME. 1/12 of the Annual Income.

MUTUAL HOUSING. Included in the definition of "cooperative."

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.

NEAR-ELDERLY FAMILY. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons, who are at least 50 years of age but below the age of 62 living with one or more live-in aides.

NET FAMILY ASSETS.

(1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interest in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

(2) In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under 5.609.

(3) In determining net family assets, the HA shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

(4) For purposes of determining annual income under 5.609, the term "net family assets" does not include the value of a home currently being purchased with assistance under part 982, subpart M of this title [Section 8 Homeownership Option]. This exclusion is limited to the first 10 years after the purchase date of the home.

NET FAMILY CONTRIBUTION. Former name for Tenant Rent.

NON-CITIZEN. A person who is neither a citizen nor a national of the United States.

OWNER. The person or entity (or employee of an owner) that leases an assisted dwelling unit to an eligible family and includes, when applicable, a mortgagee.

PARTICIPANT. A family that has been admitted to the HA's tenant-based or project based assistance programs and is currently assisted in the program.. The family becomes a participant on the effective date of the first HAP contract executed by the HA for the family (First day of initial lease term).

PAYMENT STANDARD. The maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family).

PERSONS WITH DISABILITIES. (1) Means a person who: (i) Has a disability, as defined in 42 U.S.C. 423; (ii) Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that: (A) Is expected to be of long-continued and indefinite duration; (B) Substantially impedes his or her ability to live independently, and (C) Is of such a nature that the ability to live independently could be improved by more suitable housing conditions; or (iii) Has a developmental disability as defined in 42 U.S.C. 6001. (2) Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome; (3) For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and (4) Means ``individual with handicaps", as defined in Sec. 8.3 of this title, for purposes of reasonable accommodation and program accessibility for persons with disabilities.

PORTABILITY. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial HA

PREMISES. The building or complex in which the dwelling unit is located, including common areas and grounds.

PRESENT OWNERSHIP INTEREST. In the homeownership option: "Present ownership option" in a residence includes title, in whole or in part, to a residence, or ownership, in whole or in part, of membership shares in a cooperative. "Present ownership interest" in a residence does not include the right to purchase title to the residence under a lease-purchase agreement.

PRIVATE SPACE. In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

PROJECT OWNER. The person or entity that owns the housing project containing the assisted dwelling unit.

PROJECT-BASED ASSISTANCE. Similar to the tenant-based voucher assistance, except if a resident moves, the voucher stays with the unit.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA). Any State, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

RANKING. Method, as described in the HA's administrative plan, stating the order given to any local preferences.

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 HA. In portability: An HA that receives a family selected for participation in the tenant-based program of another HA. The receiving HA issues a 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 who may or may not normally qualify for assistance on own circumstances (i.e., an elderly spouse dies, leaving widow age 47 who is not disabled).

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 well being. 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 (part 982 of this title), project-based certificate assistance (part 983 of this title) and moderate rehabilitation program (part 882 of this title), 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.

Section 8. Section 8 of the United States Housing Act of 1937.

SECURITY DEPOSIT. A dollar amount (maximum set according to the regulations) which can be used for unpaid rent or damages to the owner upon termination of the lease.

SERVICE PERSON. A person in the active military or naval service (including the active reserve) of the United States.

SHARED HOUSING. A unit occupied by two or more families. The unit (may be a house or apartment) consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family. A special housing type: see 982.618.

SINGLE PERSON. A person living alone or intending to live alone.

SINGLE ROOM OCCUPANCY HOUSING (SRO). A special housing type; for a single person. The housing must meet applicable local health and safety standards for SRO housing as well as the HQS requirements in 24 CFR 982.605.

SINGLES PREFERENCE. A local preference: applies if an applicant family is a single person who is elderly, homeless, displaced, or a person with disabilities. Will be given preference over all "Other Single" applicants regardless of preference status. "Other Singles" denotes a one-person household in which the individual is not elderly, homeless, disabled, or displaced by government action.

SPECIAL ADMISSION. Admission of an applicant that is not on the HA 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 and homeownership option (homeownership assistance for cooperative member or first time homeowner.

SPOUSE. The husband or wife of the head of the household.

STANDARD REPLACEMENT HOUSING. In order to receive the involuntary displacement preference, applicants must not be living in "standard, permanent replacement housing" as defined in Chapter Three of this Plan; see section on Involuntary Displacement.

STATEMENT OF HOMEOWNER OBLIGATIONS. In the homeownership option: The family's written agreement to comply with program regulations.

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 Public Housing Agency;

6. A Public Housing Project.

SUBSIDY STANDARDS. Standards established by an HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUSPENSION/TOLLING. Stopping the clock on the term of a family's certificate or voucher, for such period as determined by the HA, from the time when the family submits a request for HA approval to lease a unit, until the time when the HA approves or denies the request.

TENANCY ADDENDUM. For the Housing Choice Voucher Program, the lease language required by HUD in the lease between the tenant and the owner.

TENANT. The person or persons (other than a live-in-aide) who executes the lease as lessee of the dwelling unit.
TENANT RENT. (Former term for the amount payable monthly by the family as rent to the owner). See Family Share.

TERM OF LEASE. The amount of time a tenant agrees in writing to live in a dwelling unit.

TOTAL TENANT PAYMENT (TTP). The TTP is the highest of the following amounts, rounded to the nearest dollar:

(1) 30 percent of the family's monthly adjusted income;
(2) 10 percent of the family's monthly income;
(3) welfare rent (in as-paid states) or
(4) The FHA 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. The amount, if any, by which the utility allowance for a unit, if applicable, exceeds the total tenant payment for the family occupying the unit. (This definition is not used in the Section 8 voucher program, or for a public housing family that is paying a flat rent.)

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 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. The HA may admit 25% of its total admissions at this income limit.

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.

VICTIMS OF DOMESTIC VIOLENCE. A local preference; applies when an applicant family provides evidence of being subjected to or victimized by a member of the family or household within the past 12 months. See Chapter Three of this Plan for the criteria to establish eligibility for this preference.

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 (HOUSING CHOICE VOUCHER). A document given by a HA to a family selected for admission to the Housing Choice Voucher program. This document describes the program and the procedures for HA approval of a unit selected by the family. The voucher also states obligations of the family under the program.

VOUCHER HOLDER. A family holding a voucher with unexpired search time.

VOUCHER PROGRAM. Housing Choice Voucher Program**.**

WAITING LIST ADMISSION. An admission from the HA waiting list.

WAITING LIST. A list of families organized according to HUD regulations and HA policy who 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.

WELFARE-TO-WORK (WTW) FAMILY. A family assisted by the HA with Voucher funding awarded to the HA under the HUD welfare-to-work voucher program (including any renewal of such WTW funding for the same purpose).

C. GLOSSARY OF TERMS USED IN THE NON-CITIZENS 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. (See 5.508(b))

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.

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.

NON-CITIZEN. A person who is neither a citizen nor nation of the United States.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to non-citizens with ineligible immigration status (the HA).

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.

CAPITAL FUND PROGRAM TABLES START HERE

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

PHA Name	Grant Type and Number	Federal FY of Grant:
Housing Authority of Fresno County	Capital Fund Program Grant No: CA39P02850107 Replacement Housing Factor Grant No:	2007

☒ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no:)
☐ Performance and Evaluation Report for Period Ending: ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	$60,000			
3	1408 Management Improvements	$300,000			
4	1410 Administration	$200,000			
5	1411 Audit	$3,000			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	$50,000			
8	1440 Site Acquisition				
9	1450 Site Improvement	$155,000			
10	1460 Dwelling Structures	$566,042			
11	1465.1 Dwelling Equipment—Nonexpendable	$10,000			
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	$75,000			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	$2,000			
18	1499 Development Activities				
19	9000 Collaterization or Debt Service	$700,211			
20	1502 Contingency	$600			
21	Amount of Annual Grant: (sum of lines 2 – 20)	$2,121,853			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA039P02850107 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2007		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Drug Abatement & Security	1408		$250,000				
Mgmt.	Software	1408		$50,000				
Improvements		1408						
	Total			$300,000				
HA-Wide	Non Technical Salaries	1410		$114,500				
Administration	Technical Salaries	1410		$40,000				
	Employee Benefits	1410		$40,000				
	Travel	1410		$2,000				
	Telephone	1410		$1,000				
	Sundry	1410		$2,500				
	Total			$200,000				
HA-Wide	A&E Services	1430		$2,000				
Fees and Costs	Consultant Fees	1430		$2,000				
	Permit Fees	1430		$5,000				
	PHA Inspector	1430		$41,000				
	Total			$50,000				
HA-Wide	Computer Equipment	1475		$70,000				
	Office Equipment	1475		$5,000				
	Total			$75,000				
HA-Wide	Relocation Cost	1495.1		$2,000				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA039P02850107 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2007		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028000003P	Underground Utilities	1450		$55,000				Moved from 2004
CA028015								
Parlier	**Total CA028015 Parlier**			**$55,000**				
CA028000001P	Parking Upgrade	1450		$25,000				
CA028038								
De Soto Gardens	**Total CA028038 De Soto Gardens**			**$25,000**				
CA02800001P	Sliding Doors	1460	12	$6,000				
CA028022	Bathroom Modernization	1460	12	$20,000				Moved from 2005
Biola	Cabinets	1460	12	$30,000				Moved from 2005
	Total CA028022 Biola			**$56,000**				
CA02800005P	Ext. Paint	1460	60	$10,000				
CA028014	Water Heaters	1460	60	$10,000				
Mendota	Countertops	1460	60	$20,000				
	Cabinets	1460	60	$40,000				
	Total CA028014 Mendota			**$80,000**				
CA028000005P	Parking Lots	1450		$25,000				
CA028021								
San Joaquin	Cabinets	1460	20	$30,000				
	Floors	1460	20	$15,000				
	Exterior Paint & Trim	1460	20	$10,000				
	Subtotal	1460		$55,000				
	Total CA028021 San Joaquin			**$80,000**				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA039P02850107 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2007		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028000002P	Kitchen Modernization	1460	64	$0.00				Moved to 2004/2005
CA028033	Interior Paint	1460	64	$0.00				Moved to 2004/2005
Sanger Elderly	Floors	1460	64	$0.00				Moved to 2004/2005
	Bathroom Modernization	1460	64	$0.00				Moved to 2004/2005
	Total CA028033 Sanger Elderly			**$0.00**				
CA028000004P	Laundry rooms & Storage	1460		$0.00				Moved to 2003
CA028008								
Firebaugh	**Total CA028008 Firebaugh**			**$0.00**				
CA028000005P	Roofs	1460	60	$50,789				
CA028026	Ext. Paint/Trim	1460	60	$7,000				
Mendota	Interior Paint	1460	60	$12,000				
	Stucco	1460	60	$35,000				
	Doors	1460	60	$15,000				
	Bathroom Modernization	1460	60	$20,000				
	Kitchen Modernization	1460	60	$23,000				
	Total For CA028026 Mendota			**$162,789**				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA039P02850107 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2007		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028000004P	Ext. Paint/Trim	1460	32	$8,000				
CA028030	Replace tubs, showers, sinks	1460	32	$14,000				Moved from 2004
Firebaugh	Subtotal	1460		$22,000				
	Stoves & Refrigerators	1465.1	32	$5,000				
	Total For CA028030 Firebaugh			**$27,000**				
CA028000004P	Gate Valves	1450		$10,000				
CA028019	Irrigation repairs	1450		$40,000				
Firebaugh	Subtotal	1450		$50,000				
	Siding/Stucco	1460	30	$35,000				
	Ext. Paint	1460	30	$10,000				
	Roofs	1460	30	$70,253				
	Int. Texture/paint	1460	30	$10,000				
	Doors	1460	30	$10,000				
	Floor/Tile	1460	30	$15,000				
	Bath Modernization/Handicap upgrades	1460	30	$10,000				
	Kitchen Modernization	1460	30	$20,000				
	Heaters	1460	30	$10,000				
	Subtotal	1460		$190,253				
	Stoves & Refrigerators	1465.1		$5,000				
	Total CA028019 Firebaugh			**$245,253**				

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

PHA Name: Housing Authority of Fresno County	**Grant Type and Number** Capital Fund Program No: CA39P02850107 Replacement Housing Factor No:	**Federal FY of Grant:** 2007

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Drug Abatement & Security	8/30/09			6/30/11			
Software	8/30/09			6/30/11			
CA028000001P CA028022 Biola	8/30/09			6/30/11			
CA02800001P CA028038 De Soto Gardens	8/30/09			6/30/11			
CA028000002P CA028033 Sanger	8/30/09			6/30/11			
CA028000003P CA028015 Parlier	8/30/09			6/30/11			
CA028000004P CA028030 Firebaugh	8/30/09			6/30/11			
CA028000004P CA028008 Firebaugh	8/30/09			6/30/11			
CA028000004P CA028019 Firebaugh	8/30/09			6/30/11			
CA028000005P CA028014 Mendota	8/30/09			6/30/11			
CA028000005P CA028021 San Joaquin	8/30/09			6/30/11			
CA028000005P CA028026 Mendota	8/30/09			6/30/11			
	8/30/09			6/30/11			

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

PHA Name:	Grant Type and Number	Federal FY of Grant:
CA028 The Housing Authority of the County of Fresno	Capital Fund Program Grant No: Replacement Housing Factor Grant No:	Cap Fund Borrowing

☐ Original Annual Statement ☐ Reserve for Disasters / Emergencies ☐ Revised Annual Statement

Revision Number

☐ Performance and Evaluation Report for Period Ending ☐ Final Performance and Evaluation Report

Performance and Evaluation Report for Period Ending: Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration	699,301			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	112,253			
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities	6,293,712			
19	1501 Collaterization or Debt Service	370,072			

20	1502 Contingency				
21	Amount of Proposed Project: (sum of lines 2 – 20)	7,475,339			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

Part II: Supporting Pages

PHA Name: **CA028 The Housing Authority of the County of Fresno**		**Grant Type and Number** Capital Fund Program Grant No: Replacement Housing Factor Grant No:							**Federal FY of Grant: Capital Fund Borrowing**
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.		Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Funds Obligated	Funds Expended	
	Administration								
PHA Wide	Planning of Public Housing Conversions		1410		699,301				
	Subtotal 1410				**699,301**				
	Fees and Costs								
PHA Wide	CFFP Fees		1430		112,253				
	Subtotal 1430				**112,253**				
	Development Activities								
	Pre-Development Activities		1499		1,048,952				
	Helsam Terrace		1499		3,496,507				
	Del Ray		1499		1,748,253				
	Subtotal 1499				**6,293,712**				
	Collaterization or Debt Service								
PHA Wide	Reserve Deposit		1501		285,975				
PHA Wide	Capitalized Interest		1501		84,098				
	Subtotal 1501				**370,072**				

	GRAND TOTAL				**7,475,339**				

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

PHA Name:	Grant Type and Number	Federal FY of Grant:
CA028 The Housing Authority of the County of Fresno	Capital Fund Program No: Replacement Housing Factor No:	**Capital Fund Borrowing**

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	

Capital Fund Program Five-Year Action Plan
Part I: Summary

PHA Name Housing Authority of Fresno County				☒**Original 5-Year Plan** ☐**Revision No:**	
Development Number/Name/HA-Wide	Year 1 2007	Work Statement for Year 2 FFY Grant: 2008 PHA FY: 2008	Work Statement for Year 3 FFY Grant: 2009 PHA FY: 2009	Work Statement for Year 4 FFY Grant: 2010 PHA FY: 2010	Work Statement for Year 5 FFY Grant: 2011 PHA FY: 2011
CA028008, Firebaugh	Annual Statement		0.00		
CA028012, Firebaugh		$42,485	$75,000		
CA028014, Mendota		$108,245	$59,000		
CA028018, Del Rey		$230,060			
CA028021, San Joaquin		$37,145	$28,500	$65,000	
CA028022, Biola		$75,075	$47,000		
CA028007, Kerman		$70,000	$25,000	$148,000	
CA028002, Sanger			$45,000		
CA028003, Reedley			$40,000	$10,000	
CA028033, Sanger Elderly				$0.00	
CA028011, Highway City		$0.00	$10,000		$100,000
CA028020, Laton			$99,000		
CA028026, Mendota			$44,000		
CA028030, Firebaugh			$73,182	$213,000	
CA028004, Orange Cove			$51,000	$65,000	
CA028005, Fowler			$58,000		
CA028006, Huron			$48,000		
CA028019, Firebuagh					$471,142
CA028009, Mendota			$59,460	$145,000	
CA028023, Huron			$27,000		
CA028015, Parlier			$77,000		
CA028016, Orange Cove			$70,000	$100,000	
CA028038, De Soto Gardens		$120,460			
CA028024, Pinedale		$137,672			
CA028032, Pinedale		$15,000	$10,000		$75,000
CA028001, Selma		$15,000		$105,142	$275,000
CA028017, Reedley				$70,000	
HA-Wide Debt Service		$700,211	$700,211	$700,211	$700,211
HA-Wide Physical Activities		$50,000	$50,000	$50,000	$100,000
HA-Wide Non-Physical Activities		$520,000	$425,000	$450,000	$400,000
HA-Wide Contingency		$500	$500	$500	$500
CFP Funds Listed for 5-year planning		$2,121,853	$2,121,853	$2,121,853	$2,121,853
Replacement Housing Factor Funds					

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 2 FFY Grant: 2008 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2009 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**HA-Wide**	Computer Equipment	$33,000	**HA-Wide**	Computer Equipment	$50,000
Annual		Vehicles	$15,000			
Statement		Office Equipment	$2,000			
		Subtotal	$50,000		**Subtotal**	$50,000
	CA028000001P CA028007 Kerman	Security Doors	$10,000	**CA028000002P CA028002 Sanger**	Site Work	$10,000
		Bath Modernization	$10,000		Landscape	$10,000
		Interior Wall Texture	$10,000		Laundry Room Additions	$25,000
		Floors	$20,000			
		Shower Walls	$10,000		**Subtotal**	$45,000
		Laundry Rooms	$10,000			
		Subtotal	$70,000			
	CA028000001P CA028011 Highway City	Stoves & Refrigerators	$0	**CA028000003P CA028003 Reedley**	Cooler Replacement	$20,000
		Subtotal	$0		Painting – fence	$5,000
					Fascia replacement / paint trim	$15,000
					Subtotal	$40,000
	CA028000005P CA028014 Mendota	Trash Enclosures	$15,000	**CA028000003P CA028004 Orange Cove**	Fascia replacement / paint trim	$20,000
		Sidewalk Repairs	$8,245		Landscape	$5,000
		Install Coolers	$35,000		Sprinkler System Overhaul	$10,000
		Roofs	$50,000		Counter Tops	$10,000
		Subtotal	$108,245		Faucets and Wastes	$4,000
					Furnace Covers	$2,000
	CA028000004P CA028012 Firebaugh	Install Water Heaters	$31,595			
		Exterior Paint, Elastomeric	$10,890		**Subtotal**	$51,000
		Subtotal	$42,485			
		Total CFP Estimated Cost	$162,485			$186,000

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 2 FFY Grant: 2008 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2009 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**CA028000002P CA028018 Del Rey**	Site Work	$10,000	**CA028000002P CA028005 Fowler**	Underground Utilities	$10,000
Annual		Asphalt Paving	$27,025		Add Laundry/Storage	$20,000
Statement		Exterior Lighting	$8,230		Window Coverings	$2,000
		Kitchen Upgrades	$12,915		Stucco re-dash	$18,000
		Plumbing	$15,000		Exterior Painting	$8,000
		Interior Doors/Jambs	$6,585			
		Entry Doors & Locks	$9,875		**Subtotal**	$58,000
		Laundry Room Additions	$20,000			
		Shower Doors	$4,090	**CA028000006P CA028006 Huron**	Site Improvements	$10,000
		Floors	$14,685		Windows	$25,000
		Heating/Cooling Upgrades	$49,370		Grading	$10,000
		Stucco	$39,940		Landscape	$3,000
		Evaporative Coolers	$12,345			
					Subtotal	$48,000
		Subtotal	$230,060			
				CA028000001P CA028007 Kerman	Kitchen Modernization	$25,000
	CA028000005P CA028021 San Joaquin	Exterior Lighting	$9,875			
		Landscape/Irrigation	$14,685		**Subtotal**	$25,000
		Security Doors	$4,355			
		Repair/Paint Wrought Iron Fence	$8,230	**CA028000001P CA028011 Highway City**	Site Improvements	$10,000
		Subtotal	$37,145		**Subtotal**	$10,000
		Total CFP Estimated Cost	$337,205			$141,000

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 2 FFY Grant: 2008 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2009 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
	CA028000001P CA028022 Biola	Parking Lot re-design	$10,000	**CA028000005P CA028009 Mendota**	Doors	$10,000
		A/C Units	$35,000		Site Improvement	$5,000
See		Ext. Doors storage/Water Heater	$10,000		Ext. Paint	$10,000
Annual		Exterior Paint Elastomeric	$16,455		Bath Modernization	$10,000
Statement		Closet Doors	$3,620		Kitchen Modernization	$19,460
					Stoves & Refrigerators	$5,000
		Subtotal	$75,075		**Subtotal**	$59,460
	CA028000001P CA028024 Pinedale	Stucco (Dash)	$11,825	**CA028000004P CA028012 Firebaugh**	Site Improvements	$5,000
		Security Screens	$10,455		Kitchen Modernization	$25,000
		Irrigation System	$20,392		Replace Coolers	$35,000
		Site Improvements	$5,000		Repair Irrigation	$10,000
		Ceramic Tile Countertops	$20,000			
		Underground Utilities	$30,000		**Subtotal**	$75,000
		Dual Pane Windows	$25,000			
		Stoves & Refrigerators	$5,000	**CA028000005P CA028014 Mendota**	Site Improvements	$9,000
					Bathroom Modernization	$20,000
		Subtotal	$137,672		Interior Paint	$25,000
					Grade and Landscape	$5,000
	CA028000001P CA028032 Pinedale	Stoves & Refrigerators	$5,000		**Subtotal**	$59,000
		Stucco	$10,000			
		Subtotal	$15,000	**CA028000006P CA028023 Huron**	Windows	$27,000
					Subtotal	$27,000
		Total CFP Estimated Cost	$277,747			$220,460

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 2 FFY Grant: 2008 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2009 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**CA028000001P CA028038 De Soto Gardens**	Exterior Paint	$25,000	**CA028000003P CA028015, Parlier**	Site Improvements	$10,000
Annual		Main Water Valve Shut Off	$5,000		Interior Cooler grills	$4,000
Statement		Re-roof Complex	$45,000		Interior sub floors	$20,000
		Site Irrigation & Landscape	$22,000		Kitchen Mod/ Range Hoods	$11,000
		Bathroom Modernization	$13,460		Rain Gutters	$7,000
		Playground equipment	$10,000		Site Concrete	$5,000
					Windows Coverings	$5,000
		Subtotal	$120,460		Ext/Interior Paint	$10,000
					Stoves & Refrigerator	$5,000
					Subtotal	$77,000
	CA028000001P CA028001 Selma	Underground Utilities	$15,000	**CA028000003P CA028016 Orange Cove**	Site grading	$10,000
					Landscape	$5,000
		Subtotal	$15,000		Roof	$35,000
					Ext/Interior Painting	$10,000
					Kitchen Countertops	$10,000
					Subtotal	$70,000
				CA028000002P CA028020 Laton	Bathroom Modernization	$30,000
					Dwelling Structure	$20,000
					Window Coverings	$2,000
					Cooler Grills	$2,000
					Refrigerators	$5,000
					Ext Paint/ Stucco	$20,000
					Site concrete	$10,000
					Site grading and drainage	$10,000
					Subtotal	$99,000
		Total CFP Estimated Cost	$135,460			$246,000

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 2 FFY Grant: 2008 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2009 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See				**CA028000005P CA028021 San Joaquin**	Site Improvements	$10,000
Annual					Bath exhaust fans/ delay timer	$2,500
Statement					Doors	$6,000
					Playground	$10,000
					Subtotal	$28,500
				CA028000001P CA028022 Biola	Site Improvements	$30,000
					Dwelling Structures	$7,000
					Stoves & Refrigerators	$10,000
					Subtotal	$47,000
				CA028000005P CA028026 Mendota	Site Improvements	$5,000
					Windows	$15,000
					Replace Clothes lines	$5,000
					Doors	$6,000
					Water Heaters	$6,000
					Refrigerators	$7,000
					Subtotal	$44,000
				CA028000001P CA028032 Pinedale	Site Improvements	$10,000
					Subtotal	$10,000
		Total CFP Estimated Cost				$129,500

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year :2 FFY Grant: 2008 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2009 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See				**CA028000004P CA028030 Firebaugh**	Site Improvements	$7,182
Annual					Windows	$20,000
Statement					Repair Irrigation	$6,000
					Kitchen Modernization	$15,000
					Bathroom Modernization	$15,000
					Upgrade Playground	$10,000
					Subtotal	$73,182
				CA028000004P CA028008 Firebaugh	Coolers replace	0.00
					Subtotal	0.00
		Total CFP Estimated Cost				$73,182

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 4 FFY Grant: 2010 PHA FY: 2010			Activities for Year: 5 FFY Grant: 2011 PHA FY: 2011		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**HA-Wide**	Computer Equipment	$50,000	**HA Wide**	Computer Equipment	$60,000
Annual						
Statement		**Subtotal**	$50,000			
	CA028000002P CA028001 Selma	Roofs	$75,142	**CA028000002P CA028001 Selma**	Site Improvements	$20,000
		Stucco	$30,000		Landscape	$15,000
					Resurface parking areas	$20,000
		Subtotal	$105,142		Exterior Painting	$35,000
					Interior Paint	$25,000
	CA028000003P CA028003 Reedley	Site Work	$2,000		Kitchen Modernization	$55,000
		Doors	$8,000		Bathroom Modernization	$45,000
					Floors	$50,000
		Subtotal	$10,000		Doors	$10,000
					Sutbtotal	$275,000
	CA028000003P CA028017 Reedley	Site Improvements	$7,000	**CA028000001P CA028011 Highway City**	Site Improvements	$25,000
		Floors	$13,000		Sire Irrigation	$50,000
		Bathroom Modernization	$50,000		Landscaping	$25,000
		Subtotal	$70,000		**Subtotal**	$100,000
	CA028033, Sanger Elderly	Stucco	$0.00			
		Roofs	$0.00			
		Subtotal	$0.00			
		Total CFP Estimated Cost	$235,142			$435,000

Activities for Year 1	Activities for Year : 4 FFY Grant: 2010 PHA FY: 2010			Activities for Year: 5 FFY Grant: 2011 PHA FY: 2011		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**CA028000003P CA028004 Orange Cove**	Roofs	$65,000	**CA028000001P CA028032 Pinedale**	Site Improvements	$10,000
Annual					Replace Siding w/ Stucco	$60,000
Statement		**Subtotal**	$65,000		Windows	$50,000
					Subtotal	$75,000
	CA028000005P CA028021 San Joaquin	Roofs	$65,000			
		Subtotal	$65,000			
	CA028000003P CA028016 Orange Cove	Roofs	$100,000	**CA028000004P CA028019 Firebaugh**	Upgrade Heating/Cooling	$60,000
					Flooring	$45,000
		Subtotal	$100,000		Kitchen Modernization	$50,000
					Bath Modernization	$50,000
	CA028000004P CA028019 Firebaugh	Garbage enclosures	$25,000		Rehabilitation of units for accessibility features	$5,000
		Laundry rooms	$25,000		Doors	$31,000
		Clothes lines	$10,000		Interior Paint	$50,000
		Mow Strips	$25,000		Exterior Paint	$30,142
		Doors (paint/replace/repair)	$25,000		Stucco	$50,000
		Vertical Blinds	$15,000		Windows	$65,000
		Window Screens	$15,000		Landscape	$10,000
		Security doors	$25,000		Install Main shut off valves	$25,000
		T.V. Antennas	$8,000			
		A/C units	$40,000		**Subtotal**	$471,142
		Subtotal	$213,000			
		Total CFP Estimated Cost	$443,000			$546,142

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year : 4 FFY Grant: 2010 PHA FY: 2010			Activities for Year: 5 FFY Grant: 2011 PHA FY: 2011		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**CA028000001P CA028007 Kerman**	Doors	$20,000			
Annual		Dwelling Structure new porch	$30,000			
Statement		Roofs	$75,000			
		Vertical Blinds	$15,000			
		Remove clothes lines	$8,000			
		Subtotal	$148,000			
	CA028000005P CA028009 Mendota	Doors (paint/replace/repair)	$28,000			
		Remove Clothes lines	$5,000			
		Roofs	$62,000			
		Site Improvements	$10,000			
		Floors	$25,000			
		Gate Vavles (new)	$3,000			
		Vertical Blinds	$7,000			
		Window Screens	$5,000			
		Subtotal	$145,000			
	CA028000004P CA028008 Firebaugh	Int/Ext Paint	$0.00			
		Doors	$0.00			
		Bathroom Modernizatin	$0.00			
		Kitchen Modernization	$0.00			
		Asbestos Removal	$0.00			
		Plumbing	$0.00			
		A/C	$0.00			
		Subtotal	$0.00			
		Total CFP Estimated Cost	$293,000			

CAPITAL FUND PROGRAM TABLES START HERE

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

PHA Name: Housing Authority of Fresno County	Grant Type and Number Capital Fund Program Grant No: CA39P02850103 Replacement Housing Factor Grant No:	Federal FY of Grant: 2003

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no: 3)
☒ Performance and Evaluation Report for Period Ending: 6/30/06 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	$78,858.33	$78,858.33	$78,858.33	$78,858.33
3	1408 Management Improvements	$409,994.66	$409,994.65	$409,994.65	$346,346.93
4	1410 Administration	$193,912.11	$193,912.11	$193,912.11	$115,757.07
5	1411 Audit	$2,500.00	$2,972.13	$2,972.13	$2,972.13
6	1415 Liquidated Damages				
7	1430 Fees and Costs	$65,991.70	$67,469.58	$67,469.58	$52,102.00
8	1440 Site Acquisition				
9	1450 Site Improvement	$316.902.00	$316,902.00	$316,902.00	$316,902.00
10	1460 Dwelling Structures	$1,008,731.00	$1,006,781.00	$1,006,781.00	$976,697.63
11	1465.1 Dwelling Equipment—Nonexpendable	$0.00			
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	$ 119,676.20	$119,676.20	$119,676.20	$119,676.20
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	$3,300.00	$3,300.00	$3,300.00	$3,300.00
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency	$ 0.00			
21	Amount of Annual Grant: (sum of lines 2 – 20)	$2,199,866.00	$2,199,866.00	$2,199,866.00	$2,012,612.29
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850103 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Drug Abatement & Security	1408		$369,994.69	$369,994.69	$369,994.69	$307,274.69	
Mgmt.	Software	1408		$39,999.96	$39,999.96	$39,999.96	$39,072.24	
Improvements								
	Total	1408		$409,994.65	$409,994.65	$409,994.65	$346,346.93	
HA-Wide	Non Technical Salaries	1410		$103,667.32	$103,667.32	$103,667.32	$52,639.65	
Admin	Technical Salaries	1410		$38,671.97	$20,671.97	$20,671.97	$17,688.90	
	Employee Benefits	1410		$42,085.00	$60,085.00	$60,085.00	$35,950.70	
	Travel	1410		$3,077.99	$3,077.99	$3,077.99	$3,077.99	
	Telephone	1410		$1,897.23	$1,897.23	$1,897.23	$1,897.23	
	Sundry	1410		$4,502.60	$4,502.60	$4,502.60	$4,502.60	
	Total	1410		$193,912.11	$193,912.11	$193,912.11	$115,757.07	
HA-Wide	A&E Services	1430		$765.57	$765.57	$765.57	$765.57	
Fees and Costs	Consultant Fees	1430		$284.00	$284.00	$284.00	$284.00	
	Permit Fees	1430		$5,005.39	$5,005.39	$5,005.39	$5,005.39	
	PHA Inspector	1430		$59,936.74	$61,414.62	$61,414.62	$46,047.04	
	Total	1430		$65,991.70	$67,469.58	$67,469.58	$52,102.00	
HA-Wide	Computer Equipment	1475		$87,419.53	$87,419.53	$87,419.53	$87,419.53	
	Vehicles	1475		$32,256.67	$32,256.67	$32,256.67	$32,256.67	
	Office Equipment	1475		$0.00	$0.00	$0.00	$0.00	
	Total	1475		$119,676.20	$119,676.20	$119,676.20	$119,676.20	

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850103 Replacement Housing Factor Grant No:				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028001	Roofs	1460		$0.00		$0.00	$0.00	Moved to 2010
Selma								
	Total CA028001 Selma			$0.00		$0.00	$0.00	
CA028002	Site Improvements	1450		$0.00		$0.00	$0.00	Moved to 2001
Sanger								
	Subtotal	1450		$0.00		$0.00	$0.00	
	Stucco	1460		$0.00		$0.00	$0.00	Moved to 2001
	Exterior Painting	1460		$0.00		$0.00	$0.00	Moved to 2000
	Subtotal	1460		$0.00		$0.00	$0.00	
	Total CA028002 Sanger			$0.00		$0.00	$0.00	
CA028007	Bathroom Modernization	1460		$0.00		$0.00	$0.00	Moved to 2006
Kerman								
	Total CA028007 Kerman			$0.00		$0.00	$0.00	
CA028008	Repair Underground Utilities	1450		$0.00		$0	$0	Moved to 2002
Firebaugh								
	Laundry doors & storage rooms	1460		$40,900.00		$40,900.00	$38,855.00	Moved from 2007
	Cabinets	1460		$190,898.00		$190,898.00	$181,353.01	Moved from 2005
	Roofs	1460		$131,740.50		$131,740.50	$125,153.48	Moved from 2006
	General Conditions	1460		$238,127.29		$238,127.29	$226,220.93	
	Subtotal			$601,665.79		$601,665.79	$571,582.42	
	Total CA028008 Firebaugh			$601,665.79		$601,665.79	$571,582.42	

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850103 Replacement Housing Factor Grant No:				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028010	Roofing	1460		$39,000.00	$37,050.00	$37,050.00	$37,050.00	
San Joaquin								
	Total CA028010 San Joaquin			$39,000.00	$37,050.00	$37,050.00	$37,050.00	
CA028011	Site Irrigation	1450		$0.00		$0.00	$0.00	
Highway City								
	Subtotal	1450		$0.00		$0.00	$0.00	
	Upgrade Heating & Cooling	1460		$105,543.18		$105,543.18	$105,543.18	
	Replace Kitchen & Bath Cabinets	1460		$0.00		$0.00	$0.00	Moved to 2002
	Utility Rooms	1460		$262,522.03		$262,522.03	$262,522.03	
	Subtotal	1460		$368,065.21		$368,065.21	$368,065.21	
	Total CA028011 Highway City			$368,065.21		$368,065.21	$368,065.21	
CA028012	Interior Doors	1460		$0.00		$0.00	$0.00	Moved to 2006
Firebaugh	Replace Bathtubs	1460		$0.00		$0.00	$0.00	Moved to 2006
	Total CA028012 Firebaugh			$0.00		$0.00	$0.00	

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850103 Replacement Housing Factor Grant No:				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028015	Site Concrete	1450		$0.00		$0.00	$0.00	Moved to 2009
Parlier								
	Exterior Painting	1460		$0.00		$0.00	$0.00	Moved to 2009
	Re-dash Exterior	1460		$0.00		$0.00	$0.00	Moved to 2009
	Window Coverings	1460		$0.00		$0.00	$0.00	Moved to 2009
	Interior Painting	1460		$0.00		$0.00	$0.00	Moved to 2009
	Kitchen Countertops	1460		$0.00		$0.00	$0.00	Moved to 2009
	Subtotal	1460		$0.00		$0.00	$0.00	Moved to 2009
	Stoves & Refrigerators	1465.1		$0.00		$0.00	$0.00	
	Total CA028015 Parlier			$0.00		$0.00	$0.00	
CA028016	Kitchen Countertops	1460		$0.00		$0.00	$0.00	Moved to 2009
Orange Cove	Interior Painting	1460		$0.00		$0.00	$0.00	Moved to 2009
	Total CA028016 Orange Cove			$0.00		$0.00	$0.00	
CA028017	Floors	1460		$0.00		$0.00	$0.00	Moved to 2006
Reedley	Replace Stair Treads	1460		$0.00		$0.00	$0.00	Moved to 2006
	Regrout Bath Enclosures	1460		$0.00		$0.00	$0.00	Moved to 2006
	Subtotal	1460		$0.00		$0.00	$0.00	
	Stoves & Refrigerators	1465.1		$0.00		$0.00	$0.00	Moved to 2006
	Total CA028017 Reedley			$0.00		$0.00	$0.00	

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850103 Replacement Housing Factor Grant No:				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028018	Irrigation	1450		$0.00		$0.00	$0.00	Moved to 2007
Del Rey								
	Exterior Painting	1460		$0.00		$0.00	$0.00	Moved to 2007
	Electrical	1460		$0.00		$0.00	$0.00	Moved to 2007
	Replace Bathtubs	1460		$0.00		$0.00	$0.00	Moved to 2007
	Subtotal	1460		$0.00		$0.00	$0.00	
	Total CA028018 Del Rey			$0.00		$0.00	$0.00	
CA028028	Carpet, Garage Doors, Driveways	1460		$0.00		$0.00	$0.00	
Sanger Homes								
	Total CA028028 Sanger Homes			$0.00		$0.00	$0.00	
CA028030 Firebaugh	Stoves & Refrigerators	1465.1		$0.00		$0.00	$0.00	Moved to 2007
	Total CA028030			$0.00		$0.00	$0.00	
CA028031	Roofing	1460		$0.00		$0.00	$0.00	Moved to 2002
Orange Cove	Replace Back Doors	1460		$0.00		$0.00	$0.00	Moved to 2006
	Interior Painting	1460		$0.00		$0.00	$0.00	Moved to 2006
	Total CA028031 Orange Cove			$0.00		$0.00	$0.00	
CA028032	New Stucco Application	1460		$0.00		$0.00	$0.00	Moved to 2008
Pinedale								
	Total CA028032 Pinedale			$0.00		$0.00	$0.00	

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850103 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028038	Site Irrigation & Landscaping	1450		$0		$0.00	$0	
DeSoto Gardens	Repair & Replace Fence/Gates	1450		$316,902.00		$316,902.00	$316,902.00	
	Subtotal	1450		$316,902.00		$316,902.00	$316,902.00	
	Bathroom Modernization	1460				$0.00	$0.00	
	Playground Equipment	1475				$0.00	$0	
	Total CA028038 DeSoto Gardens			$316,902.00		$316,902.00	$316,902.00	

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

PHA Name: Housing Authority of Fresno County	**Grant Type and Number** Capital Fund Program No: CA39P02850103 Replacement Housing Factor No:	**Federal FY of Grant:** 2003

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Drug Abatement & Security	9/16/05			9/16/07			
Software	9/16/05			9/16/07			
CA028001 Selma	9/16/05			9/16/07			
CA028002 Sanger	9/16/05			9/16/07			
CA028007 Kerman	9/16/05			9/16/07			
CA028008 Firebaugh	9/16/05			9/16/07			
CA028010 San Joaquin	9/16/05			9/16/07			
CA028011 Highway City	9/16/05			9/16/07			
CA028012 Firebaugh	9/16/05			9/16/07			
CA028015 Parlier	9/16/05			9/16/07			
CA028016 Orange Cove	9/16/05			9/16/07			
CA028017 Reedley	9/16/05			9/16/07			
CA028018 Del Rey	9/16/05			9/16/07			
CA028028 Sanger Homes	9/16/05			9/16/07			
CA028030 Firebaugh	9/16/05			9/16/07			
CA028031 Orange Cove	9/16/05			9/16/07			
CA028032 Pinedale	9/16/05			9/16/07			
CA028038 DeSoto Gardens	9/16/05			9/16/07			

CAPITAL FUND PROGRAM TABLES START HERE

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

PHA Name: Housing Authority of Fresno County	Grant Type and Number Capital Fund Program Grant No: CA39P02850203 Replacement Housing Factor Grant No:	Federal FY of Grant: 2003

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no: 2)
☒ Performance and Evaluation Report for Period Ending:6/30/06 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	$5,000.00	$5,000.00	$5,000.00	$3,581.21
3	1408 Management Improvements	$6,687.18	$6,687.18	$6,687.18	$6,687.18
4	1410 Administration	$3,492.73	$4,779.06	$3,223.96	$3,223.96
5	1411 Audit	$2,277.83	$2,277.83	$2,277.83	$2,277.83
6	1415 Liquidated Damages				
7	1430 Fees and Costs	$1,221.56	$1,221.56	$1,221.56	$1,221.56
8	1440 Site Acquisition				
9	1450 Site Improvement	$112,781.07	$122,141.13	$122,141.13	$112,513.13
10	1460 Dwelling Structures	$292,837.81	$282,191.42	$282,191.42	$261,091.27
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	$14,127.82	$14,127.82	$14,127.82	$10,930.56
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	$438,426.00	$438,426.00	$436,870.90	$401,526.70
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850203 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide								
Operations								
HA-Wide	Drug Abatement & Security	1408		$5,815.00	$5,815.00	$5,815.00	$5,815.00	
Mgmt.	Software	1408		$0.00	$872.18	$872.18	$872.18	
Improvements								
	Total	1408		$5,815.00	$6,687.18	$6,687.18	$6,687.18	
HA-Wide	Travel/Training	1410		$900.00	$1,486.33	$327.39	$327.39	
Administration	Publications	1410		$1,500.00	$1,197.20	$1,197.20	$1,197.20	
	Telephone	1410		$500.00	$500.00	$364.28	$364.28	
	Sundry	1410		$592.73	$1,595.53	$1,335.09	$1,335.09	
	Total	1410		$3,492.73	$4,779.06	$3,223.96	$3,223.96	
HA-Wide	Computer Equipment	1475		$15,000	$14,127.82	$14,127.82	$10,930.56	
	Total	1475		$15,000	$14,127.82	$14,127.82	$10,930.56	

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850203 Replacement Housing Factor Grant No:				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028007	Bathroom Modernization	1460		$0				Moved to 2008
Kerman								
	Total CA028007 Kerman			$0				
CA028008	Repair Underground Utilities	1450		$0	$80,111.45	$80,111.45	$70,483.45	
Firebaugh	Roofs	1460		$87,440.50	$87,440.50	$87,440.50	$83,068.48	Moved from 2006
	Replace Coolers	1460		$71,002.00	$82,000.50	$82,000.50	$80,400.40	Moved from 2009
	Flooring	1460			$9,134.00	$9,134.00	$8,677.28	Moved from 2005
	General Requirements	1460		$81,195.31	$48,416.42	$48,416.42	$33,745.11	
	Total CA028008 Firebaugh			$239,637.81	$307,102.87	$307,102.87	$276,374.72	
CA028010	Roofing	1460		$0				
San Joaquin	Site Grading & Drainage	1450		$50,000.00	$42,029.68	$42,029.68	$42,029.68	Moved from 2004
	Total CA028010 San Joaquin			$50,000.00	$42,029.68	$42,029.68	$42,029.68	
CA028011	Site Irrigation	1450		$0				Moved to 2006
Highway City								
	Subtotal	1450		$0				
	Upgrade Heating & Cooling	1460		$0				
	Replace Kitchen & Bath Cabinets	1460		$0				Moved to 2002
	Dwelling structures	1460		$0				
	Subtotal	1460		$0				
	Total CA028011 Highway City			$0				

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850203 Replacement Housing Factor Grant No:				Federal FY of Grant: 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028012	Interior Doors	1460		$0				Moved to 2006
Firebaugh	Replace Bathtubs	1460		$0				Moved to 2006
	Total CA028012 Firebaugh			$0				
CA028015	Site Concrete	1450		$0				Moved to 2009
Parlier								
	Total CA028015 Parlier			$0				
CA028031	Site Improvements	1450		$60,362.19	$0.00	$0.00	$0.00	Moved to 2006
Orange Cove	Roofs	1460		$60,000.00	$55,200.00	$55,200.00	$55,200.00	
	Total CA028016 Orange Cove			$124,441.89	$55,200.00	$55,200.00	$55,200.00	
CA028016	Roofs	1460		$0				Moved to 2009
Orange Cove	Painting	1460		$0				Moved to 2009
	Total CA028016 Orange Cove			$0				
CA028018	Irrigation	1450		$0				
Del Rey								
	Exterior Painting	1460		$0				
	Electrical	1460		$0				
	Replace Bathtubs	1460		$0				
	Subtotal	1460		$0				
	Total CA028018 Del Rey			$0				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850203 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2003		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028032	New Stucco Application	1460		$0				Moved to 2008
Pinedale								
	Total CA028032 Pinedale			$0				

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

PHA Name: Housing Authority of Fresno County	**Grant Type and Number** Capital Fund Program No: CA39P02850203 Replacement Housing Factor No:	**Federal FY of Grant:** 2003

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Drug Abatement & Security	2/13/06			2/13/08			
Software	2/13/06			2/13/08			
CA028007 Kerman	2/13/06			2/13/08			
CA028008 Firebaugh	2/13/06			2/13/08			
CA028010 San Joaquin	2/13/06			2/13/08			
CA028011 Highway City	2/13/06			2/13/08			
CA028012 Firebaugh	2/13/06			2/13/08			
CA028015 Parlier	2/13/06			2/13/08			
CA028016 Orange Cove	2/13/06			2/13/08			
CA028031 Orange Cove	2/13/06			2/13/08			
CA028018 Del Rey	2/13/06			2/13/08			
CA028032 Pinedale	2/13/06			2/13/08			

CAPITAL FUND PROGRAM TABLES START HERE

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

PHA Name	Grant Type and Number	Federal FY of Grant:
Housing Authority of Fresno County	Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:	2004

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no:)
☒ Performance and Evaluation Report for Period Ending: 6/30/06 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	$50,000	$54,467.22	$54,467.22	
3	1408 Management Improvements	$509,500	$509,500.00	$265,726.30	$122,237.70
4	1410 Administration	$254,760	$182,390.13		
5	1411 Audit	$2,500	$2,967.00	$946.91	$946.91
6	1415 Liquidated Damages				
7	1430 Fees and Costs	$161,000	$85,394.38	$1,072.98	$988.74
8	1440 Site Acquisition				
9	1450 Site Improvement	$285,000	$88,273.45	$88,273.45	$50,681.75
10	1460 Dwelling Structures	$1,100,706	$1,503,774.31	$1,434,345.49	$442,295.07
11	1465.1 Dwelling Equipment—Nonexpendable	$41,000	$0.00		
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	$115,000	$100,915.51	$915.51	$915.51
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	$20,000	$20,000.00	$20,000.00	$5,837.00
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				

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

PHA Name	Grant Type and Number	Federal FY of Grant:
Housing Authority of Fresno County	Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:	2004

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☐ Revised Annual Statement (revision no:)
☒ Performance and Evaluation Report for Period Ending: 6/30/06 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
20	1502 Contingency	$8,216	$0.00		
21	Amount of Annual Grant: (sum of lines 2 – 20)	$2,547,682	$2,547,682.00	$1,865,747.86	$623,902.68
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				Federal FY of Grant: 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Drug Abatement & Security	1408		$429,500		$264,767.10	$121,278.50	
Mgmt.	Software	1408		$80,000		$959.20	$959.20	
Improvements		1408						
	Total			$509,500		$265,726.30	$122,237.70	
HA-Wide	Non Technical Salaries	1410		$162,760	$129,603.82			
Administration	Technical Salaries	1410		$47,000	$5,282.31			
	Employee Benefits	1410		$40,000	$40,000.00			
	Travel	1410		$3,000	$6,004.00			
	Telephone	1410		$1,000	$500.00			
	Sundry	1410		$1,000	$1,000.00			
	Total			$254,760	$182,390.13			
HA-Wide	A&E Services	1430		$46,000	$1,072.98	$1,072.98	$988.74	
Fees and Costs	Consultant Fees	1430		$20,000	$0.00			
	Permit Fees	1430		$20,000	$9,321.40			
	PHA Inspector	1430		$75,000	$75,000.00			
	Total			$161,000	$85,394.38	$1,072.98	$988.74	

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quant ity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Computer Equipment	1475		$100,000	$100,000.00			
HA-Wide	Office Equipment	1475		$15,000	$915.51	$915.51	$915.51	
	Total			$115,000	$100,915.51	$915.51	$915.51	
	Relocation Cost	1495.1		$20,000	$20,000.00	$20,000.00	$5,837.00	

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028010	Landscape	1450	28	$0				Moved to 2002
San Joaquin	Site Concrete	1450	28	$0				Moved to 2002
	Site Underground Water Mains	1450	28	$0				Moved to 2002
	Site Grading & Drainage	1450	28	$0				Moved to 2003
	Site Underground Sewer Lines	1450	28	$0				Moved to 2002
	Subtotal			$0				Moved to 2002
	Replace Building Water Lines	1460	28	$0				Moved to 2002
	Building Sewer Lines	1460	28	$0				Moved to 2002
	Exterior Trim Painting	1460	28	$0				Moved to 2002
	Exterior Stucco & Re-dash	1460	28	$0				Moved to 2002
	Bathroom Additions	1460	28	$0				Moved to 2002
	Water Heater	1460	28	$0				Moved to 2002
	Asbestos Abatement	1460	28	$0				Moved to 2002
	Interior Texture & Painting	1460	28	$0				Moved to 2002
	Kitchen Modernization	1460	28	$0				Moved to 2002
	Laundry Room Additions	1460	28	$0				Moved to 2002

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Bathroom Modernization	1460	28	$0				Moved to 2002
	Subtotal			$0				Moved to 2002
	Stoves & Refrigerators	1465.1	28	$0				Moved to 2002
	HVAC	1465.1	28	$0				Moved to 2002
	Subtotal			$0				Moved to 2002
	Total San Joaquin CA028010			$0				Moved to 2002

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028015	Underground Utilities	1450		$65,000	$0.00			Moved to 2007
Parlier								
	Total Parlier CA028015			$65,000	$0.00			
CA028018	Tree Pruning	1450		$10,000	$0.00			
Del Rey								
	Total Del Rey CA028018			$10,000	$0.00			
CA028020	Concrete work	1450		$30,000	$0.00			Moved to 2009
Laton	Site grading and drainage	1450		$60,000	$0.00			Moved to 2009
	Total Laton CA028020			$90,000	$0.00			
CA028002	Underground utility repair	1450		$75,000	$0.00			Moved to 2006
Sanger								
	Total Sanger CA028002			$75,000	$0.00			
CA028030	Replace tubs, showers, sinks	1460	32	$250,000	$0.00			Moved to 2007
Firebaugh								
	Total Firebaugh CA028030			$250,000	$0.00			

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				Federal FY of Grant: 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028019	Replace Gate Valves	1450	30	$10,000	$0.00			Moved to 2006
Firebaugh	Irrigation System Repairs	1450	30	$35,000	$0.00			Moved to 2006
	Subtotal			$45,000	$0.00			
	Exterior Siding/Stucco Repair	1460	30	$70,000	$0.00			Moved to 2006
	Exterior Painting	1460	30	$45,000	$0.00			Moved to 2006
	Roofs	1460	30	$97,706	$0.00			Moved to 2006
	Interior Wall Texture/Paint	1460	30	$60,000	$0.00			Moved to 2006
	Interior Entry Door	1460	30	$30,000	$0.00			Moved to 2006
	Replace Floor Tile	1460	30	$100,000	$0.00			Moved to 2006
	Handicap Accessibility Upgrades	1460	30	$58,000	$0.00			Moved to 2006
	Bathroom Modernization	1460	30	$190,000	$0.00			Moved to 2006
	Kitchen Modernization	1460	30	$200,000	$0.00			Moved to 2006
	Subtotal			$850,706	$0.00			

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Stoves & Refrigerators	1465.1	30	$21,000	$0.00			Moved to 2006
	Heaters	1465.1	30	$20,000	$0.00			Moved to 2006
	Subtotal			$41,000	$0.00			
	Total Firebaugh CA028019			$916,706	$0.00			

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028033	Site Improvements	1450	54	$0.00	$33,756.90	$33,756.90		Moved from 2006
Sanger								
	Roofs	1460	54	$0.00	$125,366.75	$125,366.75		Moved from 2010
	Interior Painting	1460	54	$0.00	$52,530.00	$52,530.00	$4,552.63	Moved from 2010
	Miscellaneous Supplies	1460	54	$0.00	$6,154.00	$6,154.00		Moved from 2007
	Floor	1460	54	$0.00	$106,080.00	$106,080.00	$1,927.42	Moved from 2007
	Bathroom Modernization	1460	54	$0.00	$212,499.80	$190,131.40	$3.240.00	Moved from 2007
	Kitchen Modernization	1460	54	$0.00	$78,596.10	$78,596.10	$2.463.30	Moved from 2007
	Stucco	1460	54	$0.00	$143,492.87	$126,862.50		Moved from 2010
	Mechanical A/C	1460	54	$0.00	$175,100.00	$175,100.00		Moved from 2006
	General Requirements	1460	54	$0.00	$152,489.25	$136,437.75	$8,598.95	
	Subtotal			$0.00	$1,052,308.77	$984,061.95	$20,782.30	
	Total Sanger CA028033			$0.00	$1,086,065.67	$1,017,818.85	$20,782.30	

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028008	Repair Underground Utilities	1450	50	$0.00	$54,516.55	$54,516.55	$50,681.75	Moved from 2005
Firebaugh								
	Interior Painting	1460	50	$0.00	$86,888.14	$86,888.14	$82,543.84	Moved from 2010
	Doors	1460	50	$0.00	$83,642.60	$83,642.60	$73,203.77	Moved from 2010
	Exterior Painting	1460	50	$0.00	$41,850.00	$41,850.00	$39,087.90	Moved from 2010
	Bathroom Modernization	1460	50	$0.00	$80,300.80	$80,300.80	$76,955.36	Moved from 2010
	Kitchen Modernization	1460	50	$0.00	$43,950.00	$43,950.00	$41,752.50	Moved from 2010
	Asbestos Removal	1460	50	$0.00	$74,810.00	$74,810.00	$71,069.50	Moved from 2010
	Plumbing	1460	50	$0.00	$22,170.00	$22,170.00	$21,061.50	Moved from 2010
	Mechanical	1460	50	$0.00	$16,672.00	$16,672.00	$15,838.40	Moved from 2010
	General Requirements	1460	50	$0.00	$1,182.00	$0.00	$0.00	
	Subtotal			$0.00	$451,465.54	$450,283.54	$421,512.77	
	Total Firebaugh CA028008			$0.00	$505,982.09	$504,800.09	$472,194.52	

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850104 Replacement Housing Factor Grant No:				Federal FY of Grant: 2004		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program No: CA39P02850104 Replacement Housing Factor No:				Federal FY of Grant: 2004	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Drug Abatement & Security	6/30/06			6/30/08			
Software	6/30/06			6/30/08			
CA028010 San Joaquin	6/30/06			6/30/08			

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

PHA Name: Housing Authority of Fresno County	**Grant Type and Number** Capital Fund Program No: CA39P02850104 Replacement Housing Factor No:	**Federal FY of Grant:** 2004

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
CA028019 Firebaugh	6/30/06			6/30/08			

CAPITAL FUND PROGRAM TABLES START HERE

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

PHA Name Housing Authority of Fresno County	Grant Type and Number Capital Fund Program Grant No: CA39P02850105 Replacement Housing Factor Grant No:	Federal FY of Grant: 2005

☐Original Annual Statement ☐Reserve for Disasters/ Emergencies ☐Revised Annual Statement (revision no:)
☒Performance and Evaluation Report for Period Ending: 6/30/2006 ☐Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	$50,000	$50,000.00		
3	1408 Management Improvements	$488,470	$483,470.00		
4	1410 Administration	$244,235	$244,235.00		
5	1411 Audit	$2,500	$3,000.00		
6	1415 Liquidated Damages				
7	1430 Fees and Costs	$95,000	$94,500.00		
8	1440 Site Acquisition				
9	1450 Site Improvement	$80,000	$80,000.00	$5,957.10	
10	1460 Dwelling Structures	$1,354,148	$1,374,148.00	$173,658.05	
11	1465.1 Dwelling Equipment—Nonexpendable	$20,000	$0.00		
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	$100,000	$100,000.00		
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	$10,000	$10,000.00		
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency	$3,000	$3,000.00		
21	Amount of Annual Grant: (sum of lines 2 – 20)	$2,442,353	$2,442,353		
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850105 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2005		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Drug Abatement & Security	1408		$400,000	$400,000			
Mgmt.	Software	1408		$88,470	$83,470.00			
Improvements								
	Total			$488,470	$483,470.00			
HA-Wide	Non Technical Salaries	1410		$145,000	$145,000			
Administration	Technical Salaries	1410		$55,260	$55,260			
	Employee Benefits	1410		$40,000	$40,000			
	Travel	1410		$1,475	$1,475			
	Telephone	1410		$1,000	$1,000			
	Sundry	1410		$1,500	$1,500			
	Total			$244,235	$244,235			
HA-Wide	A&E Services	1430		$15,000	$14,500			
Fees and Costs	Consultant Fees	1430		$10,000	$10,000			
	Permit Fees	1430		$10,000	$10,000			
	PHA Inspector	1430		$60,000	$60,000			
	Total			$95,000	$94,500			

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Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850105 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2005		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Computer Equipment	1475		$95,000	$95,000			
	Office Equipment	1475		$5,000	$5,000			
	Total			$100,000	$100,000.00			
HA-Wide	Relocation Cost	1495.1		$5,000	$10,000.00			
HA-Wide	Computer Equipment	1475		$95,000	$95,000.00			
CA028007	Interior Paint / Wall Texture	1460	40	$40,000	$0.00			Moved to 2008
Kerman	Replace Floors and Shower Walls	1460	40	$35,000	$0.00			Moved to 2008
	Laundry/Utility Rooms	1460	40	$341,648	$0.00			Moved to 2008
	Total For CA028007 Kerman			$416,648	$0.00			
CA028008	Floors	1460	50	$60,000	$0.00			Moved to 2003
Firebaugh	Cabinets	1460	50	$0	$0.00			Moved to 2003
	Total For CA028008 Firebaugh			$60,000	$0.00			
CA028009	Site Improvements	1450	24	$80,000	$0.00			Moved to 2009
Mendota								
	Exterior Painting	1460	24	$45,000	$0.00			Moved to 2009

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850105 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2005		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Bathroom Modernization	1460	24	$100,000	$0.00			Moved to 2009
	Kitchen Modernization	1460	24	$135,000	$0.00			Moved to 2009
	Subtotal			$280,000	$0.00			
	Stoves & Refrigerators	1465.1	24	$10,000	$0.00			Moved to 2009
	Total For CA028009 Mendota			$370,000	$0.00			
CA028014	Roofs	1460	40	$175,000	$0.00			Moved to 2008
Mendota								
	Total For CA028014 Mendota	1460		$175,000	$0.00			
CA028022	Cabinets	1460	12	$50,000	$0.00			Moved to 2007
Biola	Bathroom Modernization	1460	12	$80,000	$0.00			Moved to 2007

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850105 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2005		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Total For CA028022 Biola	1460		$130,000	$0.00			
CA028020	Exterior Painting	1460	20	$20,000	$0.00			Moved to 2009
Laton	Stucco	1460	20	$60,000	$0.00			Moved to 2009
	Total For CA028020 Laton			$80,000	$0.00			
CA028030	Stoves & Refrigerators	1465.1		$10,000	$0.00			Moved from 2003,Moved to 2007
Firebaugh								
	Total for CA28030 Firebaugh			$10,000	$0.00			
CA028016	Interior Painting	1460		$50,000	$0.00			Moved from 2003, moved to 2009
Orange Cove	Kitchen counter tops	1460		$100,000	$0.00			Moved from 2003, moved to 2009
	Total for CA28016 Orange Cove			$150,000	$0.00			

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850105 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2005		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
CA028001	Roofs	1460	25	$62,500	$0.00			Moved from 2003, moved to 2010
Selma								
	Total For CA028014 Mendota	1460		$62,500	$0.00			
CA028033	Site Improvements	1450	10	$0.00	$80,000.00	$5,957.10		Moved from 2006
Sanger								
	Roofs	1460	10	$0.00	$290,148.00	$19,794.80		Moved from 2010
	Interior Painting	1460	10	$0.00	$100,000.00	$9,270.00		Moved from 2010
	Miscellaneous Supplies	1460	10	$0.00	$1,086.00	$1,086.00		Moved from 2007
	Floor	1460	10	$0.00	$250,000.00	$18,720.00		Moved from 2007
	Bathroom Modernization	1460	10	$0.00	$164,000.00	$33,552.60		Moved from 2007
	Kitchen Modernization	1460	10	$0.00	$200,00.00	$13,869.90		Moved from 2007
	Stucco	1460	10	$0.00	$200,00.00	$22,387.50		Moved from 2010
	Mechanical A/C	1460	10	$0.00	$100,00.00	$30,900.00		Moved from 2006
	General Requirements	1460	10	$0.00	$68,914.00	$24,077.25		

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

PHA Name: Housing Authority of Fresno County		Grant Type and Number Capital Fund Program Grant No: CA39P02850105 Replacement Housing Factor Grant No:				Federal FY of Grant: 2005		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Subtotal			$0.00	$1,374,148.00	$173,658.05		
	Stoves & Refrigerators	1465.1		$0.00	$0.00			Moved from 2006
	Total Sanger CA028033			$0.00	$1,454,148.00	$179.615.15		

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

PHA Name: Housing Authority of Fresno County	Grant Type and Number Capital Fund Program No: CA39P02850105 Replacement Housing Factor No:	Federal FY of Grant: 2005

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Drug Abatement & Security	8/18/07			8/18/09			
Software	8/18/07			8/18/09			
CA028007 Kerman	8/18/07			8/18/09			
CA028008 Firebaugh	8/18/07			8/18/09			
CA028009 Mendota	8/18/07			8/18/09			
CA028014 Mendota	8/18/07			8/18/09			
CA028022 Biola	8/18/07			8/18/09			
CA028020 Laton	8/18/07			8/18/09			
CA028030 Firebaugh	8/18/07			8/18/09			
CA028016 Orange Cove	8/18/07			8/18/09			
CA028001 Selma	8/18/07			8/18/09			
CA028033 Sanger		08/18/07			08/18/09		

CAPITAL FUND PROGRAM TABLES START HERE

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

PHA Name	Grant Type and Number	Federal FY of Grant:
Housing Authority of Fresno County	Capital Fund Program Grant No: CA39P02850106 Replacement Housing Factor Grant No:	2006

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** ☒ **Revised Annual Statement (revision no:** 1)
☐ **Performance and Evaluation Report for Period Ending:** ☐ **Final Performance and Evaluation Report**

Line No.	Summary by Development Account	Total Estimated Cost	Total Actual Cost

		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	$100,000	$60,000		
3	1408 Management Improvements	$424,000	$300,000		
4	1410 Administration	$212,000	$212,000		
5	1411 Audit	$3,000	$3,000		
6	1415 Liquidated Damages				
7	1430 Fees and Costs	$75,000	$65,000		
8	1440 Site Acquisition				
9	1450 Site Improvement	$310,776	$200,565		
10	1460 Dwelling Structures	$879,077	$503,077		
11	1465.1 Dwelling Equipment—Nonexpendable	$10,000	$5,000		
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	$100,000	$70,000		
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	$8,000	$3,000		
18	1499 Development Activities				
19	9000 Debt Service		$700,211		
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	$2,121,853	$2,121,853		
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850106 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2006		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Drug Abatement & Security	1408		$350,000	$250,000			
Mgmt.	Software	1408		$74,000	$50,000			
Improvements		1408						
	Total			$424,000	$300,000			
HA-Wide	Non Technical Salaries	1410		$120,000	$120,000			
Administration	Technical Salaries	1410		$45,500	$45,500			
	Employee Benefits	1410		$40,000	$40,000			
	Travel	1410		$2,000	$2,000			
	Telephone	1410		$2,000	$2,000			
	Sundry	1410		$2,500	$2,500			
	Total			$212,000	$212,000			
HA-Wide	A&E Services	1430		$5,000	$5,000			
Fees and Costs	Consultant Fees	1430		$5,000	$5,000			
	Permit Fees	1430		$10,000	$5,000			
	PHA Inspector	1430		$55,000	$55,000			
	Total			$75,000	$65,000			

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850106 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2006		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
HA-Wide	Computer Equipment	1475		$90,000	$65,000			
	Office Equipment	1475		$10,000	$5,000			
	Total			$100,000	$70,000			
HA-Wide	Relocation Cost	1495.1		$8,000	$3,000			
CA028033	Site Improvements	1450		$0.00				Moved to 2004/2005
Sanger Elderly								
	Air Conditioners	1460	64	$0.00				Moved to 2004/2005
	Stoves & Refrigerators	1460	64	$0.00				Moved to 2004/2005
	Total For CA028033 Sanger Elderly			$0.00				
CA028008	Prune Trees	1450		$0.00				
Firebaugh	Side walks	1450		$50,000.00	$25,000.00			
	Site Grading	1450		$39,371.00	$19,371.00			
	Roofs	1460	50	$0.00				Moved to 2003

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850106 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2006		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Total For CA028008 Firebaugh			$89,371.00	$44,371.00			
CA028012	Sidewalks	1450		$66,936.00	$36,936.00			
Firebaugh								
	Cabinets	1460	40	$160,000.00	$50,000.00			
	Painting	1460	40	$100,227.00	$35,227.00			
	Doors	1460	40	$20,000.00	$20,000.00			Moved from 2003
	Replace bathtubs	1460	40	$50,420.00	$20,420.00			Moved from 2003
	Subtotal	1460		$330,647.00	$125,647.00			
	Total For CA028012 Firebaugh			$397,583.00	$162,583.00			
CA028002	Underground Utilities	1450		$81,049.00	$65,838.00			Moved from 2004
Sanger								
	Total For CA028002 Sanger			$81,049.00	$65,838.00			
CA028031	Site Improvements	1450		$50,420.00	$30,420.00			Moved to 2003
Orange Cove								
	Exterior Painting	1460	30	$61,710.00	$31,710.00			
	Roofs	1460	30	$0.00	$0.00			Moved to 2003

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850106 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2006		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Interior Painting	1460	30	$79,621.00	$57,621.00			
	Kitchen Modernization	1460	30	$77,500.00	$57,500.00			
	Bathroom Modernization	1460	30	$104,599.00	$80,599.00			
	Subtotal	1460		$323,430.00	$227,430.00			
	Total For CA028031 Orange Cove			$373,850.00	$257,850.00			
CA028017	Floors	1460		$125,000.00	$100,000.00			Moved from 2003
Reedley	Re-grout bath enclosures	1460		$50,000.00	$25,000.00			Moved from 2003
	Stair treads	1460		$50,000.00	$25,000.00			Moved from 2003
	Subtotal			$225,000.00	$150,000.00			
	Stoves & Refrigerators	1465.1		$10,000.00	$5,000.00			Moved from 2003
								Moved from 2003
	Total for CA028017 Reedley			$235,000.00	$155,000.00			
CA028011	Site Irrigation	1450		$23,000.00	$23,000.00			Moved from 2003

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850106 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2006		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
Highway City								
	Total CA028011, Highway City			$23,000.00	$23,000.00			

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

PHA Name: Housing Authority of Fresno County		**Grant Type and Number** Capital Fund Program Grant No: CA39P02850106 Replacement Housing Factor Grant No:				**Federal FY of Grant:** 2006		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	

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

PHA Name: Housing Authority of Fresno County	**Grant Type and Number** Capital Fund Program No: CA39P02850106 Replacement Housing Factor No:	**Federal FY of Grant:** 2006

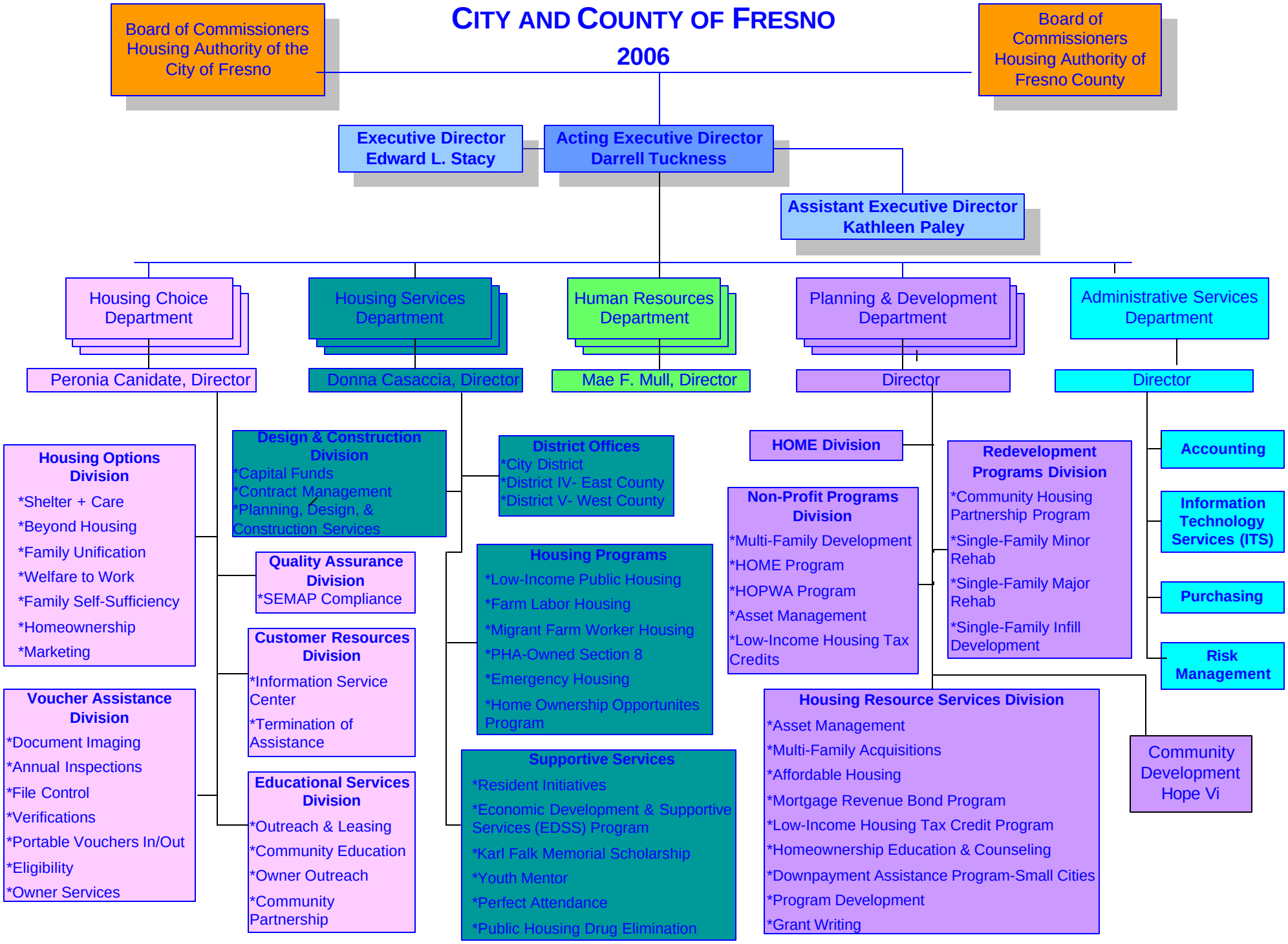
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Drug Abatement & Security	7/17/08			7/17/10			
Software	7/17/08			7/17/10			
CA028002 Sanger	7/17/08			7/17/10			
CA028031 Orange Cove	7/17/08			7/17/10			
CA028012 Firebaugh	7/17/08			7/17/10			
CA028008 Firebaugh	7/17/08			7/17/10			
CA028033 Sanger Elderly	7/17/08			7/17/10			
	7/17/08			7/17/10			
CA028017 Reedley	7/17/08			7/17/10			
CA028011 Highway city	7/17/08			7/17/10			

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

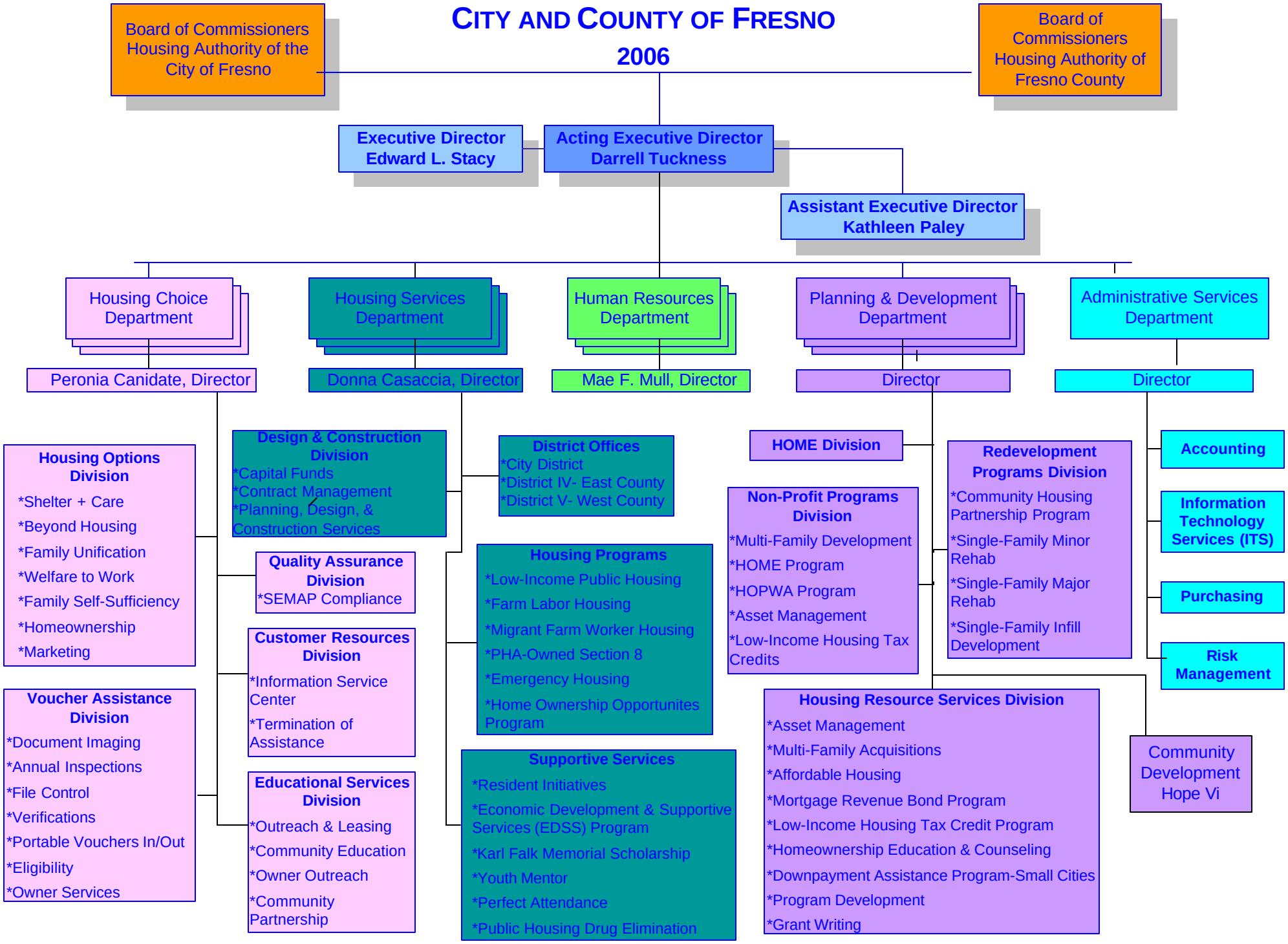
PHA Name: Housing Authority of Fresno County	**Grant Type and Number** Capital Fund Program No: CA39P02850106 Replacement Housing Factor No:	**Federal FY of Grant:** 2006

Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	

HOUSING AUTHORITIES
CITY AND COUNTY OF FRESNO
2006



HOUSING AUTHORITIES
CITY AND COUNTY OF FRESNO
2006



Attachment ca028g01

RESIDENT ADVISORY COUNCIL

HOUSING AUTHORITIES OF THE CITY AND COUNTY OF FRESNO

RESIDENT ADVISORY COUNCIL

In conformance with the requirements of the Quality Housing and Work Responsibility Act of 1998, Fresno Housing Authority assisted residents of Section 8 and Public Housing in establishing a Resident Advisory Council (RAC). There are five members from the Section 8 program and five members from the public housing program. The Boards of Commissioners ratified the appointments on May 24, 2006.

Sothea Chan, Agustina Gonzalez, Jaime Lizarraga, Jose Enriquez and Maria Elvira on behalf of the Housing Services Department; and Christy Keyes, Daniel Fabela, Deborah Napoleon, Peggy Willis and Lisa Graham on behalf of the Housing Choice Department.

Meeting with the Resident Advisory Committee and Senior Staff

Annual Plan Resident Advisory Committee Meeting
Housing Authorities
City and County of Fresno

Meeting Minutes

Resident Advisory Board
Meeting Minutes

Date: July 11, 2006
Time: 5:30
Place: Housing Authority Board Room
Present: RAB Members: Maria Elvira, Jaime Lizarraga, Augustina Gonzalez, Jose Enriquez, Deborah Napoleon, and Peggy Willis.
Staff: JoAnn Bliss, Sara Pomare, Frank Rodriguez, Yolanda Balladares, Mary Moore, Rita Blanco, Jenny Martinez, Donna Casaccia, Lowell Ens, Kathleen Paley (6:00)

Welcome, opening remarks and Introduction were provided by Sara Pomare. She also described the role and responsibilities of the Resident Advisory Board and the Mission and Goals of the Agencies. She also explained why there are two Plans, one for each Agency.

Donna Casaccia discussed changes in the Public Housing Occupancy Policy. Peggy W. asked if all applications would be computerized, and Donna C. responded that this would be an option in

the future, but that hard copy applications would continue to be accepted. Deborah N. asked why offers would be reduced to one per household, and Donna C. responded that movement to a site-based waiting list would ensure that applicants are applying for locations they are interested in living. The question was asked what was flat rent and 95% rent, and was explained in more detail. Jose asked whether income of a full-time student counted towards household income, and was given current policy. Deborah asked for more explanation of the wait list closure process, and asked whether job loss would affect rent, to which the response was that the tenant should notify the office.

Joann Bliss discussed changes in the Section 8 Administrative Plan. Kathleen asked how many vouchers were available for the recent 5,500 call-in applicants. Response was 100-200 per month become available. Jose asked for clarification on student housing rules. Deborah asked for more information about Section 8 Homeownership Program.

Frank Rodriguez, along with Yolanda Balladares, discussed plans for the Capital Fund Program 5 Year Action Plan, the Capital Fund Program Annual Statement, and the Performance and Evaluation Report. Specific questions were answered in Spanish. Jaime asked about carports and security screen doors in Firebaugh.

Lowell Ens discussed the Demolition and Revitalization Plan, including current plans for Yosemite Village and Funston Place/Funston Terrace.

Comments were requested by Sara Pomare. Maria responded that she was thankful for the housing programs, and that 11 years ago she was able to find refuge in the public housing program. Sara asked residents to complete their mileage and childcare reimbursement forms before leaving. Meeting was adjourned at 6:50 pm.

City of Fresno Meeting

Housing Authority of the City of Fresno
Agency Annual/Five Year Plan Public Meeting
August 29, 2006

Present: Staff: Frank Rodriguez; Yolanda Balladares; Leroy Harris; Joan Bliss; Esperanza Velazco; Ken Cobarrubias; Martha Mendez; Tracy Navarro; Sara Pomare;
RAB Member: Maria Elvira;
Residents: Sherrie Jones; Carmen Lopez; Mark Harmon; Digna A Juarez; Mr and Mrs. Samsaneth Sayasane; Esther Martinez;

The meeting commenced at 4:45 p.m. Staff introduced themselves. Sara Pomare did the introduction and a brief overview of the Plans and their purpose. Public viewing will close on September 6, 2006. If there are additional comments, they can be submitted to the district offices or called in to the telephone number on the flyer.

Leroy Harris elaborated on some of the changes that will take place for the Low Income Housing Program:

College student head of household;
Procedures for abandonment of unit
Site based waiting list/project based asset management
Employment information verification (EIV)
Medicare Prescription Drug Plan
Limited English Proficiency, Transfer Tracking System, Disabled & TTY Phone
2005 Violence Against women Act (VAWA)
Application intake – One offer plan
Working families preference
Modification of community service
Increased maintenance labor charges
95th percentile rents
Flat rents
Zero income reporting
Client fraud
Closure of wait list
Utility allowance
Lease revisions
Personnel reassignment in compliance with Asset Management Projects (AMP)

There was a question from the audience regarding whether or not the number of unit offers would affect the request for transfer to a larger unit. The answer was no.

Joann Bliss gave a brief description of the following changes that will take place with the Housing Choice Voucher Department (S-8):

Limited English Proficiency (LEP)
Computerized verification of income
Wait list management
Eligibility of students for voucher assistance
Definition of "temporarily absent"
Emergency Housing Quality Standards Repairs
Section 8 Homeownership counseling

A question from the audience regarding the participation of public housing residents in the S-8 homeownership program was explained that only section-8 participants can participate in Section-8 homeownership program.

Frank Rodriguez and Yolanda Balladares presented the Capital Fund program for the Housing Authority of the City of Fresno, providing details of the Annual Statement for 2007.

The following comments/concerns from the residents were voiced:

Fairview Heights - Nearby school kids are hanging around the playground and smoking preventing the children from the project to play safely. Staff responded

that they were planning on fencing the playground to keep the bad guys out.

De Soto Gardens- Cabinets are in bad shape.
Staff responded that cabinets were scheduled for 2010, but if needed can be moved up to an earlier date.

The coolers are not functional when temperature is over 100 degrees during the summer.
Staff responded that they will be replacing new coolers shortly.

Security concerns with alcove in the back of unit 136

West Side - They are closing down the Boys and Girls Club.
Staff responded that the Boys and Girls Club will be moving across the street from the old location and will be available to all the families.

Pinedale - Clients concern about overgrown trees and the power lines and their safety.
Staff responded that they are aware of the situation.

The gardeners are not mowing enough and are blowing the debris away instead of discarding it.

Public Notice Flyer- The notice does not contain the Housing Authority logo.

The meeting was adjourned at 5:30 p.m.

City of Sanger Meeting

Housing Authority of the City of Fresno
Agency Annual/Five Year Plan Public Meeting
August 30, 2006

The following were present: Staff: Frank Rodriguez, Sara Pomare, Yolanda Balladares, Joann Bliss, Shaneece Childress, Esperanza Velazco.
Residents: Jennie Medina, Tony Padilla, Maria G Martinez, Franchlest Cash, Lorraine Petry, Beverly Hartshorn, Jean Cooper, Doris Mercer, Nicasion M Valdez, Pedro and Nancy Macias, Dolores Ponce, Fidela Camarillo, Juan R Inostros Urena, Nava Margarita, Frances Rodriguez, Julia Robinson, Jazmin Escobedo, Gretoria Montoya.

The meeting commenced at 4:00 p.m. at the Sanger's Wedgewood Community Center. The introduction and a brief description of the Agency Plan and its purpose was given. Staff introduced themselves and made presentation on the changes that will take place during 2007 for the Low-Income Public Housing Program, the Housing Choice Voucher Program, and the Capital Fund Program.

The Following Questions and concerns were voiced from the residents:

Is there also a 24 hour emergency number for Public Housing? The answer is Yes, it is the number you call for services on the weekends and in the evenings.

How do you qualify for S-8 Homeownership. Answer: You need to be a S-8 participant. Refer her to Esperanza Velazco, the agency's Homeownership Coordinator.

Why is the remodeling at the senior's complex being done in sections, instead of the whole area. Answer: The first 12 units of phase I will be released on Friday, September 1, and the other 12 units on September 15, 2006. They were designed to be done in phases based on the need to bring back the original residents living in the area. All questions regarding this complex, the relocation and return of original tenants were deferred to Shaneece Childress the District manager for that area.

Will landscape be addressed during the remodeling, and will there be a section identified for flower beds? Answer: Yes, landscape will be addressed, tall trees and shrubs will be trimmed, ponding will be addressed and each resident will have a limited area dedicated for flowerbeds.

The tenants from Project 28-02 requested a swimming pool, also in 2009 when the laundry rooms are completed, they would like to retain their clothes line.

Mr. Dolores Ponce brought cookies for all present.

The meeting was adjourned at 5:00 p.m.

City of Firebaugh Meeting

Housing Authority of the City of Fresno
Agency Annual/Five Year Plan Public Meeting
September 7, 2006

The following were present: Staff: Frank Rodriguez, Sara Pomare, Richard Atilano Joann Bliss, Esperanza Velazco.

No resident showed up for the meeting.

The attached letter from the National Housing Law Project in Oakland and the Central California Legal Services from Fresno was received as a comment to the Annual Plan.

The Amended Section 3 Plan of Action was approved by the Boards of Commissioners at their August 23, 2006 meeting. The Section 3Affirmative Action Plan is included in every bid package issued by the Housing Authorities. Copies of both Plans are attached and are incorporated as part of the Annual Plan.

NATIONAL HOUSING LAW PROJECT
advancing housing justice

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Oakland, California 94610
Telephone: 510-251-9400
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nhlp@nhlp.org
www.nhlp.org

August 15, 2006

Darrell G. Tuckness
Acting Executive Director
Housing Authorities of the City and County of Fresno
1331 Fulton Mall
Fresno, California 93721

Dear Mr. Tuckness:

The National Housing Law Project and Central California Legal Services submit these comments to Fresno's City and County Housing Authorities 5-Year Plan (FY 2007-2011) and Annual Plan (FY 2007). In light of Section 3 of the Housing and Community Development Act of 1968, these comments are limited to: (1) the hiring/training of very low- and low-income residents of Fresno; and (2) the contracting opportunities afforded to businesses that are owned by very low- and low-income residents of Fresno.[a]

Fresno's City and County Housing Authorities (FHA) provide services to nearly 45,000 people; and while the area median income in Fresno is $50,800, the average income for families served by FHA is a mere $12,000 for a family of four. Certainly there are numerous interrelated issues that have led to these discomforting statistics. Nevertheless, most will agree that the solution largely rests with the broad need to provide greater employment, contracting, and training opportunities to low-income individuals and small businesses throughout the area. It is our belief that HUD's Section 3 program is an ideal tool for achieving this goal. And although the proposed 5-Year Plan and 2007 Annual Plan have expressed the need to increase the number and percentage of employed persons residing in FHA assisted housing, these same plans fail to discuss what role Section 3 could play in this process.

[a] As defined by HUD, a very low-income resident is an individual residing within a household with a cumulative income at or below 50% of Area Median Income (AMI). Similarly, a low-income resident is an individual residing within a household with a cumulative income at or below 80% of AMI. 24 C.F.R. § 135.5 (2006).

The purpose of Section 3 is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing federal, state, and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.[b] The implementing regulations set forth numerical goals for hiring and training opportunities for low- and very low-income individuals (30% of new hires must be low- or very low-income individuals of the county) by the recipient of housing and community development funds and any contractors.[c] In addition, the regulations set forth goals for contracting by FHA or by its contractors with Section 3 businesses.[d] The goals for contracting with Section 3 businesses are 10% of all contracts for building trades work arising from construction and rehabilitation and 3% for other contracts.

In recent years, FHA has received a considerable amount of funds from HUD for housing rehabilitation, housing construction, and other public construction projects; consequently triggering a number of corresponding Section 3 obligations.[e] Thus, while FHA's Resident Employment Program represents a positive first-step, the scope and overall effectiveness of the program must be improved upon. For example, greater strides could be made if FHA fully integrated and actively promoted Section 3 through its Family Self-Sufficiency program.[f] Therefore, at a minimum, FHA should bolster its Section 3 program by expressly incorporating Section 3 monitoring and reporting procedures into its 5-Year and Annual Plan processes. In addition, we urge FHA to develop a comprehensive resident outreach strategy for its Section 3 program. The failure to adopt at least the minimum Section 3 goals and to enforce and monitor compliance will make it impossible for FHA to certify compliance with Section 3, as is required.[g]

We appreciate the opportunity to submit these comments. If you have any questions, please contact Alaric Degrafinried via telephone (510-251-9400, ext. 102) or via email (adegrafinried@nhlp.org).

Sincerely,

Alaric Degrafinried
National Housing Law Project

Chris Schneider
Central California Legal Services

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[b] 12 U.S.C.A. § 1701u(b) (2006).
[c] 24 C.F.R. § 135.30(b) (2006).
[d] 24 C.F.R. § 135.30(c) (2006).
[e] Through the periods of 2004-2006 the City and County of Fresno has collectively received Capital Fund allocations from HUD in the amounts of $3,658,702; $4,510,243; and $3,904,302 respectively. In addition, in 2004 the City of Fresno Housing Authority received a $20 million HOPE VI grant for a development project at Yosemite Village.
[f] For example, FHA's Family Self-Sufficiency program could expressly discuss the role Section 3 plays in its overall anti-poverty strategy.
[g] 24 C.F.R. § 91.225(a)(8) (2006).

Housing Authority of the City of Fresno and Housing Authority of Fresno County

Section 3

Plan of Action

Fresno, CA

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PURPOSE

Section 3, Housing and Urban Development Act of 1968

The purpose of Section 3 of the Housing and Urban Development Act of 1968, as amended by Section 916 of the Housing and Community Development Act of 1992 (the "Act"), is to "ensure that **employment and other economic opportunities generated by certain HUD financial assistance** shall to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, **be directed toward low-and very low-income persons** particularly those **who are recipients of government assistance for housing,** and to **business concerns which provide economic opportunities to low-and very low-income persons."**

24 CFR Part 135 and Subtitle A et al, Economic Opportunities for Low and Very Low Income Persons; Interim and Final Rules, provides the standards and procedures to be followed to ensure that the objectives of the Section 3 are met.

SECTION 3 PLAN OF ACTION

The purpose of the Section 3 Plan of Action is to create strategies for compliance with the Housing and Urban Development Act of 1968, as amended by Section 916 of the Housing and Community Development action of 1992, to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall to the greatest extent feasible, and consistent with existing federal, State, and local laws and regulations, be directed toward low-and very low-income persons particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low-and very low-income persons.

The Plan of Action may be amended periodically as approved by the Board of Commissioners upon recommendation of the Executive Director or his/her designee, to ensure that the Plan's requirements are being met or to bring about efficiencies in the implementation of the program based on the practice and experience of operating the program.

DEFINITIONS

ECONOMIC OPPORTUNITIES GENERATED BY SECTION 3-COVERED ASSISTANCE
The Section 3 requirements apply to training, employment and business opportunities generated by any covered Section 3 assistance.

EMPLOYMENT OPPORTUNITIES GENERATED BY SECTION 3-COVERED ASSISTANCE

All employment opportunities generated by the expenditure of Section 3 covered public and Indian housing assistance (and listed below) are governed by Section 3 requirements.

- Operating assistance
- Development assistance
- Modernization assistance; and

All employment opportunities arising in connection with Section 3 covered housing and community development assistance are governed by Section 3 requirements and include:

- Management and administrative jobs or related professional services
- Jobs directly related to administrative support of these activities

NEW HIRES

Section 3 requirements apply to all full time employees for permanent, temporary, contract or seasonal employment opportunities generated by the Section 3 covered assistance.

RECIPIENT

Any entity, which receives Section 3 covered assistance, directly from HUD or from another recipient, shall be governed by this Section 3 Plan of Action.

SECTION 3 BUSINESS CONCERN

A Section 3 business concern is one:

- That is 51 percent or more owned by Section 3 residents and whose management and daily business operations are controlled by one or more such individuals; or
- Whose permanent, full-time employees include persons, at least 30% of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents; or
- That commits to award 30% of all subcontracts to business concerns which meet the above 2 criteria.

SECTION 3 CLAUSE-The contract provisions and sanctions set forth in 24 CFR 135.38 shall be included in all qualifying bids and non-exempt contract. A copy can be found in the Appendix of this statement.

SECTION 3 COVERED ASSISTANCE

All employment opportunities generated by the expenditure of Section 3 covered public and Indian housing assistance (and listed below) are governed by Section 3 requirements.

- Operating assistance
- Development assistance
- Modernization assistance; and

All employment opportunities arising in connection with Section 3 covered housing and community development assistance are governed by Section 3 requirements and include:

- Management and administrative jobs or related professional services
- Jobs directly related to administrative support of these activities

SECTION 3 JOINT VENTURE

An association of business concerns, one of which qualifies as a Section 3 business concern formed by written joint venture agreement to engage in and carry out a specific business venture for which purpose the business concerns combine their efforts, resources and skills for joint profit, but not necessarily on a continuing or permanent basis for conducting business generally, and for which the Section 3 business concern:

- Is responsible for a clearly defined portion of the work to be performed and holds management responsibilities in the joint venture; and
- Performs at least 25% of the work and is contractually entitled to compensation proportional to its work.

SECTION 3 RESIDENT

1) A public housing resident, or

2) An individual who resides first, in the City of Fresno; and second in the County of Fresno area in which the Section 3 covered assistance is expended and who is:

   - A low-income person: families, including single persons, whose incomes do not exceed 80% of the median income for the areas, as determined by the Secretary of the Department of Housing and Urban Development (Secretary), with adjustments for smaller or larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families; or

   - A very low-income person: families, including single persons, whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary, with adjustments for smaller or larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the area on the basis of the Secretary's findings that

such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families.

A person seeking the training and employment preference provided by Section 3 is responsible for providing evidence that he or she is eligible for the preference.

GOAL STATEMENT

The goal of the Housing Authorities of the City and County of Fresno is to promote self-sufficiency and asset development of assisted households by increasing the number and percentage of employed persons in assisted families; provide or attract services to improve assistance recipients' employability and to increase independency for the families.

EMPLOYMENT

To the greatest extent feasible, jobs and training created through construction opportunities and/or professional services will be offered to public housing residents. All public housing residents are Section 3 eligible, and therefore will have first priority for jobs if they are qualified.

CONTRACTS

Contractors within the Section thresholds must demonstrate Section 3 compliance by providing a statement committing to award the following to Section 3 business concerns:

The award of at least 30% of the total prime contracts for building trades work in construction, repair, modernization, or development of any covered activities to Section 3 eligible business concerns. The 30% award standard also applies to all professional services contracts for any covered activity.

The award of at least 30% of the total subcontracts for building trades work in construction repair, modernization, or development of any covered activities to Section 3 eligible business concerns. The 30% standard also applies to all professional services subcontracts for any covered activity.

TRAINING AND OTHER ECONOMIC OPPORTUNITIES

Any contractor who clearly demonstrates that compliance with the Section 3 contracts is not possible, will be required to support "other economic opportunities" for Section 3 residents such as:

- Training and employment-related opportunities for Section 3 residents, such as upward mobility, bridge and trainee positions to fill vacancies;
- Hiring Section 3 residents in part-time positions.
- Providing job shadowing and/internship opportunities for Section 3 residents to be afforded the opportunity to be able to learn more about construction trades and professional services
- Contributing funds to a scholarship fund for Fresno Housing Authority residents (Karl Falk Memorial Scholarship.

SECTION 3 HOPE VI ACTION PLAN

EMPLOYMENT

A. Background Summary – Employment

1. Section 3 regulations require that the Housing Authority of the City of Fresno as a recipient of the HOPE VI federal funds, its contractor/vendors, contractors, and subcontractors will to the greatest extent feasible, demonstrate compliance by employing Section 3 residents in all Section 3-eligible activity.

2. A contractor or vendor is required to hire only when a new hire is needed to perform the Section 3-eligible work. In the event that no new hires are needed, contractors and vendors must pursue other avenues of compliance as set forth in the Housing Authority of the City of Fresno-HOPE VI Goal Statement section of this Plan of Action.

3. Section 3 Regulations, at 24 CFR Part 135, require that public housing programs ensure that training and employment opportunities generated by certain HUD financial assistance be made available to section 3 residents in the following order of priority:

First Preference	Yosemite Village – Current residents
Second Preference	Former Yosemite Village residents and current Section 8 certificate holders who were documented former residents of Yosemite Village as of January 2001
Third Preference	Southwest Fresno public housing residents
Fourth Preference	City of Fresno Housing Authority residents

4. Contractors will not be required to hire persons who are not qualified.

1. If a new hire is needed and a Section 3 resident identified, that Section 3 resident will be required to submit evidence of their Section 3 status to the HOPE VI Community Development Coordinator, the contractor and subcontractor.

2. The HOPE VI Program requires a preference for hiring from the housing development where work is being performed. However, the HACF will not require a contractor/vendor to hire from the housing development at the work site if:

    a. A pre-identified list of Section 3 residents from a job site contains no persons qualified to perform the work. Qualified residents from other developments shall then be considered.
    b. The contractor/vendor's workforce is adequate to do the job and no new hiring is needed.

The Housing Authority of the City of Fresno-HOPE VI Program will be responsible for the compilation of a list of Section 3 public housing residents (categories 1 and 2) who are eligible

for employment and training opportunities generated by the receipt of the Section 3 covered assistance. This list will include skill and interest assessments to the greatest extent feasible. The list will also be produced in a format that can be sorted by interest and skill levels.

The list of eligible residents will be made available to the HOPE VI contractors, consultants, and business concerns which are responsible for or have a role in contracting the expenditure of Section 3-eligible funds:

The Housing Authority of the City of Fresno-Community Development Coordinator – HOPE VI will monitor compliance with Section 3 requirements. He /she will provide information to appropriate HOPE VI contractors, consultants, and business concerns who are responsible for hiring or contracting for Section –eligible services. The information will include but not be limited to HOPE VI Section 3 Plan of Action, plus:

1. Distribution of copies of required Section 3 language (Section 135.38.Section 3 Clause)
2. Distribution of reporting documents (see Appendix) required to demonstrate compliance
3. Distribution of copy of Section 3 eligible residents that can be used for their own hiring decisions and can be referred to contractors for their hiring purposes.
4. Completion of all reports and other documents as prescribed by HUD on behalf of the HACF HOPE VI Program.

The HOPE VI staff is working with the Fresno County Workforce Connection in order to provide job referral services, educational strengthening, job readiness and construction job training for HACF Section 3 residents

HACF and the chosen master developer will ensure that all known HOPE VI Section 3 eligible residents will be made aware of this program on an ongoing basis, to increase the training and job placement opportunities for such residents within Section 3 covered activities for the HOPE VI Project. Additionally, the HACF will market the program residents in ways to attract HACF Section 3 residents.

Contractors and vendors may provide part-time work or paid job shadowing, paid internships or other paid job opportunities for the HOPE VI eligible residents. The hours of part-time work or training when converted to dollars must equal or exceed the threshold requirements established and will be approved and monitored by the Community Development Coordinator.

The HOPE VI Community Development Coordinator will monitor all “Training and Other Economic Opportunity” options.

SECTION 3 ACTION PLAN

CONTRACTING

A. Background - Contracting

1. Section 3 Regulations, at 24 CFR Part 135, provide that the Housing Authority of the City of Fresno, its contractors and subcontractors may demonstrate compliance by awarding contracts to Section 3 business concerns or to contractor/vendors who contract with such firms.

2. The Housing Authority of the City of Fresno's contracting goals require that Section 3 firms receive <u>at least</u>:

The award of at least 30% of the total prime contracts, under the HOPE VI program for building trades work in construction, repair, modernization, or development of any HOPE VI covered activities to Section 3 eligible business concerns. The 30% award standard also applies to all professional services contracts for any HOPE VI covered activity.

The award of at least 30% of the total subcontracts under the HOPE VI program for building trades work in construction repair, modernization, or development of any HOPE VI covered activities to Section 3 eligible business concerns. The 30% standard also applies to all professional services subcontracts for any HOPE VI covered activity.

.

3. Section 3 contracting goals apply to the entire amount of the Section 3 covered assistance awarded to a recipient in the federal fiscal year (October 1 thru September 30). The HOPE VI contracting goals shall apply to the total dollar amount of each contract in the amount of $50,000 or more for each HOPE VI housing and community development contract.

4. Efforts shall be directed to award contracts to Section 3 business concerns in the following order of priority for public housing expenditures:

    a. Business concerns that are 51 percent or more owned by residents of the housing development for which the HOPE VI covered assistance is expended or whose full-time permanent workforce includes 30 percent of these persons as employees (category 1 businesses);

    b. Business concerns that are 51 percent or more owned by residents of other housing developments owned and managed by the Housing Authority of the City of Fresno whose workforce includes 30 percent of these persons as employees (category 2 businesses);

c. HUD Youthbuild programs being carried out in the City of Fresno in which the Section 3 covered assistance is expended (category 3 businesses);

d. Business Concerns that are 51 percent or more owned by Section 3 residents, or whose permanent, full-time workforce includes no less than 30 percent Section 3 residents (category 4 businesses), or that subcontract in excess of 25 percent of the total amount of subcontracts to business concerns identified above.

Business concerns which meet criteria (d) above, need not hire additional Section 3 residents to fulfill their Section 3 contracting obligations under this Plan of Action.

5. Efforts shall be directed to award contracts to Section 3 business concerns in the following order of priority for housing and community development expenditures:

   a. Section 3 business concerns that provide economic opportunities for Section 3 residents in the service area or neighborhood in which the Section 3 covered project is located (category 1 businesses); and

   b. Applicants (as this term is defined in 42 U.S.C. 12889) selected to carry out HUD Youthbuild programs (category 2 businesses);

   c. Other Section 3 business concerns.

B. Master Developer's Action Plan Responsibilities - Contracting

1. The HOPE VI master developer will be responsible for inserting Section 3 requirements in boiler plates for Formal Proposals, Formal Bids, and all other related solicitations contracting for work associated with the HOPE VI Section 3 covered activities. The boilerplate information will include, but not necessarily be limited to the Section 3 clause in its entirety, as listed in 24 CFR, Part 135.38. A complete copy of the text of this reference is included in the Appendix.
2. The HOPE VI master developer will seek out and register Section 3 business concerns and joint ventures. The solicitation of Section 3 business concerns and joint ventures will include the following outreach efforts at a minimum:

   - Contacts with business assistance agencies such as the SBA, minority contractors associations and community organizations to inform them of contracting opportunities and requesting their assistance in identifying Section 3 businesses
   - Announce contracting opportunities through trade association papers and newsletters, through the local media, and other easily accessible media including bulletin board postings, local chambers of commerce, ethnic operated/owned newspapers, etc.
   - Where appropriate, break out (unbundled) contract work items into economically feasible units to facilitate participation by Section 3 business concerns.

- Conduct workshops to inform potential Section 3 business concerns of the HOPE VI Section 3 Plan of Action, with the HOPE VI staff providing assistance in outreach to such businesses.

3. Section 3 businesses will be responsible for self-certification and registration as Section 3 businesses.

4. The Master Developer will also maintain a list of Section 3 registered businesses.

5. The Community Development Coordinator will also maintain a list of Section 3 registered businesses.

6. The Master Developer will verify that business concerns and joint ventures claiming Section 3 status based on ownership and workforce or workforce, have provided evidence of that status at the time the bid or proposal is submitted to the HACF, prior to its being considered for contract award using the Section 3 business preference.

7. The Master Developer will evaluate bids and consider the following criteria in that evaluation:

    a. Contractors must demonstrate compliance with Section 3 requirements with HOPE VI Section 3 bids, at the time they submit their bid, quote or proposal for work which is Section 3 eligible. Contractors and vendors who fail to address Section 3 requirements in their bid, quote or proposal for work described in the Section 3 Goals Statement may be deemed non-responsive for Section 3 preference.

    b. After written notice from the Master Developer and or HACF specifying the defects in the Section 3 information, contractors and vendors will be given no more than 5 business days to complete the necessary forms and provide all required documents in order to be considered under Section 3 preference. Failure to respond within 5 days will result in declaring the bidder or respondent non-responsive for Section 3 preference and the bid review will continue with the next responsive Section 3 contractor or other contractor if no other Section 3 contractors are available.

C. Compliance - Contracting

The Community Development Coordinator will monitor contractor compliance by receipt of reports described below and from the identified sources:

1. Upon request, contractors and vendors will be required to submit weekly payroll forms that clearly identify the Section 3 employees, throughout the life of the contract. The Community Development Coordinator will work with the master developer and its

contractors to obtain the appropriate documentation verifying the new hires Section 3 status: income statements, Housing Authority of the City of Fresno lease, etc. The Community Development Coordinator will periodically audit this information. Failure to comply with the weekly submittal of payroll will result in the delay of payment to the contractor.

2. HACF residents, by virtue of their residency in public housing, are Section 3 residents. Contractors employing HACF residents must retain documentation that demonstrates HACF residents hired to meet Section 3 employments goals are identified on the lease of household, or submit documentation provided by the HACF from its Section 3 resident database. This documentation may be requested at any time by the Community Development Coordinator.

3. In the event a Section 3 resident's employment is terminated or the period of employment is less than the duration of the contract commitment, all contractors must attempt to place another qualified Section 3 resident in the employment. In the event that no other qualified Section 3 resident is available for employment, contractors must satisfy the noncompliance status as described in the Goals Statement of this document.

   Prime or subcontractors must submit documentation (including work force composition data) prior to issuance of the contract. Additional documentation is required for joint ventures as detailed later in this section.

4. Pursuant to 24 CFR 135.36 (c) any firms, prime or subcontractor claiming Section 3 status must demonstrate to the HACF satisfaction that the business concern is responsible and has the ability to complete the work under the terms and conditions of the proposed contract. The HACF will make this determination in compliance with procurement standards of 24 CFR 85.36 which requires consideration of, among other factors, the potential contractor's record in complying with public policy requirements, including Section 3 compliance.

5. Firms that claim Section 3 business status by subcontracting (30% of the total contract) to other Section 3 businesses must require that the subcontractor(s) provide ownership or workforce documentation as applicable. The prime contractors must keep such records on file and available for review by HUD. Such documentation must also be submitted prior to issuance of the contract.

6. Subcontractors identified by a prime contractor claiming Section 3 status per item 5 must be a Section 3 business by ownership and/or workforce as defined in this policy. Subcontractors used by prime contractors to comply with item 5 cannot claim Section 3 status by further subcontracting.

7. In order to meet Section 3 contracting goals of the HOPE VI, joint ventures are permitted between associations of firms at least one of which meets the HOPE VI definition of a Section 3 business concern. Joint ventures are subject to the following documentation requirements:

a. The joint venture agreement must be in writing and must be submitted as part of the response to any bid or proposal solicited by the HOPE VI Project. In order to evaluate “adequacy” and “capacity”, the agreement must describe in sufficient detail the area(s) of work assigned to each member of the joint venture.

b. The joint venture agreement must reference a completed and fully executed joint venture certification as required by HOPE VI, which must also be attached to the joint venture agreement as an Exhibit.

c. The Section 3 joint venture partner shall provide documentation that shows that the Section 3 partner meets the ownership and workforce, or workforce requirements established in this policy. Section 3 joint venture partners cannot use subcontracting to establish their status as a Section 3 business concern.

d. Section 3 requires that the joint venture must be qualified to perform the scope of work and have the capacity to complete the work assigned under the joint venture agreement.

SECTION 3 AFFIRMATIVE ACTION PLAN

In accordance with the Housing and Urban Development Act of 1968, as amended, and the regulations pursuant to that Act.

_____
(Contractor)

Agrees to comply with Section 3 of that Act by assuring that to the greatest extent feasible:

- Training and employment opportunities will be given to lower income residents of the project; and
- Contracts for work in connection with the project will be awarded to business concerns which are located in or owned in substantial part by persons residing in the area of project.

_____ will initiate the following actions to insure utilization of lower income project residents as employees or trainees and to incorporate project area small business as subcontractors and supplies:

1. The Contractor will establish and maintain a directory of service organizations, job referral agencies and manpower training programs operating within, or serving, project area residents.

2. The Contractor will submit prior to the award of a contract, a signed assurance to comply with Section 3 regulations and requirements.

3. The Contractor will provide, prior to the signing of a contract, a statement of new work force needs, including trainee positions.

4. The Contractor will notify Community based organizations of available employment opportunities, and shall maintain records of response from such organizations.

5. The Contractor will undertake personal recruitment efforts directed to such service organizations and to schools with lower income resident training programs.

6. The Contractor will maintain a file of the names and addresses of each low income resident worker referred and what action was taken with respect to each referred worker. (Attached)

7. The Contractor will include the Section 3 clause in every subcontract for work in connection with H.U.D. projects. (Attached)

8. For each subcontract, the Prime Contractor will submit, prior to Contract award, the Section 3 Affirmative Action Plans of its subcontractors.

9. The Contractor will not attempt to circumvent Section 3 Provisions.

10. The Contractor will make a good faith effort to employ or fill training positions with lower income project area residents, will, as a minimum, provide evidence of the following:

    (a) Attempts to recruit from the project area through location advertising media, community organizations, public and private agencies operating within or serving the project area, such as the State Employment Department, and the Private Industry Council.

    (b) Maintain a list of all lower income area residents who have applied either on their own or referral from any source, and if such persons, if otherwise qualified, have been employed.

11. The Contractor will make a good faith effort to incorporate project area businesses as Subcontractors and Suppliers.

12. The Contractor will provide the Section 3 workforce and business utilization reports required under this contract.

_____ fully realizes failure or refusal to comply and give satisfactory assurances of future compliance with the requirements of this Affirmative Action Plan shall be proper basis for any or all of the following actions: Cancellation, termination or suspension in whole or in part of the contract; a determination of ineligibility or debarment from any further contracts under any federal program with respect to which the failure or refusal occurred until satisfactory assurances of future compliance have been received.

Authorized Signature _____Date _____

SECTION 3 ATTACHMENT A

ESTIMATED PROJECT WORK FORCE BREAKDOWN

Job Category	Total Estimated New Positions Needed for Project	Number of Positions to be filled with Section 3 residents
Supervisor		
Professional		
Technical		
Office/Clerical		
Others		
TRADE:		
Journeyman		
Apprentices		
Trainees		
Others		
TRADE:		
Journeyman		
Apprentices		
Trainees		
Others		

Section 3 Resident
Individual residing within the Section 3 Area whose family income does not exceed 80% of the median income in the Metropolitan Statistical Area or the county if not within a MSA in which the Section 3 covered project is located. See attached income schedule.

_____
Company

_____
Project Name

_____
Project Number

_____
Person Completing Form

NOTE: This document must be submitted with bid documents.

Date _____

SECTION 3 ATTACHMENT B

PROPOSED CONTRACTS/SUBCONTRACTORS BREAKDOWN

Type of Contract (Business or Profession)	Total Number	Total Approx. Dollar Amount	Estimated No. of Contracts to Section 3 Businesses	Estimated dollar amount to Section 3 Buinesses

NOTE:

This document is to be submitted by the contractor with bid documents.

_____
Company

_____
Project Name

_____
Person Completing Form

_____
Date

Attachment ca028h01

HOUSING AUTHORITIES OF THE CITY AND COUNTY OF FRESNO PET POLICY

The following rules are established to govern the keeping of a pet in or on properties owned and operated by the Housing Authorities of the City and County of Fresno (HA). In accordance with Federal regulations, these rules do not apply to animals that are used to assist persons with disabilities, nor small caged pets, such as, hamsters, turtles, birds, fish, etc. Permitted pets are domesticated dogs and cats only.

The pet must be pre-approved and registered with the HA. Residents must receive written permission to keep the pet on or about the premises. **Visiting pets are not allowed with the exception of animals used to assist persons with disabilities**. A picture of the pet will be kept in Resident's file for proper identification. This privilege may be revoked at any time subject to the HA grievance procedure if the pet becomes destructive or a nuisance to others, or if the Resident/owner fails to comply with any one of the following:

1. Limit two (2) pets per household.

2. The only permitted pet is a domesticated dog or cat, no livestock are permitted. The following breeds of dogs are prohibited: pit bulls, miniature Dobermans, bulldogs and Rottweilers. The pet shall be limited to a small breed, weighing less than 25 pounds at adulthood. The only exception to this rule is a service animal, as defined in Senate Bill No. 2046, that is utilized by a physically handicapped Resident.

3. Dogs are to be licensed yearly with the proper authorities. A pet license should be visible at all times. Dogs and cats are to be vaccinated yearly for distemper and dogs must have a rabies booster. Proof of current licensing and vaccination shall be provided by Resident on a yearly basis during Resident's Re-examination for Eligibility of Continued Occupancy.

4. All cats and dogs are to be spayed or neutered before they reach six (6) months of age. If a female pet is not spayed and has offspring, Resident will be in violation of this rule.

5. No pet may be kept in violation of humane or health laws.

6. A dog must be on a leash attended by the Resident if outside the Resident's unit. A cat must be kept indoors, unless being transported in a secured carrier. Cats and dogs are required to wear collars with identification of the owner at all times.

7. A cat is to use a litter box kept inside the Resident's unit. Resident is not allowed to let waste accumulate. Waste is to be placed in a plastic bag, closed and disposed of properly.

8. Residents are responsible for promptly cleaning up their pet's droppings, and properly disposing of said droppings. Residents are also responsible for maintaining small caged animals, as referenced in the first paragraph, in a clean and sanitary environment.

9. Resident shall take adequate precautions to eliminate any pet odors within or around unit and maintain unit in a sanitary condition at all time.

10. Pets are to be kept flea, tick and lice free at all times. Residents will be responsible for flea and tick eradication in the event of infestation.

11. Resident shall not permit any disturbance by their pet which would interfere with the quiet enjoyment of other Residents; whether by loud barking, howling, biting, scratching, chirping, or other such activities.

12. If a pet is left unattended for twenty-four (24) hours or more, the HA may enter the dwelling to remove the pet and transfer it to the proper authorities subject to the provisions of Section 1954 of the California Civil Code or Penal Code Section 597. The HA accepts no responsibility for the pet under such circumstances.

13. Residents shall not alter their unit, patio, or unit area to create an enclosure for an animal. No pet shelters shall be permitted outside the dwelling.

14. Resident is responsible for all damages caused by their pet.

15. Residents are prohibited from feeding stray animals. The feeding of stray animals shall constitute having a pet without permission of the HA.

16. Pet sign must be displayed at dwelling as to notify HA staff before entry.

17. Resident shall pay a $200 refundable pet deposit which may include two pets. The initial deposit will not exceed $50, at the time the pet is brought onto the premises and the remaining amount will be a gradual accumulation, not to exceed $10 per month until the full deposit of $200 is reached. Resident may elect to pay the entire amount or increments that are greater than $10 if they choose to do so.

    The Resident does not have to wait to vacate the unit to receive their deposit. The deposit is returned once the pet(s) is/are gone and after the HA inspects the unit to determine any damages made by the pet(s).

NOTE: Residents approved with pets under the previous Pet Policy, are not required to increase their deposit until approval of a new pet is requested. Residents who own a pet and are physically handicapped as defined in Sections 54.1 and 54.2 of the California Civil Code and Section 17253.5 of the California Revenue and Taxation Code, are not required to pay a pet deposit. All other provisions of the Pet Policy are applicable for keeping a pet on the premises.

18. Residents who violate these rules are subject to: (a) being required to remove the pet from the dwelling within thirty (30) days of notice by the HA; and/or (b) eviction.

I have read and understand the above regulations regarding pets and agree to conform to same.

_____ _____

Resident Signature Date

_____ _____

Witness Signature Date

Attachment ca028i01

BRIEF STATEMENT OF PROGRESS IN MEETING THE FIVE-YEAR PLAN MISSION AND GOALS

Federal laws establish the rent structure of the housing programs administered by the Housing Authority and require that family income be verified annually. Federal Regulations also impact the selection of program participants, occupancy, lease and grievance procedures. The Housing Authority will review its policies to adopt rent simplification.

This Annual Plan addresses those policies and procedures for the public housing and Section 8 Housing Assistance Payment programs that have been modified as a result of QHWRA. The most significant items addressed in the FY 2007 Annual Plan are 1)The feasibility of converting its low-income public housing to mixed finance development; 2) the feasibility of demolishing and/or disposing of its pubic housing units, and the use of leveraged future Capital Fund allocations for these purposes; 3)The Agency's goal of increasing and improving the number of affordable housing units; 4) the implementation of HUD's Asset Management and property-based accounting; and 5) the Agency's efforts to continue to provide affordable housing for low and very low-income families despite the budget constraints.

In our Five-Year Plan, the Housing Authority of Fresno County recognizes the need for housing for large families. Our goal of developing additional affordable three-bedroom housing has been established to address the need. Information taken from the County's Consolidated Plan and included in the Housing Needs section supports this goal.

The Housing Authority also continues to promote self-sufficiency among assisted households. The Family Self-Sufficiency and Building Stronger Families programs address this need, as noted in the Five-Year Plan, serving approximately 1,000 families in Fresno County, which far exceeds HUD's mandatory caseload. Our FSS program aggressively promotes homeownership with or without mortgaged subsidy and is considered a model program for public housing agencies across the nation.

The Housing Authorities of the City and County of Fresno are active members of the Fresno Madera Continuum of Care (FMCoC). The agency continues to take the lead in preparing and submitting the application for funding to HUD on behalf

of the FMCoC and has been instrumental in bringing in over $28,000,000 to the community to help end chronic homelessness.

The Authorities assertively promotes homeownership opportunities to families on the Housing Choice Voucher program with a strong focus on the families participating in the Family Self-Sufficiency program and the Mainstream (disabled) program. The participants receive intensive group and one-on-one housing counseling. The Authorities' Homebuyer Education and Counseling program (HEC) is approved by HUD and Fannie Mae, and provides homebuyer's education and counseling to the community at large.

For Fiscal Year 2006, the Housing Authority of the County of Fresno was successful in receiving an award under the Fair Housing Initiatives program, Education and Outreach Initiative (EOI), in the amount of $100,000 for a 12 month funding increment. The intent of the EOI is to highten the community's awareness on fair housing. The program designs include methods in providing outreach and education which includes a Central California Fair and Affordable Housing Conference and Exposition.

In April 2006, the Housing Authority entered into an agreement with CNA Specialists to conduct an energy audit on all of the Low Income Public Housing units. Once these audits are completed and recommendations made, the Housing Authority will review and attempt where applicable and cost effective to incorporate some or all of the recommendations into future Capital Fund plans.

Attachment ca028j01
Resident Membership of the PHA Governing Board

The Board of Commissioners for the Housing Authority of Fresno County includes two Resident Commissioners that are appointed by the Fresno County Board of Supervisors. Term of appointment is two years. The current Resident Commissioners are Helen Harper and Isabelle Morales.

Attachment ca028k01
Deconcentration and Income Mixing Questions

Component 3, (6) Deconcentration and Income Mixing

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

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

If yes, list these developments as follows:

Deconcentration Policy for Covered Developments

Development Name:	Number of Units	Explanation (if any) [see step 4 at §903.2(c)(1)((iv)]	Deconcentration policy (if no explanation) [see step 5 at §903.2(c)(1)(v)]
CA028001	25	115% above EIR*	
CA028003	35	W/in EIR	
CA028004	20	W/in EIR	
CA028005	20	115% above EIR	
CA028006	20	76% below EIR	
CA028007	40	W/in EIR	
CA028008	50	W/in EIR	
CA028009	24	126% above EIR	
CA028010	28	W/in EIR	
CA028011	24	81% below EIR	
CA028012	40	W/in EIR	
CA028013	20	76% below EIR	
CA028014	40	116% above EIR	
CA028015	50	W/in EIR	
CA028016	40	W/in EIR	
CA028018	18	83% below EIR	
CA028020	20	W/in EIR	
CA028021	20	79% below EIR	
CA028022	12	W/in EIR	
CA028023	20	79% below EIR	
CA028024	50	82% below EIR	
CA028026	60	123% above EIR	
CA028030	32	111% above EIR	
CA028031	28	W/in EIR	
CA028038	40	79% below EIR	

*EIR: Established Income range. Report Effective September 6, 2006.

3. Developments Outside the Established Income Range. As provided at §903.2© (1)(iv), any explanation must be consistent with both the deconcentration law and local goals. Also, as provided at §903.2© (1)(v), any policy must be expected to promote deconcentration of poverty and income mixing.
4. Unit size Adjustments. In determining the average income of all families residing in each covered development, the final rule at §903.2© (1) provides a PHA the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.

The bedroom adjustment factor, which is based on national rent averages for units grouped by the number of bedrooms and which has been used by HUD to adjust for costs of units when the number of bedrooms vary, assigns to each unit the following factors: 0.70 for zero-bedroom units; 0.85 for one-bedroom units; 1.0 for two-bedroom units; 1.25 for three-bedroom units; 1.40 for four-bedroom units; 1.61 for five-bedroom units; 1.82 for six or more bedroom units. The bedroom adjustment factor is the unit-weighted average of the distribution.

In step 1, a PHA must determine the average income of all families residing in all of the PHA's covered developments. A PHA may divide the average income of all families of all covered by the appropriate bedroom adjustment factor described above to obtain the PHA-wide adjusted average income. For example, if a PHA has 1,000 units with 400 two bedroom units and 600 three-bedroom units, then the PHA would multiply 400 by 1.0 and 600 by 1.25, sum these products, and divide by the total number of PHA units (1,000) to derive a bedroom adjustment factor of 1.15 [(400 x 1.0) + (600 x 1.25) / 1,000 = 1.15]. If the PHA has an average income of $10,000, then the PHA would divide $10,000 by the bedroom adjustment factor of 1.15, which equals $8,696. This is the PHA-wide adjusted average income.

In Step 2, a PHA must determine the average income lf all families residing in each covered development. APHA may divide the average income of the families residing in each covered development by the appropriate adjustment factor described below to obtain each covered developments's average income. For example, if the PHA in the example above has a covered development that has 100 units, with 80 two-bedroom units and 20 three-bedroom units, then the PHA would multiply 80 by 1.0 and 20 by 1.25, sum these products, and divide by the total number of units in that development (100) to derive a bedroom adjustment factor of 1.05 [(80 x 1.0) + (20 x 1.25) / 100 = 1.05]. If that development has an average income of $8,000, then the PHA would divide $8,000 by the bedroom adjustment factor of 1.05, which equals $7,619. This is the covered development average income.

In step 3, a PHA must determine whether each of its covered developments falls above, within or below the Established Income Range of 85% to 115% of the PHA-wide average income for covered developments. In this comparison, if a PHA chooses the use a bedroom adjustment approach, it must do so for both the PHA wide and the covered development analyses. To determine where the covered development falls within the established Income Range, divide the income of the development by the income of the PHA and multiply by 100. In the example above, the PHA would divide $7,619 by $8,696 and then multiply the 100, which equals 88%. This is within the Established Income Range. In the example above, if the PHA decided not to adjust income by bedroom size, then the ratio would have been $8,000 divided by $10,000, then multiplied by 100, which equals 80%. This falls outside of the established Income Range.

5. Developments Not Subject to Deconcentration. The final rule at §903.(2)(b)(2) describes public housing developments not subject to deconcentration. One of the provisions of the rule exempts "public housing developments operated by a PHA with fewer than 100 public housing units," which covers PHAs with fewer than a total of 100 public housing units.

6. Public Housing Development. The final rule refers toa "public housing development' which includes units or buildings with the same project number. Also, contiguous sites with more that one project number may be considered as one development.

7. Public Housing Development. With respect to applicability of covered mixed-finance developments, only the incomes of families residing in public housing units will be included in the income analyses.

Attachment ca028l01
Voluntary Conversion Required Initial Assessments

Component 10 (B) Voluntary Conversion Initial Assessments

a. How many of the PHA's developments are subject to the Required Initial Assessments?

a. How many of the PHA's developments are not subject to the Required Initial Assessments based on exemptions (e.g., elderly and/or disabled developments, not general occupancy projects)?

a. How many Assessments were conducted for the PHA's covered developments?

a. Identify PHA developments that may be appropriate for conversion based on the Required Initial Assessments:

Development Name	Number of Units

a. If the PHA has not completed the Required Initial Assessments, describe the status of these assessments:

Based on 2001 assessment and conversion to Section 202.

Required Initial Assessment Outcomes and Reasoning

Housing Authority of Fresno County
Developments Subject to the Required Initial Assessments

Development Name & Number	Number of Units	Appropriate for Conversion?	Reason(s) for Inappropriateness
Selma 28-1	25	No	a,b,c
Sanger 28-2	35	No	a,b,c
Reedley 28-3	20	No	a,b,c
Orange Cove 28-4	20	No	a,b,c
Fowler 28-5	20	No	a,b,c
Huron 28-6	24	No	a,b,c
Kerman 28-7	40	No	a,b,c
Firebaugh 28-8	50	No	a,b,c

Mendota 28-9	24	No	a,b,c
San Joaquin 28-10	28	No	a,b,c
Highway City 28-11	24	No	a,b,c
Firebaugh 28-12	40	No	a,b,c
Huron 28-13	20	No	a,b,c
Mendota 28-14	40	No	a,b,c
Parlier 28-15	50	No	a,b,c
Orange Cove 28-16	40	No	a,b,c
Reedley 28-17	20	No	a,b,c
Del Rey 28-18	30	No	a,b,c
Laton 28-20	20	No	a,b,c
San Joaquin 28-21	20	No	a,b,c
Biola 28-22	12	No	a,b,c
Huron 28-23	20	No	a,b,c
Pinedale 28-24	50	No	a,b,c
Mendota 28-26	48 eligible	No	a,b,c
Firebaugh 28-30	32	No	a,b,c
Orange Cove 28-31	30	No	a,b,c
Pinedale 28-32	30	No	a,b,c
Sanger 28-34	35	No	a,b,c
DeSoto Gardens I 28-38	40	No	a,b,c

Reasons for Inappropriateness:

a. Conversion will be more expensive than continuing to operate the development as public housing.
b. Conversion will not principally benefit the residents of the public housing development.
c. Conversion will adversely affect the availability of affordable housing in the community.
d. Design of the complex is not conducive to conversion.
e. Conversion would compromise the ability to occupy units in the complex.
f. Cost/feasibility of a voucher program does not justify conversion.

Firebaugh (28-19), the 12 elderly units in Mendota (28-26), and Sanger (28-33) are not subject to the Required Initial Assessments based on their status as elderly.

County Totals

Total Eligible:	29
Total Not Covered:	2

Attachment ca028m01
Section 8 PHA Project-Based Vouchers

The Housing Authority of the County of Fresno implemented a Section 8 project based voucher program in 2002. The program's target is 200 existing three or more bedroom units for large families. No building (except single family to four plex) will have more than 25% of the structure's units receiving project-based assistance. Families from the Housing Authority's Section 8 wait list are referred to the units. Recently the program is being expanded to include units with rehabilitation expenditures of at least $1,000 per assisted unit.

While the program is intended to be operated in non-poverty impacted census tracts in the County of Fresno, a waiver request was approved by HUD for six census tract areas: Census Tract 68.2, located in the City of Parlier; Census Tract 70.02, located in the City of Selma; Census Tracts 68.02 and 66.01 located in the City of Reedley; Census Tract 82, located in the City of San Joaquin; and Census Tract 40, located in the City of Kerman. All of these locations are within the County of Fresno jurisdiction.

The contract for the Project-Based program will be for ten years because of the need to preserve the supply of three or more bedroom units for large families. The City of Fresno's 2001-2004 Consolidated Plan specifically identifies the need for affordable housing including large units for large families.

Also the Housing Authority is considering the feasibility of converting public housing units to project-based voucher assistance in the not too distant future.

Attachment Ca028n01
SECTION 8 HOMEOWNERSHIP PROGRAM
CAPACITY STATEMENT

The Housing Authorities of the City and County of Fresno (FHA) have developed and implemented the Section 8 homeownership program according to the Quality Housing and Work Responsibility Act of 1998 (QHWRA), and the Section 8 Homeownership Final Rule of September 12, 2000.

The Program is being offered to families participating in the Family Self-Sufficiency (FSS) program. Every effort is being made to market the program to all Housing Choice Voucher families so that they may enroll in the FSS program, and work towards becoming mortgage ready. FSS familieswill have the opportunity to use their FSS escrow account for down payment matching grants (IDEA/WISH).

FHA has established a 3% homeowner down payment requirement with a minimum of 1 percent of the down payment to be from the family's own financial resources.

The financing for purchase of a home under the Section 8 Homeownership program will be provided, insured or guaranteed by state or federal government; will comply with secondary mortgage market underwriting requirements or will comply with generally accepted private sector underwriting standards.

Families will be required to successfully complete and receive certification from the HUD approved Homeownership Education and Training program. The program will educate first-time buyers on the process of housing search, qualifying for a mortgage, requirements for closing escrow on a home purchase, and maintenance of a home.

Furthermore, FHA has demonstrated in its annual plan that it has the capacity to successfully operate a Section 8 homeownership program. The Agency has successfully managed the following homeownership programs: HOPE 3, HOP and Mortgage Credit Certificate Program. We work closely with the County of Fresno Redevelopment Agency who administers the County's Down-payment Assistance Program (DAP). We have also administered the DAP for the cities of, Clovis, Mendota and Reedley.

Attachment ca028o01
DEFINITION OF SUBSTANTIAL DEVIATION AND SIGNIFICANT AMENDMNET

*The Housing Authority of Fresno County defines*substantial deviation *and* significant amendment or modification *as discretionary changes in the plans or policies of the housing authority that fundamentally change the mission, goals, objectives, or plans of the agency and which require formal approval of the Board of Commissioners.*

Physical Needs Assessment
Comprehensive Grant Program (CGP)

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

OMB Approval No. 2577-0157
(exp. 11/30/2008)

HA Name		
HOUSING AUTHORITY OF FRESNO COUNTY		☒ Original ☐ Revision Number _____
Development Number: CA09P028018	Development Name: DEL REY COMPLEX	DOFA Date or Construction Date: 1966

Development Type		Occupancy Type		Structure Type		Number of Buildings	Number of Vacant Units
Rental	✓	Family	✓	Detached/Semi-Detached	✓	20	0
Turnkey III - Vacant		Elderly		Row		Current Bedroom Distribution: 0 0, 1 ___, 2 8	0 %
Turnkey III - Occupied		Mixed		Walk-Up		3 12, 4 8, 5 2	Total Current Units
Mutual Help				Elevator		5+ 0	30
Section 23, Bond Financed							

General Description of Needed Physical Improvements	Urgency of Need (1-5)
See Exhibit "A" attached	

Total Preliminary Estimated Hard Cost for Needed Physical Improvements		$ 780,000.00
Per Unit Hard Cost		$ 26,000.00
Physical Improvements Will Result in Structural/System Soundness at a Reasonable Cost	Yes ☒	No ☐
Development Has Long-Term Physical and Social Viability	Yes ☒	No ☐
Date Assessment Prepared		6-13-06

Source(s) of Information

1. Physical Inspection on 6-13-06
2. Historical Cost Data

form **HUD-52832** (10/96)
ref Handbook 7485.3

Exhibit "A"

Physical Needs Assessment
Del Rey Complex, Project CA-28-18
30 Units
June 13, 2006

	Estimated Hard Costs	Urgency of Need (1-5)
Site:		
Site Grade / Drainage	$40,000	1
Trees / Landscape	$15,000	3
Irrigation System	$30,000	1
Parking Lots / Asphalt Roadways / **Slurry Seal**	$20,000	2
Site Lighting	$10,000	1
Sidewalks	$15,000	2
Trash Enclosures	$20,000	1
Sewer System (Lateral and Mains)	$40,000	1
Water Distribution System	$25,000	1
Fences	OK	5
Dwelling Structures:		
Roofs	$80,000	2
Stucco	$10,000	2
Wood Fascia / Trim	$10,000	3
Exterior Paint	$85,000	1
Interior Paint	$75,000	1
Doors (Entry / **Interior**)	$60,000	3
Floors	$60,000	2
Cabinets	$15,000	3
Plumbing Fixtures	$5,000	3
Plumbing (Water Heaters, Valves, Angle Stops, Drains)	$10,000	3
Storage and Water Heater Rooms / Doors	$60,000	2
Electrical (Service Panels, Wiring, Light Fixtures, Devices)	$20,000	2
Mechanical (Coolers, AC, Range Hoods, **Heaters**)	$45,000	2
Structural	OK	5
Insulation (Wall / **Attic**)	OK	4
Dual Pane Windows	OK	5
Physical Accessibility	$30,000	1

Total Preliminary Estimated Hard Costs for Physical Improvements: **$ 780,000**

Public reporting burden for this collection of information is estimated to average 35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

This collection of information requires that each eligible applicant submit comprehensive plan information to HUD every six years in order to receive its annual formula grant. This information will be used by HUD to determine whether the comprehensive plan/annual submission meets statutory and regulatory requirements for the annual formula grant. Responses to the collection are required by Section 14(e)(1)(A) and (C) of the U.S. Housing Act of 1937, as amended. The information requested does not lend itself to confidentiality.

Instructions for Preparation of Form HUD-52832—Physical Needs Assessment

Report Submission: Prepare a separate form HUD-52832 for each development in the HA's inventory, which is eligible for Comprehensive Grant Program (CGP) funding, for all HA-wide nondwelling needs, e.g., maintenance equipment, and for any development needs. Submit these forms to HUD as part of the submission of the original Comprehensive Plan in the first year of participation in the CGP and every sixth year when a complete revision of the physical needs assessment is required. On an as-needed basis, submit a revised form where physical needs have significantly changed since the last needs assessment and the HA wishes to include these needs in the Five-Year Action Plan. Developments which are contiguous and treated as one development for management purposes may be grouped together on a single form.

Heading Instructions:

HA Name. Enter the HA name.

Original or Revision Number. Self Explanatory. Every sixth year a new original is prepared.

Development Number. Enter an 11-digit alpha numeric code as follows: two-digit State code (alpha); two-digit Field Office code (numeric); P for Public Housing or B for Indian Housing; three-digit HA number (numeric); and three-digit development number (numeric). For example, VA05PO36001. In lieu of a development number, enter "HA-wide" for physical needs that are HA-wide in nature.

DOFA Date. Enter the Date of Full Availability (DOFA).

Construction Date. For acquired developments enter the actual date of construction or for scattered sites, the average date of construction of all buildings. **Note:** When the construction date is provided, this date will be used in lieu of the DOFA, subject to a 50-year cap.

General Characteristics. Check the appropriate box that describes the type of development, the type of occupancy, and the type of structure. CGP funds may be used to provide for modernization activities in Turnkey III units that are vacant or non-homebuyer occupied, or to provide for limited activities in homeowner-occupied units as long as the work is completed prior to conveyance.

If Turnkey III - Vacant is checked, indicate the number of vacant or non-homebuyer-occupied units planned for substantial rehabilitation next to the box and circle "V". By so doing, the HA indicates that: (1) the proposed modernization will result in bringing the identified units into full compliance with the homeownership objectives under the Turnkey III Program; and (2) the HA has homebuyers who both are eligible for homeownership, in accordance with the requirements of 24 CFR Part 904 for PHAs or 24 CFR Part 950, Subpart G, for IHAs, and have demonstrated their intent to be placed into the Turnkey III units proposed to be substantially rehabilitated.

If Turnkey III - Occupied is checked, indicate the number of Turnkey III units which are paid off, where work will be performed to meet statutory or regulatory requirements next to the box and circle "O".

Number of Buildings. Enter the number of buildings containing dwelling units.

Current Bedroom Distribution. Enter the current number of units for each bedroom size.

Vacant Units. Enter the number of vacant units as of the date this form is prepared and the percentage of vacant units to the total number of units in the development.

Total Current Units. Enter the number of units in this development under ACC.

Column Instructions:

General Description of Needed Physical Improvements. Enter a general description of all unfunded physical improvements that must be undertaken to bring the development (dwelling and nondwelling structures, dwelling and nondwelling equipment, and site) up to a level at least equal to the modernization and energy conservation standards and to comply with other program requirements. Also, include any replacements of equipment, systems and structural elements that will be needed, assuming routine and timely maintenance, within the next five years. Enter only physical improvements that are eligible for CGP funding. Do not enter any physical improvements already funded by CIAP or other sources which the HA plans to complete. However, enter physical improvements currently funded under CIAP where the HA plans to reprogram CIAP funds for other work under the CGP.

On a separate form, include any unfunded physical improvement needs for HA-wide nondwelling structures and equipment. Also, include any replacements/rehabilitation of nondwelling structures and equipment that will be needed, assuming routine and timely maintenance, within the next five years.

Describe the proposed improvements in broad categories, such as kitchens, bathrooms, roofs, electrical systems, heating systems, landscaping, nondwelling structures, lead-based paint abatement, physical accessibility, maintenance facility, computer hardware, etc. Include all broad categories of needed work without regard to the availability and/or source of funds.

If there are no current needs and the HA does not anticipate any replacement needs within the next five years, enter a statement to that effect in this section. Such a statement does not preclude the HA from amending the needs assessment at any time within the five-year period if unforeseen needs arise or from identifying new needs which have occurred when the needs assessment is revised every sixth year.

Urgency of Need. For each broad category of work identified under the General Description of Needed Physical Improvements, enter a number that corresponds to the urgency of the need on a HA-wide basis, with "1" reflecting the most urgent need and "5" reflecting the least urgent need. Assign a "1" to activities required to correct emergency conditions and to meet statutory or other legally mandated requirements, such as physical accessibility.

Total Preliminary Estimated Hard Cost for Needed Physical Improvements. Enter the total preliminary estimated hard cost for the broad work categories listed in the General Description of Needed Physical Improvements; excluding any management improvements, administration, architectural/engineering fees, relocation or other soft costs.

Per Unit Hard Cost. Divide the Total Preliminary Estimated Hard Cost for Needed Physical Improvements by the total number of current units in the development and enter the per unit hard cost.

Physical Improvements Will Result in Structural/System Soundness at a Reasonable Cost. Check Yes or No. For cost reasonableness, the preliminary estimate of hard costs for work proposed at the development shall be 90 percent or less of Total Development Cost (TDC).

Development Has Long-Term Physical and Social Viability. Check Yes or No as to whether the HA has determined that the development has long-term physical and social viability. **Note:** If No is checked, attach the viability analysis and an explanation of what actions are proposed regarding the nonviable development.

Date Assessment Prepared. Self-explanatory.

Source(s) of Information. Identify the source(s) of information used to develop the General Description of Needed Physical Improvements. Retain such information in HA files (1) as supporting documentation for the needs assessment, (2) for post-review by HUD, or (3) for submission to HUD upon request.

Physical Needs Assessment
Comprehensive Grant Program (CGP)

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

OMB Approval No. 2577-0157
(exp. 11/30/2008)

HA Name		
HOUSING AUTHORITY OF FRESNO COUNTY		[X] Original [ ] Revision Number _____
Development Number: CA09P028002	Development Name: MEMORIAL VILLAGE	DOFA Date or Construction Date: 1952

Development Type		Occupancy Type		Structure Type	
Rental	✓	Family	X	Detached/Semi-Detached	X
Turnkey III - Vacant		Elderly		Row	
Turnkey III - Occupied		Mixed		Walk-Up	
Mutual Help				Elevator	
Section 23, Bond Financed					

Number of Buildings: 18

Current Bedroom Distribution: 0 0, 1 8, 2 16, 3 9, 4 2, 5 0, 5+ 0

Number of Vacant Units: 0 — 0 %

Total Current Units: 35

General Description of Needed Physical Improvements	Urgency of Need (1-5)
See Exhibit "A" attached	

Total Preliminary Estimated Hard Cost for Needed Physical Improvements	$ 775,000.00
Per Unit Hard Cost	$ 22,143.00
Physical Improvements Will Result in Structural/System Soundness at a Reasonable Cost	Yes [X] No [ ]
Development Has Long-Term Physical and Social Viability	Yes [X] No [ ]
Date Assessment Prepared	6-13-06

Source(s) of Information
1. Physical Inspection on 6-13-06
2. Historical Cost Data

form **HUD-52832** (10/96)
ref Handbook 7485.3

Exhibit "A"

Physical Needs Assessment
Memorial Village, CA-28-2
35 Units
June 13, 2006

	Estimated Hard Costs	Urgency of Need (1-5)
Site:		
Site Grade / Drainage	$30,000	2
Trees / Landscape	$15,000	2
Irrigation System	$80,000	1
Parking Lots / Asphalt Roadways / **Slurry Seal**	$15,000	2
Site Lighting	OK	4
Sidewalks	$15,000	4
Trash Enclosures	$50,000	1
Sewer System (Lateral and Mains)	$60,000	2
Water Distribution System	$20,000	3
Fences	OK	5
Dwelling Structures:		
Roofs	OK	5
Stucco	OK	4
Wood Fascia / Trim	OK	5
Exterior Paint	$15,000	4
Interior Paint	$25,000	4
Doors (Entry / Interior)	$30,000	3
Floors	OK	4
Cabinets	OK	4
Plumbing Fixtures	$35,000	3
Plumbing (Water Heaters, Valves, Angle Stops, Drains)	$20,000	3
Storage and Water Heater Rooms / **Doors**	$230,000	1
Electrical (Service Panels, Wiring, Light Fixtures, Devices)	$40,000	2
Mechanical (Coolers, AC, Range Hoods, **Heaters**)	$25,000	3
Structural	OK	5
Insulation (Wall / **Attic**)	$40,000	2
Dual Pane Windows	OK	4
Physical Accessibility	$30,000	1

Total Preliminary Estimated Hard Costs for Physical Improvements: **$ 775,000**

Public reporting burden for this collection of information is estimated to average 35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

This collection of information requires that each eligible applicant submit comprehensive plan information to HUD every six years in order to receive its annual formula grant. This information will be used by HUD to determine whether the comprehensive plan/annual submission meets statutory and regulatory requirements for the annual formula grant. Responses to the collection are required by Section 14(e)(1)(A) and (C) of the U.S. Housing Act of 1937, as amended. The information requested does not lend itself to confidentiality.

Instructions for Preparation of Form HUD-52832—Physical Needs Assessment

Report Submission: Prepare a separate form HUD-52832 for each development in the HA's inventory, which is eligible for Comprehensive Grant Program (CGP) funding, for all HA-wide nondwelling needs, e.g., maintenance equipment, and for any development needs. Submit these forms to HUD as part of the submission of the original Comprehensive Plan in the first year of participation in the CGP and every sixth year when a complete revision of the physical needs assessment is required. On an as-needed basis, submit a revised form where physical needs have significantly changed since the last needs assessment and the HA wishes to include these needs in the Five-Year Action Plan. Developments which are contiguous and treated as one development for management purposes may be grouped together on a single form.

Heading Instructions:

HA Name. Enter the HA name.

Original or Revision Number. Self Explanatory. Every sixth year a new original is prepared.

Development Number. Enter an 11-digit alpha numeric code as follows: two-digit State code (alpha); two-digit Field Office code (numeric); P for Public Housing or B for Indian Housing; three-digit HA number (numeric); and three-digit development number (numeric). For example, VA05PO36001. In lieu of a development number, enter "HA-wide" for physical needs that are HA-wide in nature.

DOFA Date. Enter the Date of Full Availability (DOFA).

Construction Date. For acquired developments enter the actual date of construction or for scattered sites, the average date of construction of all buildings. **Note:** When the construction date is provided, this date will be used in lieu of the DOFA, subject to a 50-year cap.

General Characteristics. Check the appropriate box that describes the type of development, the type of occupancy, and the type of structure. CGP funds may be used to provide for modernization activities in Turnkey III units that are vacant or non-homebuyer occupied, or to provide for limited activities in homeowner-occupied units as long as the work is completed prior to conveyance.

If Turnkey III - Vacant is checked, indicate the number of vacant or non-homebuyer-occupied units planned for substantial rehabilitation next to the box and circle "V". By so doing, the HA indicates that: (1) the proposed modernization will result in bringing the identified units into full compliance with the homeownership objectives under the Turnkey III Program; and (2) the HA has homebuyers who both are eligible for homeownership, in accordance with the requirements of 24 CFR Part 904 for PHAs or 24 CFR Part 950, Subpart G, for IHAs, and have demonstrated their intent to be placed into the Turnkey III units proposed to be substantially rehabilitated.

If Turnkey III - Occupied is checked, indicate the number of Turnkey III units which are paid off, where work will be performed to meet statutory or regulatory requirements next to the box and circle "O".

Number of Buildings. Enter the number of buildings containing dwelling units.

Current Bedroom Distribution. Enter the current number of units for each bedroom size.

Vacant Units. Enter the number of vacant units as of the date this form is prepared and the percentage of vacant units to the total number of units in the development.

Total Current Units. Enter the number of units in this development under ACC.

Column Instructions:

General Description of Needed Physical Improvements. Enter a general description of all unfunded physical improvements that must be undertaken to bring the development (dwelling and nondwelling structures, dwelling and nondwelling equipment, and site) up to a level at least equal to the modernization and energy conservation standards and to comply with other program requirements. Also, include any replacements of equipment, systems and structural elements that will be needed, assuming routine and timely maintenance, within the next five years. Enter only physical improvements that are eligible for CGP funding. Do not enter any physical improvements already funded by CIAP or other sources which the HA plans to complete. However, enter physical improvements currently funded under CIAP where the HA plans to reprogram CIAP funds for other work under the CGP.

On a separate form, include any unfunded physical improvement needs for HA-wide nondwelling structures and equipment. Also, include any replacements/rehabilitation of nondwelling structures and equipment that will be needed, assuming routine and timely maintenance, within the next five years.

Describe the proposed improvements in broad categories, such as kitchens, bathrooms, roofs, electrical systems, heating systems, landscaping, nondwelling structures, lead-based paint abatement, physical accessibility, maintenance facility, computer hardware, etc. Include all broad categories of needed work without regard to the availability and/or source of funds.

If there are no current needs and the HA does not anticipate any replacement needs within the next five years, enter a statement to that effect in this section. Such a statement does not preclude the HA from amending the needs assessment at any time within the five-year period if unforeseen needs arise or from identifying new needs which have occurred when the needs assessment is revised every sixth year.

Urgency of Need. For each broad category of work identified under the General Description of Needed Physical Improvements, enter a number that corresponds to the urgency of the need on a HA-wide basis, with "1" reflecting the most urgent need and "5" reflecting the least urgent need. Assign a "1" to activities required to correct emergency conditions and to meet statutory or other legally mandated requirements, such as physical accessibility.

Total Preliminary Estimated Hard Cost for Needed Physical Improvements. Enter the total preliminary estimated hard cost for the broad work categories listed in the General Description of Needed Physical Improvements; excluding any management improvements, administration, architectural/engineering fees, relocation or other soft costs.

Per Unit Hard Cost. Divide the Total Preliminary Estimated Hard Cost for Needed Physical Improvements by the total number of current units in the development and enter the per unit hard cost.

Physical Improvements Will Result in Structural/System Soundness at a Reasonable Cost. Check Yes or No. For cost reasonableness, the preliminary estimate of hard costs for work proposed at the development shall be 90 percent or less of Total Development Cost (TDC).

Development Has Long-Term Physical and Social Viability. Check Yes or No as to whether the HA has determined that the development has long-term physical and social viability. **Note:** If No is checked, attach the viability analysis and an explanation of what actions are proposed regarding the nonviable development.

Date Assessment Prepared. Self-explanatory.

Source(s) of Information. Identify the source(s) of information used to develop the General Description of Needed Physical Improvements. Retain such information in HA files (1) as supporting documentation for the needs assessment, (2) for post-review by HUD, or (3) for submission to HUD upon request.

Physical Needs Assessment
Comprehensive Grant Program (CGP)

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

OMB Approval No. 2577-0157
(exp. 11/30/2008)

HA Name	
HOUSING AUTHORITY OF FRESNO COUNTY	[X] Original [ ] Revision Number _____

Development Number	Development Name	DOFA Date or Construction Date
CA09P028022	BIOLA APARTMENTS	1969

Development Type		Occupancy Type		Structure Type		Number of Buildings	Number of Vacant Units
Rental	✓	Family	X	Detached/Semi-Detached	X	6	0
Turnkey III - Vacant		Elderly		Row		Current Bedroom Distribution	0 %
Turnkey III - Occupied		Mixed		Walk-Up		0 0 1 2 2 2	
Mutual Help				Elevator		3 4 4 4 5 0	Total Current Units
Section 23, Bond Financed						5+ 0	12

General Description of Needed Physical Improvements	Urgency of Need (1-5)
See Exhibit "A" attached	

Total Preliminary Estimated Hard Cost for Needed Physical Improvements		$ 300,000.00
Per Unit Hard Cost		$ 25,000.00
Physical Improvements Will Result in Structural/System Soundness at a Reasonable Cost	Yes [X]	No [ ]
Development Has Long-Term Physical and Social Viability	Yes [X]	No [ ]
Date Assessment Prepared		6-15-06

Source(s) of Information
1. Physical Inspection on 6-15-06
2. Historical Cost Data

form HUD-52832 (10/96)
ref Handbook 7485.3

Exhibit "A"

Physical Needs Assessment
Biola Apartments, Project CA-28-22
12 Units
June 15, 2006

	Estimated Hard Costs	Urgency of Need (1-5)
Site:		
Site Grade / Drainage	$15,000	2
Trees / Landscape	$10,000	1
Irrigation System	$25,000	1
Parking Lots / Asphalt Roadways / **Slurry Seal**	$25,000	1
Site Lighting	$10,000	1
Sidewalks	$1,000	4
Trash Enclosures	$20,000	1
Sewer System (Lateral and Mains)	$20,000	1
Water Distribution System	$10,000	1
Fences	OK	4
Dwelling Structures:		
Roofs	$12,000	3
Stucco	$5,000	3
Wood Fascia / Trim	$10,000	1
Exterior Paint	$15,000	1
Interior Paint	$7,000	1
Doors (Entry / **Interior**)	$15,000	2
Floors	$25,000	2
Cabinets	$5,000	4
Plumbing Fixtures	$2,000	4
Plumbing (Water Heaters, Valves, Angle Stops, Drains)	$2,000	4
Storage and Water Heater Rooms / Doors	$15,000	2
Electrical (Service Panels, Wiring, Light Fixtures, Devices)	$15,000	3
Mechanical (Coolers, AC, Range Hoods, **Heaters**)	$15,000	2
Structural	OK	5
Insulation (Wall / **Attic**)	$6,000	2
Dual Pane Windows	OK	4
Physical Accessibility	$15,000	1

Total Preliminary Estimated Hard Costs for Physical Improvements: **$ 300,000**

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Attachment ca028q01
Asset Management and Project Based Budgeting

The Housing Authority of Fresno County has begun the transition under the new operating fund program for Low Income Public Housing in converting to Asset Management and Project Based Budgeting (AMP). The grouping process for our developments was submitted to the Department of Housing and Urban Development (HUD) by the deadline of April 20, 2006 and approved on June 22, 2006.

Modifications to these AMPs can be made throughout the year, subject to HUD's approval, based on demolition, disposition, and organizational restructuring as may be necessary for the efficient operation of the Low Income Public Housing Program.

COUNTY LIPH AMP GROUPING

AMP Number	ACC #	Development Name	City	Unit No.	Total Units
CA028000001P	28/07	Helsem Terrace	Kerman	40	
	28/11	Marcelli Terrace	Highway City	24	
	28/22	Biola Apartmentrs	Biola	12	
	28/24	Pinedale Apartments	Pinedale	50	
	28/28	Sanger HOP	Sanger	3	
	28/32	Pinedale Apartments	Pinedale	30	
	28/34	Sanger HOP	Sanger	6	
	28/38	DeSoto Gardens	Fresno S/W	40	
					205
CA028000002P	2801	Stockley Terrace	Selma	25	
	2802	Memorial Village	Sanger	35	
	2805	Magill Terrace	Fowler	20	
	2818	Del Rey Complex	Del Rey	30	
	2820	Laton Apartments	Laton	20	
	2833	Wedgewood Commons	Sanger	64	
					194
CA028000003P	2803	Sunset Terrace	Reedley	20	
	2804	Kuffel Terrace	Orange Cove	20	
	2815	Oak Grove	Parlier	50	
	2816	Kuffel Terrace Anex	Orange Cove	40	
	2817	Sunset Terrace II	Reedley	20	
	2831	Mountain View Apartments	Orange Cove	30	
					180
CA028000004P	2808	Mendoza Terrace	Firebaugh	50	
	2812	Mendoza Terrace II	Firebaugh	40	
	2819	Firebaugh Elderly	Firebaugh	30	

	2830	Cardella Courts	Firebaugh	32	
					152
CA028000005P	2809	Rios Terrace	Mendota	24	
	2810	Taylor Terrace	San Joaquin	28	
	2814	Rios Terrace II	Mendota	40	
	2821	San Joaquin Apartments	San Joaquin	20	
	2826	Mendota Apartments	Mendota	60	
					172
CA028000006P	2806	Cazares Terrace	Huron	24	
	2813	Cazares Terrace II	Huron	20	
	2823	Huron Apartments	Huron	20	
					64
			LIPH		**967**